# EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD

# 2018 COUNTRY UPDATES

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

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# Enlargement countries

## Albania

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming 2019 Enlargement Package Country Report for Albania.

**2. EU action - key focus areas:** The EU continues to monitor thoroughly the protection of human rights, including women's rights, rights of the child, protection of minorities, freedom of expression, property rights, protection of vulnerable groups and, in particular, the integration of Roma and Egyptian communities as well as improvement of detention and probation conditions in the Albanian prison system.

**3. EU bilateral political engagement:** The fourth EU–Albania bi-annual policy dialogue Seminar on inclusion of the Roma and Egyptian communities in Albania was held on 12 December 2018 in Tirana. The recommendations stemming from the Seminar will be assessed in a regular manner, in particular in the EU-Albania Stabilisation and Association Subcommittees on Justice, Freedom and Security. The most recent Subcommittee on Justice, Freedom and Security discussed the human rights related developments, the results achieved and the measures planned.

**4. EU financial engagement:**

In 2018, through the Instrument for Pre-accession Assistance (IPA), the EU continued to provide support amounting to EUR 4 million for the economic and social empowerment of Roma and Egyptian communities in Albania and EUR 14.3 million for the construction of a pre-detention centre and prison in Shkodra, according to EU standards, which was finalised in 2018.

Through the European Instrument for Democracy and Human Rights (EIDHR), two projects, which started in 2017, continued implementation in 2018, targeting child protection and the empowerment of women in the mountain regions in the north of the country. Additionally, two new contracts (totalling EUR 1.2 million) started in 2018 in support of children and youth in conflict with the law and for the protection of LGBTI rights. Under the EU-funded Civil Society Facility and Media Programme (2016-2017), Albania supported civil society organisations with a total amount of EUR 5.4 million with the aim to build the capacities of grassroots local organisations in addressing various human rights issues.

The EU is also providing regional financial support to Albania through the EU – Council of Europe Horizontal Facility for the Western Balkans and Turkey. The issues addressed by the facility were, among others: the capacities of judicial authorities, including supporting effective domestic remedies and facilitating the execution of judgments in the area of property rights; anticorruption strategic/legislative framework; and anti-discrimination, with

a focus on the legal framework and capacities of the main bodies in charge of protection against discrimination. Under the latter component, the Horizontal Facility focused on prisons, minorities and bullying at school.

**5. Multilateral context:** An Inter-Institutional Action Plan (2018-2020) on the implementation of UN Security Council Resolution 1325 was adopted in September 2018. Changes to the Law on Domestic Violence were approved to comply with the Istanbul Convention. The law now provides for immediate protection of domestic violence victims. In May 2019, Albania is expected to undergo its third Universal Periodic Review (UPR) cycle. Albania continued to cooperate with the European Court of Human Rights. A co-operation agreement with the International Commission for Missing Persons (ICMP) was signed in July and ratified by the Albanian Parliament in November 2018.

## Bosnia and Herzegovina

**1. Overview of the human rights and democracy situation:**

Please refer to the European Commission's Opinion on the merits of Bosnia and Herzegovina's application for EU membership.

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights, including the rights of persons belonging to minorities, as well as equality between sexes, as part of the EU integration process of Bosnia and Herzegovina. In 2018 the Commission worked on the preparation of its Opinion for the Council on the EU membership application of the country, which includes an assessment of the preparedness on human rights and the protection of minorities. Several peer review missions with EU member state experts were conducted between March and November 2018 on gender equality and women's rights; non-discrimination; freedom of assembly; legal aid; and the prevention of torture and ill-treatment in detention.

**3. EU bilateral political engagement:** The biannual seminar on the Social Inclusion of the Roma was held in Sarajevo on 30 January 2018, reviewing the state of play in the sector. The implementation of its recommendations is assessed in the regular policy dialogue between the EU and Bosnia and Herzegovina.

The experts' recommendations stemming from peer review missions organised in view of the preparation of the Commission Opinion on the EU membership application of Bosnia and Herzegovina fed into the policy dialogue between the EU and Bosnia and Herzegovina in the framework of the 3rd Stabilisation and Association Subcommittee on Justice Freedom and Security (Banja Luka, 28-29 November 2018).

In July 2018, the EU launched a new partnership with Bosnia and Herzegovina on Women, Peace and Security (UNSCR 1325); Bosnia and Herzegovina adopted a new UNSCR 1325 action plan 2018-2022 on 3 August 2018.

**4. EU financial engagement:** Actions under the Instrument for Pre-accession Assistance (IPA) included support to the transformation of institutions for children without parental care (EUR 1.3 million), continued assistance via ICMP to account for persons missing from the conflicts of the 1990s (EUR 3 million) and support for civil-society to foster the recovery of areas affected by the 2014 floods (EUR 2 million).

New actions have been planned to strengthen the capacities of domestic institutions to monitor the implementation of legislation on gender equality and non-discrimination ("EU for human rights and antidiscrimination", IPA2017, EUR 0.6 million) and to improve legislative alignment with the EU *acquis* on gender equality (Gender Equality Facility, IPA2018, EUR 0.5 million). EU support will also help strengthening the independence, transparency, efficiency, accountability and ultimately public trust in the justice system and monitoring the processing of war crime cases ("EU4Justice in BiH II", IPA2018, EUR 5 million). An action in support to demining is also foreseen for the coming years (IPA2018, EUR 10 million).

Via the IPA Civil Society and Media Facility, nine new projects worth EUR 4,5 million were contracted in 2018, totalling to 12 ongoing projects worth EUR 7 million. These new projects focus notably on youth empowerment, youth employability, media freedom, environment and climate change, social entrepreneurship, social inclusion of persons with disabilities, fight against corruption in the healthcare sector, and overall involvement of civil society in the EU integration process.

Via the European Instrument for Democracy and Human Rights (EIDHR), five new projects for a total of EUR 0.9 million were contracted in December 2018 with grants involving 13 organisations to work on the promotion and protection of children, women, elderly, and LGBTI persons, the protection of consumer rights, and corporate respect of human rights.

The EU is also providing regional financial support to Bosnia and Herzegovina through the EU – Council of Europe Horizontal Facility for the Western Balkans and Turkey. Ongoing actions focus on strengthening the Human Rights Ombudsman institution and on promoting the protection of the rights of detainees. Pilot actions also address inclusive education and minority protection.

For example, thanks to EU support, more than 10,000 new citizens answered the call of the Coalition Pod Lupom ("under the magnifying glass"), tripling the number of domestic non-partisan observers. 3,800 citizens monitored the 2018 general elections, covering around 80% of the polling stations. Moreover, thanks to EU support, a total of 140 Roma families (652 persons of which 320 children) in 9 municipalities of Bosnia and Herzegovina moved into new or rebuilt social housing units, and improved their social and economic conditions. State and local authorities were supported in preparing action plans for the social inclusion of the Roma population.

**5. Multilateral context:** The Committee of Ministers of the Council of Europe adopted a four-year Action Plan for Bosnia and Herzegovina 2018-2021 on 13 June 2018, including jointly agreed actions in democracy, human rights and rule of law, reflecting the country's commitments to Council of Europe's membership obligations and EU integration priorities.

## The Republic of North Macedonia

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming 2019 Enlargement Package Country Report for North Macedonia.

**2. EU action - key focus areas and bilateral political engagement:** The EU continues to monitor closely the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy dialogue on both technical and political levels, notably in the context of the Justice and Home Affairs subcommittee under the Stabilisation and Association Agreement, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas include justice reform, non-discrimination and freedom of expression.

**3. EU financial engagement:**

Under the European Instrument for Democracy and Human Rights (EIDHR), there were 6 projects ongoing in 2018 with a total value of EUR 1.1 million. The funded projects address numerous human rights challenges and will support the promotion of UN Guiding Principles on business and human rights, gender equality, the rights of persons with disabilities and the provision of free legal aid. In addition, the projects would contribute to the development of active civil society able to support good governance, rule of law, freedom of expression, fight against corruption and better social protection in the country.

Under the Instrument for Pre-Accession Assistance (IPA), EUR 9 million was allocated through 38 grant projects, provided mainly under the Civil Society Facility, addressing human rights challenges such as gender equality, access of persons with disabilities to social, professional and cultural opportunities or access to justice for all. The EU grants promoted gender equality, rights of persons with disabilities, Roma inclusion as well as supporting civil society organisations (CSOs) in improving inter-community relations, tolerance, equality and non-discrimination.

IPA-grants to civil society organisations have supported young leaders and change-makers in promoting freedom of expression, human rights and integration as well as prevention of radicalization in multi-ethnic communities. Funds have also been granted to improving media literacy, stimulating a culture of critical thinking, pluralism and democratic values, strengthening responsibility and ethics in media. Additionally, EU financial assistance to the country under IPA included a EUR 6.8 million package supporting the justice system (including free legal aid) and enhancing the material and technical conditions to improve human rights and access to justice in judiciary and prosecution institutions.

Projects worth EUR 7 million, launched in 2016 under the EU-Council of Europe Horizontal Facility for the Western Balkans and Turkey and the JUFREX regional programmes, have covered various areas of fundamental rights, including non-discrimination and protection of vulnerable groups, freedom of expression, strengthening the judicial capacities to safeguard human rights and combat ill-treatment and impunity as well as prevention of trafficking in human beings, reintegration of victims of trafficking and access to free legal aid.

**4. Multilateral context:** North Macedonia continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular of the United Nations and of the Council of Europe.

In September 2018, the Committee on the Rights of Persons with Disabilities concluded its consideration of the initial periodic report of North Macedonia on measures taken to implement the provisions of the Convention on the Rights of Persons with Disabilities. In November 2018, the Committee on the Elimination of Discrimination against Women considered the country's sixth periodic report on its implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

The country continued working on implementation of the judgements of the European Court of Human Rights.

## Kosovo

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming EU 2019 Enlargement Package Country Report for Kosovo.

**2. EU action - key focus areas / bilateral political engagement**: The EU continues to closely monitor the respect for human rights. There is a regular policy dialogue on both technical and political levels, notably in the context of the Justice, Freedom and Security subcommittee under the Stabilisation and Association Agreement, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society.

**3. EU financial engagement:** Financial support is provided under the Instrument for Pre-accession Assistance (IPA) and the European Instrument for Democracy and Human Rights (EIDHR). Under IPA, by December 2018, the EU-Community Stabilisation Programme phase III completed 260 projects (198 individual family businesses and 62 community development projects amounting to EUR 1.4 million) creating and/or securing over 570 jobs and indirectly affecting around 75 000 inhabitants in the disadvantaged minority areas.

The IPA Civil Society Facility and Media Programme supported two coalitions of civil society organisations (CSOs): for the promotion of fundamental rights of vulnerable and marginalised groups (EUR 900 000) and to promote employability of vulnerable groups in Kosovo and their inclusiveness in education and employment (EUR 900 000). Independent journalism with a focus on human rights was strengthened through a grant scheme

dedicated to activists and journalists. Under the same instrument, three operating grants contributed to protect and promote the rights of LGBTI persons.

The EU is also providing regional financial support to Kosovo through the EU-Council of Europe Horizontal Facility for the Western Balkans and Turkey on prison reform, the introduction of the European Commission for the Efficiency of Justice (CEPEJ) tools in the judiciary, as well as on education (anti-discrimination and anti-corruption, EUR 700 000). A new component on human rights and police was added to the Facility to follow up on recommendations from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

Eight EIDHR projects awarded to local CSOs in 2016 (overall amount EUR 1,7 million) continued to support the work of the Ombudsperson Institution, promote political participation and economic rights of women, protect the rights of the child and victims of violence and/or discrimination.

**4. Multilateral context:** Kosovo continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular with the Council of Europe.

## Montenegro

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming 2019 Enlargement Package Country Report for Montenegro.

**2. EU action - key focus areas / bilateral political engagement:** The EU continues to closely monitor the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy dialogue on both technical and political levels, drawing from monitoring of the implementation of the action plan for Chapter 23, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas included freedom of expression, gender-based violence and the rights of persons belonging to minorities.

**3. EU financial engagement:** In 2018, under the Instrument for Pre-Accession Assistance (IPA), three projects (worth ca. EUR 2.5 million) continued to provide broad and concrete support in the area of human rights. The projects aim to provide sustainable solutions for the internally displaced Roma population, promotion and protection of the human rights of Roma, Egyptians and other vulnerable groups, gender equality, support for the Ombudsman's office, the Ministry of Human and Minority Rights and the Ministry of Justice (prison administration) on the application of human rights standards.

In the framework of the IPA Sector Operational Programme for Education Employment and Social Policies (SOPEES), a EUR 3-million grant scheme was designed to implement quality social service for the most vulnerable groups. This includes a EUR 300,000 grant to

strengthen the role of Roma mediators in the sector of inclusive education and EUR 300,000 awareness-campaign against discrimination of ethnic minorities. These actions will be implemented in 2019.

In addition, within the IPA Civil Society Facility, EUR 280,000 was allocated in 2018 for a project targeting peer-to-peer school violence.

Six projects under the European Instrument for Democracy and Human Rights (EIDHR) were implemented during 2018, totalling EUR 760,000. The topics range from promoting the rights of people with disabilities, social housing, right to access information, LGBTI rights, to building trust in the integrity of the electoral process, and education about human rights of both student and the general public. In addition, three more projects under the EIDHR were contracted in May 2018, with a total value of EUR 380,000. The projects cover the areas of prevention and protection from sexual violence, consumer protection rights of persons with disabilities, trade unionisation of Roma workers and political and civic activism of Roma.

Through EU financial assistance a shelter for women victims of domestic violence in Podgorica was able to remain operational, providing prevention and protection from sexual violence. The shelter has been helping victims of sexual violence for years, often pro bono. The EU-funded grant aims to increase the capacity of the shelter to carry out its core activities, as well as public advocacy and awareness raising. The latter activity focuses on real testimonies of sexual violence victims to address attitudes in society and encourage more victims to come forward.

Likewise, an organisation of transgender persons (SPECTRA) was established by local NGOs and provided funding for its operation thanks to EU-funded grants. SPECTRA is becoming more visible in society where it combats discrimination of transgender persons, which is even more widespread and open than for other members of the LGBTI community.

As part of the EU-Council of Europe Horizontal Facility for the Western Balkans and Turkey, funding has been provided to the NGO sector to assess police and prosecutorial investigations of ill-treatment cases. A notable achievement of the project was the exposure of a lack of effective investigation in the 2015 protest cases. In 2017, the Constitutional Court established for the first time a violation of the constitutional prohibition of torture due to ineffective investigation.

**4. Multilateral context:** Montenegro continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular those of the United Nations and of the Council of Europe. In June 2018, the Universal Periodic Review (UPR) report on Montenegro (Third Cycle) was adopted by the UN Human Rights Council. Concluding Observations of the Committee of the Rights of the Child for Montenegro were adopted in June 2018, while Concluding Observations of the Committee on the Elimination of the Racial Discrimination for Montenegro were adopted in September 2018. In October 2018, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) published its first evaluation report on Montenegro. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment (CPT) has recently published its fourth periodic report on Montenegro.

## Serbia

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming 2019 Enlargement Package Country Report for Serbia.

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy and political dialogue on both technical and political levels, drawing from monitoring of the implementation of the action plan for Chapter 23, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas include freedom of expression, human rights institutions and the rights of persons belonging to national minorities, including the Roma.

**3. EU financial engagement:** In 2018, the EU continued to implement a number of projects under the Instrument for Pre-accession Assistance (IPA) to support anti-discrimination policies and to improve the situation of vulnerable people, including Roma, refugees and internally displaced persons. In 2018, there were several projects on Roma inclusion with a total value of EUR 11.4 million. Under IPA 2018, EUR 20 million were programmed to promote social housing and inclusion. The EU also committed EUR 0.5 million to establish a 'Resource Centre for Civil Society'.

In the context of the EU Civil Society Facility ten grants with civil society organisations with an overall value of EUR 2.3 million were implemented during 2018. Three new projects were also awarded to civil society organisations in December 2018 (EUR 0.7 million). Support in the form of long-term grants, which include capacity building of grassroots organisations, will increase the effectiveness of Serbian CSOs to undertake initiatives focused on the rule of law, regional cooperation and participation in Serbia's accession negotiations and policy monitoring.

Nine projects funded under the European Instrument for Democracy and Human Rights (EIDHR) for an amount of EUR 1.75 million were implemented during 2018. These projects focus on promoting and protecting the rights of minorities, LGBTI persons, children, and persons with disabilities. There are also projects aimed at preventing torture, protecting human rights defenders and promoting gender equality. One regional EIDHR project covering Serbia and North Macedonia for an overall amount of EUR 612,000 focused on preventing torture, addressing its consequences and fighting impunity.

**4. Multilateral context:** In 2018, the Universal Periodic Review (UPR) Working Group of the UN Human Rights Council discussed the state of human rights in Serbia. Out of 190 recommendations, Serbia accepted 175. The largest number of recommendations relate to freedom of the media and protection of journalists. Other recommendations relate to discrimination against national minorities, women and children, and Roma. Further efforts are needed to address trafficking in human beings and strengthen the independence of judiciary and the Ombudsman.

In June 2018, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment issued a report on its *ad hoc* visit to Serbia, stating that ill-treatment has not been eradicated and remains an accepted practice within the current police culture.

## Turkey

**1. Overview of the human rights and democracy situation:**

Please refer to the upcoming 2019 EU Enlargement Package Country Report for Turkey.

**2. Key focus areas for EU action**: The EU Delegation in Ankara in coordination with EU Member States monitors the trials of Human Rights Defenders as well as those of victims of human rights violations in Turkey. The Delegation is in continuous contact with lawyers, international and local human rights associations and civil society. Beyond its regular assessment of the current situation and legislative changes, the Delegation organises a monthly Working Group on Human Rights with the EU Member States.

**3. EU bilateral political engagement:** The capacity of Turkey to ensure an effective domestic legal remedy in the sense the European Court of Human Rights (ECtHR) has been further undermined by continued political pressure on judges and prosecutors. This continued to have a significant negative effect on the independence and the overall quality and efficiency of the judiciary. Several court rulings favourable to prominent defendants, including human rights defenders, were swiftly reversed by national courts and in some instances following an intervention from the executive. In November, the Ankara court rejected a request from the European Court of Human Rights for the release of Selahattin Demirtaş, the former co-chair of the Peoples' Democratic Party (HDP).

The EU Delegation in Ankara, sometimes together with EU Member States, organises high-level visits to the premises of media outlets, NGOs or HRDs in distress to show support and solidarity as well as visits to national agencies related to human rights. In political talks with authorities, the EU Delegation raises issues and cases such as long pre-trial detentions of journalists and HRDs as well as requests action.

**4. EU financial engagement:** In light of the above negative developments, support to reform and capacity building for rule of law and fundamental rights has become a greater priority for EU financial assistance, as laid out in the reviewed Country Strategy Paper 2014-2020 (IPA II assistance) for Turkey adopted by Commission Decision on 10 August 2018[1].

In general, direct support to civil society organisations (CSOs) and to citizens' rights-based initiatives has been reinforced in 2018 as an answer to the shrinking civic space in the country. Under IPA, the Commission dedicated approximately EUR 31 million to human rights in 2018. A number of projects on human rights are being implemented mainly through

[1] https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-indicative-strategy-paper-2014-2020-for-turkey.pdf

the Civil Society Facility, and in complementarity with other EU instruments. The Civil Society Facility and Media Programme for Turkey provided core funding to rights-based CSOs, to support human rights defenders, to strengthen freedom of expression and media pluralism, and to increase CSOs' capacity to monitor human rights. This includes support to the European Endowment for Democracy (EED) tackling e.g. direct individual human rights issues.

Under IPA national programmes, support is provided through a number of projects for migration management and reform of the asylum system, improving the respect of human rights of refugees and asylum seekers. The implementation of the Action Plan on the Prevention of Violations of the European Convention on Human Rights is one of the supported areas.

Under the IPA 2018 Multi Country Programming, EUR 5 million was allocated as part of Phase II of the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey. It aims at enhancing the respect for human rights, reinforcing the rule of law and promoting democratic governance.

The European Instrument for Democracy and Human Rights (EIDHR) projects in Turkey focus on the most critical human rights issues in the country. As of December 2018, more than 40 projects are under implementation. Priorities in this area are consistent with, and complementary to, the work conducted under other EU financing instruments.

As for Roma, two projects aiming at promoting good governance and Roma empowerment at local level and at increasing education opportunities for Roma students and Roma youth in Western Balkans and Turkey have started implementation in Turkey recently.

The Facility for Refugees in Turkey continues to provide support to refugees and host communities in the country. With a total of EUR 6 billion as part of the EU-Turkey Statement, the first EUR 3 billion envelope was fully contracted by end 2017 through 72 projects to support basic humanitarian needs and more long-term development assistance. The second tranche is being now mobilised and, by end 2018, the EU signed a EUR 400 million contract to ensure continued access to education for refugee children and EUR 50 million humanitarian projects to cover basic needs and protection.

**5. Multilateral context:** The EU regularly raises the human rights situation in Turkey in multilateral fora. In 2018, the EU Delegations to the Council of Europe and to the OSCE expressed on multiple occasions the EU's concern over the continued backsliding in Turkey, including extended periods of detention, procedural rights and freedom of expression. Statements have been delivered both on behalf of the 28 EU Member States and on behalf of the respective EU Delegations.

In 2018, the EU included Turkey in its statements for the three sessions of the Human Rights Council - twice under Item 4 "Human Rights situation that require the Council's attention" and once under Item 2 "Annual Report and Oral Update by the High Commissioner for Human Rights on the activities of his Office and recent human rights developments".

# EEA/EFTA Countries and non EU Western European Countries

## Switzerland

**1. Overview of the human rights and democracy situation:** Switzerland has a very high standard of human rights internally, and an active human rights policy abroad. There are no issues of major concern.

The Federal Council decided in June 2016 to establish an independent national human rights institution mandated to support public authorities, civil society organisations and businesses in the area of human rights. The consultation process on the draft law was concluded in October 2017. The draft law is still in preparation by the administration, before its submission to the Swiss Parliament.

In 2018, the campaign against the "Self-determination Initiative" - aiming at establishing the primacy of the Swiss Constitution over international law - focused on the preservation of human rights and of the multilateral commitment of Switzerland. The initiative was rejected by the Swiss population in November 2018.

**2. EU Action – key focus areas:** The EU and Switzerland enjoy close and frequent cooperation within the international institutions and multilateral arena as regards the promotion of human rights and democracy. Public communication should highlight the variety of areas where the EU and Switzerland are acting jointly and where common achievements are made.

**3. EU bilateral political engagement**: In general, Switzerland has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Switzerland is not included in any operational projects or programmes funded by the European Instrument for Democracy and Human Rights (EIDHR) or other EU instruments.

**5. Multilateral context:** In November 2017, Switzerland's UPR3 cycle took place. In its national report submitted in July 2017, Switzerland notably refers to its 2016-2019 Human Rights Strategy and emphasises the steps taken in view of the creation of a National Human Rights Institution. Switzerland recalls its accession to the Convention on the Rights of Persons with Disabilities (2014), to the International Convention for the Protection of All Persons from Enforced Disappearance (2016) and to the International Labour Organization Domestic Workers Convention (2011), in line with previous UPR2 recommendations.

Switzerland received 251 recommendations and accepted160 (121 immediately supported and 67 noted). It provided replies in February 2018. Remaining challenges identified in the report of the Working Group concern gender equality, LGBTI rights, sexual and gender based

violence. UPR recommendations encourage the final establishment of a National Human Rights Institution.

## Norway

**1. Overview of the human rights and democracy situation:** Norway has historically been a strong supporter and promoter of human rights. It has ratified most of the main UN conventions on human rights, and the protection of civil and political - as well as economic, social and cultural - rights is very strong domestically. Norway is considered to be one of the most gender-equal countries in the world. It is at the forefront of the Women Peace and Security (WPS) agenda and a strong partner on UNSCR 1325. Protection of human rights defenders has long been a key priority for Norway.
Nonetheless, there is a healthy public debate on some issues, including occasional criticism. This includes issues related to the use of solitary confinement in Norwegian prisons, to the Norwegian Child Welfare Service in cases where children were removed from their immigrant parents and to the adequate protection of rights of asylum seekers - particularly minors. As in other European countries, there is on-going debate in Norway on the topic of government surveillance for security purposes and peoples' right to privacy.

**2. EU Action – key focus areas:** As Norway and the EU have very similar views on human rights issues, close cooperation takes place in various multilateral forums (United Nations, Council of Europe, OSCE), as well as on the ground in their country-specific strategies around the world. In Norway, highlighting the various international days linked to human rights (including via social media) is a priority, as well as providing targeted information to relevant Norwegian stakeholders.

**3. EU bilateral political engagement**: In general, Norway has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Norway is not included in any operational projects or programmes funded by the European Instrument for Democracy and Human Rights (EIDHR). However, the EU Delegation in Oslo undertook several Public Diplomacy and Information activities during the course of 2018, in relation to, amongst others, the #EU4HumanRights Campaign, marking Oslo Pride 2018, the 70th anniversary of the UN Declaration on Human Rights and the International Women's Day.

**5. Multilateral context**: In 2014, Norway was subject to a UPR, receiving 203 recommendations from 89 participating countries. Of these, 150 were accepted by Norway, while 39 were considered to be already implemented. In relation to the implementation process of the UPR recommendations, a new common gender equality and anti-discrimination act has inter alia entered into force in 2018.

## Iceland

**1. Overview of the human rights and democracy situation:** Iceland has a very high standard of human rights and a high level of cooperation with international organisations on human rights issues. The World Economic Forum put Iceland on the top of the Global Gender Gap Index for the 10th year in a row in 2018, which shows that gender equality has a prominent place in Iceland's both national and international priorities. In 2018, Iceland took the seat vacated by the US on the UN Human Rights Council, where it has particularly stressed gender equality, the fight against gender-based violence, LGBTI rights and rights of the child. In 2019, Iceland will take over the Presidency of both the Nordic Council of Ministers and the Arctic Council, where gender equality will also feature among the priorities.

Nonetheless, in the public debate, there was some controversy after the national broadcaster reported on allegations of the exploitation of foreign workers. Iceland has furthermore been criticised by the Red Cross for the blanket use of dental analysis when processing asylum seekers.

**2. EU Action – key focus areas:** Iceland is a like-minded partner of the EU in the field of human rights and close cooperation takes place in various multilateral forums (United Nations, Council of Europe, OSCE).

**3. EU bilateral political engagement**: In general, Iceland has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Iceland is not included in any operational projects or programmes funded by the European Instrument for Democracy and Human Rights (EIDHR) or other EU instruments.
However, the EU Delegation in Reykjavik has undertaken several Public Diplomacy and Information activities to showcase the EU's action on promoting human rights and to maintain a dialogue with the main human rights organisations active in Iceland. These activities were amongst others organised in the context of human rights related events, such as International Women's Day, the 70th anniversary of the Universal Declaration on Human Rights and Reykjavik Pride Parade.

**5. Multilateral context**: Iceland's last UPR in November 2016 generally reflected its longstanding commitment to democracy and human rights both nationally and internationally. During the subsequent adoption of the report of Iceland on 4 November 2016, Iceland announced that of the 167 recommendations received, 112 were accepted and 14 were noted. Iceland's inter-ministerial committee on human rights, in charge of coordinating the activities related to the UPR, is preparing a mid-term report for the autumn 2019.

Regarding the implementation process of the UPR recommendations, Iceland ratified the convention on preventing and combatting violence against women and domestic violence (Istanbul convention) and adopted legislation on a general framework for the prohibition of discrimination on ethnic and racial grounds and on the prohibition of discrimination in the workplace in the course of 2018. In 2019, the Icelandic government is inter alia planning to table legislation for the establishment of a National Human Rights Institution.

## Liechtenstein

**1. Overview of the human rights and democracy situation:** Liechtenstein has a very high standard of human rights. The legal basis for the creation of the National Human Rights Institution, the Law on the Association for Human Rights in Liechtenstein, entered into force on 1 January 2017. The National Human Rights Institution secretariat is operational since June 2017.

**2. EU Action – key focus areas:** Liechtenstein is a like-minded partner of the EU in the field of human rights and cooperation takes place in various multilateral forums (United Nations, Council of Europe, OSCE).

**3. EU bilateral political engagement**: In general, Liechtenstein has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Liechtenstein is not included in any operational projects or programmes funded by the EIDHR or other EU instruments.

**5. Multilateral context**: Liechtenstein's UPR 3 cycle took place on 24 January 2018. Liechtenstein received a generally positive appreciation during its review. The creation of an independent National Human Rights Institution in accordance with the Paris Principles was noted as a positive development. 126 recommendations were made, encouraging Liechtenstein to continue addressing cross-cutting discrimination, enhancing civil and political rights and rights of specific persons or groups. Liechtenstein provided replies in June 2018, accepting or taking note of 111 recommendations (15 are considered as already implemented).

# European Neighbourhood Policy

## Armenia

**1. Overview of the human rights and democracy situation:** Peaceful mass protest in April 2018 fundamentally changed the political system in Armenia.[2] The new Government demonstrated a high level of transparency and responsiveness to public views. Snap local and national elections enjoyed broad public trust. The new Government declared as priorities the fight against corruption and judicial reform. Nevertheless, concerns were raised with regards to the capacity and genuine readiness of the judiciary to act independently from the executive and administer justice in an effective and impartial manner. To address systemic issues in this sector in the post-revolution transitional period,

[2] The logic and the pattern of developments pertaining to the human rights and democracy in Armenia remained unchanged in the first quarter of 2018.

the government launched a public discussion on the introduction of elements of "restorative justice". A number of high-profile corruption investigations were launched and some of the most corrupt practices were stopped (e.g. in the work of the traffic police, tax and custom authorities). On freedom of assembly and of expression, Armenia made significant progress and was ranked as FREE in the Freedom House Freedom of the Net 2018 review[3]. However in the World Press Freedom Index published by the Reporters without borders, Armenia is ranked on 80th place. [4]

**2. EU action - key focus areas:** The EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA) remained an important reference for EU and Armenia in the fields of democracy, rule of law, human rights, good governance and anti-corruption. The 2018 Government's programme was fully in line with the CEPA. On 27 November the EU-Armenia Partnership Committee discussed a draft CEPA Implementation Roadmap, to be adopted by the Armenian government.

**3. EU bilateral political engagement:** The EU continued to pursue the objectives of the Human Rights and Democracy Strategy through policy dialogue and development assistance - budget support programmes and geographic/thematic instruments (EIDHR, ENPI CSF). Individual Member States supported this agenda through bilateral development assistance projects and participation in the policy dialogue with the authorities. The 9th EU-Armenia Human Rights Dialogue and the 9th Sub-Committee Meeting on Justice and Security were held in May 2018 in Yerevan.

The EU Armenia Strategic Dialogue on Justice Reforms was launched in September 2018 to support future comprehensive reform in this area. A number of actions under national Human Rights Action Plan (anti-discrimination law, law on domestic violence) for 2017-19 were included in the EU Budget Support Programme.[5] Some progress was reported in connection with protection against torture and inhuman or degrading treatment. On the level of practical implementation, installation of audio-visual recording in interrogation rooms (EU conditionality under the HR Budget Support) has been committed to at the senior level of the law-enforcement sector. There were several positive developments in promoting political participation of women in elections, particularly at the local level.[6]

**4. EU financial engagement:** As a response to the 'Velvet Revolution' in Armenia, the EU has engaged with the new government to explore ways to upgrade our assistance as a response

[3] https://freedomhouse.org/report/freedom-net/2018/armenia

[4] https://rsf.org/en/ranking. The print media are diverse and polarized, investigative journalism flourishes online,
but pluralism lags behind in the broadcast media. Legislative initiatives restricting the right of access to information, and reducing the transparency of public institutions are a source of concern. At least 30 libel suits were filed in 2017 against the founder of the Sut.am website in connection with its coverage of alleged electoral
fraud. Impunity largely prevails when journalists are physically attacked.

[5] The Plan has 99 activities, which, despite some improvement, still lack well-defined SMART indicators. The plan will be updated and revised in 2019. At the same time, a new Plan for 2020-2022 and a new Human Rights Strategy are expected be adopted in 2019.

[6] The Yerevan City Council election in late September 2018, resulted in election of 20 women (31% of 64 members).

to the ambitious reform agenda. EU assistance to Armenia was indicatively programmed between EUR 144 million and EUR 176 million for 2017-2020. Additionally, Armenia has benefited from umbrella funds in AAP 2018 (+EUR 10 million). The existing portfolio comprises close to EUR 300 million of ongoing and EUR 100 million of upcoming grant projects. EU assistance also promoted civic participation including support for the organisation of elections (EU4Citizens-Deepening Democracy). Furthermore, the EU supported the snap parliamentary elections of 9 December with a substantial election package. Under AAP 2018 EU4Citizens, technical assistance has been provided (EUR 1.5 million), and democracy and civic participation actions in the context of holding free and credible elections have been facilitated (EUR 0.9 million including financing from EIDHR instrument). EU funded civil society initiatives covered among others political participation of people with disabilities and women, online media monitoring, mobilisation of first-time voters, domestic observation and work with journalists.

**5. Multilateral context:** Armenia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on 18 January, 2018. However, the national gender coordination mechanism has been dysfunctional since August 2017, and no progress has been observed in relation to further discussion or revision of the National Strategy on Equality between Men and Women for 2017-2021. A draft UNSCR 1325 National Action Plan on Women, Peace and Security has been developed and is pending final approval. Armenia joined the Global Partnership to End Violence Against Children as a Path-finding country in 2018. Amendments to the Family Code were enacted from 2018 to allow for the development and strengthening of an alternative care system in the country. The Government subsequently quadrupled the funding for foster care.

## Azerbaijan

**1. Overview of the human rights and democracy situation:** The human rights situation remains of concern. Violations of the fundamental freedoms of association, expression and assembly and the authorities' persecution of critics or perceived critics continue. The shrinking space for civil society was further reduced by restrictive legislation, including provisions for foreign funding; prominent media websites were closed down with no court ruling; there were cases of journalists imprisoned or detained under administrative order. The access to justice was seriously hampered due to new rules prohibiting practicing lawyers, who are not members of the Bar Association, from appearing in court. Some lawyers active in the cases of Human Rights (HR) defenders were disbarred by the Bar Association. In line with its international commitments, Azerbaijan needs to improve its compliance with ECHR rulings.

**2. EU action - key focus areas**: The EU's cooperation with Azerbaijan has recently intensified in particular with the endorsement, in September 2018, of the Partnership Priorities which will guide and enhance our partnership over the coming years. These priorities also provide a policy framework for our financial cooperation till 2020.

Negotiations on the new EU-Azerbaijan Agreement are ongoing. Respect of democratic principles, the rule of law, human rights and fundamental freedoms and cooperation with civil society are at the core of the agreement.

**3. EU bilateral political engagement:** Three statements concerning the situation of HR and democracy in Azerbaijan were issued in 2018: Statement by the Spokesperson on the sentencing of journalist Afgan Mukhtarli in Azerbaijan (14 January 2018); the EU Statement on the presidential elections in the Republic of Azerbaijan, (12 April 2018) and Statement by the Spokesperson on the conditional release of Ilgar Mammadov, (14 August 2018).

The EU and Azerbaijan reviewed the state of play of social rights and social inclusion, poverty reduction and social protection and discussed possible forms of cooperation in this area during the meeting of the People to people subcommittee that took place in March 2018.

The EU Delegation in Baku established working level contacts to address urgent human rights issues with the Ministries of Justice and Interior and submitted several requests of humanitarian nature. In close cooperation with Member States the EU Delegation closely monitored the ongoing cases of political prisoners, administrative detentions of opposition activists, held meetings with lawyers and relatives, representatives of opposition parties, CSO as well as state institutions. Several meetings with the Ombudsman's office took place to discuss the human rights situation in the country.

On the electoral framework, the EU side encouraged AZ to implement the recommendations made by ODIHR and cooperated closely with OSCE/PACE Election Observation mission during the presidential elections.

EU funded projects on support to penitentiary management and health standards, increasing capacities to implement ECHR decisions, reinforcement of judicial system, support to prevention of corruption and improvement of offender management system. Work on alternative dispute resolution also started in 2018.

Several HR defenders and/or their families received support under the Human Rights Defenders mechanism in 2018.

A number of EU funded projects on social service delivery, inclusive education, socio-economic rights of vulnerable populations were implemented in 2018. New EU funded projects with UNDP and UNICEF started on inclusive education. A new EU funded project implemented by OHCHR started in 2018, providing free legal aid to vulnerable populations, and capacity building for civil society in UN human rights reporting mechanisms

The issue related to the registration of the EU grants was raised by EU Delegation at several occasions and work was undertaken on possible alternative ways to channel funding to NGOs. In cooperation with the CoE, the EU supported projects to revise NGO legislation in line with the CoE standards.

The EU Delegation cooperated with the State Committee for Women, Family and children both on horizontal approaches and concrete projects (implemented through UNDP and

UNFPA) concerning gender biased sex selection, fight against domestic and gender based violence. A series of EU funded projects on advancing gender equality and women empowerment and the rights of disabled persons were implemented in 2018.

The EU Delegation facilitated the visit of Azerbaijani religious clergy delegation, assisted by the State Committee, to Brussels, on 27-28 June 2018.

**4. EU financial engagement:** EU assistance to Azerbaijan was indicatively programmed between EUR 139 million and EUR 169 million over seven years (2014-2020). In the first five years of the ENI, Azerbaijan's assistance package amounted to EUR 76 million.
The envisaged 2019 EU assistance package (EUR 15 million) will support the implementation of EU-Azerbaijan Partnership Priorities in all four EaP priority areas, with a part of funds supporting civil society.

**5. Multilateral context:** As a member of the Council of Europe, Azerbaijan has the duty to comply with the ECHR rulings and is responsible to fully implement them. CoE cooperation programmes in Azerbaijan (often joint programmes CoE–EU) remain a constructive channel of communication. In line with the Action Plan, adopted in October 2018, the Council of Europe and Azerbaijani authorities agreed to jointly carry forward, through co-operation programmes, the reforms aiming to further increase effectiveness, accountability and transparency of the judiciary and the prosecution service, to enhance the application of European human rights standards, to advance the reform of the penitentiary, and continue to strengthen the fight against corruption and money laundering.
As a member of the UN Human Rights Council Azerbaijan presented a resolution on 'Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development and Terrorism and Human Rights' (March 2018).

## Belarus

**1. Overview of the human rights and democracy situation:** In 2018 the human rights situation in Belarus has not improved. Most restrictive laws impacting on fundamental freedoms have not been amended. Activities of unregistered organisations were decriminalised but fines were instead added into the administrative code. The registration process remained extremely complicated. Freedom of association remained also seriously compromised by a restricted access to financing through the requirement to register foreign funding. An independent Human Rights Institution has not been established. No major actions have been taken to implement the National Human Rights Action Plan of 2016: the authorities concentrated on specific areas of practical implementation without making an effort to address the core problems. The death penalty was still applied in 2018, with two new verdicts pronounced and four executions carried out. However, the Belarusian authorities took part in public discussions about the death penalty. EUDEL supported events organised by the campaign Human Rights Defenders against the Death Penalty in October 2018. The February 2018 local elections did not comply with a number of key international standards for credible, inclusive and transparent elections. The work of the expert group established on behalf of the President to study the OSCE/ODIHR recommendations was

suspended and no steps to amend the Electoral Code were taken in 2018. The main challenges continue to be marked by the substantial number of detentions and fines applied to opposition activists, human rights defenders, journalists and trade unionists.[7] Several high-profile cases as the so called BelTA case against journalists of several independent media outlets and guilty verdicts for leaders of the independent trade union REP prompted negative reactions from the international community[8].

**2. EU action - key focus areas**: The EU continued to follow a policy of critical engagement[9] with Belarus, which translated into incremental steps towards deeper cooperation with the country. The EU and Belarus moved closer to finalisation of the EU-Belarus Partnership Priorities, which will shape the cooperation between the EU and Belarus, including in the area of human rights.

In 2018 the EP issued 2 resolutions on Belarus (April and October 2018). The main focus was on deterioration of fundamental freedoms, notably the freedom of media in Belarus. On 7/8 November 2018, a resolution on Belarus was adopted by the EPP Congress in Helsinki - focusing on deterioration of the human rights situation.

**3. EU bilateral political engagement:** In 2018, the Belarusian authorities engaged more on human rights discussions during the regular meetings such as: the Human Rights Dialogue (last meeting took place in Minsk on 17 July 2018) and the Coordination Group (last meeting in Brussels on 12-13 December 2018).

In addition, the EU MS were active in promoting democracy and human rights agenda through numerous projects. For example, the Netherlands contributed via Fund for Regional Partnership – MATRA in areas increasing citizen participation, changing society's attitude towards human rights, strengthening civic activism and strengthening non-governmental institutions' ability to influence transformation processes.

A project for incorporation of the human rights perspective in higher education was carried out with participation of the Swedish Raoul Wallenberg Institute, and series of lectures and exhibitions in various towns of Belarus took place in the framework of the project "Everyone has a right to know his/her rights" supported by Lithuania.

A number of study trips were organised by EU Member States, including study visit on legal mediation to the Netherlands for Belarusian legal experts, as well as study trips and workshops in Germany on organisation of the penitentiary and safeguarding the rights of prisoners, on law making (with parliamentarians), on notary and data protection, on the role of lawyers, on revision in civil law cases and protection of intellectual property.

Several cases of discrimination based on sexual orientation and gender identity, including harassment, homophobic discourse, hate speech and violence against LGBT individuals were

[7] Although the number of politically motivated cases has decreased as compared to 2017, there are no systemic changes that would have shown a less coercive approach by the authorities.

[8] The restrictive regulations on foreign funding (Presidential Decree No. 5) and the criminal liability for obtaining foreign funding remain in force. This problem is closely linked to the guilty verdict for leaders of the independent trade union REP H. Fiadynich and I. Komlik, who were sentenced to 4 years of restricted freedom on tax evasion charges.

[9] In the February 2016 Council Conclusions on Belarus**,** the Council reiterated its firm commitment to strengthening the EU's engagement with the Belarusian people and civil society and stated that "tangible steps taken by Belarus to respect universal fundamental freedoms, rule of law and human rights will remain key for the shaping of the EU's future policy towards Belarus".

reported. On positive side – in March 2018 the LGBTQI NGO called “Outloud/Makeout” was registered.

**4. EU financial engagement:** The EU has doubled its financial assistance to Belarus. A total of more than EUR 120 million was allocated to Belarus in the period 2014-2018 (EUR 53-77 million is indicatively planned in the period 2019-2020 from the European Neighbourhood Instrument.) Financial cooperation is premised on the four Eastern Partnership priorities. Belarus is participating in the multilateral track of the Eastern Partnership and is benefitting from multi-country actions. Belarus is now eligible for EIB lending and has an enhanced engagement with the EBRD.

Belarus also benefits from support under the European Instrument for Human Rights and Democracy (EUR 3 million 2018-2020) and Support to Civil Society (EUR 5 million 2018-2020)**.**

In addition, the EU finances a project that promotes freedom of association and assembly and workshops for the abolishment of the death penalty in Belarus. This project runs 2018-2020 and organises advocacy campaigns and other related events. In addition, on 11 September 2018 EUDEL and 17 Minsk based EU Member states adopted the "EU Roadmap for engagement with civil society" for the period of 2018-2020.[10]

**5. Multilateral context:** In June 2018 the EU again sponsored an item 4 resolution on Belarus and the extension to the mandate of the United Nations Special Rapporteur on human rights[11]. The EU continued to encourage Belarus cooperation with the new UNSR on human rights situation in Belarus who was appointed in October 2018. The authorities became more active in discussing human rights issues in international fora. In particular, in October 2018 Belarus presented its 5th Government Report on the implementation of the International Covenant on Civil and Political Rights (ICCPR) to the Human Rights Council after a 21 year delay, and in April the 5th periodic report on Belarus was reviewed in the UN Committee against Torture. Belarus also accepted a new position of the OHCHR human rights advisor who has been operational in the country since summer.

## Georgia

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Georgia is positive. In 2018 Georgia continued implementing the EU-Georgia Association Agreement including its extensive commitments in the areas of democracy, human rights and the rule of law. Human rights and fundamental freedoms are respected but challenges still remain, especially in the areas of election administration, independence of the judiciary and media, LGTBI rights, and labour rights. The Human Rights Strategy 2014-2020 together with the respective Action Plans (the current plan covering 2018-2019) provide an elaborate framework for the implementation of Georgia's ambitious Human Rights agenda. The Ministry of Internal Affairs established a Human Rights Protection Department in July 2018; an important step for promoting women's rights and gender equality and for tackling hate crimes.

[10] The Roadmap has been a basis for drafting Call for proposals, which the EUDEL foresees to launch in January 2019, and which makes altogether EUR 3.9 million available for CSOs working on Belarus.

[11] Belarusian authorities continue not to recognize the mandate of the UNSR, calling it 'politicised'.

On 16 December the new constitution entered into force, completing the transition from a mixed to a parliamentary system. Presidential elections took place in two rounds on 28 October and 28 November. According to international observers (OSCE/ODIHR), the elections were held in an overall competitive environment and professionally administered. However, monitors also highlighted shortcomings: misuse of administrative resources, engagement in the campaign of officials from the ruling party, imbalance in donations and media polarisation. There is still no development regarding the investigation on the case of the abduction of an Azerbaijani citizen on Georgian territory in 2017. Georgia, once considered a "safe haven" for human rights defenders at risk, might no longer be perceived as such.

**2. EU action - key focus areas**: The EU undertook several steps to ensure the implementation of the Human Rights and Democracy Country Strategy, including close cooperation with like-minded partners and international organisations. Specific actions target gender equality, children's rights, the promotion of human rights mechanisms in Georgia, including the Public Defender's Office, the Human Rights Secretariat, the labour inspectorate and the state inspector office mandated to investigate certain crimes committed by law enforcement officers. A strong focus was put on access to justice and on promoting an independent judiciary.

The EU intensified its efforts to improve the overall sustainability and effectiveness of the Civil Society in line with the EU Road Map for the engagement with Civil Society 2014-2017, through several programmes promoting participation in policy planning and implementation. The EU also supports the Open Government Partnership with the Government and Parliament aimed at civil society involvement in policy making. The new "EU Road Map for the engagement with Civil Society 2018-2020" was adopted in December 2018 following extensive consultations with civil society taking place also in focus regions.

**3. EU bilateral political engagement:** The eleventh EU-Georgia human rights dialogue was held in Brussels in April 2018, and offered the opportunity to discuss the functioning of human rights mechanisms in Georgia, gender issues, anti-discrimination, labour rights and children's rights. Human rights were also discussed during several meeting stemming from the EU-Georgia Association Agreement such as the Association Council in February, the Sub-Committee on Freedom, the Security and Justice in April and the Association Committee in June.

Juvenile justice and human rights situations in prisons were selected as human rights success stories for the visit of the EU Special Representative for Human Rights in May, and then promoted for the UN general assembly in 2018. The Head of the EU Delegation to Georgia and numerous EU Member States' Ambassadors engage regularly in public events on human rights and stress the importance of their promotion and protection.

Through the EU Special Representative for the South Caucasus and the crisis in Georgia, including in his role as co-chair of the Geneva International Discussions, and with the deployment of the EU Monitoring Mission in Georgia, the EU continued throughout the year to promote human security in conflict affected areas. Diplomatically and on the ground,

efforts were made to address the politically complex human rights issues in relation to conflict affected populations.

**4. EU financial engagement:** The EU continued to closely monitor and support the reform processes through budget support, grants especially to the Public Defender and EIDHR projects and joint actions with international organisations, in particular in the areas of justice, Public Administration Reform and penitentiary. It also monitored the pre-electoral and electoral environment of the 2018 presidential elections, including through monitoring the media during the election process and through supporting local election observers.

Several projects, financed through different financial instruments (mainly ENI and EIDHR) are ongoing and address: the promotion of human rights for all; the rights of people with disabilities; the right to health and adequate standards of living of citizens in vulnerable multi-ethnic communities; support for social service providers in rural areas. A large justice programme is also ongoing. Substantial support is provided to the Parliament for strengthening its institutional and oversight capacities; the EU also supports the Public Defender and Civil Society Organisations (CSOs) in these areas.

**5. Multilateral context:** Georgia has a good record of ratifying international human rights instruments but is not yet a party to the International Convention for the Protection of All Persons from Enforced Disappearance. The investigation into war crimes and crimes against humanity committed during the August 2008 war in Georgia ordered by the International Criminal Court (ICC) is ongoing. Georgia is cooperating well with the ICC. The EU encourages Georgia to continue aligning itself with EU positions, particularly on issue pertaining to death penalty.

## Republic of Moldova

**1. Overview of the human rights and democracy situation:** Several observers noted a deterioration of the democratic standards and the rule of law in the Republic of Moldova (hereinafter "Moldova") during 2018. The EU and other international actors regarded as non-transparent the invalidation of the June 2018 mayoral by-elections in the capital, Chişinău, won by opposition leader, Andrei Năstase. In regard to mayoral by-elections held in 2018, there were also reports of instances of suspicious funding of certain political parties, including unreported expenses and lack of transparency of donations, as well as instances of misuse of administrative resources. Legal changes concerning the financing of political parties, including ceilings for cash donations from private persons, were approved at the end of 2018. However, some of the key recommendations made by the Council of Europe (CoE) Venice Commission and the Organisation for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) were not addressed. This concerns in particular: the need for proportional and effective sanctions for violations of the electoral laws, to ensure the right to vote for those residing abroad or in the Transnistrian region, unbiased media coverage and an improved election dispute resolution system.

The investigation of the major bank fraud from 2014 has not advanced in a way that would bring all those responsible to justice or that would allow achieving significant progress in the

recovery of the lost assets. The reform of the justice sector did not advance significantly and the use of pre-trial detention and judicial proceedings held behind closed doors remained common. Cases of prosecution against judges and lawyers involved in high profile cases continued throughout the year. As regards the independence of the judiciary, Moldova was ranked 132 out of 137 countries in the Global Competitiveness Report 2017-2018 of the World Economic Forum. Eight Turkish nationals were expelled from Moldova in September 2018 under unclear circumstances. A long-overdue new Audio-visual Code was adopted, aiming to transpose the EU Audio-Visual Media Services Directive and thus improve transparency and competition in the sector. However, it has not started being implemented yet. During the reporting period, the media landscape remained characterised by the concentration of media ownership and the monopolisation of the advertising market.

**2. EU action - key focus areas**: Council Conclusions on Moldova were adopted on 26 February 2018. The Conclusions reconfirmed EU commitment to political association and economic integration with Moldova, on the basis of the EU-Moldova Association Agreement (hereinafter the "Association Agreement"), but also highlighted a number of important challenges that remained to be addressed related to democracy and rule of law in the country. The Conclusions referred in particular to: the electoral framework, the reform of justice, the fight against corruption – including an impartial and comprehensive prosecution of the perpetrators of the major banking fraud exposed in 2014 –, the media reforms, the inclusion of Civil Society decision making processes, the enhancement of transparency and completions in a number of strategic business sectors.

The EU expressed its views on the non-transparent invalidation of mayoral elections in the capital Chisinau in the joint statement of HR/VP Mogherini and Commissioner Hahn of 27 June 2018. The European Parliament held an emergency debate following the invalidation of mayoral elections and adopted a resolution on 5 July 2018. On 14 November 2018, the European Parliament also adopted a resolution on the implementation of the association report, pointing to a "backsliding in relation to democratic standards in the country".

**3. EU bilateral political engagement:** Human rights and democracy were discussed in the framework of the main meetings related to the implementation of the Association Agreement, such as the Association Council (May), the Association Committee (November) and the Sub-Committee on Freedom, Security and Justice (June). Human Rights Expert Consultations took place with the participation of the OSCE, the United Nations and the Council of Europe in January, and the Human Rights Dialogue in June. They both offered the opportunity for an exchange on several key topics closely followed by the EU and the international partners, including: the electoral framework; freedom and pluralism of the media; fighting against impunity and ill-treatment and human rights protection in the justice system; the rights of the child; fight against discrimination and protection of vulnerable groups. The dialogue – as well as the expert consultations - continued to be attended by civil society representatives, a very welcome practice which allows civil society to be informed directly about the nature and content of discussions.

**4. EU financial engagement:** Moldova made progress in the implementation of economic and reforms in line with the Association Agreement. The economy stabilised, but challenges in the domain of rule of law continue to affect the overall business and investment climate.

In light of developments during 2018, the EU substantially recalibrated its financial assistance to Moldova with a view to redirect its support to projects that have a direct impact on Moldovan citizens. Payments under the Macro-Financial Assistance (MFA) and EU budget support programmes were put on hold. The EU continued to provide financial support for projects focussing on anti-discrimination, the rights of persons with disabilities, preventing and combating torture, gender equality, media freedom and the rights of the child, as well as anti-corruption, support to civil society. Some of these projects were also aimed at confidence building with the Transnistrian region. EU Member States also continued to fund projects supporting civil society and covering a wide range of human rights issues.

**5. Multilateral context:** The Committee of Ministers of the Council of Europe pointed to Moldova's low level of execution of the European Court of Human Rights (ECtHR) rulings. Only half of the ECtHR decisions were executed since 1997 [*205 out of 405*]. The ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which was signed in February 2017, is still pending.

## Ukraine

**1. Overview of the human rights and democracy situation:** Human rights are generally respected and fundamental freedoms upheld in the area under the control of Ukrainian Government. The most severe human rights violations take place in the areas not under the control of the government (NGCA), both in the Crimean peninsula, which has been illegally annexed by Russia, and in eastern Ukraine, due to the conflict in Donbas, as a consequence of Russia's destabilising actions. The situation of more than 1.5 million Internally Displaced Persons (IDPs) from Donbas and Crimea remains challenging, although some improvements have been observed. Concerns exist in a number of areas, including the safety of investigative journalists, rights of persons belonging to different minorities and accountability, while some progress has been observed in gender equality.

**2. EU action - key focus areas:**

- accountability for all crimes, including those committed in the course of the ongoing armed conflict, and during the incidents occurred in Maidan and Odesa in 2014;
- preventing ill-treatment and torture;
- advocating electoral reform;
- promoting and protecting fundamental freedoms;
- protecting the rights of persons belonging to national minorities and vulnerable groups;

**3. EU bilateral political engagement:** The EU has worked closely with Ukraine to improve the performance in the field of citizen's rights. Recent elections (mostly in newly amalgamated municipalities) were held overall in line with international standards. In September 2018, 14 new members of the Central Electoral Commission were appointed. However, the adoption of the new electoral code remains unlikely before the elections 2019.

Ukraine is characterised by a very vibrant civil society, which plays a key role in promoting reforms in Ukraine. Freedom of association is generally respected. Ukrainian legislation protects freedom of expression, however physical attacks against journalists and civic activists and impunity for those crimes still occurs in some instances. Little progress was achieved in 2018 in the prosecution and judgement of high-profile cases related to the 2014 mass killings in Maidan and Odesa.

The EU has been actively engaged with Ukraine in order to promote the rule of law and the fight against corruption. In 2018 an important focus area was the establishment of the High Anti-Corruption Court (HACC). The EU was instrumental in setting up the Public Council of International Experts, including with EU experts, that plays a key role in the selection process of judges before Ukraine appoints them to the HACC.

An important priority for the EU Advisory Mission (EUAM) and international partners has been the adoption of the framework Law on National Security (LNS), which was an important step to increase democratic and civilian control over the security sector. Concrete results will depend on the passing of secondary legislation.

Overall, rights of persons belonging to minorities in Ukraine are respected, despite the limited allocation of funding and administrative resources for the promotion and protection of minority rights. In 2018, violence against the Roma minority was witnessed in a number of cities in Ukraine, reportedly perpetrated by members of extreme right groups. Human rights monitors and civil society organizations have often criticized the lack of effective investigations into these crimes.

The 2018 Government Action Plan for Ukraine's overall political priorities features gender issues higher among priorities than in previous years and measures are planned to enhance gender equality in all areas of public life in Ukraine. The Kyiv Pride Equality March (June 2018), as well as Marches in Kryvyi Rig (July) and Odesa (August), were held without major security incidents, while in November the rally for rights of transgender people in Kyiv was disrupted by far-right organisations. The adoption of a new Labour Code also remains pending. At present, it remains unclear whether the new version of the Code will preserve already existing provisions sanctioning discrimination based on the sexual orientation and gender identity. The Government's action plan foresees strengthening the protection against hate crimes on the bases of gender and sexual identity.

The Law on Education adopted in September 2017 led to criticism by some representatives of national minorities and their kin-states. The Government has committed to implement the recommendations of the Venice Commission (VC), but most of the recommendations remain to be implemented. Consultations on the draft Law on Secondary Education have started and the Government submitted to Parliament a draft bill prolonging the transitional period for entry into force of the law on education. A draft Law on the use of the State language (Ukrainian) has been prepared for the second reading by the Parliamentary Committee, and awaits final adoption by the Parliament. The EU and other international partners have recommended the Ukrainian authorities to seek the advice of the VC on the law, prior to its entry into force.

The EU continued its active promotion of human rights priorities in Ukraine during the annual Human Rights Dialogue that was held in Brussels in May 2018. Human rights have also been on the agenda of the EU-Ukraine Summit, the Association Council, and the Association Committee. They were also addressed in the framework of numerous visits by high officials to Ukraine, including the HR/VP and various Commissioners. In Kyiv, Brussels, and elsewhere, the EU has engaged on a regular basis with the Ukrainian authorities, the international community and civil society. In terms of public messages, the HR/VP, her spokesperson, and the EU Delegation to Ukraine have issued various statements condemning human rights violations in the illegally annexed Crimean peninsula and in NGCA in Donbas.

**4. EU financial engagement:** In 2018, the EU continued to support the implementation of the Human Rights Strategy priorities. The rights-based approach has been streamlined in EU assistance projects. The EU further expanded its financial and technical assistance to the Ukrainian civil society and human rights defenders, supporting their work on political, civil, economic, social and cultural rights, and democratization. A twinning project with the Ombudsperson's office was completed in 2018. The EUAM also supports human rights compliance in the civilian security sector, particularly with issues pertaining to fair trials, effective remedies and freedom of assembly. The EU also worked closely with the Council of Europe through a number of projects focusing on the implementation of European human rights standards in Ukraine, including in the field of freedom of the media, prevention of torture and ill-treatment, and penitentiary and criminal justice reforms. Also, the EU supported the work of the UN Human Rights Monitoring Mission to Ukraine.

**5. Multilateral context:** The EU continues to bring up issues human rights issues related to Ukraine in the OSCE, the Council of Europe and the UN Human Rights Council. This is done both when the issues are related to the areas of Ukraine controlled by the government, but more often when severe human rights violations take place in the areas not controlled by the government on the Crimean peninsula and in eastern Ukraine affected by the conflict in the Donbas.

## Egypt

**1. Overview of the human rights and democracy situation:** Progress on human rights and fundamental freedoms in Egypt remains slow while the country continues to face important security, social and economic challenges. Positive developments included the announcement of the revision of the NGO law and the acquittal of 43 defendants under the foreign funding case. Cash transfer programs to mitigate effect of economic reforms on weakest strata of society have been successful. Amendments to the Inheritance Law, which guarantee women the right to receive their inheritance, were a step forward in improving women's legal status. A lot remains to be done to ensure the full implementation of the important constitutional provisions on human rights, fundamental freedoms and the rule of law. The nationwide state of emergency declared in April 2017 has been renewed every three months since then. Over 470 news and media outlets remain blocked without court rulings. New cybercrime and media laws may further restrict freedom of expression on social media. Activists and human rights defenders have increasingly been tried under state security prosecution and put into

prolonged pre-trial detention. Further significant challenges include increasing pressure on the LGBTI community, continuing discrimination on the grounds of religion or belief, despite the adoption of a law on the construction and licensing of churches, the increase in death sentences, including by military courts for civilians, and executions, and reports of torture enforced disappearances and poor detention conditions.

**2. EU action - key focus areas:** In line with the August 2013 Foreign Affairs Council Conclusions, support to civil society remained a priority in EU bilateral assistance to Egypt, with a focus on women and youth. The adoption of the EU-Egypt Partnership Priorities 2017-2020 allowed both sides to reaffirm their shared commitment to the universal values of democracy, the rule of law and respect for human rights and to agree on strengthening their dialogue and cooperation on these issues as key elements for sustainable stability.

**3. EU bilateral political engagements:** Salient human rights issues were raised throughout the year by the Head of Delegation as well during high-level visits by MEPs and Commissioners. During the visits, meetings were arranged with human rights organisations and human rights defenders (HRDs) to discuss the human rights situation in the country, and that of civil society in particular. The EU Delegation held regular dialogue with the Human rights and Social Affairs Division at the Egyptian Ministry of Foreign Affairs.

The Egyptian Assistant Foreign Minister for Human Rights met with the EU Special Representative for Human Rights in February 2018 in Brussels and both sides confirmed their willingness to enhance cooperation, especially in the area of international human rights law. The fifth meeting of the EU-Egypt Subcommittee on Political Matters, Human Rights and Democracy took place in Cairo on 10-11 January. The Association Committee on 8 November, and the 8th Meeting of the EU-Egypt Association Council on 20 December allowed for a frank and open exchange on all priority areas, including human rights and fundamental freedoms. In its position for the Association Council, the EU mentioned positive developments but also matters of concern to the EU, including restrictions on civil society organisations (CSOs), freedom of expression, mass trials and the death penalty. The HRVP Spokesperson issued two statements in 2018 linked to the human rights situation and the death penalty (on 30 May and 11 September). Meetings of the EU Informal Group on Human Rights were held on a monthly basis, in which human rights and democracy developments and concerns were discussed. Human rights defenders, representatives of civil society, journalists and other relevant interlocutors were invited as guest speakers. The EU Delegation and EU Member States missions continued to monitor salient court cases from a human rights perspective. The European Parliament adopted a Resolution on executions in Egypt in February 2018 and one on the situation of HRDs in December 2018.

**4. EU financial engagement:** In 2018 the EU Delegation managed 35 projects worth EUR 45 million in support of human rights. The projects directly contribute to the promotion and protection of civil, political, social, economic and cultural rights. The activities focus on the fight against all forms of discrimination (gender-based, religious and cultural) as well as female genital mutilation (FGM) and trafficking in human beings. They also aim at enhancing women's rights, children's rights, migrant's rights, persons with disabilities' rights, access to justice, access to culture, cultural diversity and local governance. Considering the increasing pressure on human rights defenders and civil society, the EU Delegation has been in close

contact with the EU Human Rights Defenders rapid response mechanisms and referred several cases to the European Instrument for Democracy and Human Rights (EIDHR) Emergency Fund and the European Endowment for Democracy. Under the EIDHR, a new project was awarded in April to the Dominican Institute for Oriental Studies to foster Freedom of Religion or Belief and inter-faith and inter-cultural dialogue.

**5. Multilateral context:** Egypt is serving a three year term (2017-2021) in the UN Human Rights Council (HRC). Egypt has played an active role as a driving force of the Organisation of Islamic Cooperation (OIC) and is a dominant player in the African Group. In 2018 as in previous years, the EU raised concerns on the human rights situation in Egypt in its statements at the HRC under item 4. Notably, it encouraged Egypt to improve the situation with respect to civil and political rights, including freedom of association, assembly and expression both on and offline, thereby ensuring space for civil society and HRDs. Cooperation increased at multilateral level, with Egypt sponsoring the resolution on the Rights of the Child presented by the EU in cooperation with the Latin American and Caribbean Group (GRULAC) at the 37th session of the UN Human Rights Council (HRC). Egypt also presented a voluntary report on implementation of the Universal Periodic Review (UPR) recommendations.

## State of Israel

**1. Overview of the human rights and democracy situation:** Israel is a democracy with well-established and independent institutions, free media and “basic laws” enumerating fundamental rights. Following the adoption of the so-called “Jewish Nation State Law”, a wide internal debate continued about its potential effects on equality and minority rights, and about the balance between the self-defining characters of the State of Israel as Jewish and democratic. The gap between Jewish and Arab communities remained despite simultaneous effective efforts to raise the Arab sector's socio-economic status. During the municipal elections some local branches of political parties used stigmatising language against the Arab minority. Human rights NGOs continue to raise concerns over shrinking space for civil society, including laws and proposals deemed to further tighten rules governing the operations of NGOs and denials of entry of individuals alleged to support boycotting Israel or settlements.

In the occupied Palestinian territory, where Israel has obligations as an occupying power under International Humanitarian Law, the human rights situation remained difficult, including a rise in incidents of violence and vandalism by settlers, and concerns over the use of force and inadequate law enforcement by Israeli security forces.

**2. EU action - key focus areas:** Similarly to previous years, the EU focused on five priority areas set out in the EU Human Rights and Democracy Country Strategy for Israel (HRDCS) (2016-2020): Israel's responsibilities as an occupying power; children and armed conflict; upholding democratic values; situation of Arab minority; asylums seekers, migrants and foreign workers.

**3. EU bilateral political engagement:** EU actions in 2018 have focused on implementation of the five priorities of the HRDCS. The EU was actively following specific draft legislative initiatives. The EU Delegation together with EU Member States marked Human Rights Day and 70 years of the Universal Declaration of Human Rights. The EU visited a shelter for victims of trafficking in human beings, had discussions with the Office of the UN High Commissioner for Human Rights (OHCHR) and civil society organisations (CSOs) on the impact of International Human Rights Law and International Humanitarian Law as well as a roundtable discussion with families of missing Israeli soldiers and civilians in Gaza.

The EU Delegation actively presented the EU position against the death penalty when draft legislation on this topic was submitted in Israeli Knesset.

The EU remained active on the issue of shrinking space for civil society. The EU took a clear position on unfounded accusations by the Israeli government against EU funding of CSOs. The EU closely followed the situation of human rights activists and hosted a briefing by Omar Shakir, Israel-Palestine Director of Human Rights Watch who had received a deportation order, which was later overturned. The EU Delegation attended his trial in the Jerusalem District Court and the EEAS issued a statement.

In the framework of the Children and Armed Conflict working group, the EU engaged in the dialogue with the Ministry of Welfare's probation officers dealing with Palestinian children in East Jerusalem as well as visited a youth facility for Arab minority and East Jerusalem Palestinian youth in Northern Israel. The EU remained engaged in information exchange and attendance of Palestinian minors' trials.

The EU was active on the topic of migration and asylum and discussed with the authorities Israel's policies with regard to Eritrean and Sudanese asylum seekers. On World Refugee Day, the EU organised a tour of a migrants' clinic (run by NGOs) and a briefing on health issues.

The EU engaged in activities regarding human rights of the Arab minority in Israel. The EEAS issued a statement calling for an investigation into circumstances that appeared to have led to the injury of Jafar Farah, Director of the NGO Mossawa (the Israeli police subsequently announced it expected to indict a police officer in relation to this event), and the EU Head of Delegation visited Mr Farah. The EU continued its work on the rights of Bedouin in the Negev and followed Israeli municipality elections also from the Arab population´s point of view. The EU has been holding numerous dialogues with representatives of religious minorities, including the Bahai community and Jewish ultra-Orthodox religious communities.

**4. EU financial engagement:** The EU supports a number of human rights projects in 2018 in Israel and in the occupied Palestinian territory under the European Instrument for Democracy and Human Rights (EIDHR), covering respect for human rights and International Humanitarian Law, advancing the human rights of Arab Bedouin citizens of Israel in the Naqab/Negev, creating safer communities in Arab towns, or decreasing the isolation of vulnerable minorities, including those with disabilities. Through this programme, the EU also supported the production of several policy reports disseminated through political briefings and/or submission to relevant UN bodies, including for example a report to the Convention on the Elimination of all Forms of Discrimination Against Women, submitted in February 2018 by the Rackman Centre of Bar Ilan University. In addition, through an EIDHR project, implemented by the Minerva Center of the Hebrew University of Jerusalem, many civil

society actors received capacity building support in understanding and interacting with the various UN Monitoring Bodies.

**5. Multilateral context:** Israel's human rights record was addressed in the context of the 29th session of the UN Human Rights Council's (HRC) Universal Periodic Review (UPR) in Geneva in January 2018 when Israel was reviewed for the third time. The EU continued its cooperation with Israeli NGOs which submitted contributions to the HRC ahead of Israel's UPR. The main issues raised by civil society included: excessive use of administration detention, freedom of movement, definition of torture, the situation of the Bedouin minority, asylum seekers, children and armed conflict and marriage and divorce issues. The EU was also in contact with Israeli ministries regarding the UPR.

## Jordan

**1. Overview of the human rights and democracy situation:** Jordan has remained committed to political reforms, the rule of law and respect for human rights and fundamental freedoms, despite a challenging domestic economic situation and regional instability. The country took legislative steps to improve the independence of the judiciary and to advance on women's rights. Challenges remain, especially as regards gender-based violence and gender equality, death penalty, torture and ill-treatment as well as child protection. There are continued constraints on freedom of expression and association in the country on the basis of security concerns.

**2. EU action - key focus areas**: The EU has engaged in a regular dialogue with the authorities to underline the importance of finding a balance between legitimate national security concerns and the respect for Jordan's international and national obligations on human rights. The dialogue focused in particular on five priority areas:

- Freedom of opinion and expression – The EU regularly discussed developments with the Jordanian authorities, including recently proposed amendments to the Cybercrime Law which could further limit the freedom of expression online. The EU continued to encourage Jordan to respect journalists' rights, and advocated for the Counter-Terrorism Law to be limited to serious offences relating to national security. On the positive side, the government is on the way to propose amendments that will improve access to information, thanks to support received through an EU-funded project.
- The rule of law and torture – Serious reform efforts are being undertaken through regulations, bylaws and administrative acts. Amendments to the juvenile law in line with advice provided in the framework of an EU-funded project are in the parliamentary adoption process. On the other hand, human rights defenders and civil society organisations (CSOs) continued to cite cases of alleged torture and limitations of existing legislation on torture.
- Death Penalty – The EU continued to call on Jordan to re-instate the de facto moratorium on the death penalty, with a view to ultimately abolishing it.
- Women and Gender – The EU regularly discussed developments and activities with civil society representatives, the Jordan National Commission for Women and the UN Women

Representative. There have been several signs of improvement in women's rights: the EU supported the opening of the first government shelter for women at risk of honour killings; the first Jordanian female judge was appointed to a position in the Court of Cassation; the 2018-2021 Jordan Action Plan has been released in order to advance the implementation of UNSC Resolution 1325 on Women, Peace and Security. There also have been a number of positive amendments to the Personal Status Law, including the increase of the exceptional minimum age of marriage from 15 to 16 years. The EU has encouraged Jordan to develop the capacity of women to engage in economic, social and political affairs and to strengthen measures to further protect women who are victims of or threatened with violence.

- Civil Society, Freedom of Assembly and of Association – Jordan's civil society remains active. However, legislative and bureaucratic factors hamper its full participation in public life and shaping policy. The EU has called for a balanced use of legislative and administrative provisions to regulate CSOs, in full compliance with international law.

**3. EU bilateral political engagement:** The number of high-level meetings reflects the excellent state of relations. HM the King's visit to Brussels in December, where he met with EU leaders, followed the visits to Jordan of HRVP Mogherini in June, Commissioner Hahn in March and October, Commissioner Stylianides and the Chair of the EU Military Committee in December. The dialogue on human rights and democracy is pursued in the context of the bilateral political engagements under the Association Agreement. At the 11th meeting of the EU-Jordan Subcommittee on Human Rights, Democratisation, Rule of Law and Governance on 14 February 2018 the parties acknowledged the positive steps taken by Jordan and the ongoing challenges yet to be addressed in line with Jordan's international obligations. It was agreed that the EU would continue to support Jordan's National Human Rights Plan 2016-2025, while Jordan would take steps to strengthen the environment for CSOs to work as drivers for positive change. Jordan committed to concrete deliverables in the following areas: discrimination against women, independence of the judiciary, multilateral issues and treatment of migrant workers. An EU electoral follow-up mission visited the country in September to discuss the recommendations of the Election Observation Mission (EOM) of 2016 and the opportunities and challenges in improving the rule of law and elections procedures. A report was published in December. On 4 December, the EU-Jordan Association Committee covered inter alia all priority human rights issues and the follow-up to the EOM. The EU also continued to engage locally on human rights issues with the Jordanian authorities and with civil society.

**4. EU financial engagement:** Strengthening the rule of law is one of the focal sectors for the EU financial support to Jordan under the European Neighbourhood Instrument (ENI) for the period 2017-2020. The EU supports access to justice, legal aid and the interoperability between the judicial and the security actors with a programme of EUR 50 million. The previous programme in the justice sector helped strengthen the capacity of the Judicial Council; improved access to justice by increasing the budget for legal aid and the investments in ICT, and increased the quantity and quality of training provided by the Judicial Institute, which had a positive effect on the quality of judgements. Thanks to EU support, the use of pre-trial detention has been reduced, while the use and development of alternative methods to detention increased.

**5. Multilateral context**: The 31st session of the UN Universal Period Review (UPR) in November was an opportunity for Jordan to reiterate its commitment to uphold human rights standards. In the run-up to the UPR, the EU organised consultations between CSOs and Jordanian institutional stakeholders. During the UPR, the EU and its Member States recognised the progress made, commended the efforts to improve the general human rights situation in the country, and proposed recommendations aimed at further progress in specific areas.

## Lebanon

**1. Overview of the human rights and democracy situation:** Lebanon continued its efforts to respect human rights and the rule of law, despite a challenging context at the regional and national level. Progress was most visible in the holding of parliamentary elections on 6 May 2018, the first in 9 years and to which the EU sent an EU Election Observation Mission (EOM), as well as in the adoption of a number of anti-corruption laws. This is a crucial component of structural reform as highlighted by the commitments undertaken at the CEDRE Conference (Conférence économique pour le développement, par les réformes et avec les entreprises) of April 2018 in Paris. Some positive developments can be noted in relation to women's rights, yet significant challenges remain. An important step in 2018 to advance on human rights was the nomination of members to the National Human Rights Institute that was established back in 2016 with the adoption of an appropriate law by the Parliament. Challenges remain with regard to continuing military courts' jurisdiction over civilians, and freedom of expression, especially the use of criminal defamation charges. Access to legal aid and services remained limited and highly depended on external aid. Lengthy pre-trial detention periods continued, having negative impact on prisons' overcrowding. Progress in relation to the protection of Syrian refugees was limited, and there are concerns that cumulative factors, including evictions, exposure to abuse and deteriorating living conditions, are pushing Syrian refugees to return, at times spontaneously, at times facilitated by Lebanese state and non-state actors. The situation of Palestine refugees has remained precarious. Migrant workers, especially females in the housekeeping sector, remain particularly vulnerable to human rights violations, as shown by the deportation of a woman whose case of alleged abuse was still ongoing. Although a record number of 86 women contested the parliamentary elections of 6 May 2018, women's political and electoral participation remains weak.

**2. EU action - key focus areas:** In its political and policy dialogue with the Lebanese government the EU regularly advocated for human rights protection and carried out numerous activities and organised public events to raise concerns and awareness, particularly on the fight against torture and ill-treatment, on improvement of women's rights, children's rights, rights of refugees and migrants, as well as on the importance of freedom of expression and of a democratic electoral process. Significant steps were taken to support access to justice and to a fair trial. Human rights, rule of law and good governance form an important element of the EU-Lebanon Partnership Priorities signed in November 2016 and the EU therefore engages in a constant political dialogue on these issues.

**3. EU bilateral political engagement:** During 2018, two important dialogue meetings took place in the context of the bilateral political engagements under the Association Agreement:

the subcommittee on Human Rights, Democracy and Governance and the subcommittee on Security and Justice. During these meetings, the EU and Lebanon addressed a wide range of issues and took stock of EU-Lebanon cooperation to build relations further in line with the EU-Lebanon Partnership Priorities.

The EU also sent an EU EOM to the legislative elections held in May 2018. The EU EOM report contains a number of recommendations in view to improve future electoral processes, which will be important to follow-up as objective for the future. The EU raised the issues of freedom of expression and the abolition of the death penalty with the Lebanese authorities on numerous occasions and emphasised the importance to fully operationalise relevant institutional mechanisms to protect human rights, e.g. the National Human Rights Institution and the National Preventive Mechanism. The EU conducted public outreach through video statements, speeches at public events, and conferences.

The EU raised the importance of women's political participation and of women's rights. It continued to support various actions to strengthen child protection systems, including through improving juvenile justice, strengthening the capacities of ministries to provide protection services for children as well as supporting children impacted by armed conflict and providing education opportunities. As regards refugees, the EU continued to advocate for ensuring decent living conditions for Syrian refugees in Lebanon, the importance of legal status to reduce their vulnerability to exploitation and the importance of continued respect of international law in particular respect for the principle of *non-refoulement*.

The EU played a leading role (politically and financially) in efforts of the international community to support Lebanon. At the Rome II Conference in March it ensured that all support to Lebanon's security agencies is carried out in compliance with human rights while also strongly supporting Lebanon's economic recovery and reform agenda at the CEDRE Conference in Paris in April. Following the elections on 6 May, the EU encouraged all Lebanese parties to engage constructively on the government formation process. The EU also continued to engage regularly with civil society organisations (CSOs) to increase their participation in policy dialogue and policy making processes, as set out in the EU Country Roadmap for Engagement with Civil Society (2014-2017). A follow-up to the roadmap is under preparation.

**4. EU financial engagement:** A total of 12 human rights-related projects under the EIDHR and ENI were implemented by Lebanese CSOs and UN agencies for an overall contractual value of over EUR 16.4 million. This project portfolio focused on addressing pressing human rights and democracy needs related to the rights of children and prisoners, access to justice, the right to vote and inter-cultural dialogue. In 2018, the EU also funded projects aimed at strengthening dialogue mechanisms between security actors, communities and civil society, as well as contributing to improved accountability of security agencies. The EU continued financing the Master's degree in Democratic Governance: Human Rights and Democracy in the MENA Region. In addition, through the EU Regional Trust Fund in Response to the Syrian Crisis, the EU provided substantial support to Lebanon (over EUR 1 billion since the beginning of the crisis) that included addressing vulnerabilities of refugees and host communities, supporting the resilience of Palestine refugees from Syria, supporting the education and protection programme for vulnerable Syrian and Lebanese school-aged children as well as ensuring protection of Lebanese people and Syrian refugees from abuse, violence and neglect.

During 2018, the EU continued supporting various programmes to enhance the security sector, including human rights training sessions for law enforcement agencies. While security agencies have shown interest in improving human rights standards, a change in practices – particularly during field operations – will require a long term approach.

**5. Multilateral context:** In March 2018 the UN Human Rights Committee reviewed Lebanon's implementation of the provisions of the International Covenant on Civil and Political Rights (ICCPR). The concluding observations were published in May 2018 and Lebanon is requested to provide, by 6 April 2020, information on the implementation of the recommendations made by the Committee on violence against women, including domestic and sexual violence, refugees and asylum seekers and migrant domestic workers. Lebanon has been requested to submit its next periodic report by 6 April 2023.

## Libya

**1. Overview of the human rights and democracy situation:** Libya continues to go through a period of profound political division and instability, while the state is unable to provide reliable services. The security and justice sectors face major challenges in upholding the rule of law. This lack of control is also reflected in the quasi-absence of instruments to promote, protect, fulfil and respect human rights. Freedom of expression and media, gender equality, the development of civil society and protection of human rights defenders are violated and undermined across the country, especially by various armed groups, while irregular migrants and refugees continue to be subjected to multiple forms of violence and abuse. The Libyan Political Agreement (LPA), signed on 17 December 2015 in Skhirat (Morocco) remains unimplemented while the Government of National Accord has still not been endorsed by the House of Representatives as provided for by the LPA. The UN Special Representative of the Secretary General unveiled his 'recalibrated Action Plan' aiming at breaking the political stalemate in his briefing to the UN Security Council on 8 November 2018.

**2. EU action - key focus areas:**

- Democratic governance: The EU's support for democratic governance and the constitutional drafting process encompasses a wide array of subsectors of projects including institutional support to core government functions, municipalities and local councils, civil society organisations (CSOs), media professionals and other government institutions. The EU thus continued to support Libyan and UN efforts towards a sustainable and inclusive political solution in Libya. Examples include the programme Promoting Elections for the People of Libya (PEPOL) as well as support for municipal elections, and more broadly the media sector's development through a project with the *Deutsche Welle Akademie*. The EU also supported socio-economic development at the municipal level through the EU Trust Fund for Africa (North Africa Window). These projects aim to further strengthen the ability of municipal councils to govern, enhance service delivery, as well as to increase and strengthen the participation of local Libyan civil society organisations in domestic affairs and the political process.
- Civil society and human rights defenders: The EU continued to support human rights defenders (HRDs) in 2018, with the extension of a project financed under the European

Instrument for Democracy and Human Rights (EIDHR) aimed at further strengthening the capacity of HRDs and CSOs working on human rights in Libya. To further address challenges faced by CSOs, such as limited operational capacities, and to promote their participation in policy dialogues, the EU's Action Document "European Union for Civil Society in Libya" was adopted. It is intended to respond to such challenges by strengthening democratic governance, accountability and local participatory development through empowering civil society actors to become independent actors and participate in decision making.

- Equality and economy: Within a project focusing on economic integration, diversification and sustainable employment, strong emphasis is placed on women and youth economic participation. As such, a competition on the best business idea from Libyan women was held as well as a specialised workshop introducing women entrepreneurs to how to use software programming skills to develop their ideas, services or products. A new project supporting Gender-Based Violence (GBV) also started in 2018 which promotes women's rights and dignity through the reduction of gender inequalities and GBV in Libya. The project will enhance the local capacity to reduce incidence of GBV in Misrata.
- Assistance to migrants and refugees: Since November 2017, through a joint Tripartite Task Force comprising the United Nations, the African Union and the European Union to better address migration challenges, the EU has supported the IOM Voluntary Humanitarian Return programme. By the end of 2018 this programme had enabled the return of 22,827 migrants to their countries of origin, as well as UNHCR resettlement and humanitarian evacuation of 2,879 persons of concern.

**3. EU bilateral political engagement:**

The EU Delegation continued to actively raise human rights issues with Libyan authorities, political and security actors, as well as with Libyan civil society representatives, both in Tripoli and Benghazi.

In 2018, the EU Delegation intensified its coordination with EU Member States, international organisations and CSOs, continuing and strengthening the dialogue on human rights in Libya. On the occasion of International Women's Day, a joint local statement was issued. Local statements were made throughout the year condemning specific developments or actions violating or undermining human rights, such as the murder of six civilians taken hostage during the Da’esh attack on Al-Fuqaha, the escalation of violence in September, and the 45 death sentences issued by the Criminal Division of Tripoli's Court of Appeal. On the occasion of International Human Rights Day, the EU Delegation, together with the Embassy of the Kingdom of the Netherlands in Libya and implementing partners, organised an art exhibition in the Art House in Tripoli depicting social problems in Libya through drawings.

**4. EU financial engagement:** The EU's overall assistance strategy in Libya focuses on support to the transition towards a stable, democratic and united Libya, based on a strong partnership promoting the interest of EU and Libyan citizens alike. More than EUR 280 million in bilateral support to Libya is being provided through around 50 ongoing projects across a wide range of sectors, namely: civil society, governance, health, youth and education, migration management and community stabilisation, protection, early recovery, humanitarian aid, security and mediation.

Human rights and democratisation are guiding principles for the EU. As such, the EU implements specific financial and technical assistance programmes in Libya, focusing on the promotion and protection of human rights defenders (HRDs), the rule of law and good governance. One programme aims to equip local stakeholders with tools, knowledge and skills to be agents of change and influence the human rights situation in Libya. This included the successful implementation of a (rare in the Libyan context) five-day art exhibition by Libyan artists and human rights defenders in Tripoli.

**5. Multilateral context:** The EU Delegation continued to support the UN-led efforts, underlining the importance of Libyan ownership of an inclusive political process, notably through the participation of youth, women and civil society. The EU, United Nations and African Union also continue their partnership through the joint task force to better address migration challenges in close cooperation with Libyan authorities.

## Syria

**1. Overview of the human rights and democracy situation:** Systematic and widespread violations of human rights as well as international humanitarian law continued to be committed by all parties to the conflict, in particular the Syrian regime and the UN-listed terrorist organisations. The Syrian regime continued to conduct deliberate and indiscriminate attacks against civilians and civilian infrastructure, used chemical weapons and forcibly displaced civilians in contravention of international law. The regime has continued to instrumentalise humanitarian aid as a weapon of war through siege warfare and used denial of access for humanitarian assistance to compel civilian communities to surrender or starve. The regime's practices of torture and ill-treatment of detainees, extra-judicial killings and enforced disappearances continued. In 2018, there was a marked increase in the number of cases where individuals who had disappeared, presumably at the hands of the regime, turned out to be registered as dead in the civil registry. It is estimated that over 100,000 detainees and disappeared remain unaccounted for. Moreover, in 2018, housing, land and property rights have been curtailed further, for instance by the passing of "Law 10" in April, which potentially provides the basis for the state to confiscate property without due process or adequate compensation. Human rights violations pertaining to women's rights (including inheritance rights) and children's rights remain of particular concern.

**2. EU action - key focus areas:** In 2018, the EU continued to provide substantive support to Syrian civil society organisations, including to the work of the Civil Society Support Room and the Women's Advisory Board, both established by the UN. Civil Society will need to play a prominent role in post-conflict Syria, and in helping that the process of reconciliation is driven by all parts of Syrian society. The EU continues to provide support in that respect to the CSOs. In 2018, the EU continued to support the Syrian people and Syrian civil society and women, as essential stakeholders, to promote democracy and human rights in support of peace and stability in Syria. The EU has supported efforts to promote freedom of expression in Syria, including through supporting free and independent media. In 2018 the EU gathered women representatives in Gaziantep who developed a set of concrete recommendations to empower women and to increase women participation in the peace process at all levels. A

high-level forum of Syrian women was invited to meet with HRVP Federica Mogherini in late 2018 in Brussels in order to highlight the specific challenges they face.

The EU has also continued its work to ensure accountability for war crimes, human rights violations and abuses and violations of international humanitarian law, including the confirmed use of chemical weapons. The EU is one of the main funders of accountability actions in Syria. The focus of EU-supported projects includes documentation efforts of human rights violations and war crimes, transitional justice, International Humanitarian Law and extensive support to civil society organisations. In addition to local and international NGOs, the EU also worked with international organisations such as the OHCHR, the International Commission for Missing Persons, and the Commission for International Justice and Accountability notably to gather documentation and foster progress towards launching a comprehensive data collection process relying on families of missing persons. The EU has been a key supporter in the establishment of the International, Impartial and Independent Mechanism (IIIM), and continues to financially support the IIIM's vital work. The EU has also supported the work of the fact-finding missions of the Organisation for the Prohibition of Chemical Weapons as well as the UN established Independent International Commission of Inquiry. The EU will remain at the forefront of accountability efforts and relentlessly pursue accountability for the atrocities committed in the Syrian conflict. The situation in Syria should be referred to the International Criminal Court (ICC). In the absence of avenues for international justice, the prosecution of war crimes under national jurisdiction represents an important contribution towards securing justice.

**3. EU bilateral political engagement:** In 2018 EU's high-level political attention continued to be devoted to the Syrian crisis, including in the context of the Brussels Conference in April 2018 which succeeded in maintaining the international focus on the situation in Syria. The conference also served to reemphasise the EU's political objectives in Syria, namely to see an end to the fighting and commitment of the parties to engage in a credible political process in line with UNSCR 2254.

The EU has also further enhanced its support to the Syrian opposition and its substantive dialogue with civil society organizations and human rights activists.

The EU has continued its targeted restrictive measures against individuals and entities connected to the Syrian regime's policy of violent repressive policies.

**4. EU financial engagement:** The Syrian crisis is one of the world's worst humanitarian disasters. The EU and its Member States have together allocated over EUR 10.8 billion in humanitarian, development economic and stabilisation assistance since the start of the crisis, making them the leading donor of the international response for Syrians. Since 2011, the EU's support in response to the Syrian crisis has exceeded EUR 5.2 billion**,** including both urgent life-saving *humanitarian* assistance, and *non-humanitarian* aid, which responds to immediate and medium-term needs. The European Instrument for Democracy and Human Rights (EIDHR) as well as the European Neighbourhood Instrument (ENI) provides funding to build capacity and to support work of civil society organisations (CSOs) to promote human rights in Syria, to support human rights defenders (HRDs) and to develop legal solutions with Syrians to protect human rights.

**5. Multilateral context:** The EU has continued to support the resolutions on Syria of the UN Human Rights Council, as well as of the UNGA Third Committee, condemning the escalation of violence in the country, the use of barrel bombs by the Syrian authorities and the human

rights abuses by armed extremist groups, and asking parties to respect their obligations under international humanitarian law and to ensure unhindered access for aid organisations in Syria. The EU also organised a high-level event on the Syrian crisis in the margins of the UNGA 2018 in New York in order to help maintain international attention on Syria.

In Geneva, the EU has continued to participate actively in the work of the Humanitarian and Ceasefire Task Forces.

## Palestinian Authority (occupied Palestinian territory – oPt)

**1. Overview of the human rights and democracy situation -** Preliminary remark: A distinction needs to be drawn between the responsibilities of the Palestinian Authority (PA) and those of Israel as occupying power. The focus of this report lies primarily on the PA's responsibilities in the West Bank and the responsibilities of the *de facto* authorities in Gaza (although, formally, the government in Ramallah bears responsibility for Gaza too).

Fundamental freedoms, freedoms of expression, assembly and association, media and civil society have faced challenges in both the West Bank and Gaza. Local elections were held in 2017 in the West Bank (with the exception of East Jerusalem), but national elections have not been held for over ten years. Consequently, laws are adopted by Presidential decrees and civil society organisations (CSOs) frequently report a lack of transparency in the process. In December 2018, President Abbas dissolved the Palestinian Legislative Council and announced that legislative elections would be held within six months. In late 2018, recommendations of reforms of the justice sector were published, but remain unimplemented. While still able to operate rather freely in the West Bank, space for civil society has been shrinking, and a draft law would, if adopted, further tighten control by the PA. Human rights defenders work in a challenging environment, mostly due to the Israeli occupation, but in recent years there has also been an increased level of violations by the PA. The Independent Commission for Human Rights observed deterioration with regards to arbitrary detention and fair trial standards with an increase in the number of violations of the right to liberty and security of persons in both the West Bank and Gaza. Further challenges remain in the field of gender equality, discrimination against LGBTI persons and (domestic) violence against women, despite the welcome development of family protection and gender units in the police and General Attorney's office, as well as the appointment of specialised judges. Accusations of corruption remain frequent.

**2. EU action – key focus areas:** The EU prioritises continued capacity building of the PA and awareness-raising amongst the population. This includes governance reforms in the security and justice institutions. Another priority is the strengthening of CSOs and greater civic participation in political life. The European Joint Strategy on (financial) support to Palestine[12], which was adopted at the end of 2017, reflects those objectives for the period until 2020. Advisory assistance on security and justice has also come from the EU Co-ordinating Office for Palestinian Police Support (EUPOL COPPS).

[12] 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.

**3. EU bilateral political engagement:** The EU continued to engage in human rights and democracy discussions with the PA *(not with the de facto authorities in Gaza).* In this regard, the EU continued its structured dialogue with the PA on human rights issues through European Neighbourhood Policy (ENP) mechanisms, including the EU-Palestine Liberation Organization (PLO) Joint Committee meeting in September, preceded by the meeting of the Subcommittee on human rights, good governance and rule of law in July. These meetings are usually preceded by consultation sessions with CSOs in the West Bank and Gaza as well as in Brussels.

The Office of the EU Representative in Jerusalem (EUREP) carried out a large number of actions at local level, such as local statements, including on death sentences in Gaza, site visits and attendance at court hearings, and formal and informal steps. Issues of concern were raised at regular meetings with the Palestinian counterparts. EUREP engaged with CSOs to obtain information and to explain and promote the EU's position. These measures have contributed to upholding human rights and democracy issues in the public arena and have thus helped raise awareness among Palestinians. The EU has supported the creation of human rights and gender units in key ministries, such as the Minister of Interior and the Minister of Justice.

Support for Human Right Defenders (HRDs) was granted by the EU, in particular at local level, and including in cases of arrest or administrative detention by Israeli forces, including of minors, and also with regard to Bedouin communities. Numerous meetings took place both in Brussels and in the West Bank to support human rights CSOs. EUPOL COPPS held meetings with a variety of human rights CSOs.

**4. EU financial engagement:** In 2018, the EU continued to provide financial support for human rights and democracy-related programmes and projects through the European Neighbourhood Instrument (ENI) and the European Instrument for Democracy and Human Rights (EIDHR). Through the ENI, the EU funds specific programmes in support of Rule of Law and justice sector reform. The EU also supports capacity building for the PA in its implementation of International Human Rights' treaties to which Palestine acceded in April 2014. In this context, the EU works in close partnership with OHCHR and other UN agencies. The various projects under the EIDHR cover fundamental rights such as the prevention of torture, legal defence of detainees, the right to health, Housing-Land-Property rights, the right to association, freedom of expression and assembly and the protection of HRDs - especially those who promote and defend the rights of vulnerable groups including women, children and persons with disability. Although this support has helped to create awareness of sensitive fundamental rights' issues, its multiplier effects have been relatively low due to the political impasse and the ongoing conflict. Impact has been achieved in terms of collective resilience, new legislation, empowerment of communities on human rights, legal remedies to stop/delay forced displacement by Israel and better protection of vulnerable groups.

**5. Multilateral context:** Palestine is a "non-member observer state" in the UN General Assembly. Several UN agencies cover human rights issues in the oPt. Palestine has ratified more than 50 conventions including the seven most important Human Rights Conventions. A recent decision by the High Court raised concerns as it can be interpreted as retrospectively placing reservations based on culture and religion on the human rights treaties Palestine has signed and acceded to.

The Convention on the Rights of the Child has been ratified and in some areas there has been improvement. While child labour continues to represent a problem, steps have been taken to address this issue. In the area of Juvenile Justice, progress has been made and a national plan is currently being implemented.

The UN Convention against Torture was signed in March 2014 but regular complaints of torture and ill-treatment in detention centres, in both Gaza and the West Bank continue. While torture is not considered to be systematic in the West Bank, the UN, civil society and the ICHR have repeatedly expressed concern about the use of torture. In 2018, 13 death sentences were handed down in Gaza but none in the West Bank.

While freedom of religion or belief is generally well observed without discrimination, discrimination against women remains a concern even though the Basic law of Palestine clearly states that women have the same rights as men. The PA has undertaken initiatives that aim to address these problems in the long-term, including ratifying the Convention on the Elimination of all Forms of Discrimination Against Women.

## Kingdom of Morocco

**1. Overview of the human rights and democracy situation:** Morocco continued to make progress in several areas of human rights protection in accordance with the 2011 Constitution, completing its legislative framework with the adoption or enforcement of laws on the reorganisation of the National Human Rights Council (CNDH), combatting violence against women and girls, and access to information. The CNDH was empowered with new protection mechanisms on the prevention of torture and the protection of children's rights and persons with disabilities. The EU has been supportive in strengthening the capacity of the CNHD. Significant steps were taken to reform the judicial system. The Independent Prosecutors Office directed an unprecedented number of instructions to reduce the use of preventive detention, discourage early, forced and child marriage and improve the conditions of detainees. Remaining challenges concern freedom of expression and assembly, including with regard to the Hirak protest movement in the Rif and Jerada. No new initiative was taken to improve the protection of minority rights, including LGBT rights, and rights of persons belonging to religious minorities. Corruption remains a structural challenge despite concrete efforts to strengthen prevention. A commission to fight corruption was set up, whose members still need to be appointed. In the field of migration, in line with its National Strategy on Migration and Asylum which is unique in the region, according to the Moroccan authorities some 50,000 new migrants have been regularised to date. Challenges remain in the management of migration flows, including the passing of an asylum law, protection of migrants and access to basic services.

**2. EU Action – Key focus areas:** EU action in Morocco is based on the priorities defined in the 'EU-Morocco Action Plan implementing the advanced status' for the period 2013-2017, which was extended by one year in 2018. The focus areas for dialogue and cooperation include: the strengthening of processes and institutions that guarantee democracy and the rule of the law; decentralisation and regionalisation; the reform of the justice system; the promotion and protection of human rights and fundamental freedoms; freedom of expression and media professionalization and freedoms of association and assembly;

promotion of women's rights and gender equality, children's rights and the rights of vulnerable people; cooperation with the Council of Europe; and the fight against corruption.

**3. EU bilateral political engagement:** Since 2015 and the rulings by the Court of Justice of the European Union regarding the EU-Morocco Agriculture and Fisheries agreements, no structured dialogue has taken place with Morocco under the Association Agreement, including the Subcommittee on Human Rights, Democratisation and Governance. The EU Delegation and representatives of Member States in Morocco, however, hold regular meetings with the National Human Rights Council and with civil society organisations, and continue to observe trials of human rights defenders and other politically significant court cases. The human rights situation is also a key component in the Gender Group, which meets on a regular basis and was co-chaired by the EU and Spain in 2018. Recently HRVP Mogherini has visited Morocco as part of the moves to relaunch relations between Morocco and the European Union, in order to form a closer, deeper and more ambitious partnership.

**4. EU financial engagement:** In 2018 the EU provided financial and technical support to Morocco in the field of democracy and human rights through budget support to promote gender equality, good governance, the implementation of the migration policy and reform of the justice sector. The EU acknowledges the important role played by civil society through its support to civil society actors.

The EU budget support programme 2015-2020 in the field of justice promotes the reform of the status of the magistrate, the establishment of the High Judicial Council, access to justice, the modernisation of the fund to support vulnerable women and children, the protection of citizens' rights and liberties in the penal code, the reform of the judicial academy and of the juvenile justice system, and the modernisation of the justice administration. This comprehensive programme contributes to significantly reinforcing the judicial system, including through capacity-building of justice actors and to raise awareness on human rights.

The "Moucharaka Mouwatina" ("Citizen participation") programme 2018-2020 in support of civil society was launched in September in four different regions of Morocco to promote socio-economic rights at the local level. The project is implemented in partnership with the United Nations Office for Project Services (UNOPS) and five local civil society organisations (CSOs). Its objective is to strengthen the role of civil society in the development and monitoring of public policies within the framework of the process of advanced regionalisation initiated in Morocco, along three priority lines: youth; the environment; and gender equality.

The "Hijra wa Himaya" ("Migration and Protection") project 2018-2020 is implemented by UNICEF with a EUR 1.8 million co-financing from the EU to promote the rights of migrant children. It targets 2.000 accompanied and unaccompanied migrant children in Morocco, 35% of whom are girls. The project aims, among others, to ensure that all migrant children, regardless of their legal status, have equitable access to education, healthcare, appropriate social and legal care and favourable temporary housing conditions. Direct reinforcement actions will also benefit social workers, health professionals, teachers, security agents, justice professionals and civil society actors.

Since 2008 the EU has also supported the national literacy strategy in Morocco, enabling about 3.5 million people to benefit from literacy programmes. This support has

strengthened the capacity of trainers (around 10,000 literacy teachers per year in the targeted regions). According to the 2014 general census, 32.2% of the Moroccan population aged 10 and over is illiterate. Rates are higher for women (41.9%) and rural areas (47.7%).

The EU committed EUR 2 million through the European Instrument for Democracy and Human Rights (EIDHR) for the period 2016-2018. In addition, in 2018, the European Neighbourhood Instrument (ENI) committed EUR 16.4 million for support to the rights of women and the rights of children.

**5. Multilateral context:** Morocco is a state party to all major United Nations conventions on human rights, and cooperates in the reporting cycles. Morocco has last been a member of the Human Rights Council (HRC) between 2014 and 2016, and is an active member of several core groups, authoring several resolutions which promote human rights in important areas. Its last Universal Periodic Review (UPR) took place in 2017. Morocco continued to abstain from voting for the international abolition of the death penalty, when a resolution on the matter was presented to the UN Third Committee.

## Western Sahara

Western Sahara is listed by the United Nations as a non-self-governing territory, whose status remains the object of a negotiation process conducted under the auspices of the UN.

There is an ongoing UN-led process that assists the parties in achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations. In this context, a roundtable meeting was convened in Geneva on 5 and 6 December 2018 under the auspices of the Personal Envoy of the UN Secretary-General for Western Sahara, Horst Köhler. Delegations representing Morocco, Front Polisario and Algeria and Mauritania took part in the meeting. The mandate of the UN peacekeeping mission in Western Sahara MINURSO (*Mission des Nations Unies pour l'Organisation d'un referendum au Sahara Occidental*) was renewed twice in 2018, by resolutions 2414 and 2440 of the Security Council, adopted on 27 April and 31 October respectively.

The EU has repeatedly expressed its concern about the long duration of the conflict and its implications for security and human rights at a regional level. During 2018, HRVP Mogherini met twice with UN Personal Envoy Köhler to convey the resolute EU support to the UN process and to increased regional cooperation.

The EU has consistently encouraged the parties to continue their respective efforts to enhance the promotion and protection of human rights in Western Sahara while welcoming the strengthening of the Commissions of the National Human Rights Council operating in Dakhla and Laayoune.

The EU has also followed up on alleged individual cases of human rights violations through its contacts with civil society organisations, human rights defenders, the National Council of Human Rights (CNDH) and its regional offices, particularly regarding freedom of assembly and the right to protest. According to independent sources, in 2018, local human rights NGOs continued to face obstacles to their legal registration.

## People's Democratic Republic of Algeria

**1. Overview of the human rights and democracy situation:** Algeria continued the consolidation of the constitutional reform decided in February 2016, including through the adoption of laws e.g. on the organisation and functioning of the Council of State, penitentiary matters, and data protection. Preparations proceeded for the implementation of the principle of the exception of unconstitutionality, i.e. the right to contest the constitutionality of a law before a court (which becomes applicable as of March 2019). Considerable efforts were made to modernise the justice sector and facilitate access to judicial services. The revised Constitution guarantees press freedom, providing however for limits in order to respect the nation's religious, moral and cultural values. Arrests and custody orders against bloggers, writers and journalists have continued. The space for civil society activism remained limited. Challenges remain with regard to freedom of association and assembly. The Family Code is discriminatory in several respects relating to gender and religion. The fight against corruption has gained increasing attention, but remains an issue despite some recent progress. In December a bill was passed setting up a specific department to prosecute financial infractions and the fight against money laundering. The 2015 law criminalising violence against women is poorly enforced. The framework for national child protection was enhanced by setting up a hotline to report cases of abuse and a network of civil society associations to monitor the enforcement of children's rights.

**2. EU action - key focus areas:** Through the adoption of the EU-Algeria Partnership Priorities for 2017-2020, both sides reaffirmed their shared commitment to the universal values of democracy, the rule of law and human rights. The priorities underline the importance of strengthening the political dialogue and implementing the new provisions of the Constitution. The focus areas for cooperation include governance, participatory democracy, promoting and championing fundamental rights, enhancing the role of women in society, decentralisation of the administration, strengthening the judicial system, and enhancing the role of civil society. Support is also envisaged for the modernisation of the public administration, closer monitoring of public finances and the tax administration, tackling corruption and countering money laundering, capital flight and the financing of terrorism. Both sides include issues related to human rights and democracy in their regular bilateral exchanges at all levels.

**3. EU bilateral political engagement:** The EU and Algeria continued substantive exchanges on human rights throughout 2018, during bilateral meetings and consultations such as the sixth meeting of the EU-Algeria Subcommittee on Political Dialogue, Security and Human Rights held on 1 March and the Association Council held on 14 May in Brussels. The EU reiterated its availability to support the implementation of the 2016 constitutional reform and of the May 2017 Universal Periodic Review (UPR) recommendations. The EU also offered electoral expertise in the context of the 2019 presidential elections which Algeria accepted.

The need to improve the legal and operational framework for Algerian civil society was raised systematically. The EU hopes that the expected revision of the 2012 Law of Associations will take into account the recommendations formulated at the UPR. The EU Delegation in Algiers remained engaged with civil society through programmes and projects and the organisation of meetings and consultations, including in preparation for the above-mentioned meetings. In addition, a number of representatives of Algerian NGOs, associations, and trade unions travelled to Brussels for dialogue with the European External Action Service, the European Commission, and the European Economic and Social Committee.

**4. EU financial engagement***:* The EU launched a dialogue with the National Council for Human Rights (CNDH) in order to identify actions for implementation in 2019.

In 2018, the EU continued its support to the implementation of the new constitutional provisions, including through the SPRING programme, which assists a number of institutions, including the central anti-corruption office, the national body for the prevention and fight against corruption*,* and the National Economic and Social Council.

Participatory democracy, declared a constitutional principle in 2016, is a key dimension of the EU-Algeria partnership. The EU has supported reforms implemented by the Ministry of Interior, Local Government and Territorial Management, provided support to civil society organisations and systematically integrated participative methodologies into its bilateral programmes. The Algerian government, the EU and the UN worked together on a programme promoting participatory democracy and local development, CAPDEL, the first such activity in the MENA region. As a complement, the thematic budget lines contributed to enhancing the action of local civil society in support of participatory democracy.

The EU-financed Programme to support the justice sector (PASJA) aims to support the rule of law and an independent, impartial, equitable and efficient justice system, accessible to all citizens –women and men– and consolidating the credibility of institutions, their actors and citizens' trust in the justice system. Among others, the EU supported the National Association of Mediators through the Programme of support to the implementation of the Association Agreement (P3A), designed to support the implementation of the legal framework and strengthen the capacities of staff in charge of alternative resolution of conflicts.

The EU confirmed its commitment within the framework of the renewed European Neighbourhood Policy to support civil society and fundamental freedoms, by enabling a series of capacity building activities for civil society organisations involved in local action and the youth**.** Civil society initiatives were supported through bilateral programmes e.g. aiming at the better inclusion of vulnerable social groups. Through the Civil Society Facility Algerian associations received support to strengthen their advocacy actions and dialogue on the issue of gender equality and Algeria's reserves to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These reserves were also discussed under the Subcommittee on Political Dialogue, Security and Human Rights.

**5. Multilateral context***:* At the initiative of Algeria, the UN International Day of Living Together in Peace was celebrated for the first time on 16 May 2018. In the context of migration, the UN High Commissioner for Human Rights criticised the collective expulsions of

migrants from Algeria to Niger. The EU supports the reception capacities on the Nigerien side of the border and remains ready to explore further assistance to the parties.

The independence of the judiciary was subject to recommendations in the context of the 4th periodic report of Algeria to the Human Rights Committee on the implementation of the provisions of the International Covenant on Civil and Political Rights.

## Republic of Tunisia

**1. Overview of the human rights and democracy situation:** Tunisia continued to make progress towards the consolidation of democratic values and human rights and remained an example for democracy in the Arab world. Important steps forward included the organisation of the first free municipal elections in May, the presentation of the report by the Committee on Personal Freedoms and Equality (COLIBE) in June, and the adoption of important legislation relating, in particular, to the promotion of gender equality and the fight against racial discrimination. Tunisia plays a pioneering role in the region in the promotion and protection of women's rights. Tunisian civil society continued to play a key role in the democratic transition process. Challenges remain, including the establishment of the Constitutional Court and the revision of legislation to fully align with the principles of the Constitution. 2018 was marked by regular high-level EU-Tunisia contacts. President Juncker emphasised the value of the Tunisian democratic transition during his visit to Tunis in November.

**2. EU action - key focus areas:** In the immediate aftermath of the 2011 Revolution, the EU pledged to support the Tunisian people's transition towards greater democracy, freedom and social justice. An EU-Tunisia Privileged Partnership was concluded in 2012. The EU-Tunisia Strategic Priorities for the period 2018-2020 confirm the special importance that the two partners place on the democratic reform process, the promotion of good governance and the rule of law, and the respect of human rights and fundamental freedoms. Tunisian civil society, which plays a key role in the transition, will continue to be closely involved in the process.

**3. EU bilateral political engagement:** The EU reaffirmed its support to democratic transition in all its dialogues. It underlined in particular the importance of moving ahead with the effective implementation of the landmark 2014 Constitution and Tunisia's international obligations. The Subcommittee 'Human Rights, Rule of Law and Democracy' met in December. It was an opportunity for both sides to reaffirm the significance of cooperation to: consolidate the rule of law and establish in particular the Constitutional Court; fight all forms of discrimination and intolerance; continue promoting gender equality and child protection; fight impunity and promote a balanced approach between combatting terrorism and ensuring the respect of fundamental freedoms.

In relation to good governance, the EU deployed a fully-fledged Election Observation Mission (EOM) to observe the May local elections. Notwithstanding the high participation of women and young people, the EU shared some concerns over the low voters' turnout and the functioning of the Independent High Authority for Elections (ISIE), in particular in view of the

2019 elections. The EU supports the decentralisation process, for which adoption and implementation of the application decrees of the Code of Local Authorities are essential.

The EU acknowledged the steps forward in fighting corruption, notably through the adoption of law 2017-89 on the declaration of inheritance, the fight against the illicit enrichment and the conflicts of interest in the public sector in July. The EU called for the rapid establishment of the Independent Constitutional Authority on Good Governance and the Fight Against Corruption and expressed concerns on the implementation of the Law on Administrative Reconciliation promulgated in 2017.

The EU remains very engaged in supporting the reform of the justice system. It welcomed the creation of the Supreme Council of Magistracy (CSM) and the launching of the process for the operationalisation of the Specialized Chambers in the courts of first instance, opening the possibility of judging cases of serious and systemic violations of human rights under the law on transitional justice. The EU continued to encourage Tunisia to ensure a better balance between security and human rights. Civil society members have raised concerns over the prolongation of the state of emergency, in place since the terrorist attacks of 2015.

The process of the creation and operationalisation of independent instances continued with the support of the EU. The draft organic law 2016-30 on the common provisions of the constitutional instances was adopted in July and the law on the Independent Human Rights Institution in October.

The dialogue on human rights focused on a wide range of areas. The EU praised the steps forward to fight gender disparities. Following COLIBE recommendations, a draft law on equality in inheritance was adopted by the Council of Ministers in November and submitted to Parliament. The EU encouraged Tunisia to move ahead with the implementation of the law 11/2018 on the elimination of all forms of racial discrimination, the most far-reaching in the region. On migrants' rights, it reiterated the importance of adopting an asylum law. It also reiterated the importance of fighting all forms of gender-based discriminations and in particular, as also recommended in the COLIBE report, to remove legislation which criminalises homosexuality.

In relation to death penalty, since 2014, Tunisia votes in favour of the UN resolution on the application of a universal moratorium on executions. The EU continued to call on Tunisia to promote an internal dialogue on the ultimate abolition of the death penalty in Tunisia.

Despite strong criticism from civil society, associations were included in the new law on the national register of companies that aims to combat money laundering and terrorism, adopted in October. The EU upheld its support to Tunisian civil society and closely followed changes in the related legislative framework, including the texts under preparation on associations and political parties. Tunisia is the only Southern neighbourhood partner with which tripartite dialogues are held ahead of all meetings and negotiations.

**4. EU financial engagement:** The EU continued to provide large amounts of financial assistance to the Tunisian transition, including through a series of programmes dedicated to the promotion of women's rights (EUR 8 million), justice reform and penitentiary assistance (EUR 60 million), decentralisation (over EUR 100 million), public administration reform (EUR 73.5 million), support to civil society and the independent institutions (EUR 20 million). Five new cooperation agreements were also signed with civil society counterparts. Tunisia is the main beneficiary in the Southern Neighbourhood of the ‘umbrella’ programme, which

grants additional EU funding in recognition of progress made in the field of democracy and human rights.

**5. Multilateral context:** Tunisia is party to 8 out of 9 main UN human rights treaties and all the main UN conventions, and is a member of the UN Human Rights Council for 2017-2019. The EU welcomed the good cooperation with Tunisia in the framework of the UN Human Rights Council and the UNGA Third Committee, concerning in particular thematic resolutions on women's rights and the moratorium on the death penalty. The EU also welcomes the cooperation between Tunisia and the Council of Europe through specific programmes and the accession to conventions, including the Lanzarote Convention in 2018.

# Russia and Central Asia

## Russia

**1. Overview of the human rights and democracy situation:** The overall situation of human rights and democracy in Russia has steadily worsened over the past years and continues to be marked by sustained limitations on fundamental freedoms, shrinking space for independent civil society and suppression of independent political voices. Stigmatisation, harassment and smear campaigns are an inherent part of the environment in which civil society organisations (CSOs) operate. Politically motivated judicial cases are meant to silence independent voices and set an example for critical voices (e.g. Oyub Titiev, Yury Dmitriev). High-profile murders of political figures remain under-investigated and the organisers of the crimes remain unaccountable (e.g. murder of Boris Nemtsov in 2015). Investigations failed to take place following the persecution of gay men in Chechnya in 2017 and other human rights abuses that have occurred in the Chechen Republic. The 2017 ban on the Jehovah's Witnesses is a serious attack on religious freedom and has led to nearly 100 criminal proceedings against followers.

Following Russia's illegal annexation of the Crimean peninsula, the human rights situation deteriorated significantly. This includes the denial of freedom of expression, freedom of peaceful assembly, freedom of religion and belief. Russian authorities persecute all those who oppose the illegal annexation of Crimea including Crimean Tatars. A growing number of Ukrainian citizens, including Oleh Sentsov, continue to be illegally detained in Crimea and in Russia.

According to the findings of the OSCE/ODIHR Election Observation Mission, the presidential elections in March 2018 were conducted in an overly controlled legal and political environment, marked by continued pressure on critical voices. In a similar manner, the Russian parliament continues to be a legislative body without any real political opposition present. Despite these negative trends, it can however be noted that Russia's civil society and grass-roots level initiatives remain active, as demonstrated by the large interest in EU calls for proposals in the areas of democracy, human rights and civil society.

**2. EU action - key focus areas**: Support to civil society and human rights defenders (HRDs) was provided by both political and financial means. At political level, this was ensured by

means of a number of different tools. In the absence of EU–Russia Human Rights Consultations since November 2013, there is no formal dialogue between the EU and Russia on human rights and civil society issues. In 2018 the EU's position continued to be expressed mainly through public diplomacy (statements) or quiet diplomacy. Meetings of HRVP Mogherini, EU officials, or the EU Ambassador in Moscow with Russian authorities served to convey the EU's positions on numerous developments, legislation and individual cases of concern. Trial observation by diplomats has been an important instrument in giving visibility to activists, HRDs and NGOs under pressure. NGOs and HRDs appreciate the attention generated by international presence. In some cases they view it as the only meaningful leverage with the Russian authorities. The EU Delegation has actively supported wider dialogue and contacts between Member State embassies, NGOs, civil society and human rights defenders. An example is a successful workshop organised with Amnesty International (AI) and a number of project-related events. The AI workshop provided an excellent opportunity for networking and learning about each other's needs. Together with the highly regarded NGO - Memorial, labelled a "foreign agent" by the authorities, the EU Delegation in Moscow organised a joint event to celebrate the 70th anniversary of the Universal Declaration of Human Rights. Growing outreach to the Russian regions has also been a focus of the EU Delegation's work. The launch of an FPI-funded gender project was another example of how EU support can broaden the space for Russian civil society in their interaction with the authorities against all odds.

**3. EU bilateral political engagement:** The key success story in 2018 relates to EU efforts to draw attention to the case of Oyub Titiev, a renowned human rights defender in the Chechen republic. Titiev has been in custody for over a year, since his arrest on 9 January 2018, on contested drug possession charges which he contends are fabricated and part of an effort to put a stop to his human rights work in the region. Were he to be found guilty, Titiev could face up to ten years in prison. The court hearings have been held in a local town in Chechnya. The EU Delegation successfully coordinated a frequent presence of Member State and like-minded diplomats at the hearings despite the difficult security environment of Chechnya. Although it is hard to measure the effect of these on the outcome of the case, NGOs and HRDs appreciate the attention which is generated by the presence of foreign diplomats in providing visibility and some form of leverage with the Russian authorities. In meetings of EU and Member State representatives with Russian authorities, the attention of latter is regularly drawn to the case and the shortcomings of the trial.

**4. EU financial engagement:** The EU is currently the only big international donor for Russian civil society projects. Most other international donors have been either forced to leave or left voluntarily before they could have been declared undesirable. Some Member States continue bilateral programmes in this respect. Given pressure from the authorities, Russian NGOs need support now more than ever, including funding and capacity building. The assurance of continued EU funds for civil society in Russia over the coming years is increasingly important.

In consultations with Russian civil society in the spring of 2018, many representatives particularly noted that the EU support is crucial for enabling Russian CSOs to continue their work in an ever more restrictive environment. In addition, the EU programmes contribute to breaking down the self-imposed isolation of Russia. They help Russian civil society activists

stay connected with their European colleagues and stay within the common European agenda based on universal values.

In this respect an important contributor in connecting Russian and EU civil societies is the EU funded project "EU-Russia Civil Society Forum", a common platform of NGOs from the EU countries and the Russian Federation (RF) founded in 2011. The Forum aims at fostering the development of intergovernmental relations and strengthening of co-operation between NGOs from Russia and the EU and between Russian NGOs. The Forum has been actively involved in the questions of visa regulation, development of social, environmental and human rights standards, dealing with history, and civic participation among others.

**5. Multilateral context:** The situation with the human rights and democracy in Russia has been almost continuously discussed at the regular meetings in the Council of Europe (CoE) in Strasbourg and the Organisation for Security and Cooperation in Europe (OSCE) in Vienna. Russia's stance remains challenging in multilateral fora and there is a question mark over its continued membership of the CoE owing to long-standing tensions within the Parliamentary Assembly. On 14 May 2018 the Russian Federation was examined in the framework of the Universal Periodic Review (UPR). Concerns touched among others on the disregard of decisions by international human rights bodies, access by human rights mechanisms to Crimea, repeal Russian laws imposed in the illegally occupied territory, release of political prisoners and journalists, restrictions on freedom of expression and association, discrimination on grounds of sexual orientation and ethnicity.

## Kazakhstan

**1. Overview of the human rights and democracy situation:** The overall human rights situation in Kazakhstan has not improved over the past couple of years and this trend continued in 2018. Serious concerns remain regarding restrictions to freedom of expression and opinion, freedom of association and peaceful assembly. Human Rights defenders, journalists, civil society organisations, trade unions and bar associations operate in a difficult context. Freedom of Religion or Belief is also challenged by new legislative environments. While there are some positive developments, these are often accompanied by implementing decisions and actions which infringe on fundamental freedoms. Efforts to reduce the prison population, to tackle torture and improve the general conditions in prisons continued throughout the year, however lack of independent monitoring of detention facilities is still the norm. The judicial reform undertaken by the authorities has improved a number of elements in the judicial system, in particular, in the criminal justice where efforts were made to humanize the criminal code. The lack of an independent judiciary continues to weaken the institutions of the State.

**2. EU action - key focus areas**: All projects within the EU bilateral support programme on Criminal Justice (EUCJ) were concluded before the end of 2018. Support will continue through regional programmes, including the EU-Central Asia Rule of Law adopted end 2018.

Increased cooperation and coordination with EU Member States' embassies accredited in Kazakhstan in conducting joint events and engaging together in EU human rights activities,

for example, Human Rights Day Award, joint visit of political prisoners and monitoring of trials.

**3. EU bilateral political engagement:** By end 2018, the Enhance Partnership and Cooperation Agreement (EPCA), signed in 2015, was ratified by 25 EU Member States. In the framework of the EPCA, the EU held its annual Human Rights Dialogue and Justice and Home Affairs Subcommittee on 20 and 21 November respectively in Brussels. The EU raised the protection of fundamental freedoms and the importance of continuing to take steps to foster an enabling environment, including for NGOs, lawyers and journalists. In particular, the EU raised issues of concern in relation to the right to freedom of expression, freedom of association and peaceful assembly, by calling the authorities to foster an enabling environment for civil society. The new media legislation adopted on 28 December 2017 and the obligation for journalists to prove the reliability of any refuted information, and the new July 2018 Law 'On the Professional Activities of Advocates and Legal Assistance' were raised. Two orders published on 19 March 2018 by the Ministry of Finance (MoF), which increase the administrative burden for offices of foreign civil society organisations, were also discussed. Concerns were raised in relation to the disproportionate nature of blocking the internet pursuant to a court decision on 13 March 2018, declaring the Democratic Choice of Kazakhstan (DCK) an extremist organization and making punishable any commenting, posting or re-posting of DCK materials.The EU stressed the importance of focusing on the rehabilitation of prisoners, bringing the perpetrators of torture to justice and ensuring independent monitoring of detention facilities. Kazakhstan was also urged to revise its trade union and labour laws which violate the country's obligations under international labour standards on freedom of association.

A Conference on Empowering Women in Afghanistan was held in Astana on 5 September, 2018 with Kazakhstan proposing trilateral cooperation programmes with Uzbekistan and Afghanistan in higher education for Afghan women. The EU has pledged funding of EUR 2 million to the project. Kazakhstan is by far the most active participant and beneficiary of Erasmus+ in the Central Asia region, both in terms of students and staff mobility and institutional participation.

**4. EU financial engagement:** Due to its status as an Upper-Middle Income country, Kazakhstan is not receiving bilateral allocations from the Development and Cooperation Instrument since 2014. Two ongoing bilateral projects launched under the Multi Annual Indicative Programme 2007-2013 closed in 2018; including the *Support to Judicial Reform in Kazakhstan* (EUR 5.5 million)[13]. Kazakhstan is also a beneficiary of thematic-funded projects in the field of Human Rights and Democracy under the European Instrument for Democracy and Human Rights (EIDHR). There are eight on-going EIDHR and non-state actor projects addressing the rights of the child, national/country human rights action plan, strengthening human rights non-governmental organisations networking and advocacy, rural civil society support and chemical safety, freedom of speech and human rights defenders.

[13] The second project under the Multi Annual Indicative Programme 2007-2013 to end in 2018 was supporting Kazakhstan's transition to a Green Economy Model (EUR 7.1 million)

**5. Multilateral context:** Kazakhstan had its human rights record reviewed by the Universal Periodic Review (UPR) mechanism of the Human Rights Council in October 2014. Based on the September 2017 assessment of the status of the implementation of the UPR recommendations by the coalition of the Kazakh NGOs, out of the 147 accepted recommendations only 10 were fully implemented, 103 were partially implemented and 33 are not implemented at all. In 2019 Kazakhstan will undergo another UPR.

In 2018, two UN Committee reports were due; the UN Committee on the Elimination of Discrimination Against Women (CEDAW), February 2018, and the UN Committee against Torture, CAT, November 2018. In January 2018, the UN Special Rapporteur on the rights of persons with disabilities welcomed the considerable progress in improving the situation of persons with disabilities through legislative reforms and policy measures, especially in the area of social protection. She recommended the elimination of the use of demeaning language or terminology when referring to persons with disabilities and to bring the definition of disability into compliance with the Convention on the Rights of Persons with Disabilities.

## The Kyrgyz Republic

**1. Overview of the human rights and democracy situation:** In 2018 the overall human rights situation remained stable. Negative trends related to 2017 Presidential elections were discontinued. Some positive signals were registered in relation to the freedom of expression (financial claims for defamation dropped) and working environment for the media and civil society (no new cases of public targeting, review of Bir Duino case, meetings between the President and representatives of the media and of the civil society). While these signals are welcome, they are considered as an expression of a good political will of the President, rather than a systemic change. Albeit rare, cases of entry ban for foreign journalists and researchers continued. There was a case of extradition to Kazakhstan of a blogger in risk of facing torture and politically-motivated prosecution. New concerns were flagged in relation to prosecuting individuals over terrorism-related charges and the possession of supposedly extremist material, and lack of capacity to monitor such cases falling under the authority of the security services. Criminal proceedings against opposition politicians, launched ahead of the presidential elections, have so far not been discontinued. Given the persisting lack of independence of the judiciary from political pressure, the risk of targeted, politically motivated prosecution remains high and a thorough evidence-based investigation of high-level corruption charges would be necessary to increase trust in the judiciary. Implementation of judiciary reform, to which the EU contributes through development assistance, has been listed among priorities of the new leadership. No measures have been taken to address inter-ethnic tensions, or cases related to 2010 events, notably the most prominent case of Azimjan Askarov.

**2. EU Action - key focus areas:** Ongoing negotiations of an Enhanced Partnership and Cooperation Agreement (EPCA) provided an opportunity to intensify bilateral relations, emphasise the key EU principles and values, and reinforce their reflection in the legal basis for the future cooperation. As the key priority of bilateral cooperation, the EU continued to support the strengthening of the rule of law and an effective implementation of the judiciary

reform. The EU also actively supports democratic governance and fight against corruption, as well as development of the institutional framework to ensure freedom from torture and ill treatment and promotion of rights of persons belonging to minorities. Support to the education sector contributes indirectly to promoting the principles of human rights and democracy. Kyrgyzstan benefits from the enhanced generalised scheme of preferences (GSP+) of the EU.

**3. EU bilateral political engagement:** The EU regularly engaged with authorities of the Kyrgyz Republic on human rights issues in a number of formats, including at the highest level. The Kyrgyz President visited the EU leaders in April and confirmed his commitment to democratic governance and respect for human rights and fundamental freedoms, including freedom of the media. EU High Representative also raised human rights issues with the Minister of Foreign Affairs.

The Cooperation Council was held in December at the ministerial level. The yearly Human Rights Dialogue was held in June in Bishkek and covered a wide range of issues, including judicial reform, national Human Rights institutions, prevention of torture, freedom of expression and freedom of association, rights of women and children, good governance, including rights of the members of minority groups, bilateral and international cooperation, and also GSP+ monitoring. The EU regularly held in Brussels and Kyrgyzstan meetings, consultations and round-table discussions with representatives of the civil society both locally and through international organisations.

**4. EU financial engagement:** The EU continued to provide significant financial support to projects in the field related to rule of law and human rights, funded by the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Peace and Stability (IcSP).

Questions of *Legislative Reform and Judicial Reform* are addressed by an ongoing EUR 11.2 million programme, with the overall objective to improve justice and the rule of law, strengthening the capacity of institutions to deliver and the capacity of citizens and of the institutionalised civil society to claim their rights. The EU provides a significant support to *Strengthening Democracy through Electoral Assistance*, with budget support of EUR 13.1 million. The intended impact of this programme is that a higher degree of credibility, inclusiveness and transparency of electoral processes will contribute to an increased legitimacy of elected bodies and public confidence in democratic institutions.

The EIDHR contributes EUR 760.000 to a three-year project on "Supporting the State and Civil Society efforts in combating torture and other cruel, inhuman or degrading treatment or punishment in Kyrgyzstan”. Through the Instrument contributing to Stability and Peace (IcSP) the EU supported civil society actions that promoted constructive dialogues on religion and democracy, also with a view to engage the young generation and decrease its vulnerability to extremist rhetoric. This effort is complemented by regional programmes "*Contributing to stability and peace in Central Asia trough media literacy, improved reporting and regional cooperation*" and "*Strengthening resilience to Violence and Extremism (STRIVE Global)*".

**5. Multilateral context:** Since 2016 the Kyrgyz Republic has been a beneficiary of the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+). This preferential trade scheme grants full removal of tariffs on over 66% of EU tariff lines in return for the effective implementation of 27 core international conventions on human and labour rights, environmental protection and good governance. Kyrgyzstan has been a member of the UN Human Rights Council for the period 2016-2018. UNSR on Health visited Kyrgyzstan in 2018. Next UPR review will take place in early 2020.
In a positive development, the Kyrgyz Parliament launched the process towards ratification of the UN Convention of the Rights of Persons with Disabilities (CRPD).

## Tajikistan

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Tajikistan has continued to gradually deteriorate in 2018, which started with a new wave of crackdown against human rights defenders, new restrictive legislative initiatives and politically motivated legal proceedings. The three worst hit areas were political participation, freedom of expression (including media) and freedom of association. On the pretext of combatting terrorism, media freedom was one of the most violated human rights area during the reporting period. The centralised-authoritarian regime left no space for any political opposition in Tajikistan and activity of opposition forces in exile was received with great concern and counteraction from the national security authorities. On the positive side, following EU and international organisations outcry, Tajikistan authorities released journalist Khayrullo Mirsaidov (sentenced to 12 years in July 2018) and opposition lawyer Shukhrat Kudratov from detention. Positive steps have also been taken to advance gender equality in Tajikistan, although discrimination is still prevalent in education. The establishment of a hotline and resource centre to support victims of domestic violence is worth noting.

**2. EU action - key focus areas**: EU actions in Tajikistan sought to provide protection to some of the victims of politically motivated trials and repression, and were designed to support the work of civil society organisations, such as their inclusion into the legislative process. EU actions also promoted Human Rights awareness, in particular freedom of expression, freedom of association, women's and children's rights, workers' rights and freedom of religion and belief.

On 24-25 April 2018, the 8$^{th}$ EU-Tajikistan Civil Society Seminar was organised by the EU Delegation on the practical implementation of gender equality principles in Tajikistan.

The European Union also worked to limit pressure exerted on the family members of imprisoned political activists.

**3. EU bilateral political engagement:** The EU engaged in Human Rights discussions with Tajikistan in various formats, including at the ministerial level at the Cooperation Council meeting of November, the Human Rights Dialogue in October, as well as various high-level visits by EU Special Representative for Central Asia. These meetings allowed for open and frank exchanges on a wide range of concerns. Broad international pressure, including

prominent role played by the EU, played a significant role in the release of K. Mirsaidov (who had spent eight months in prison) and S. Kudratov. Authorization to leave the country was granted for some relatives of an exiled IRPT leader and of a former Group 24 activist currently living abroad.

In general the EU called upon Tajikistan to ensure that journalists, writers and individuals could work freely without fear of retribution for expressing critical opinions or covering topics that the government deems sensitive. The cases of jailed lawyer Buzurgmehr Yorov, of businessman Zaid Saidov and former IRPT leader Mukhammadali Hayit were raised among others during the annual HR Dialogue, which took place in Dushanbe in October. The EU called Tajikistan to review these cases, as well as to authorise and facilitate a meeting in prison with Mr Yorov for the EU Heads of Missions residing in Dushanbe. In particular, the EU Delegation learned from its sources close to Yorov's family, that his prison conditions reportedly were improved following EU intervention.

The EU also noted the professional restrictions to practicing law in Tajikistan, as well the burdensome registration requirements for civil society organisations.

**4. EU financial engagement:** In 2018 the EU continued to provide financial support to projects in the field of human rights, mainly funded by the European Instrument for Democracy and Human Rights (EIDHR). A number of new projects were being called for in the preceding year, to be funded under the EIDHR by approximately EUR 2 million over several years. The EIDHR project *Action for freedom from torture in Tajikistan* is currently ongoing and implemented by the Helsinki Foundation for Human Rights, together with four members of the NGO Coalition Against Torture in Tajikistan.
The EIDHR project *Coordinated civil society action to monitor the implementation of international and national human rights obligations in Tajikistan* aims to support efforts of civil society in Tajikistan to monitor and promote the realisation of international and national Human Rights obligations.
The EIDHR project *Empowerment and Parents leadership towards inclusive society for children with disabilities* aims to promote the rights of children with disabilities.
The EIDHR project *Improving the Framework for Reporting and Resolution of Gender-Based Violence (GBV) in Tajikistan* aims to improve the design and implementation of legal remedies to gender-based violence in Tajikistan.

**5. Multilateral context:** Tajikistan signed the UN Convention on the Rights of Persons with Disabilities in March 2018. A Working Group was established to develop a Plan of Action for prepare the ratification of the same Convention by the Republic of Tajikistan by 2020.

Tajikistan is party to a number of international Human Rights Conventions and all key conventions have been ratified. The EU has sought to convince the Tajik government to sign the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Tajikistan underwent its Universal Periodic Review in September 2016 and the next one is scheduled in 2021. Tajikistan has accepted 153 out of the 203 recommendations made in the UPR so far.

## Turkmenistan

**1. Overview of the human rights and democracy situation:** In 2018, the human rights situation in Turkmenistan remained worrying, with a number of human rights and fundamental freedoms repeatedly violated despite being formally guaranteed by the constitution. In a welcome step, the Ombudsperson, elected in 2017, submitted in June her first activity report, putting strong emphasis on the protection of social and cultural rights of the citizens, focusing not on human rights violations but mostly on legal and administrative questions. To ensure adherence to international standards, the independence of the Ombudsperson should be improved. Progress in the implementation of the 2016 Human Rights Action Plan is very limited with no monitoring mechanism in place. Serious concerns remain regarding restrictions to freedom of expression and opinion, freedom of association and peaceful assembly, freedom or religion or belief and freedom of movement. While Turkmenistan accepted the vast majority of recommendations received during its 3rd Universal Periodic Review (UPR) in May 2018, it rejected key recommendations such as on torture prevention, arbitrary detention and enforced disappearances.

**2. EU action - key focus areas**: The EU continued to support capacity building of Turkmenistan's public services to implement human rights laws and conventions, in line with the priorities of the country's National Human Rights Action Plan. To facilitate this, the EU continued the implementation of its human rights related projects, while regular coordination on providing assistance for the Turkmenistan's state bodies on different topics was carried out with other partners active in this area, notably with the UNDP, UNRCCA (UN Reginal Centre for Preventive Diplomacy), OSCE and US. The EU continued encouraging Turkmenistan to seek international advice and study best practices in the process of drafting or amending legislation and implementing the human rights instruments.

The EU also continued to support reforms of the judicial and prison systems raising bilaterally and at international fora the need for their acceleration. The EU continued urging the authorities to establish a national preventive mechanism for the monitoring of places of detention, and to facilitate access to prison facilities by international monitoring bodies, pointing to reported cases of torture and enforced disappearances The EU actively supported the continuation of foreign diplomat's visits to local penitentiaries, most recently to Tejen general regime penitentiary institution in November.

In the absence of EIDHR Country Based Support Schemes (CBSS), the EU continued its support to the local semi-independent CSOs to reinforce their role in the society, including by facilitating their representatives' participation in regional and Brussels-based workshops and capacity building events.

**3. EU bilateral political engagement:** The EU continued to discuss with Turkmenistan human rights and democracy related concerns in various settings, including during the 10$^{th}$ Human Rights Dialogue in June 2018. Human rights concerns were also raised regularly with the Turkmen authorities by the European Parliament, the European External Action Service, and within the OSCE. Turkmen authorities showed timid openness to discuss human rights related issues with the EU. The EU urged Turkmenistan to ease restrictions on civil society,

including registration requirements, and to establish a real dialogue with civil society organisations and to foster a real enabling environment for civil society, human rights defenders and journalists. The EU also continued to ask Turkmenistan to ratify key international conventions such as the Optional Protocol of the Convention against Torture. It also regularly called on the authorities to address the issue of enforced disappearances. The EU has voiced its concerns on a number of human rights related cases through Notes Verbales, OSCE statements and quiet diplomacy interventions. The EU Liaison Office in Ashgabat coordinated actions in the field of human rights with EU Member States' Embassies and like-minded partners and hosted regular consultations with civil society.

**4. EU financial engagement:** The EU continued implementation of the project *Support to Capacity Building in Public Administration*, funded under DCI (launched in 2016, budget EUR 4.5 million). The project aims at strengthening the capacity of public administration through increasing the qualifications of civil servants, incl. on human rights related issues which are cross-cutting in nature. The project involves different beneficiaries, such as the State Academy of Civil Servants and the Institute of State, Law and Democracy. The EU continued preparation of a new action on the Rule of Law, to succeed the EU Rule of Law Platform for Central Asia, which ended in the course of 2018.

**5. Multilateral context:** Turkmenistan's human rights record was most recently reviewed by the UN Human Rights mechanisms on 7 May during the 3rd Universal Periodic Review (UPR). While accepting the majority of the 191 individual countries' recommendations, Turkmenistan rejected important recommendations on torture prevention, enforced disappearances, independent monitoring of prisons, freedom of the press and forced labour. After skipping the OSCE Annual Human Dimension Implementation Meeting in 2017, Turkmenistan sent a low-profile delegation in September 2018 but limited its participation to the official part, not attending the debate and side meetings with the Human Rights Defenders. The OSCE High Commissioner on National Minorities visited Turkmenistan on 23 November 2018 to discuss with the authorities, representatives of public organisations and mass media integration of national minorities into all spheres of public life.

## Uzbekistan

**1. Overview of the human rights and democracy situation:** The leadership of Uzbekistan has continued its efforts to improve Uzbekistan's human rights record - with some success. Almost all persons from the EU list of prisoners of concern have been released, albeit not rehabilitated - they still face administrative restrictions, limiting their free movement, employability, etc. Measures against forced labour in the cotton harvest (including the eradication of child labour) have continued, in cooperation with the ILO and other partners. For the first time, independent monitoring by civil society activists was also allowed and results were discussed with a wide spectrum of relevant stakeholders. Registration and reporting rules for civil society organisations were simplified, but their practical implementation still raises questions. Uzbekistan has also adopted a roadmap on Freedom of Religion or Belief. After a series of legislative commitments in a wide range of human rights issues, the challenge now is to implement these commitments. Authorities have continued granting citizenship to stateless persons residing in the country, which is a very

positive development. Despite this progress, the overall human rights situation in Uzbekistan calls for further improvements. Human rights concerns persist in several areas, including restrictions in the areas of freedom of expression, information, religion, assembly and association. Furthermore, Uzbekistan has still not ratified the Optional Protocol to the UN Convention against Torture, which would enable an effective monitoring system in places of detention. A number of positive steps are being taken (e.g. installation of cameras in detention facilities, a few prison visits), but more decisive action would be necessary to bring the country closer to international human rights standards.

**2. EU action - key focus areas**: The EU engages in human rights and democracy discussions with Uzbekistan in a number of settings, including the annual meetings of the EU-Uzbekistan Cooperation Council and Cooperation Committee, the Parliamentary Cooperation Committee, the Subcommittee on Justice, Home Affairs, Human Rights and Related Issues. In addition, the European Parliament Foreign Affairs Committee and delegation for Central Asia/Mongolia as well as the Council Working Group in charge of Uzbekistan conducted fruitful visits to the country.

Discussions covered a broad range of issues and were constructive and friendly, including on difficult subjects raised by both sides. The EU continued to voice concerns, or notice positive developments, through statements, speeches, interviews, formal and informal steps to encourage Uzbekistan's government to ensure full respect for human rights. The EU Delegation also stayed in close contact with the Uzbek Ombudsman and the National Human Rights Centre. Rooting out forced labour in the cotton harvest remains a priority for the EU; this is regularly and closely monitored in cooperation with the ILO and other stakeholders.

**3. EU bilateral political engagement:** Overall EU relations with Uzbekistan have broadened, deepened and become much more constructive, which is appreciated by both sides. As a consequence, negotiations for a new Enhanced Partnership and Cooperation Agreement have started in November 2018, while Uzbekistan has also expressed its intention to accede to the WTO and GSP+.

**4. EU financial engagement:** The EU continued to provide financial support for projects funded through the Development Cooperation Instrument (DCI), the Instrument contributing to Stability and Peace (IcSP) and the European Instrument for Democracy and Human Rights (EIDHR) - the budget for the latter has been increased by 50% to reflect positive developments in Uzbekistan. In 2018, the EU has launched EIDHR-funded projects on "*Advancing civil society in promoting economic, social and cultural rights' standards*" and on "*Advancing women's rights through enhanced protection and self-employment*", as well as continued the implementation of the project on "*Enhancement of vulnerable children protection mechanisms in Uzbekistan - SOS children's villages of Uzbekistan*" and successfully concluded the project on "*Promoting access to human rights for vulnerable woman and men*". DCI continued to fund the third-party monitoring on forced and child labour in the country. The EU maintained close cooperation with UNDP, UNICEF, OSCE and the World Bank.

**5. Multilateral context:** Uzbekistan engaged constructively in the May 2018 Universal Periodic Review (UPR), accepting 201 out of 212 suggestions received, with the 11 not

accepted all relating to LGBTI rights - e.g. male homosexuality remains outlawed in Uzbekistan. The EU called Uzbekistan to keep engaging constructively with UN Treaty Bodies and to welcome further visits of UN Special Procedures.

The Government submitted its draft election code for the 2019 elections to the Venice Commission and ODIHR and received an opinion in October 2018. The EU strongly supports these recommendations as well as previous ODIHR recommendations on the presidential elections. Uzbekistan participated actively in the Human Dimension Implementation meeting in of the OSCE/ODIHR.

The Government further engaged with international NGOs, such as Human Rights Watch, Amnesty International, the International Partnership for Human Rights, International Foundation for Electoral Systems, Uzbek-German Forum, Penal Reform International and others. One independent international media outlet has received accreditation in the country (VOA).

In November 2018 Uzbekistan took the positive initiative to host the Asian Forum on Human Rights at the occasion of the 70the anniversary of the Universal Declaration on Human Rights - future events would benefit from a stronger, more interactive involvement of civil society actors.

# Africa

## The African Union (AU) - European Union (EU)

**1. Overview:** The four AU Human Rights organs: African Commission on Human and Peoples' Rights (ACHPR), Pan African Parliament (PAP), African Court on Human and Peoples' Rights (AfCHPR), African Committee of Experts on the Rights and Welfare of the Child (ACERWC) continued with their activities to strengthen the Pan African angle on Human Rights. For instance, in 2018 the AfCHPR was seized with 33 new cases and delivered 17 new judgements. During the year the ACHPR held two ordinary and two extra-ordinary sessions.
However, despite the achievements of the AU Human Rights organs, their role and their independence did not remain unchallenged. The July AU Summit in Nouakchott instructed the ACHPR to withdraw by the end of the year the observer status it had given to the Coalition of African Lesbians, and the ACHPR unfortunately complied with this demand. The AU Executive Council also recommended that the Activity Reports of the AfCHPR should no longer mention names of countries that have not complied with the judgments of the Court, and a joint retreat of the AU Permanent Representatives Council with the ACHPR questioned the universality of Human Rights by recommending that they should be interpreted in line with "historical tradition and the values of African Civilisation". On the other hand, in its effort to conducting structural reform, the AU Commission committed to implement an equitable regional representation and gender parity that may affect all AU organs by extension.

**EU/AU political engagement**: During 2018 the EU Delegation maintained close contact with all actors involved with human rights on the African Continent. This includes representatives from civil society organisations (CSO), AUC counterparts as well as staff working in the various AU human rights organs.

The EU Delegation engaged with various actors at the 62nd ordinary session of the ACHPR held in Nouakchott on 25 April–9 May 2018 and the preceding NGO Forum. The session offered a good opportunity to see the ACHPR in action and note the interplay between an AU human rights organ, state parties and NGO/CSOs. There was also ample opportunity for networking with AU officials/NGOs.

The 14th AU-EU Human rights dialogue took place on 12 October 2018 in Brussels at the EEAS, co-chaired by the EUSR for Human Rights, Stavros Lambrinidis and AU Commissioner for Political Affairs, Minata Cessouma Samate. The dialogue facilitated assessment of progress achieved and identification of new deliverables. It was built on the momentum of the important 5th AU-EU Summit held in November 2017 in Abidjan.

The Issues discussed included: human rights developments in the EU and in Africa; death penalty; torture; business and human rights; multilateral cooperation and the ICC; election observation missions; gender issues; anti-trafficking; and youth political participation in Africa and Europe. The dialogue was preceded by a two day Civil Society seminar on the theme of "Youth Rights to participation in Africa and Europe to which EUSR Lambrinidis and AU Commissioner Samate attended the closing ceremony. The seminar brought together 40 Civil Society representatives from Europe and Africa. Besides, Civil Society and youth representatives attended the lunch session of the dialogue itself and made valuable contributions.

There were commitments made on a number of deliverables and areas for follow up including: to organise of a conference on torture and active encouragement of more African countries to join the Global Alliance on Torture; to promote strong African participation in the 2019 World Congress against the death penalty; to continue work to ensure robust follow-up activities to EU Election observation missions; to organise a kick-off launch event for the African pillar of the EU-UN Spotlight Initiative; to increase engagement with youth representatives (African, European and Diaspora youth networks, platforms and organisations) as well as via the AU-EU Youth Cooperation Hub to further include young people in development projects. On electoral observation, building on the EU-AU-UN language agreed in the Conference on Electoral Observation the previous day, commitments were made to look into the possibilities of personnel exchange between EU and AU missions and joint visits to countries present EU and AU mission reports and recommendations.

**EU/AU financial engagement**: The two remaining projects of the Call for Proposals "Supporting Key Regional Actors – Human Rights Bodies of the African Union" (EUR 1.5 million) completed their activities in June 2018. The project "Strengthening the capacity of the ACHPR to combat sexual violence against women and its consequences" was successfully implemented with the adoption of the Guideline on combating sexual violence and its consequences by the African Commission on Human and Peoples' Rights.

The project "Policing and Freedom of Expression and Assembly" was also successfully implemented and led to the adoption of the Guidelines on Policing of Assemblies by the African Commission on Human and Peoples' Rights.

Regarding the EUR 6.5 million programme "The African Union Capacity in Election Observation (AUCapEO)" whose main objective is to enable the AU to conduct credible long-term election observations, the technical assistance (TA) component of the project (EUR 0.5 million) was successfully completed in June 2018. As an illustration, the main achievements of the TA component, to name just a few examples, were the agreement on the structure and the development of standard terms of reference for election observations missions (EOMs), the establishment of trained and experienced AU facilitators, the development of a wide range of training materials, the consolidation of AU Election Observation Missions (EUOM) output through a seminar and a study on AUEOM reporting and the AU communication strategy for its EOMs.

The grant component (EUR 6 million) continued supporting the electoral unit of the African Union Commission in the deployment of long-term electoral observations.

Finally, the EUR 10 million project "Strengthening the African Human Rights System" made significant progress in 2018. The four beneficiary institutions, African Commission on Human and Peoples' Rights (ACHPR); Pan African Parliament (PAP); African Court on Human and Peoples' Rights (AfCHPR); African Committee of Experts on the Rights and Welfare of the Child (ACERWC) were supported through direct contributions to their budgets and technical assistance. During 2018, the four supported organs advanced on their communication strategies, monitoring frameworks, upgrading of IT systems, reviewing internal procedures and improving internal efficiency.

## Angola

**1. Overview of the human rights and democracy situation:** 2018 was a momentous year in Angola, having seen a number of positive developments: revitalisation of the decentralisation process (elections scheduled for 2020), ongoing National reconciliation (repatriation of UNITA General Ben Ben's body to Angola and the extremely symbolic exhumation of the remains of Jonas Savimbi, and the possible burial in his home town), recognition by a Government member that atrocities were committed by the ruling party in the aftermath of "27 May 1977". The reforms of the Justice Sector and of the Public administration system, alongside the fight against corruption and impunity, have been key points of the Government's programme. The first National Strategy on Human Rights was also submitted for public consultation, before publication by presidential decree. President Lourenço has met with several human rights activists, inviting them to join the Government's ongoing efforts to fight corruption, increase the levels of transparency and promote and defend human rights in Angola. The media environment continued to improve, with reduced self-censorship and more reporting on previously taboo topics. The new climate of openness and increased freedom of expression has allowed the multiplication of instances of peaceful street protests while instances of political intolerance have decreased. However, civil society reports on human rights abuses persist, namely regarding police brutality and extrajudicial

killings. At the end of the year, the dismissal of 127 members of the security forces was presented as the result of internal investigations into corrupt practices and murder investigations. In the last quarter of 2018, the Angolan authorities launched two wide police operations to restore order and control the number of migrants in the country ("Operation Transparency" led more than 400,000 foreign migrants to abandon the country) and introduce some level of formality and State control in many predominantly informal sectors of the economy.

**2. EU action - key focus areas:** Four grants were awarded under the European Instrument for Democracy and Human Rights (EIDHR), focusing on the following areas: access to justice, freedom of expression and violence against women and girls. The EU also carried out activities in the following priority areas:

- Access to justice: The EU worked towards strengthening the rule of law and democratic participation of citizens by promoting access to justice, civic education, training on conflict resolution with focus on women and youth. The EU also extended a project for the protection of children victims of violence and to improve birth registration, which is extremely low.

The EU Delegation also signed grant contracts (EIDHR) with civil society organisations (CSOs) working on: the rights of incarcerated women (AJPD), the rights of immigrants in Angola (Omunga) and the rights of displaced persons from their homes (SOS Habitat).

Other priorities included increasing access to legal advice and information on land rights disputes, succession rights of women, equity in employment and distribution of land. These activities contributed to sensitising Angolan citizens about their rights within existing law, lobbying for improvements to the law, and providing practical support for those whose rights are violated.

- Elections: work resumed on the future for support to CSOs with the aim of raising awareness and knowledge of Angolan citizens' rights and duties with regards to the 2020 electoral process. The objective is to increase their participation in the various stages of this process through civil education and strengthening the role of the civil society. The project should enable a constructive dialogue between the civil society and local authorities.

- Cultural, social and economic rights – including gender and land**:** EU support helped the government to design and implement a cash transfer scheme, considered essential to mitigate the impacts of the current macroeconomic stabilisation program on the most vulnerable sections of the population. Steps were taken to implement the municipalisation of social action, allowing improved access to basic social services for the most vulnerable community members. Several programs focused also on improving women's lives in rural communities, addressing issues such as domestic violence, maternal and child health and access to land.

**3. EU bilateral political engagement:** Taking advantage of the openness of the new government, the EU had a political dialogue on Human rights between the EU Heads of Mission and the Minister of Justice and Human Rights on 27 September 2018, under article 8 of the Cotonou Agreement and in the framework of the Joint Way Forward Partnership. A concrete result of the political dialogue was the creation of an EU-Angola Human Rights working group, aimed at providing a more fluid dialogue mechanism, therefore allowing

regular coordination and exchange of information. This working group will also prepare the yearly political consultations and ensure the implementation of the decisions made at EU Heads of Mission/Ministerial level. The group can also be tasked with the coordination and prior consultation in preparation for international discussions (UN General Assembly, Universal Periodic Review (UPR) in 2019 and other discussions at the Human Rights Council).

The first Workshop on Migration, people in movement and minorities in Angola, was organised in partnership with the Ministries of Justice and Foreign Affairs. Government officials of relevant ministries and members of civil society and refugee groups exchanged on migration, integration and discrimination related issues and the best ways to tackle them. A renowned anti-racism activist from Portugal delivered communication on the situation in Europe. The activity aimed to sensitise and inform society about migration from a human rights perspective, to reflect on the importance of building a society of rights, to strengthen the EU-Angola partnership, and to promote the culture of human rights in Angola.
In the framework of the commemorations of the 70th anniversary of the Universal Declaration of Human Rights (UDHR), a video was produced, featuring Human Rights Defender Samussuko and showing how hip hop has played a pivotal role in the human rights/civil society discourse in Angola.[14]

In March 2018, Lucia Kula, an Angolan-Dutch academic at SOAS in London came to Angola as part of the EU collaboration with the Ondjango Feminista organisation. Ms Kula addressed the audience in a series of events on feminism and gender issues.

For the second year, the EU Delegation awarded its Human Rights Prize, this time to the organisation Horizonte Azul, for its work with orphan young girls.

**4. EU financial engagement:** Four grants were awarded under the EIDHR national allocation, for a total amount of EUR 810,000, on the following areas: right to land, access to information and freedom of expression, access to justice for female detainees and migrants' rights. Other ongoing EIDHR project also covered: local democracy and human rights groups, as well as land rights.

The country also benefited from the Civil Social Organisations and Local Authorities (CSO-LA) programmes, supporting activities on the following fields: local governance, capacity building for civil society's work on governance, fight against social exclusion of homeless children, women empowerment, inclusive governance and children's rights.

Finally, EUR 6 million was set aside for CSOs to promote participatory local democracy.

**5. Multilateral context:** Angola is a party to the main international and regional human rights treaties. Angola is currently member of the Human Rights Council (term expires in 2020) Angola's national priorities include human rights education for the population; reinforcement of human rights institutions, and work with civil society. Angola's regional priorities are abolition of the death penalty; women empowerment; mitigation of massive human rights violations, and migration. The country will undergo a UPR in 2019.

[14] https://eeas.europa.eu/delegations/angola/51517/human-rights-defenders-samussuko-angola_en

## Benin

**1. Overview of the human rights and democracy situation:** The overall human rights situation in Benin is relatively positive. The constitutional and legal frameworks globally comply with democratic principles, human rights and rule of law. Benin's Human Rights Commission is now operational after its 11 members were nominated in December 2018. The 2018 new penal code – voted by the National Assembly but not yet promulgated by the President - abolishes death penalty. By decision of the president, the punishment of fourteen prisoners sentenced to death was commuted into life imprisonment. However, the Beninese judicial system remains weak and increasingly controlled by the executive. In a new law, the majority of the members of the "conseil supérieur de la magistrature" are nominated by the executive. The new Economic Crime and Terrorism Court ("cour de repression des infractions économiques et du terrorisme") set up in 2018 does not appear to sufficiently guarantee the rights of the defense as its decisions are not appealable. Moreover, this jurisdiction raises some concerns regarding the broad definition of certain infringements/crimes, and has given rise to accusations of being used to prosecute political opponents.

In the area of economic and social rights, 2018 saw the implementation of several social programmes: free access to certain health care, extension of the school canteen program, launch of the "Insurance for the Strengthening of Human Capital" program, social services for vulnerable groups of the society people. The government has taken actions to fight corruption and impunity, including through adoption of a new law on the fight against money laundering and financing of terrorism. The adoption by the Government of the National Integrity System report and action plan (Transparency International) is a positive step. However, governance issues (common practices of tax evasion and corruption) affect economic performance and social and economic rights while the poverty rate has risen in the last years.
The reform of the electoral law increases requirements to elections' candidacy and limits rights to competition, e.g. it raises considerably financial guarantee to be provided by candidates and requires a proof of three years tax payment delivered by the fiscal administration.

The freedom of expression is guaranteed by the Constitution and legislative framework. However, press freedom has been deteriorating over the years, in particular over the last months in the context of upcoming legislative elections of April 2019, as well as freedom of expression in social networks. The last year has seen increasing harassment of political opponents and economic competitors.

Children's rights remain of concern, in particular exploitation, persistence of early and forced marriage, marginalisation or even infanticide of children accused of witchcraft, and frequent incidents of sexual abuse in schools, often entailing early pregnancies.

Violation of women's rights, domestic violence, under-representation in public life and limited access to land property and contraception are also problematic. The draft law to address trafficking in human beings, announced in the national report submitted in view of the 2017 Universal Period Review (UPR), is still pending.

**2. EU action - key focus areas:** The EU 2016-2020 Strategy for Human Rights and Democracy in Benin identified the following priorities: rights of the child; women's rights; economic and social rights and in particular access to basic services; the fight against corruption and impunity; and access to justice.

**3. EU bilateral political engagement:** Dynamic development cooperation, political contacts, outreach initiatives offer regular dialogue with Government on human rights related issues. During the last official political dialogue held in September 2018, the issues of children's and women's rights were raised, as well as press freedom. The EU also holds permanent dialogue with political parties of all affiliations, as well as human rights civil society organisations (CSOs) and NGOs in Benin.

**4. EU financial engagement:** The general objectives of the Good Governance and Development Contract between the EU and Benin (11$^{th}$ EDF) include poverty reduction and strengthening of governance. Transparency, fight against corruption and promotion of gender equality are among the main goals. The 2018 target for fighting impunity against corruption has been fully achieved. In addition, EU supports land rights through sectoral budget support to agriculture.

The evaluation of the National Integrity System (SNI) carried out by Transparency International was finalised in 2018 and has become the reference for government's fight against corruption.

Since 2018 the EU supports through the European Instrument for Democracy and Human Rights (EIDHR) the National Assembly to strengthen its monitoring and initiative role on human rights. The phenomenon of early marriage has been one of the issues covered.

The EU-Member States Joint Roadmap to support civil society (2018-2020) aims at facilitating citizen participation, promoting human rights and access to basic social services. The RePaSOC project (Renforcement et participation de la société civile au Bénin) aims to support civil society’s capacities of advocacy, monitoring of public action, and strengthening of their partnership with the State. It also supports civil society initiatives providing basic services to the population.
In the justice sector, EU support includes advocacy and a programme for the improvement of living conditions in detention which resulted in some improvements, including for minors.

**5. Multilateral context:** In the 3rd Universal Periodic Review (UPR) of Benin on 10 November 2017, Delegations acknowledged the progress made by the country since the last UPR in 2012 while expressing concerns regarding rights of the child, trafficking in human beings, torture prevention and forced labour, women’s rights including gender-based violence, right to health and conditions of detention. Benin received a total of 198 recommendations: 191 were accepted and 7 noted.

## Republic of Botswana

**1. Overview of the human rights and democracy situation:** Botswana maintains the death penalty as one of few remaining retentionist countries in Africa and there were 2 executions in 2018. On the freedom of speech, the new President, Mokgweetsi Eric Keabetswe Masisi, is actively courting the media, meeting with trade unions, the opposition and civil society and there are some signs of improvement (such as changes in the Directorate of Intelligence and Security Services). However laws, institutions and practices have not changed and civil society organisations are still quite weak. In the 2018 World Press Freedom Index, Botswana continued its declining trend, though it retained its ranking of 48 out of 180 countries in the world. The situation of refugees and irregular migrants has not changed and remains a matter of concern. However there is a positive momentum on LGBTI issues, with the President and some other ministers speaking openly about LGBTI rights. Homosexual acts are a criminal offense (by up to seven years in prison), although there are very few cases of prosecution. A case challenging the constitutionality of the criminalisation of homosexual acts will likely be heard in the first half of 2019. Other human rights concerns focus on the "shoot-to-kill" policy towards poachers and the continued difficulties in addressing the situation of the San/Basarwa minority.

**2. EU action - key focus areas:** In accordance with the priorities agreed within the Human Rights Country Strategy, during 2018 the EU focussed its action on the death penalty, gender-based violence, LGBTI rights, freedom of speech and media support and the follow-up of the Universal Periodical Review (UPR).

**3. EU bilateral political engagement:** No Art.8 EU/Botswana Political Dialogue took place in 2018 due to the Presidential transition. The EU delegation raised human rights issues in demarches and other forms with the Ministry of International Affairs and Cooperation (MIAC).

In the course of 2018, the EU Missions have continued with their regular exchanges with some of the leading human rights organisations in the country. The Gender Dialogue (co-chaired with UN Women and the Gender Affairs Department in the Ministry of Immigration, Nationality and Gender), has been an important platform to bring together stakeholders to discuss gender issues and map a way forward regarding partnerships. Moreover, development partners have continued to meet regularly in the Democracy and Governance working group, which is developing into a useful forum for discussion of human rights issues as well as for joint lobbying activities.

The EU Missions also continue to focus their public diplomacy on human rights issues – notably marking some of the main dates on the human rights calendar such as International Women's Day or the World Day against the Death Penalty. Throughout the year, the EU Delegation issued local statements on human rights and death penalty together with other partners, and some of the HR/VP statements were published by the local press.

**4. EU financial engagement:** In 2018, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR). Three projects were developed in 2018: “Raising Voices for Action on Children’s Rights” implemented by Stepping Stones International, ''Civic Education and Participation in Political Processes in Botswana'' implemented by BOCONGO and thirdly, ''Empowering women, ending gender violence in Botswana''. In addition, two ongoing EIDHR projects were phased out in 2018: the Ngamiland Council of Non-Governmental Organisations (NCONGO),

with the objective of providing human rights education to local stakeholders and communities in the region, and the "Minority Rights Group International" which advocated on the recognition of minorities and their rights.

**5. Multilateral context:** In general terms, Botswana is a very active country in international fora concerning human rights abuses in 3rd countries and in its support for human rights institutions such as the ICC (Rome Statute ratified on July 2017).

In January 2018, Botswana undertook its third review by the Working Group of the Human Rights Council as part of the UPR process. The government engaged NGOs and other stakeholders actively in a consultation process before submitting its UPR report. The EU Member States present in Botswana, the EU Delegation as well as other development partners continue to offer their support to the Government in the implementation of the UPR recommendations. The newly accepted UPR recommendations of the 3rd cycle may provide a new initiative of engagement. Accepted recommendations in the 3rd cycle include, inter alia, the ratification of the UN disabilities convention and holding a debate on the death penalty. The recommendation to establish a National Human Rights Institution (NHRI) was also accepted. Botswana is one of the few countries in Africa that does not yet have an NHRI and this has effectively delayed any implementation of human rights issues in the past.

A further positive development is Botswana's acceptance to issue a standing invitation to special procedures mandate holders. The UN Special Rapporteur on Minorities visited Botswana in August 2018. In his preliminary statement, the use of minority languages in education was pointed out as an area of concern.

## Burkina Faso

**1. Overview of the human rights and democracy situation:** Democracy has made progress in Burkina Faso since its political transition and can be seen as a reference of respect of civic and political rights and fundamental freedoms in Africa. But the country is facing major challenges given the high level of poverty, high demography, limited resources, social unrest and insecurity. The proliferation of terrorist attacks, limited state presence over the territory and weak reaction of security forces lead to growing insecurity, displacement of populations and closure of schools and public services. This situation is further exacerbated by occasional exactions of security forces and self-defence groups which act out of State of law. These groups have been the authors of recent killings of members of Peul community accused of terrorist complicity. The risk of intercommunity conflict is growing.

The adoption of the new Constitution remains pending. It consolidates the independence of the institutions, human rights and formally abolishes the death penalty which has already been removed from the new penal code. The process of reconciliation has made little progress but the Human Rights Commission has become operational even if it still depends on the Justice administration budget. There is some progress with regard to the independence of the judiciary, rights of women and girls, the implementation of the National Plan against FGM, and on birth registration.

Positive initiatives have been taken for the participation of civil society and dialogue on human rights. The prevention of radicalisation needs more efforts in the Sahel and Eastern

areas as well as actions to prevent intercommunity conflicts. Inefficiency and limited access to justice remain problematic, as well as conditions of detention and arbitrary detention. The High Council of the judiciary is operational but needs to establish further its credibility.

Effective protection of children against exploitation requires more efforts and concrete results in the agriculture and artisanal mining sectors, as well as effective promotion and respect of women's rights. In view of the forthcoming general election in 2020 the process of consolidation of democracy requires to be continued – including through a genuine "process of reconciliation" between political actors and actions in view to improve social cohesion, notably through a better understanding and application of the rule of law.

The EU conducted an Electoral Follow-up Mission (EFM) to assess the degree to which EU EOM recommendations have been implemented. It underlined that the Constitution of the Fifth Republic will pave the way for the adoption of a new legal framework that will govern the organisation of the 2020 elections. In this regard, the EFM recalled the 2015 EU EOM's recommendations and the importance of their implementation for the success of a substantive electoral reform and the consolidation of the democratic process initiated in 2015. The follow-up to the implementation of the 2015 EU EOM's recommendations, through an ambitious revision of the electoral code, will remain an important area for engagement with the Burkinabe authorities and other electoral stakeholders in 2019.

**2. EU action - key focus areas:** In conformity with the EU human rights strategy, actions in 2018 continued to support:

- Civil society in raising human rights awareness among different groups, in particular youth and in their contribution to democratic governance;
- The judiciary and the improvement of prison conditions;
- Birth registration and the civil registry;
- Human rights of children;
- Human rights and the consolidation of the rule of law in the reform of the security system;
- Basic social rights;
- Rights of women with emphasis on family planning the fight against violence, and participation in the electoral processes.

**3. EU bilateral political engagement:** The Article 8 political dialogue took place in July 2018 focusing on security, migration, gender, demography, reconciliation, constitution reform. Human rights and security forces were raised in an informal dialogue meeting in June 2018.

The EU is increasingly committed to supporting Burkinabe security through all its instruments. It includes programs for the reform of the security sector, reinforcement of border control and support to people in vulnerable areas. Budget support to the Sahel Emergency Program through the EU Emergency Trust Fund for Africa is significant with EUR 50 million for security and development, infrastructure and access to public services in the Sahel vulnerable areas. The EU stresses the need for security forces to be respectful of human rights, in a confidence building relationship with people.

**4. EU financial engagement:** In 2018, the EU and its member states continued to support authorities and civil society in key areas for democracy and human rights, in particular:

- General budget support to good governance (EDF) of EUR 135 million with priorities on demography, social protection, independence and functioning of the judiciary, fight against corruption, mobilisation of internal resources and efficiency of public finance. The objective is the consolidation of the rule of law through the improvement of their functioning and the strengthening of controls and accountability.
- Support to civil society for raising awareness on human rights targeted to different groups, and for monitoring public policies, in particular through the "Presimetre" funded by the EU (EUR 1.9 million) and Sweden (EUR 4.6 million).
- An EU Justice program is ending with concrete results such as the revision of codes, systematic training of judges and reform of the penal chain. A new program of EUR 12 million follows which focusses on terrorism, financial crime and rule of law implementation (including on the respect of fundamental rights). Four projects are underway to improve the conditions of detention and reintegration of prisoners.
- One project supports the protection of children in cotton producing areas, in addition to four ongoing projects in artisanal mining areas.
- The EU is also active with massive support for civil status, including family planning, of EUR25 million through a "population" program.
- Four EUTF projects support women's employment and vocational training.
- The PACE program supports women's participation, as well as parliamentary oversight of the Executive and citizen watch.
- The prevention of radicalisation is the subject of two projects worth EUR 9 million and EUR 7 million of the EU Trust fund for Africa (education and dialogue).

**5. Multilateral context:** Burkina Faso underwent the Universal Periodic Review (UPR) in 2018 which highlighted the question of women's rights and discrimination as well as abuses of defence forces. The majority of recommendations of the previous UPR were considered implemented at 92%. The Government has indicated that the penalties for violence against women have been aggravated by the Penal Code, but minimised the excesses of self-defence militias. The active Burkinabe civil society contributing to democracy and the defence of fundamental rights was recognized at UN in the context of the presentation of the "Présimètre", a civil society monitoring of governance instrument, as a "success story", at the high-level meeting at the UN General Assembly in September 2018.

## Burundi

**1. Situation générale des Droits de l'Homme et la démocratie:** En 2018, la situation des droits de l'Homme au Burundi reste préoccupante et continue à être caractérisée par l'impunité, par le manque d'indépendance de la justice, par des arrestations et détentions arbitraires et prolongées, ainsi que par de fortes contraintes aux libertés d'association et d'expression, ce qui a pu être observé lors du processus menant au référendum constitutionnel du 17 mai 2018. Dans son rapport présenté au Conseil des Droits de

l'Homme en septembre, lors de sa 39ème session, la Commission d'enquête sur le Burundi a fait état d'une persistance de violations graves des droits de l'homme dont certaines pourraient être constitutives de crimes contre l'humanité. Le mandat de ladite Commission a été prorogé jusqu'en septembre 2019 par le Conseil des droits de l'homme en septembre 2018. Le Burundi a continué à refuser de coopérer avec les mécanismes politiques et des droits de l'homme multilatéraux et régionaux. Il a refusé de mettre en œuvre la résolution votée par le 36ème Conseil des droits de l'homme prévoyant le déploiement de trois experts en assistance technique et les membres de la Commission d'enquête ont été déclarés *personae non gratae*. Le 5 décembre 2018, le Gouvernement a décidé de fermer le bureau du Haut-Commissariat des Nations Unies aux droits de l'homme.

**2. Action de l'UE – domaines d'intervention clés:** L'UE a continué à prioriser et à soutenir le multilatéralisme et la coopération avec des partenaires tels que la Communauté de l'Afrique de l'Est (CAE), l'UA et l'ONU, notamment dans les domaines de la médiation et du monitoring de droits de l'homme. L'UE a sponsorisé la résolution du Conseil de droits de l'homme qui proroge le mandat de la Commission d'enquête sur le Burundi. L'UE et les Etats Membres ont continué d'apporter un soutien ciblé favorisant entre autres la défense et la protection de personnes vulnérables, la liberté des médias et les mécanismes des droits de l'homme multilatéraux. A noter qu'un projet régional signé en décembre contient un volet spécifique sur le renforcement des mesures de protection et de répression des violations des droits de l'homme.

**3. Les engagements politiques bilatéraux de l'UE:** L'action de l'UE est guidée entre autres par la décision 2016/394 du Conseil du 14 mars 2016 au titre de l'article 96 de l'Accord de Cotonou. Cette décision inclut des 'engagements attendus' des autorités burundaises qui font directement référence au respect des droits de l'Homme, aux principes démocratiques et à l'Etat de droit. En 2018, les efforts de l'UE pour relancer le dialogue sur ces engagements avec les autorités n'ont pas eu l'effet souhaité et les mesures appropriées, y compris la suspension du soutien financier direct aux autorités et aux institutions du Burundi, sont restées en place.

**4. Les engagements financiers de l'UE:** L'UE a financé en 2018 – au titre de l'Instrument de Démocratie et des Droits de l'Homme (EIDHR) – quatre projets mis en œuvre par des ONGs internationales en partenariat avec des ONG nationales pour un montant total de plus d'EUR 2 millions. Ces projets concernent l'appui aux défenseurs des Droits de l'Homme, la lutte contre la violence à l'égard des Femmes, ainsi que la protection des enfants vulnérables.

En 2018, l'UE travaillait de manière proche avec le bureau du Haut-Commissariat des Nations Unies aux droits de l'homme, notamment à travers un nouveau projet lancé en septembre 2018 "Appui à la Protection des Droits de l'Homme au Burundi". Dans ce contexte se sont notamment déroulés plusieurs conférences et ateliers sur les droits de l'Homme en novembre et décembre 2018.

L'UE a également financé le déploiement et le maintien dans le pays d'un groupe d'observateurs des droits de l'Homme de l'Union africaine en 2017 et 2018 par le biais de la Facilité de Paix pour l'Afrique (APF).

**5. Contexte multilatéral:** La situation des droits de l'Homme au Burundi a été examinée pour la troisième fois dans le cadre de l'Examen périodique universel (EPU) en janvier 2018. 96 délégations ont participé à cet Examen et 242 recommandations ont été formulées portant sur: la signature et/ou la ratification de protocoles de pactes internationaux; la décision par le Burundi de se retirer du Statut de Rome; la collaboration avec les rapporteurs spéciaux de l'ONU, avec le Bureau du Haut-Commissaire aux Droits de l'Homme (HCDH) et la Commission d'enquête sur le Burundi; la poursuite des travaux de renforcement des capacités des organes chargés de la prévention et de l'élimination de la torture; le dialogue constructif avec l'opposition en vue de trouver une solution à la crise qui permettra d'organiser en 2020 des élections libres, régulières et pacifiques. Dans sa réponse officielle, le Burundi a indiqué que le pays mettra tout en œuvre pour donner suite à 123 recommandations, notamment celles portant sur l'amélioration des droits de l'Homme des groupes bénéficiant d'une protection spéciale tels les femmes et les enfants, les personnes handicapées ainsi que les peuples autochtones.

## Cabo Verde

**1. Overview of the human rights and democracy situation:** Cabo Verde remained in 2018 one of the countries in Africa with the best records on human rights and democratic governance thanks to stable political institutions, a functioning multiparty parliamentary democracy, an independent judiciary and a strong legal framework that recognises and protects human rights and fundamental freedoms. While the authorities in Cabo Verde remain strongly committed to the respect and protection of human rights, there are some areas in which improvements are still needed. These include violence and discrimination against women, violation of the rights of the child, including child labour and prostitution, poor prison conditions and long delays in the judiciary system. Cabo Verdean authorities continue to demonstrate political willingness to address these concerns. Examples include the approval in May 2018 of a National Plan to Combat Trafficking in Human Beings and other measures, with a particular focus on women, children and migrants; the augmentation of the budget for the National Commission for Human Rights and Citizenship, and ongoing work in the National Assembly on ways to ensure that the Commission complies fully with the Paris Principles. In 2018 the Cabo Verdean authorities started work on a new law on equality and on a National Action Plan for the Prevention and Eradication of Child Labour and the establishment of the National Committee for the Prevention of the Worst Forms of Child Labour. The implementation of national policies and strategies in a number of human rights domains continued throughout 2018. Examples include the National Plan to Fight Sexual Violence against Children and Adolescents 2017-2019 or the National Plan (2018-2023) for Human Rights and Citizenship. In March 2018 Cabo Verde became the first African member of the Equal Rights Coalition to promote and protect the human rights of LGBTI people around the world.

**2. EU action and bilateral political engagement:** In 2018, the shared respect for and promotion of human rights, democracy and good governance remained a basis for the EU-Cabo Verde Special Partnership. The EU continued to hold a regular political dialogue on the consolidation of democracy and human rights and in particular on women's rights and people with disabilities, as priorities outlined in the EU Human Rights and Democratic

Country Strategy of 2016 and the Gender Action Plan (GAP) for Cabo Verde for 2016-2020. The EU also continued to monitor the ratification and effective implementation of 27 international conventions on human rights, labour rights, environmental protection and climate change and good governance under the EU GSP+ of which Cabo Verde is a beneficiary. An assessment of the state of compliance by Cabo Verde with GSP+ Obligations was made by the EU in 2018. The assessment recognised positive efforts in the implementation and reporting on the 27 conventions, but also pointed out a number of issues on which more efforts are needed.

**3. EU financial engagement:** The EU Delegation payed particular attention to gender issues in Cabo Verde defined as one of our cooperation priorities supported through Budget Support. In the framework of last year´s Mid-Term Review, which entails a top-up of EUR 10 million, the EU Delegation has successfully established gender issues as one of three budget support indicators for this top-up of EUR 10 million (energy and economic governance being the other two). Through this instrument the EU has been able to carry out interventions in the 3 thematic domains of the GAP II – (i) physical and psychological integrity, (ii) social and economic empowerment and rights, and (iii) voice and participation. The gender indicator includes the implementation of the Law against GBV, including the operationalisation of a fund to support the victims; the implementation of the National Care Plan as well as the submission to Parliament of the Parity Law. The EU also supports the institutional reinforcement of the Cabo Verdean Institute for Gender Equality. Through an EU/PALOP-TL project, the EU has continued to support a Gender–responsive budget.

The EU continued to fund under the CSO/LA budget line sixteen projects contributing to the improvement of the rights of women, in particular in rural and remote areas and to promote the empowerment and improve the economic situation of vulnerable groups, children and people with disabilities, as well as the reinforcement of civil society, in general. Other projects are working with youth and local authorities in various problematic urban areas.

Under the EIDHR, in order to promote physical and psychological integrity, social and economic empowerment, to raise the voice and participation of women and girls, and contribute to the effective guarantee of women's rights in Cabo Verde, the EU supports a project in the area of formalisation of domestic service with the Cabo Verdean Association to Fight Gender Based Violence.

In the context of GSP+, the EU continued to provide technical support to the Ministry of Justice and Labour to meet its reporting obligations concerning human rights conventions and international labour standards. The EU has also started providing support to the National Human Rights Commission to comply with reporting obligations on the human-rights treaties ratified by Cabo Verde and supporting and empowering civil society and social partners to monitor and advocate for improved implementation of selected core international conventions related to non-discrimination. A small grants initiative was launched in December 2018.

**4. Multilateral context:** Cabo Verde has ratified most international and regional human rights instruments, and ensures their implementation and enforcement in a generally effective manner, and remains a staunch supporter of the ICC. Cabo Verde took part in the

"Good Human Rights Stories Initiative", a cross-regional coalition of countries with exemplary human rights records launched by the EU and the UN at a high-level meeting at the UN General Assembly in September 2018.

Cabo Verde underwent its examination in the framework of the 3rd cycle of the Universal Periodic Review (UPR) in May 2018. It received 159 recommendations mainly concerning gender equality and violence against women, trafficking in human beings, penitentiary conditions, eradication of child labour, trafficking, prostitution and corporal punishment; protection of the rights of migrants, elderly people and persons with disabilities; and need to implement economic and social rights (housing, education services, and water and sanitation). The ratification of a number of international human rights instruments such as the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention Relating to the Status of Refugees, the Convention against Discrimination in Education, and the Optional Protocols to the Convention on the Rights of Persons with Disabilities and to the CRC, was also raised by a number of delegations. At the government's invitation, the United Nations Special Rapporteur on the right to development undertook an official country visit to the country in November 2018.

## Cameroon

**1. Overview of the human rights and democracy situation:** The year 2018 in Cameroon was marked by presidential elections in October, as well as armed conflict in its Anglophone regions, and continued terrorist violence in its Far North. The human rights situation overall has significantly deteriorated, particularly due to massive violence linked to the "Anglophone crisis", causing deaths among civilians (more than 500), security forces (around 175) and separatist fighters (several hundreds), as well as about 437,000 IDPs and around 32,600 refugees in neighbouring Nigeria. Both government forces and separatist groups have committed serious human rights violations that have generally gone unpunished, creating a sense of impunity. On the other hand, while some 290 people detained in connection with the Anglophone crisis were released in December, more than 700 remain in detention, many of whom without charges. In January 2018, the president of the "interim government of Ambazonia" and 46 of his allies were arrested in Nigeria and extradited to Cameroon. For over nine months, they were detained incommunicado, and their court proceedings before the military tribunal started only late 2018. In the context of the Anglophone crisis, the rights of vulnerable groups, especially women and children, have been seriously infringed. LGBTI harassment and arrests by police have increased, and the Mbororo ethnic minority suffered from hate speech and violence by separatist groups.

Regarding the elections and consolidation of democracy, the electoral framework remained widely unsatisfactory in the October presidential elections. The candidates' equality of chances was far from being achieved, the incumbent president Biya (who was re-elected with 71% of votes) being massively favoured by state media and having broadly unhindered access to public resources. The election was also marked by increased and unhindered hate speech related to ethnic origins. While the electoral campaign was relatively free, severe limitations of freedom of movement and assembly followed the elections, with numerous cases of arbitrary arrests of opposition leaders and supporters (on suspicion of insurrection

but subsequently freed). The situation of human rights defenders (HRDs) is worrying, as many of them are regularly harassed (particularly those working in the Anglophone regions who face harassment by both sides of conflict). For example, Franklin Mowha disappeared in August 2018 and to date no official investigation has been opened to determine his fate. In the Far North, Boko Haram continues to perpetrate violent attacks and suicide bombings, and security forces have committed extra-judiciary killings, including against women and children suspected to be associated with Boko Haram. Due to international pressure, the most spectacular case was followed by arrests of the military suspected of the crime.

**2. EU action: key focus areas:** EU's priorities in 2018 were:

- the consolidation of democratic processes and the electoral context;
- the rights of vulnerable groups/minorities, including the rights of human rights defenders;
- the fight against the death penalty and the improvement of the justice system;
- access to basic services, especially in areas affected by insecurity;
- enhancing social and environmental responsibility of businesses.

**3. EU bilateral political engagement:** The EU maintained in 2018 its regular political dialogue with the Cameroonian authorities (January and July), covering a wide range of issues: good governance including possible reform of the institutional and legal framework for elections, the respect and protection of human rights in the context of the Anglophone crisis and the fight against Boko Haram, as well as the need to respect freedoms of expression, association and assembly, alongside the rights of prisoners.

In the context of the elections, the EU was in regular contact with main institutional partners and political actors, including in events on the electoral process, organised by electoral authorities and civil society organisations, and in meetings between presidential candidates and the EU Delegation. The EU also gave political support to two national NGOs with regard to the accreditations of national observers. The EU Delegation facilitated consultation meetings between electoral authorities, political parties and civil society.

In the context of the Anglophone crisis, the EU support to a women's mediation workshop in preparation of the All Anglophone Conference (AAC) facilitated the creation of a new network of Anglophone women's associations, aiming to ensure the participation of women in finding a solution to the crisis. The EU Heads of missions and like-minded partners jointly met with the Anglophone religious leaders convening the AAC. The EU and its Member States published several statements on the Anglophone crisis condemning violence and calling for dialogue and the respect of human rights.

Regarding the justice system, the EU and Member states continued to speak for the abolition of the death penalty and to monitor trials and court proceedings of journalists (including Michel Biem Tong) and human rights defenders, as well as people arrested in the context of the Anglophone crisis. For example, an EU demarche was carried out following the extradition from Nigeria and detention of 47 Anglophone separatist leaders.

**4. EU financial engagement:** The EU supported civil society in electoral activities (funding under EIDHR to activities of two national NGOs working on the elections), and in conflict prevention and resolution (support through IcSP to a women's mediation workshop led by UN Women in preparation of the AAC). Three new projects selected in the framework of the

European Instrument for Democracy and Human Rights (EIDHR) started in 2018, focusing on herders-farmers relations in North-West region, eradication of sexual harassment of children, and inclusion of minority groups in East region. The EU and Member States have supported projects on LGBTI rights and defenders, awareness-raising on HIV/AIDS, fight against gender-based violence and defence of women's rights.

The EU has also supported the provision of basic social services, particularly in the health sector in Far North region. Support to the provision of basic services was also funded through the EU's humanitarian assistance in regions receiving many IDPs or refugees or affected by the Lake Chad crisis or by the crisis in C.A.R., while Member States have been active in governance and anti-corruption issues. Work has been done also on improving private sector commitments to responsible business conduct in the natural resource sector in forest areas.

**5. Multilateral context:** Cameroon has ratified a number of key international human rights instruments, such as the International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Some others, such as the Rome Statute, the Optional Protocol to the Convention against Torture – have been signed but not ratified yet. The signing and ratification of some other instruments such as the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims at the abolition of the death penalty, have been repeatedly rejected by Cameroon in the framework of the UPR. Cameroon has not signed the African Union Charter on democracy, governance and elections.

In the UN Human Rights Council (HRC), the third cycle of the Universal Periodical Review (UPR) on Cameroon was carried out in May 2018. Cameroon received 196 recommendations, 57 of which by EU Member States, concerning i.a. the abolition of death penalty, women's rights and minorities' rights, decriminalisation of homosexuality, LGBTI rights, access to justice and conditions of detention, freedom of expression, but also on ensuring human rights in the context of the Anglophone crisis and on engaging in a dialogue to resolve it. In addition, the EU included Cameroon in its item 2 statements at the UN HRC in June (38$^{th}$ session) and in September (39$^{th}$ session), condemning violence by both parties in the Anglophone crisis and calling for a dialogue as well as unimpeded access to human rights and humanitarian actors and impartial and thorough investigations into alleged human rights violations and abuses.

## Central African Republic

**1. Overview of the human rights and democracy situation:** The Central African Republic is a country in enduring crisis. Government is in charge of only a fraction of the territory, violence abounds throughout the country, and more than half of the population depends on humanitarian aid. This sets the background for a dire human rights situation. 2018 has seen a further deterioration, when compared with 2017, with more civilians falling prey to marauding groups, the recruitment of child soldiers and an increasing number of displaced people. The main perpetrators are members of those armed groups, using among others death threats and murder, as well as targeted attacks against health centres and churches.

Structural weaknesses of security agencies and of the judiciary, notably corruption, aggravate the problem. More recently the country witnessed a surge in public hate speech, while religion and ethnic background are being used to justify violence, thus jeopardising the already fragile social cohesion. Some progress has been registered as a few criminal elements from the armed groups have been brought to justice and two key leaders have been handed over to the International Criminal Court (ICC). In the absence of reliable statistics, it is difficult to quantify the variety of human rights violations in CAR, e.g. as regards gender-based injustice and violence. Overall, the country appears on the bottom end of all relevant indices.

**2. EU action - key focus areas**: The EU applies a comprehensive approach in its partnership with the CAR. Actions follow the National Plan for Recovery and Consolidation of the Peace (RCPCA, Plan National de Relèvement et de Consolidation de la Paix). Focus areas are: (i) support to peace, security and reconciliation, (ii) renewing the social contract between State and citizens, and (iii) economic recovery. Defending human rights is part and parcel of the various programmes. Dedicated human rights interventions take place under the European Instrument for Democracy and Human Rights (EIDHR), like professional training for judges, transitional justice training, support for civil society, legal aid, and hardware and infrastructure improvements for courts and the judicial administration. Likewise, the EIDHR is funding better access to justice, actions against gender-based violence and improvements for the prison system. Under the Instrument contributing to Peace and Stability (IcSP), the EU is co-funding the Special Criminal Court. In the context of helping peace and reconciliation, the EU includes women as agents of change, as opposed to perceive them only as victims. Moreover, the EU is fighting hate speech in the CAR through the support to bloggers, media outlets and the dialogue with the administration.

**3. EU bilateral political engagement:** The EU is systematically engaging the government and its agencies in human rights matters. A prominent case is the latest round of a bilateral political dialogue under Art. 8 of the Cotonou Agreement (December 2018). Co-presided by the CAR President, the dialogue allowed identifying both shortcomings and progress, with human rights as cross-cutting elements. This included the reform of the security and defence sectors, governance in public security by the armed forces and the internal security forces, and the broad spectrum of reform needed in the justice system and in terms of transitional justice.

Another noticeable result of sustained EU assistance refers to the peace and reconciliation process in CAR. The EU is funding mediation efforts and improving the capacities of government, armed groups and civil society to contribute to the peace process. The fact that government and armed groups were able to agree in the AU framework on principles of a peace deal (February 2019) can be traced back to the sustained EU support to the parties.

**4. EU financial engagement:** For the period 2018-2020, an envelope of EUR 2,1 million (EUR 700.000 per year) was awarded under the EIDHR national allocation in the following areas: (i) promotion, protection and defence of fundamental rights and judicial rights; (ii) fight against sexual violence; and (iii) fight against gender-based violence.

Other ongoing EIDHR projects, for an amount of EUR 1,9 million from the 2015-2017 envelope, contribute to upholding fundamental rights of people in vulnerable situations, especially women and prisoners in CAR, by focusing on legal assistance, fight against impunity, access to justice for victims and victims' witnesses of human rights violations and crimes.

The country also benefited from the thematic programme "Civil Social Organisations and Local Authorities" (CSO-LA), implemented via the Bêkou Trust Fund on the fields of job creation, basic services provision, social dialogue and building resilience at community level. Contracts for a total amount of EUR 10,67 million are ongoing and an allocation of EUR 5,66 million is planned for 2018-2019.

Finally, EUR 4 million from the National Indicative Programme 2017-2020 were set aside for civil society organisations, in order to promote an environment conducive to the active participation of civil society organizations in public policies definition, social cohesion and reconciliation activities. This envelope will be committed during 2019.

Some success stories must not hide the dire state of affairs in the country: in 2018, more than 60% of the people were dependent on humanitarian aid, amounting to 2.2 million individuals. 40% of all children in CAR suffer from chronic malnutrition. More than 600.000 people are currently displaced. The country is one of the most dangerous places in the world for humanitarian work, with attacks on personnel, infrastructure and stocks. Such attacks by armed groups have become systematic. The financial impact of EU intervention has therefore to be measured against this background – the primary scope of human rights actions is to prevent a degrading situation, and not necessarily expecting improvement.

**5. Multilateral context:** The Universal Periodic Review of the Central African Republic took place on 9 November 2018 (UPR31). The CAR Government recognised the enduring crisis throughout the country. Problematic policy-related topics were highlighted.

The country's current constitution advocates fundamental freedoms. On the level of public policy, shortcomings include the lack of adequate protection of vulnerable groups, especially women, children and persons with disabilities. Introducing a national law on gender parity and the ratification of the international Convention on the Elimination of Violence against Women should be priorities. The ratification of the 2$^{nd}$ Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) is still missing. The death penalty has still not been abolished, and neither has a moratorium been introduced. Progress was made in the set-up of a Special Criminal Court, i.e. a hybrid national court to handle serious cases. The SCC has become operational towards the end of 2018. A Military Justice Code was adopted and a restructured justice system aims at redeploying magistrates back into their field of competence. Despite reform efforts, weaknesses of the legal system persist.

Once the peace agreement between the Government and the Armed Groups is ratified and implementation is to follow, a transitional justice mechanism should be involved; a national Committee on Truth and Justice, promised by the Government, has not been established.

## Union des Comores

**1. Situation générale des Droits de l'homme et la démocratie:** En 2018 la situation politique aux Comores est devenue encore plus fragile et marquée, *inter alia*, par l´absence du

dialogue entre le gouvernement et l´opposition, la mise en œuvre de la nouvelle Constitution validée par un référendum qui n´est pas reconnu par l´opposition ainsi que par une situation générale de dysfonctionnement d´institutions. Dans ce contexte, la situation des Droits de l´Homme reste très précaire. Pendant 2018, les droits de manifester et de l´expression libre ont étés réduits significativement. Fin septembre 2018, trois des principales radios du pays ont été fermées par le Ministère de l'Intérieur. Le gouvernement est en train d'étudier la faisabilité de la création d'un système de surveillance de l'activité des médias comoriens et celle d'un système d'enregistrement. La violation des droits des enfants, les déséquilibres en matière de parité entre hommes et femmes et la haute prévalence de femmes victimes de violence (12.14% des femmes entre 15-49 ans dans les régions plus développées et 24% des femmes résidents à Moroni) constituent toujours des défis majeurs. En outre, le paysage politique aux Comores demeure très fragmenté et le risque de radicalisation est élevé. L'influence de wahhabisme et sa rigidité sur les mœurs et le style vestimentaire est de plus en plus frappante.

**2. Action de l'UE – domaines d'intervention clés:** Les priorités stratégiques de l'UE en matière de droits de l'Homme et de démocratie pour l'Union des Comores (l'UDC) visent:

- Système judiciaire : améliorer la performance du système judiciaire et le niveau de confiance de la population dans le secteur;
- Processus électoraux et démocratisation : renforcer les institutions électorales nationales pour qu'elles soient capables d'organiser les élections en ligne avec les standards internationaux;
- Corruption **:** promouvoir un changement de mentalité et d'habitudes et réduire la corruption;
- Droits des femmes**:** encourager la participation de la femme dans tous les secteurs de la vie comorienne et lever le tabou dans la lutte contre les violences faites aux femmes;
- Protection des droits des enfants **:** renforcer la protection de l'enfant et promouvoir une prise de conscience généralisée par rapport aux droits des enfants.

**3. Les engagements politiques bilatéraux de l'UE:** Le respect des Droits de l'Homme est un élément essentiel du dialogue politique avec les Comores. Un dialogue politique entre l'UE et l'Union des Comores s'est tenu le 21 juin 2018 à Moroni - occasion de passer en revue les relations bilatérales, y compris la coopération, et de transmettre un message de préoccupation face aux arrestations, l'abolition de la Cour constitutionnelle et la tenue du référendum dans ce contexte. L'UE a encouragé le Gouvernement à ratifier les conventions internationales importantes, notamment deux Pactes fondamentaux de l'ONU ainsi que de mettre en œuvre les recommandations issues de l'examen périodique universel effectué par le Conseil des droits de l'Homme de l'ONU. Le dialogue a permis d'aborder les questions importantes relatives aux droits de l'Homme telles que celles liées au genre et à la lutte contre la corruption. L'UE a signalé qu'une entité pour suivre les efforts anti-corruption et pour dénoncer les abus serait nécessaire afin de renforcer la gouvernance.

En amont du dialogue politique avec le gouvernement, des consultations avec la société civile ont été organisées. Dans ce contexte, en juin 2018, certaines ONG comoriennes ont exprimé leurs grandes préoccupations vis-à-vis de la dégradation de la situation des Droits de l'Homme depuis l'arrivée au pouvoir du Président Azali et ont également critiqué le

gouvernement pour la dissolution de la Commission anti-corruption. Avec un besoin de renforcer le système judiciaire et de soutenir les institutions en charge de la justice, l'absence de la juridiction indépendante constitutionnelle pèse lourdement sur le respect des Droits de l'Homme et rend inefficace toute intervention.

**4. Les engagements financiers de l'UE:** Dans le cadre du 11ième FED, l´UE a développé un programme d'appui au Secteur de la Justice pour accompagner la mise en œuvre des axes retenus dans les Plan d'Actions Prioritaires par le Gouvernement et par les Organisations de la Société Civile. D'autre part, une subvention de l´UE a été allouée à l´association ASCOBEF pour la mise en œuvre de la feuille de route nationale de lutte contre les violences faites aux femmes et aux mineurs 2017-2019 (environ EUR 550.000 sur 3 ans).

Dans le budget de l'Instrument européen pour la Démocratie et les Droits de l´Homme (IEDDH), l'UE a développé un projet de renforcement des capacités de la société civile et des institutions nationales actives dans le domaine des droits de l'homme et de la démocratie (EUR 300.000) à travers de la mise en œuvre d´un Fonds de Solidarité aux Projets Innovants (FSPI). De plus, l´UE a mis en œuvre un projet d'appui aux services d'écoute des enfants victimes de maltraitance et des femmes violentées (EUR 226.000).

**5. Contexte multilatéral:** En janvier 2019 s'est tenu la 32ème session du Conseil des Droits de l'Homme en vue de procéder à l'Examen Périodique Universel (EPU) 2019. Lors des deux derniers examens périodiques universels le gouvernement des Comores a accepté 52 recommandations en 2009 et 123 en 2014. Les recommandations des EPU en 2009 et 2014 relatives au renforcement des droits des femmes et à la lutte contre les violences ont été acceptées par le Gouvernement.

L'Union des Comores a signé les principaux traités fondamentaux de l'ONU relatifs aux droits de l'Homme, mais certains doivent encore être ratifiés et promulgués. Le taux de ratification des conventions internationales dans le domaine des Droits de l'Homme reste faible. Si la dernière exécution a eu lieu en mai 1998 et l'application de la peine de mort est suspendue, la peine capitale est toujours prévue par le code pénal aux Comores. Dans ce contexte, la recommandation d´abolir officiellement la peine de mort a été accueillie en principe favorablement mais aucune décision concrète n'a été prise à ce sujet. Le Ministère d´Affaires étrangères n'a signalé aucune ratification d'instruments internationaux en 2018.

## Republic of Congo

**1. Overview of the human rights and democracy situation:** Despite some advances, 2018 continued to be marked by serious human rights violations mainly due to general shortfalls in the police, judiciary and penitentiary system and when dealing with minorities and vulnerable groups. Torture is randomly perpetrated against detainees; there is widespread use of arbitrary detention, while politically motivated violence is used as a tool against demonstrations, critical journalism, etc. The security and human rights situation in the restive "Pool region" has improved since the signature of a ceasefire agreement on 23 December 2017 thanks also to donor's humanitarian aid.

The Universal Periodic Review (UPR) of November 2018 confirmed the efforts made to improve the human rights situation, notably with the progressive implementation of the Constitution adopted in 2015, which includes provisions on the abolition of the death penalty and on gender equality, and aims to ensure a broad consultation via several consultative bodies. In June 2018, 55 political parties obtained recognition, but all opposition parties were excluded. Congo "abstained" at the UNGA vote on the UN resolution on the moratorium on death penalty in December 2018, thus overturning its favourable stance since 2014.

**2. EU action - key focus areas**: As a whole, in 2018 the EU saw some progress in its dialogue with the Republic of Congo on human rights and democracy with the relaunch of its sector dialogue with the Minister of Justice. There is a reasonable expectation that the political dialogue (article 8 of Cotonou) will be held in the coming months. First steps have been taken to reinstall the national institution for Human Rights. EU requested that cases of allegations of abuse and torture by Congolese security forces will be addressed thoroughly and that the perpetrators of such crimes will be prosecuted.

**3. EU bilateral political engagement:** After many attempts, the EU managed to relaunch a sectoral political dialogue with the Ministry of Justice. The dialogue focused on: the evaluation of the EDF-funded project PAREDA ("*Projet d'Actions pour le Renforcement de l'Etat de Droit et des Associations*" ); the conditions of prisoners; the modernisation of the justice system; the detention of war weapons; support to civil society; the fight against poaching and defence of protected areas.

The EU maintained its dialogue with civil society organisations (CSOs) through formal and informal venues to share views and discuss key human rights concerns. The EU organised the fourth edition of the "Fortnight Week of Human Rights" in Brazzaville and Pointe-Noire together with France and a competition for Law students on the theme of Human Rights. France organised a conference on violence against women and one on the world environmental pact.

**4. EU financial engagement:** In 2018 two projects funded by the European Instrument for Democracy and Human Rights (EIDHR) started with a combined budget of EUR 715.000. They added to the seven EIDHR projects already ongoing. As a whole, the areas covered by EIDHR in Congo include protecting and promoting children rights and fundamental freedoms; fighting against illegal detention and torture; defending minority and vulnerable groups rights; promoting and protecting disabled children rights; strengthening civil society and state actors to improve respect of the rights of women and girls; and promoting indigenous populations rights, screening of public policies and debt management. A technical assistance contract under the EIDHR supporting measures likewise started its activities in 2017, with a focus on consolidating the capabilities of Congolese civil society organisations active in human rights, governance and rule of law matters.

The EU-funded PAREDA project finalised in 2016 marked a public celebration for its component aiming at the reintegration of detainees, on the occasion of the inauguration of the workshops financed through EU funds.

**5. Multilateral context:** The Universal Periodic Review (UPR) of November 2018 confirmed the efforts made to improve the human rights situation in the country, notably with the progressive implementation of the Constitution adopted in 2015, which includes provisions on the abolition of the death penalty and on gender equality, and aims to ensure a broad consultation via several consultative bodies.

Apart from the ratification of the additional Protocol of the Convention on Torture in May 2016, the Congolese government did not make significant moves towards supporting the EU positions on the annual country or thematic human rights resolutions tabled at the UN and "abstained" at the UNGA vote on the UN resolution on death penalty in December 2018, thus overturning its favourable stance since 2014.

## Chad

**1. Overview of the human rights and democracy situation:** In 2018, the human rights situation in Chad was adverse. The 4th Republic was declared in May, after adoption without referendum of Chad's new Constitution. It strengthened further the President's role, both over the judiciary and legislative branches. The Constitution included potentially positive elements with the creation of the National Human Rights Commission and some dispositions fostering gender equality.

The year was characterised by presidential decree rulings, some of which severely affected human rights. Decree 25 and Decree 16 curtailed freedom of the press, creating a High Authority that has since sanctioned some media. Decrees 23, Laws 1917 and 1918, on associations and civil society, restricted NGO regulation and activity, and reinforced the authorities' controls. Decree 23 has been most controversial and its full adoption is still pending.

Legislative elections, overdue since 2015, did not take place, but were announced for 2019 (and mentioned in the 2019 budget), possibly with local elections. Political and technical challenges raised doubts about the process. Meanwhile, a new High Council strengthened traditional authorities (chefferies, sultans).

The limited social and economic rights (notably healthcare and education), austerity measures and strikes continued, but some conciliation was observed following the financial agreement between Chadian authorities and Glencore, and a pact with trade unions.

The problems with civil liberties and political rights persisted, including the repression of political opposition and of civil society contestation. As ever since 2016, demonstrations and political gatherings were systematically forbidden; for example protests by students and civil society that took place in several cities in January were repressed. Several radio stations and press outlets suffered pressure. Importantly, an effective block on social media was enforced since March; Chadians could only access social networks (Facebook, Whatsapp) by using VPN channels with foreign servers, an expensive service.

Cases of abuse by security forces were often reported, but the lack of transparency and overall limited access (notably outside Ndjamena) hindered accurate reporting on individual cases. Conflicts between farmers and cattle-owners, often tainted by ethnic confrontation, were pervasive. The pressure on limited resources resulting from population growth and elites' power was visible in most regions, and sensitive in areas hosting refugees and IDPs (ca. 500,000 across the country). A militarised political approach continued to be applied in the north, with open conflict in Tibesti arising both from contested rearrangements in goldmining and pressure from rebel movements in the second half of 2018. As security forces dealt with crime, terrorist threats, or the instability emanating from Southern Libya, this often had negative repercussions on civil liberties, lacking mechanisms for human rights compliance.

**2. EU action: key focus areas**: The EU's action for human rights permeated political and development cooperation in Chad, with its strategy focusing on the following main areas: 1) respect for democratic principles and promotion of participatory democracy, 2) human rights and security forces, 3) reform of the judiciary, 4) protection of vulnerable groups (refugees, women and children), 5) protection of human rights defenders and 6) support to civil society organisations (CSOs).

These areas remained pertinent in the context of the reforms introduced by the National Forum (Spring 2018), and the new Constitution. Special attention was paid to the work undertaken in projects fostering the institutions and governance of Chadian security forces, considering their role in the Sahel and the ever more relevant regional cooperation.

**3. EU bilateral political engagement:** In 2018, the EU maintained its dialogue with Chadian authorities on human rights; this was also a component of the regional dialogue between the EU and G5 Sahel (Chad is a member), including with the G5 Joint Force, with whom the EU engaged on human rights compliance.

Upon the adoption of the new Constitution in May, which did not result from a sufficiently inclusive process, a EU Spokesperson statement was issued. In February the EU Spokesperson had issued a statement upon the suspension of activities by ten opposition parties in Chad, recalling the need to respect fundamental freedoms. The suspension has since been lifted. The impact of some of the decrees restraining rights and political space was raised in high level visits and in sectorial dialogues on financial and development cooperation.

The Africa Working Party of the Council of the European Union undertook a fieldwork visit to Chad in February 2018; Delegates met with the authorities but also with political opposition and representatives of civil society, showing a particular interest in human rights and becoming better acquainted with the situation and the prospects in the country.

In the framework of the policy dialogue on the justice sector, new legislation was adopted with renewed focus on impartiality and mechanisms for improved access to justice. Nevertheless, the provisions in the new Constitution amounted to a further centralisation of courts and maintained the executive's heavy hand on appointments. In the new penal code (2017), the death penalty had been maintained although exclusively in cases of terrorism. In 2018, Chad issued four death penalty sentences – the case was controversial and execution is still pending. In September the EU issued a Spokesperson Statement calling on Chad to join the majority of African Union Member States which, to date, have abolished the death penalty or apply a de facto moratorium on executions.

**4. EU financial engagement:** The EU faced difficulties in its financial and development cooperation with Chad in 2018; delays were experienced and implementation partially compromised. The protection of human rights defenders (HRDs) and civil society's ability to engage in the public debate became more difficult.

Nevertheless, through the European Instrument for Democratisation and Human Rights (EIDHR), the European Development Fund (EDF) and other budget lines, projects were rolled out in the fields of promotion of citizenship and peaceful coexistence, women's rights, access to justice, and training to security forces. The project PASOC officially started, seeking to adapt the legal framework and open civic space, in an inclusive forum with Chadian authorities and large sectors of civil society; however, the decrees issued in the autumn went against this work. The regional initiative 'Voices from the Sahel' engaged with youth. On gender, the EU worked with EU Member States to promote gender-sensitivity in all

cooperation projects. The EU worked with the Chadian Ministry for Women on elaborating an action plan for the national policy on gender (adopted in 2017), which was validated in December 2018.

**5. Multilateral context:** Chad's third Universal Periodic Review (UPR) took place in November. Chad's pending abolition of the death penalty figured prominently amongst states' recommendations, and many delegations also drew attention to the topics of freedom of assembly, freedom of expression and freedom of press. Chad accepted most UPR recommendations.

The United Nations Office of the High Commissioner for Human Rights remained present and active in Chad during 2018, although its local office had not yet reopened.

## Côte d'Ivoire

**1. Overview of the human rights and democracy situation:** The overall political and security situation is globally stable but weaknesses remain. Civil and political rights are generally respected despite incidents, especially during election periods when restrictions to freedom of expression and freedom of assembly have been reported. In 2018 municipal and regional elections were held in a generally peaceful environment with localised violence and tension. The Independent Electoral Commission was increasingly criticised. Although the polls were generally satisfactory, there were incidents, mainly in Abidjan and Grand Bassam, and fraud resulted in appeals. The break-up of the ruling coalition led to increasing tensions affecting the political environment.

Magistrates and lawyers have denounced political intimidation and the growing degradation of their working conditions. There is limited public confidence in the judicial system, the access of which is limited and lacks credibility. There is a lack of lawyers outside Abidjan. The criminal court rarely meets and 35% of detainees are in pre-trial detention. Detention conditions are very poor including 250% prison overcrowding. However, a Plan for the improvement of conditions of detention was presented to the Council of Ministers and the reform of the Code of Criminal Procedure was adopted that limits the legal period of pre-trial detention for blood crimes (as a result of EU support) and three new prisons were inaugurated.

The situation of human rights has improved in recent years. Positive is the reform of the National Commission of Human Rights (CNDHCI) that became National Council of Human Rights (CNDH). However, daily democratic practices and defence of fundamental rights are not fully satisfactory. Although the new Constitution of 2016 guarantees the separation of powers, in fact the current Ivorian system lacks counter-powers in conferring the exercise of all powers to the Head of State and the Executive. The Independent Electoral Commission (CEI), which, according to a 2016 ruling by the African Court of Human and Peoples' Rights (ACHPR), is an unbalanced institution for the benefit of the ruling party, will be the subject of a reform in 2019. The High Court of Justice set up by the Constitution to put on trial the President and members of the Government for crimes and delicts in the exercise of their functions has not been created, which therefore gives them absolute immunity.

Exceptional economic growth does not benefit the entire population and is not accompanied by reduction of poverty (170$^{th}$ in the Human Development Index). Corruption is rampant.

Gender inequality and violence against women remain high. Child labour is a concern, especially in agriculture and petty trade.

The process of reconciliation is hampered by the lack of major breakthroughs and political will in transitional justice. The fight against impunity of perpetrators of crimes during the post-electoral crisis has seen several decisive turning points in 2018. The International Criminal Court (ICC) allowed Laurent Gbagbo and Charles Blé Goudé to introduce requests for acquittal; President Ouattara's amnesty benefited 800 people including Simone Gbagbo. The decision has been criticised by human rights organisations and victims, condemning impunity.

**2. EU action - key focus areas and bilateral political engagement:** The EU's priorities on human rights in Côte d'Ivoire include access to basic services for all Ivoirians; women's rights; the right to security and justice; children's rights; strengthening democratic culture and governance. Through political and policy dialogues, the EU has maintained channels for exchange with the government on issues relating to democracy and human rights. However no article 8 Political dialogue took place in 2018. The EU equally continued its permanent dialogue with political parties from all affiliations, as well as National Human Rights Commission, civil society organisations (CSOs) and NGOs in Côte d'Ivoire. EU cooperation supports human rights through budget support, projects and support to NGOs. Indicators included in the good governance and development contract between the EU and Côte d'Ivoire (11$^{th}$ EDF budget support) contribute to improvements in the human rights situation as follows:

- Workers' social security; youth employment; birth registration; publication of court judgments; access to justice and limitation of pre-trial detention. Example of results: online publication of all the cases on 2016-2017 judicial year of the Presidential Chamber of Abidjan and Court of Appeal; establishment and functioning of five local judicial assistance offices.
- Sectoral budget support on the reform of the land use regime aims to consolidate land rights.

Specific dialogue and cooperation addressed the security sector reform through the 10$^{th}$ and 11$^{th}$ EDF and the Instrument for Stability. In addition, through the EU Emergency Trust Fund, the EU supported an International Organisation for Migration (IOM) project on raising awareness on the risks of irregular migration. In support of returns and readmission, a high number of migrants stranded in Libya have benefitted from this action in 2018, as well as others returning from Mauritania, Morocco and Niger.

**3. EU financial engagement:** Under the European Instrument for Democracy and Human Rights (EIDHR), the EU supported with EUR 2.7 million the rights of children with disabilities resulting in 131 children with disabilities enrolled in normal primary schools, 108 teachers trained on the inclusion of children with disabilities in mainstream schools and in sign language and Braille. 62 special education teachers and specialised educators were trained on the theme of social inclusion and communications.

A project on social and economic reinsertion of vulnerable youth has created a consultation scheme between actors of the education community for conflicts resolution, supported the literacy of 700 women from vulnerable neighbourhoods as well as the reinforcement of "Peace Clubs" for young people. Another project aims to promote and protect vulnerable

children's rights in six neighbourhoods in Abidjan with high concentration of vulnerable children. It also enabled 121 children, including 117 girls, to benefit from socio-educational supervision. A project implemented by the Amigo Foundation has identified child victims and endangered and 489 children (including 62 girls) were accommodated in centres, of which 253 in boarding schools. The literacy rate of children admitted is 35% for boys and 23% for girls. 85% of girls and 90% of boys were successfully reintegrated into their families.

These actions are complemented by a programme worth EUR 4 million funded by the Instrument contributing to Stability and Peace (IcSP) implemented by UNICEF promoting social cohesion and targeting the most vulnerable young people in the country.

By end 2018, six projects were launched concerning violence against women such as reduction of Female genital mutilation (FGM); prevention of early pregnancies and reproductive health.

The EU supported the reinforcement of autonomy and capacities of the civil society and local authorities through specific supports to local NGO (programme LIANE 1 and 2) and grants under (CSO-LA programmes).

**4. Multilateral context:** Despite a globally satisfactory accession to the United Nations and African Union instruments, accountability is very low with regard to the treaty bodies. The National Commission on Human Rights (CNDHCI) was established in 2012 and regularly monitors the human rights situation in Côte d'Ivoire. It has a network of 33 Regional Commissions, 238 regional commissioners and 1 commissioner per department. However, the CNDHCI suffered from significant constraints in terms of independence linked to the legal status that severely limit the implementation of its mandate. This limitation is the basis of non-accreditation by the Office of the UN High Commissioner for Human Rights.

A new law that transforms the Commission into a National Human Rights Council (CNDH) was promulgated in December 2018 that aims to bring Côte d'Ivoire in line with the Paris Principles.

Côte d'Ivoire will participate in the Universal Periodic Review (UPR) exercise of the United Nations Human Rights Council (HRC) on 7 May 2019.

## Djibouti

**1. Overview of the human rights and democracy situation:** In 2018 the overall human rights situation in the country did not change much. It remains marked by acts of harassment against human rights activists that are sometimes difficult to independently verify. Primary targets are human rights activists operating outside the officially approved or tolerated human rights groups, journalists and some outspoken government opponents. The opposition’s ability to operate is severely constrained, and journalists and activists critical of President Guelleh or the ruling coalition "Union pour la Majorité Présidentielle" (UMP) are reportedly regularly harassed or briefly arrested. Freedoms of assembly and association are restricted. However the government undertook some efforts by passing a law according additional rights to refugees and took some initiatives to make the Human Rights

Commission more operational and advanced further gender equality/woman rights. In view of the elections beginning 2018, the government put in place a National Commission for Communication, "Commission National de la Communication" (CNC). This commission ensured that the media attention (newspaper, TV, radio) was proportionally shared between the political parties participating in the elections. The elections passed peacefully and the new Law of 11 January 2018 stipulates that 25 percent of the seats must go to women. This threshold was met as 16 women won parliamentary seats, 14 of whom belong to the UMP. Effectively, the representation of women nearly doubled in the Parliament.

**2. EU action- key focus areas:** EU's priority is to support human rights defenders (HRDs) and groups as well as institutional/NGO actors by providing them the means to carry out activities in defence and promotion of human rights; to work on the protection of vulnerable groups, with a particular focus on street children, migrants and refugees; and to improve the protection of women's and children's rights. EU regularly engages with the government, in particular with the Minister of Justice and the Minister of Women and Family Affairs as well as with the President of the National Assembly in order to nurture the dialogue in the field of human rights and the development of civil society projects.

**3. EU bilateral political engagement:** The EU continued to engage in human rights and democracy discussions with the Republic of Djibouti, notably during the Art. 8 political dialogue session of March 2018. The relevant discussion was open and related to a range of issues, including freedom of expression and freedom of association. Human rights-related diplomatic outreaches took place throughout 2018. The Head of Delegation carried out several demarches with the Minister of Justice and the Minister of Interior regarding various incidents reported by some opposition leaders and HRDs.

**4. EU financial engagement:** The EU Delegation manages several projects with civil society organisations (CSOs) in Djibouti, in particular on women's rights, rural resilience and the rights of persons with disabilities. Given that the reinforcement of civil society is a priority for the EU in Djibouti, the EU started a process to establish a more structured dialogue with CSOs in the country. The newly approved bilateral program worth EUR 2 million aims at consolidating democratic governance and an inclusive and equitable civic culture in Djibouti. In particular, it will address the improvement of the legal and institutional frameworks governing CSOs to facilitate their work as governance actors. It will also imply strengthening their voice and impact as well as the effective participation of CSOs in consultations on development policies and proposals such as justice, water and sanitation.

The EU Delegation works on strengthening the capacities of local NGO's by providing regular training financed by technical assistance funds. The EU also continued implementation of two grant contracts awarded in 2017 for the protection of women's and children's rights in the refugee communities both in refugee camps and in urban areas. Two additional contracts were implemented covering various aspects of CSO's capacity building activities.

All the above-mentioned projects are financed under different thematic instruments, like the European Instrument for Democracy and Human Rights (EIDHR) and the budget line for non-state actors. In addition, the 11$^{th}$ EDF National Indicative Programme for Djibouti has earmarked almost EUR 47 million for projects (approved for implementation as of 2019) related to resilience of rural populations, gender and decentralisation. The 2018 also marked the beginning of implementation of the EUTF funded bilateral project on migration (valued

at EUR 15 million) including – among others - elements on protection of street children, fighting malnutrition and supporting the host communities.

**5. Multilateral context:** Djibouti's human rights record was examined by the UN Human Rights Council's Universal Periodic Review (UPR) Working Group in May 2018. Issues related to international obligations and cooperation of Djibouti with international human rights mechanisms, civil and political rights, economic, social and cultural rights as well as rights of specific persons or groups have been discussed and recommendations made in these areas.

## Democratic Republic of Congo (DRC)

**1. Overview of the human rights and democracy situation:** The situation in the DRC in 2018 was marked by a non-respect for the right to liberty and security of person, the right to life in violation of international human rights law and humanitarian law and denial of the right to demonstrate through excessive use of force by the armed forces, notably in Haut-Katanga, Kinshasa, and both North and South Kivu. The aftermath of these demonstrations resulted in several deaths, high political tensions between the Catholic Church and the government, and an increased resentment by the population vis-à-vis the government. The statistics available from the UN Joint HR Office overview of 2018 demonstrate that the overall number of documented human rights violations remained high, with a 5 % increase compared to 2017. State agents were responsible for 61 % of all human rights violations documented, while armed groups were responsible for 39 %. Members of the media and journalists belonged to overly represented groups amongst those targeted by human rights violations. Presidential and Legislative Elections took place on 30 December 2018, in an overall peaceful and orderly environment, with some exceptions. However, there was strong controversy over the results published by the Electoral Commission, publicly put into question even by an AU informal summit held on 17 January 2019. The EU expressed support for AU's call for transparency. Civil society and Churches severely criticised the management of the results by the Electoral Commission. In the 2018 elections, only 12 % of all candidates presenting themselves for the provincial, legislative and presidential elections were women.

During 2018, violations of human rights and international humanitarian law in areas affected by armed conflict represented the largest part of violations documented by the UNJHRO in the DRC (79 %). The security and humanitarian situations were marked by continued violence, insecurity, and forced movement of populations as well as two Ebola outbreaks. The main human rights violations include violations of the right to life, right to liberty and security of person, and the right to physical integrity, especially in provinces Bas-Uele, Haut-Uele, Ituri, North Kivu, South Kivu, Maniema, Kasai, Kasai Oriental and Kasai Central, mainly attributed to militia activity and the combat against it by the Congolese Army (FARDC). The province of Tanganyika is considered to be a conflict affected area due to the resurgence of inter-ethnic conflict. MONUSCOs own challenges with fulfilling its mandate in a difficult context and budgetary constraints have maintained a very tough situation.

**2. EU action - key focus areas:** EU's priority in 2018 was to push forward the electoral process, the progress of which is key to the stabilisation of the country, currently shattered by a multi-dimensional crisis, including a human rights one.

**3. EU bilateral political engagement:** In 2018, several EU or joint declarations on the DRC were published, alerting also on the human rights and democracy situation in the country. The Council decided on 10 December the renewal of EU sanctions on 14 Congolese officials, mostly based on HRs violations criteria. Several political demarches were carried out regarding the importance of opening up democratic space and guaranteeing protection of civil liberties, including ahead of Human Rights Council (HRC) sessions in 2018.

**4. EU financial engagement:** In 2018, the EU increased its support to the protection of Human Rights Defenders (HRDs), freedom of expression, the reintegration of child soldiers, the fight against sexual violence, transitional justice (including the fight against torture) and the electoral process at large. EU has been strengthening the capacities of journalists and media practitioners in nine DRC provinces, focusing in particular on access to information, investigative journalism and digital security, all the while remaining aware of the vulnerability of journalists as HRDs. With regard to the rights of child soldiers, and mindful of DRC being on the EU list of priority countries for CAAC, the EU Delegation supported the IRC in advancing the process of disarmament, disintegration and reintegration of child soldiers in North Kivu. In terms of the fight against sexual violence, the EU renewed its support to the work of the Panzi Foundation and Nobel Peace Prize winner Dr Mukwege's efforts to combat the root causes of sexual violence in a holistic manner. The EU supported the fight against impunity through support to military and civil justice, using new techniques to carry out impartial investigations and training lawyers to conduct more just trials, to the benefit of both victims and perpetrators, as well as the capacities of local authorities, civil society and human rights groups to prevent, monitor and redress cases of torture in Kinshasa and South Kivu. During the electoral process, support was provided to civil society for electoral observation. Human rights are mainstreamed in EU projects supporting environment, especially in relation to forestry and indigenous people.

**5. Multilateral context:** The EU has continued to support the MONUSCO mandate under UN Security Council resolution 2409 (2018) which has a robust human rights dimension. The EU has also been closely coordinating with the UNJHRO, and also actively promoted adoption of the resolutions on DRC at the HRC in 2018. The next review of Democratic Republic of Congo by the Working Group of the Human Rights Council as part of the Universal Periodic Reviews (UPR) is foreseen for 2019. In February 2018 the UNSC Committee on DRC sanctions decided, upon recommendation of the Group of Experts, to sanction four additional individuals, two of whom were already listed under EU autonomous sanctions.

## State of Eritrea

**1. Overview of the human rights and democracy situation:** In 2018 Eritrea's position internationally and especially within the Horn of Africa has changed dramatically. The frozen conflict with Ethiopia abruptly ended in July 2018 with the signing of the "Joint Declaration of Peace and Friendship". This marked the re-establishment of diplomatic relations and political, economic, social and security cooperation. It also foresees the resolution of the border issue. The rapprochement with other countries in the region has spread further. Cooperation between Eritrea, Ethiopia and Somalia has been cemented since the Tripartite

Summit held in Asmara in September 2018. A normalisation of relations between Eritrea and Djibouti, despite still existing challenges will further pave the way for Eritrea's wider regional integration.

Despite this new scenario, the overall human rights situation in Eritrea in 2018 remains a matter of concern, with a near complete absence of political rights and freedoms. Political reforms, such as the implementation of the 1997 Constitution, are not expected in the short term. Civil Society Space remains very limited at best.

**2. EU action- key focus areas:** The cooperation between the EU and Eritrea under EDF 11 (European Development Fund) was at standstill during 2018, without new projects started in this framework. In particular, the EU and Eritrea agreed to cooperate to support the country in the implementation of accepted Universal Periodic Review (UPR) recommendations. The Action Document for EUR 5 million was approved from the EU side, but the Financing Agreement submitted to the National Authorising Officer in early October 2017 was not approved by the Eritrean side. In the meantime the content of the Financing Agreement became outdated due to its expiration at the end of 2018.

**3. EU bilateral political engagement:** In 2018 there was no Article 8 Dialogue conducted despite the EU Delegation having formally requested it several times. However, two EU high level missions visited Eritrea in October and November 2018. The missions offered an opportunity to discuss with Senior Officials of the Government about political and economic reforms, as well as raise key human right issues, such as national service, civil and political rights, migration and trafficking in human beings and the implementation of the recommendations made to Eritrea under the UN-led UPR. During the discussions the EU reiterated its position on relevant topics.

The EU's priority is to address human rights violations in the country in formal and informal meetings. These, as well as the issue of the indefinite duration of national service and the macroeconomic situation, are among the key push factors for migration. Various problems persist especially with regards to freedom of expression and association and the absence of elections and free media. Other human rights problems include the absence of the rule of law and cases of arbitrary detention without trial. Concerning prisoners, no update was received regarding the fate of detained journalists and prisoners of conscience in 2018, despite recurrent requests from the international community. Media reported that in September 2018 the former Minister of Finance was arrested for having published a book in Tigrinya criticising the Government and having made public declarations advocating for reforms after the signing of the Declaration of Peace and Friendship with Ethiopia. On a positive note, Eritrea is showing good progress in access to education, including for girls, access to health care, maternal and infant health, FGM and early and forced marriage.

In December 2018 the EU organised a public event to celebrate the International Day of Human Rights. Special attention was given to the 70$^{th}$ anniversary of the Universal Declaration of Human Rights. Furthermore, the EU Delegation decided to focus the event on the rights of people with disabilities by screening an awareness raising movie about educational opportunities for children with special needs.

**4. EU financial engagement:** In 2018 there were no calls for proposals launched under the European Instrument for Democracy and Human Rights (EIDHR), but a new call for civil society and local authorities was launched. The EU continued to support activities aiming to promote human rights, in particular those relating to labour rights, women's and children's rights and the rights of persons with disabilities. At present there are 10 ongoing projects targeting the aforementioned objectives. Other development cooperation projects supported by the EU in areas such as access to water and health services, as well as food security contribute towards upholding the basic rights of the population.

**5. Multilateral context:** Concerning the UPR, Eritrea has shown a certain commitment towards the implementation of the agreed recommendations. Eritrea will undergo its third UPR review in January 2019. To this effect, the Government has already submitted its National Report in 2018, which attempts to illustrate positive developments in the field of Human Rights since the last review four years ago. These positive developments have been achieved mainly using internal means with limited external support.

A new development in the sphere of Human Rights is that Eritrea has been elected in 2018 to the Human Rights Council (HRC). The three - year membership term will commence on 1 January 2019. It will be interesting to observe how Eritrea will utilise its membership of the HRC to its own benefit, to the benefit of the region as well as to the benefit of the HRC as a whole.

## Eswatini

**1. Overview of the human rights and democracy situation:** Eswatini still faces important challenges regarding the human rights and democracy situation, despite some progress achieved in 2018. The enactment of the Sexual Offences and Domestic Violence Act represents an important piece of legislation as violence against women and children is very high in the country. However, discrimination against women in the law and in customary practices remains an important issue, including matrimonial status of women. This situation is particular sensitive in rural areas. Only two women were elected on the last general elections for the National Assembly in September 2018, reflecting unequal treatment. On the positive side, Eswatini vote for the moratorium on the use of the death penalty at UNGA was undoubtedly a step forward regarding its legal abolition. A more tolerant stance towards the LGBTI population could be observed, representing a positive development despite existing limitations. However, excessive police repression has also been identified in certain circumstances. Moreover, the country which continues to strictly abide by an electoral law where only individual citizens can contest for elected posts is not favoring the participation of citizens groups and political parties as such. These constraints affect Eswatini citizens' political rights and cast a shadow on the credibility of the country electoral processes. This adds to limited media diversity and relative lack of awareness about human rights amidst concerned stakeholders.

**2. EU Action – key focus areas:** In 2018, the EU continued to focus on key areas such as the support of democratic principles, rights and freedoms, the promotion of gender equality and children's rights, the strengthening of the rule of law including the reinforcement of the

judiciary and the access to justice. Moreover, the 'de jure' abolishment of the death penalty remains an important objective despite its current 'de facto' suspension.

**3. EU bilateral political engagement:** In 2018, the EU continued to play an active role in lobbying and advocating for reforms on issues of democracy, gender equality and empowerment of women, human rights and the rule of law in the country. The EU-Eswatini political dialogue under Article 8 of the Cotonou Agreement presented an opportunity for the EU and the Government to hold detailed and open discussions on various topical issues including human rights and democracy. Furthermore throughout 2018, regular bilateral consultations and dialogues were held with relevant stakeholders, national authorities and members of the civil society organisations.

**4. EU financial engagement:** Through the European Instrument for Democracy and Human Rights (EIDHR) and CSO/LA thematic budget lines, the EU has engaged in supporting capacity strengthening of the civil society, while encouraging local authorities to play an active role in promoting and defending democracy, human rights and the rule of law in the country. Specific issues addressed by these grants include civil and political rights, gender equality and empowerment of women, children rights and access to justice and support to the rule of law.
The most relevant EU funded actions in this regard are the 'Rights for All' project implemented by South African Litigation Centre, COSPE and Foundation for Socio-Economic Justice (FSEJ), which aims at building the capacity of civil society to promote and defend human rights and democracy in the country. In the same vein, a specific project aiming at promoting 'Women Empowerment and Equality in Eswatini', implemented by the Coordinating Assembly of NGOs (CANGO), is encouraging women wider participation in decision-making structures.

The CSO/LA thematic budget lines are seeking to further reinforce the rights based approach of the EDF11 programs on social protection and agriculture. They focus, inter alia, on the integration of excluded population groups, the reduction of extreme poverty by sustainable income generation, enabling access of the poor and vulnerable to pre-school education and care.

**5. Multilateral context:** As a follow up, of Eswatini's 2017 appearance before the Human Rights Committee, Professor Christof Heynes, a member of the Human Rights Committee visited the country in November 2018 to assess progress in the recommendations made by the Committee on (i) violence against women (ii) freedom of expression, assembly and association and (iii) participation in public affairs and corruption.

Moreover, following the elections of August-September 2018, the Africa Union Electoral Observation Mission recalled the importance of lifting the obstacles to an effective participation of political parties in the elections, a situation which contravenes Eswatini commitments regarding its own Constitution and is at odds with the African Charter of Democracy.

## Ethiopia

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation was challenging in Ethiopia in the past years, in particular with regards to civil and political rights which were severely restricted. From 2015 to early 2018, the country faced a complex political, economic, social and security crisis which eventually resulted in the resignation of Prime Minister Hailemariam in February 2018. Between October 2016 and August 2017 and then again in early 2018, the country was under a State of Emergency which further restricted human rights and fundamental freedoms. In April 2018, the ruling coalition Ethiopian People's Revolutionary Front (EPRDF) elected a new Prime Minister, Dr. Abiy Ahmed, who launched a series of economic and political reforms that are transforming the leadership style and the governance landscape of Ethiopia. He released political prisoners, removed several foreign based political organisations from the terrorist list and welcomed the return of diaspora political actors, and initiated a dialogue with civil society and opposition parties. He also launched a crackdown on officials allegedly involved in human rights abuses and initiated a revision of key legislation on civil society, anti-terrorism proclamation. He openly admitted the previous use of torture in detention and opened space for media and freedom of expression, promising to ensure a level playing field for the 2020 general elections. He has nominated a gender balanced Cabinet of Ministers tasked to implement his reform agenda, including women in charge of the new Ministry of Peace and of the Ministry of Defence.

Nevertheless, important concerns remain, notably in terms of accountability, security and the rule of law. There is increased lawlessness in various parts of the country as former command structures have been disrupted and not effectively replaced, while the reintegration of former exiled and armed opposition is also sometimes problematic. Some areas are witnessing ethnic violence and massive internal displacement (an estimated 3 million internally displaced, the majority due to ethnic and political conflicts). This situation is creating instability as well as serious human rights and humanitarian concerns, including with the instrumentalisation of humanitarian aid to force returns despite security concerns. These increasing ethnic tensions risk undermining some positive economic and political reforms. Finally, Ethiopians have high expectations on the Government to create economic opportunities for the youth, to restore the rule of law and to promote national reconciliation. If these expectations are not met soon, some elements may resort to violence.

**2. EU action - key focus areas:** In this rapidly evolving context, key focus areas for EU action in 2018 were i) enhancing political space and democratisation, notably through inclusive political party dialogue and citizens' participation; ii) enhancing accountability and promoting fair trials and conditions of detention in line with international standards; iii) promoting the positive role of civil society and building space for more independent and professional media; iv) supporting decent work standards, more equitable access to social services, economic opportunities for women and youth, effective mechanisms to address corruption as well as land issues; iii) supporting protection of internally displaced people and refugees, protection of victims of trafficking in human beings, as well as decent work standards for migrant workers and safe and dignified return of irregular migrants.

**3. EU bilateral political engagement:** During 2018, the EU Delegation and Member States closely monitored the rapidly evolving situation, a necessity to allow the EU to react swiftly to ongoing developments. Given the progressive improvement in the human rights situation, the EU spokesperson issued several timely political statements in support of political reforms in Ethiopia. The Council of the European Union also adopted conclusions on Ethiopia in November, taking note of the new impetus on political and economic reforms, welcoming the Prime Minister Abiy Ahmed's ambitious agenda towards a more democratic and just Ethiopian society. Member States also encouraged the government to continue its efforts in the areas of human rights, rule of law and gender equality.

In addition to political statements of support, the EU also held high level consultations with the Prime Minister Abiy to discuss governance and the human rights situation in the country, in the context of ongoing political reforms as well as ethnic violence. EU Commissioners for Migration and Humanitarian Affairs, as well as EU Heads of Mission, notably met with him in November and December. The EU also conducted regular dialogue with human rights defenders (HRDs), media and civil society organisations (CSOs) in order to promote democracy, human rights and good governance.

**4. EU financial engagement:** The EU funded several governance and human rights programmes in Ethiopia, notably to support human rights advocacy and monitoring, to improve the conditions of detainees and to enhance the rule of law and human rights standards of law enforcement agencies, to support legal aid and human rights awareness projects, as well as gender equality and women's rights. It also supported CSOs through Civil Society Fund and human rights under the European Instrument for Democracy and Human Rights (EIDHR) – in particular through programmes related to women workers rights, fighting corruption and maladministration as well as promoting disability and inclusive development. Given increasing ethnic tensions in Ethiopia, a conflict prevention project and cross-border conflict resolution and development projects are on-going.

The promotion of a rights-based approach to migration and forced displacement was also a focus area of EU's work in 2018. The EU supported several programmes to promote the rights of migrants, refugees and host communities in Ethiopia, in particular under the EU Emergency Trust Fund for Africa (EUTF). In addition to a new EUTF allocation of EUR 70 million to support refugees and host communities, implementation of several programmes with a strong human rights component continued in 2018, among others the Regional Development and Protection Programme (elements on legal aid, access to justice, and international protection standards for refugees and migrants); the Sustainable Reintegration Facility (to facilitate the implementation of rights-based, development-focused and sustainable return and reintegration policies and processes); the Better Migration Management (assistance and protection of victims of trafficking and vulnerable migrants, especially women and children).

**5. Multilateral context:** The EU worked closely with other international partners, including UN agencies, to promote democracy and human rights in the country, notably through several donor coordination groups. It was particularly active in the implementation of the Comprehensive Refugee Response Framework (CRFF) in Ethiopia and contributed to the development of the new refugee proclamation adopted in January 2019.

## Equatorial Guinea

**1. Overview of the human rights and democracy situation:** In 2018, the overall human rights situation in Equatorial Guinea remained a source of serious concern: the regime remains opaque and oppressive. Human rights violations were regularly reported; security forces continued to abuse, harass, and control political activists and civil society. However, the country initiated steps for improvement: the moratorium on the death penalty established in 2014 is still in place; all known political prisoners were freed mid-October 2018; a national dialogue process celebrated its 6th edition in July. A Justice Sector Reform, including a new criminal code, is now possible. A dialogue session with EU, the first in six years, was held in November 2018.

**2. EU action: key focus areas**: The EU's priority is to continue supporting greater freedom and civil society contributions, focusing on economic, social and cultural rights. The EU attaches great importance to the situation of political activists.

The last legislative, senatorial and municipal elections in November 2017 brought little change in the composition of the parliament, where Obiang's party (*Partido Democratico de Guinea Ecuatorial*) revalidated 99 out of 100 seats and the opposition got only 1 seat.

Freedom of expression, association and assembly remained severely curtailed. Local activists faced intimidation, harassment and reprisals. The 2014 initiative to legalise political parties has unfortunately not yet led to a positive dynamics – the opening has been tightly controlled and opposition parties, or simple initiatives by party members, continued to suffer attacks at the slightest sign of criticism.

Mr. Ebee Ela, a member of the opposition party 'Ciudadanos por la Innovación' died while in police custody in January 2018. Over 130 people were reported as arbitrarily in detention at the start of the year. The HRVP Spokesperson issued a statement on these cases in February 2018. The leader of CEID (Centro de Estudios e Iniciativas para el Desarrollo) was abducted, allegedly by police forces, and was found beaten unconscious in early November 2018.

The regime tightly controlled television and press; internet penetration remained low and there was a blackout of several days around the November elections period. The space for civil society remained extremely narrow. Strict control and manipulation of the registration of organizations was still a concern.

The moratorium on the death penalty is still in place, since Equatorial Guinea became a member of the Community of Lusophone Countries-CPLP in 2014. However, two death penalty sentences were pronounced in September 2016. 25 members of "Ciudadanos por la Innovación" - one of the legalised parties, bound to be sentenced with the death penalty saw their sentence commuted in a prison term, thanks to the moratorium.

**3. EU bilateral political engagement:** The first session of Political Dialogue in six years, between the EU and Equatorial Guinea, took place on 26-27 November 2018. Human

rights issues were addressed during the session and a new session of talks is scheduled for June 2019. No bilateral projects were funded from the European Development Fund (EDF) because Equatorial Guinea has not ratified the revised version of the Cotonou Agreement between the EU and ACP countries.

The EU did not hesitate to voice concerns, for example through an HRVP's critical statement on the November 2017 elections, in which the EU called "to make all necessary efforts to ensure compliance with democracy and human rights, international norms and standards. This is particularly relevant at a time when the country holds a non-permanent seat at the United Nations Security Council for the 2018-2019 period".

Although the 2006 law on NGOs allows for human rights to be addressed in theory, there is no registered association that explicitly works on the topic - a sign of the stigma and harsh human rights situation. In bilateral diplomatic talks, the EU continued to raise questions on these shortcomings on human rights, and to call for greater freedoms for human rights defenders (HRDs), political and civil society activists, and artists. Several cases of arbitrary detentions were reported in 2018.

**4. EU financial engagement:** In 2018, the EU continued providing financial support to some projects funded effectively through the European Instrument for Democracy and Human Rights (EIDHR). One project benefitted the organisation CEID (Centro de Estudios e Iniciativas para el Desarrollo). The project ended in 2018. It sought to strengthen civil society to promote human rights and, importantly, to promote the coordination of NGOs via a national body. Another project started in February 2017 was implemented by UNICEF. It promotes the rights of the child in Equatorial Guinea, and is expected to strengthen the civil register of children, improve juvenile justice, and fight violence against women and minors. Support for the role of civil society and non-governmental actors, who are weak and systematically undermined, is needed; one area to watch would be their contribution to the government's official strategy (targeting Plan Nacional de Desarrollo Economico 2020).

**5. Multilateral context:** Equatorial Guinea is not a state party to the International Criminal Court (ICC); it has not signed the Rome Statute. Equatorial Guinea has ratified the African Charter on Human and Peoples' Rights but not the Protocol on the Establishment of an African Court on Human and Peoples' Rights. It has not ratified the African Charter on Democracy, Elections and Governance either, despite calls by the African Union electoral observation mission to do so.

The next review of Equatorial Guinea by the Working Group of the Human Rights Council (HRC) as part of the Universal Periodic Reviews (UPR) is foreseen for May 2019; the recommendations and implementation of the 2014 UPR (last report of November 2016) are largely pending, though the country made some progress in the ratification of a number of international instruments/conventions. Equatorial Guinea supported the UN General Assembly resolution for a moratorium on death penalty in December 2018.

Equatorial Guinea has requested technical support for the harmonisation of legislation from the Community of Lusophone Countries-CPLP in the framework of the death penalty

moratorium. A request for EU support on the reform of the Judicial and Penitentiary System was put on the table during the bilateral dialogue session of November 2018.

## Gabon

**1. Overview of the human rights and democracy situation:** 2018 saw the continuation of deep divisions and political and social crisis that has gripped Gabon since the 2016 presidential elections. The situation as regards democracy, civil liberties, rule of law and separation of powers is concerning and deteriorating. Freedom of assembly and expression remains practically non-existent, with a systematic and forceful suppression of all political protests. Long term pre-trial detention of political opponents is widespread.

**2. EU action – key focus areas:** The main human rights issues that the EU is focusing on are: (i) democracy and governance, (ii) corruption, (iii) harsh conditions in prisons and lengthy pre-trial detention, (iv) ritual crimes, (v) arbitrary detention, torture and forced disappearances. These go hand-in-hand with the ambitions to improve the independence of the institutions, strengthen civil society, guarantee free and fair elections, ensure the freedom of expression and association and the enjoyment of all other civil and political rights, and foster a culture of transparency and accountability. The gender dimension is mainstreamed throughout these main areas.

The EU Delegation in Gabon has been in regular contact with political stakeholders to promote the rule of law, fundamental freedoms, civil and political rights and good governance The EU Delegation continued to monitor closely the situation of political detainees and maintained regular contact with civil society, and with the lawyers of detainees in such cases, in order to be kept as informed as possible about the detention status of political and other prisoners, as well as the prison conditions.

The EU Delegation attempted to maintain regular contact with the President of the National Commission for Human Rights (NCHR) and a full range of political representatives. However, the NHRC continues to not be operational due to insufficient resources and questions over its independence.

In 2018 a call for proposals under the CSO/LA was launched to contribute to increase the life quality in a more equitable, open and democratic society in Gabon and Sao Tome and Principe. No local authorities expressed their interest in participating in the call. The organisation "Institut Français du Gabon" was awarded a EUR 650,000 grant for a 36 months' project, due to start on January 2019. This action aims to strengthen the capacities of Gabonese civil society in management and governance through the establishment of a research centre and the attribution of small grants, tailored to the real capacities of local NGOs (sub-granting).

In 2018, the EU Delegation granted, based on CSO/LA reallocated funds, a direct award to the organisation "European Centre for Electoral Support" in partnership with the local organisation called "Réseau des organisations libres de la société civile pour la bonne gouverance au Gabon (ROLBG)" for a 12-month project (due to start in early 2019) and funded by EUR 205,000 (via 100% EU contribution 2PF - (FR2012). The objective of the

action is to contribute to mitigating potential electoral conflicts through advocacy of democratic dialogue and effective management of electoral disputes.

In 2018, EU Delegation together with the UN system discussed the opportunity to extend support aimed at strengthening capacities of the National Human Rights Commission to investigate alleged violations of human rights committed in August 2016 as well as to strengthening coordination and cooperation framework with Gabonese civil society. Discussion will be continued in early 2019.

The implementation of some projects initiated in 2017 continued in 2018:

- In May 2017 a call for proposals under the European Instrument for Democracy and Human Rights (EIDHR) was launched to strengthen civil society in supporting the protection and promotion of human rights and fundamental freedoms in Gabon, Sao Tomé and Principe, and Equatorial Guinea. The local organisation called "3S" was selected in Gabon for a 24-month project (which started in early 2018) and funded by EUR 135,000. The objective of the action is to promote sexual and reproductive rights.

- the European Institute for Peace (EIP) has, in cooperation with the EU Delegation, formulated and implemented a mediation initiative, 'Averting Instability and Risk of Violence in Gabon', which aims to strengthen dialogue and assist in an eventual national reconciliation. The project received a second no cost extension in November 2018, given the political uncertainty around President Bongo's illness, but EIP continues to propose plans for consultations, dialogue and roundtables among key actors in 2019.

On the strategic priority "corruption", projects under the call for proposals, were unfortunately not of sufficient quality for the selection committee to deem any such projects viable for Gabon.

Projects in support of gender (through vocational training) and children were implemented in 2018.

**3. EU bilateral political engagement:** Since the suspension of the Intensified Political Dialogue in 2017, the government has effectively refrained from official exchanges with the EU and it has therefore been impossible to pursue a dialogue on human rights with the government.

**4. EU financial engagement:** The total EU contribution for ongoing projects on Human Rights is about EUR 3 million.

**5. Multilateral context:** In 2018, the EU made several interventions at the Human Rights Council (HRC) in Geneva to make a number of key and priority points on Gabon.

## Ghana

**1. Overview of the human rights and democracy situation:** In the Freedom in the world index 2018, Ghana scores well (83 out of 100, where 100 is completely free) and is congratulated for the competitive multiparty elections which have led, since 1992, to peaceful transfers of power between the two main political parties. However, it is pointed out that notwithstanding "*the relatively strong record of upholding civil liberties, discrimination against women and LGBT (lesbian, gay, bisexual, and transgender) people continues. Some weaknesses in judicial independence and rule of law persist, and political corruption presents challenges to government performance".*

Ghana ranks very well also in the World Freedom of the Press Index prepared by Reporters sans Frontieres (RSF): 23rd position, improving from last year (26th) and ahead of some EU Member States. In their comments RSF points out that: "*Ghana is regarded as one of the most democratic countries in Africa and Chapter 12 of its 1992 constitution guarantees media pluralism and independence. A great deal of news and information circulates online. Criminal code provisions penalizing "false news" are sometimes abused in order to harass journalists. But journalists are rarely arrested or imprisoned."*

Even if corruption perception remains an important concern for the Ghanaian people and media, its position in the Transparency International Index 2017 is slightly improving. Ghana scores 41 out of 100 in 2018 (40 in 2017, being 0 a highly corrupt country) and is in 78th position out of 180 countries.

Prison overcrowding remains an issue of the penal system in the country. Besides, impunity remains one of the major problems, especially with reference to corruption cases. A positive development was the institution of a Special Prosecutor Anti-Corruption but his office was not provided yet with the necessary means and its operationalization is still uncomplete.

**2. EU action - key focus areas:**

Judicial reform: The EU funded Anti-Corruption, Rule of Law and Accountability Programme-ARAP, aimed at contributing to current reform process in the area of rule of law, accountability, anti-corruption and environmental governance.

Economic and social rights: Some local NGOs have received grants to raise awareness within the population, and encourage the dialogue and the reconciliation.

Fight against corruption: Member States have also intervened in this domain in particular UK/DFID with the Strengthening Action Against Corruption-STAAC programme and with the Strengthening Transparency, Accountability and Responsiveness - STAR Ghana programme, co-funded by the EU.

Implementation of the Gender Action Plan: The Country Gender Analysis is focused on EU's priority sectors as indicated in the National Indicative Programme (NIP) (2016-2020): Governance, Employment and Social Protection and Productive Investments in Agriculture in the Savannah Ecological Zones.

**3. EU bilateral political engagement:** In 2018 the institutional reform process continued in Ghana with the organisation of a Referendum for the creation of 6 new regions (bringing the total number to 16) and with the launch of another referendum proposing the direct election for Metropolitan, Municipal and District Assemblies Chief Executives according to political parties affiliation. The referendum was quite successful. However, the doubts raised by the local observers' coalition CODEO on a number of electoral anomalies may have a serious implication for the integrity and credibility of future polling processes and should be followed up carefully.

Regarding electoral reform, the harsh controversy at the Election Commission, which developed into a judicial proceeding involving the Chairperson and her two deputies, did not allow for an effective dialogue with the relevant stakeholders involved. The quarrel was solved with the removal of the three officials and the (contested) nomination by the President of new Chief and Deputies of the Electoral Commission.

A Follow-Up Electoral Mission of the EU is foreseen for 2019, and both the EU Delegation and HQ are following carefully the situation, as the country will slowly move towards a new electoral cycle, with Presidential elections scheduled for 2020.

On Migration, in December there was a first Ghana-EU Dialogue which focused on the preparation of as Joint Action Plan following the 5 pillars structure of Valletta, to be followed by a second meeting in January 2019.

**4. EU financial engagement:** Two programmes were attributed to civil society organisations in the context of a European Instrument for Democracy and Human Rights (EIDHR) Call for Proposals on children rights starting in 2018. The first one is promoting juvenile justice by helping to bridge the gap between legislation and practice. The second action is helping to reduce child abuse, neglect and abandonment through advocacy and awareness raising initiatives.
In the context of the Ghana Employment and Social Protection Programme the EU Delegation has supported the training of labour inspectors in Ghana, as well as the digitalisation of the labour inspections system. Moreover, it prepared a Country Gender analysis for Ghana in the framework of the EU Gender Action Plan2 (GAP II) on gender equality and girls' and women's empowerment.

**5. Multilateral context**: Following up on the Universal Periodic Review (UPR) organised in November 2017 in Geneva, Ghana accepted 212 recommendations out of 241, representing an agenda for action for the coming years.
Ghana has signed and ratified most existing human rights instruments including International Labour Organization (ILO) conventions. Political will from all ends of the political spectrum exists to honour all previously signed and ratified instruments.
In 2018 Accra hosted the 25th celebration of World Press Freedom Day with a series of interesting events.

## Guinea Bissau

**1. Overview of the human rights and democracy situation:** Repeated postponements of elections exacerbated the political crisis ongoing since August 2015, further weakening state capacities, including law enforcement, with a negative impact on freedom of expression and press freedom, deteriorating the overall situation of human rights and democracy. Political confrontation translated to the state institutions, threatening the division of powers. Reforms in crucial areas, such as justice, security and defence, kept being postponed. Corruption undermines democratic institutions and processes, including elections; the budget for elections was not made available, alleging bad economic performances.

Political instability and successive changes of government resulted in an institutional deadlock, notably in the National Assembly, and in serious constraints to the management of the country. Despite mediation and support efforts by the IC, at regional (ECOWAS) and International level (P5, UN), legislative elections have been postponed due to attempts from various political factions to boycott their preparation.

Political confrontation/institutional paralysis are coupled with increasing socio-economic deterioration and risk of instability, including increase in illegal traffics, e.g. timber.

The increasing interference with the media and violent incidents during public demonstrations in the second semester to protest against the political situation and the situation of the education sector indicate shrinking political space and increasing risks for freedom of expression. In particular, in November 2018, police used force and tear gas to disperse a students' demonstration. Eight protesters were injured.

**2. EU action - key focus areas:** The EU's priority is focused on promoting democracy and the rule of law, in particular supporting the upcoming electoral cycles. The holding of Legislative elections, deferred to 2019, and the preparation and holding of Presidential elections in due time according to the Constitution are key. This also includes supporting the freedom of information, civil society participation in democratic process (support to domestic election monitoring; electoral violence monitoring, participation, inclusion). The EU is also working to promote women and child’s rights, notably against violence, trafficking and sexual abuse or exploitation.

**3. EU bilateral political engagement:** The EU continued to engage in the defence of human rights and democracy through local dialogue. It kept promoting a consensual, peaceful solution to the enduring crisis both in its bilateral dialogue, and its regional and international action, especially as an active member of the P5 group (UN, AU, ECOWAS, EU and CPLP).

The EU voiced concerns about human rights issues in statements, speeches and workshops. EU supported civil society organised/participated in seminars and panel discussions, visited prisons, organised a human rights festival for peace and interreligious dialogue in a remote border area. The EU Delegation organised a celebration to raise awareness about the Universal Declaration on Human Rights, especially among students and youth. Support to Guinean League for Human Rights allowed specific activities (trainings for CSO leaders, radio programmes).

Since 2017, due to the heated political crisis the country has been going through, the situation of human rights defenders (HRDs) has been compromised, namely MCCI, whose officials were attacked in front of their homes and who received death-threats by elements related to the Government. In 2018 the EU Delegation granted CSOs support to participate in the trial at the ECOWAS Court in Abuja. Similarly, the situation of bloggers critical of the President has recently become a matter of concern.

**4. EU financial engagement:** The EU provided further financial support to projects through the European Development Fund (EDF), the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR), as well as through the EU Trust Fund for Africa on Migration and the FPI. Projects include actions for the rights of children and contribution to the coherence of the public policies of social protection of the child and to the development of an inclusive society; for the rights of the handicapped (advocacy, right to education). An innovative project to fight for the right to health in a highly corrupted and careless environment has been implemented in 2018 by the civil society organisation (CSO)-managed "*Gabinete do Utente*".

Two new projects focused, respectively, on strengthening civil society's capacity to fight and prevent forced child marriage and gender-based violence, and on creating new mechanisms and capacities for citizens' access to justice. EU supported Guinea-Bissau's first public opinion poll on politics and government, religion, development etc. Support to Guinea League for Human Rights was also granted to ensure key activities, and to a journalist prize on human rights, together with UN and Portigal. These projects have a combined value of about EUR 2.5 million (DCI and EDF).

Support to democracy, prevention of violence and participation was granted via the EU basket fund for elections, support for domestic election monitoring via a regional FPI programme; support to participation of marginalised people to elections (EUR 0.1 million). Support for statistical data collection on the situation of women and children (MICS-6) was granted to UNICEF (EUR 0.18 million) to support health and social protection sector projects. The second phase of the EU flag project on health sector on women and children's health rights, (EUR 20 million). Migration related projects support the fight against illegal migration and warnings against trafficking (EUTF – EUR 2 million).

**5. Multilateral context:** Guinea Bissau is party to a number of international human rights instruments, but some of them have not yet been ratified, notably: CAT-OP - Optional Protocol of the Convention against Torture; CED - Convention for the Protection of All Persons from Enforced Disappearance; CESCR - International Covenant on Economic, Social and Cultural Rights (accession 1992). As per the acceptance of individual complaints procedures, Guinea Bissau still have pending: CCPR-OP1; CED, Art.31; CERD, Art.14; CMW, Art.77; CRC-OP-IC; Guinea Bissau has not yet accepted the process for the inquiry procedure for: CESCR-OP, Art.11; CRC-OP-IC, Art.13; CRPD-OP, Art.6-7. Altogether, the political stalemate and consequent institutional paralysis of the National Assembly hindered ratifying international instruments.

Some progress has been achieved in the implementation of the 2015 Universal Periodic Review (UPR) recommendations. The establishment of an international Commission of

Inquiry as recommended in July 2013 is still pending and no progress has been made in the establishment of transitional justice mechanisms.

UN Agencies (UNDP, UNICEF, UNDOC) and the UN Integrated Peacebuilding Office in Guinea Bissau (UNIOGBIS) implemented a variety of programmes in the fields of democratisation, election support, child rights, fight against organised crime and corruption, and justice and security. The UN Human Rights Unit has been working with National Institute for Education developing a Human Rights Manual for students and trainers. Updated manuals on human rights and human rights mechanisms have been issued in 2018 and distributed to administrations which also received specific training on human rights mechanisms. Indeed in 2019 a periodic review of the Children convention is foreseen; and in 2020 the next UPR. UNDP is also managing the Basket Fund for the Support to 2018 and 2019 electoral Cycles to which the EU is contributing. It is also providing technical support to the Ministry of Justice with the objective of holding regular meetings with active donors in the justice sector to inform on justice-related projects.

## Guinea

**1. Overview of the human rights and democracy situation:** The overall situation did not progress in 2018. Local elections due in 2009 finally took place in February 2018. Unresolved complaints of fraud led to violent opposition protests, disbanded by mixed police-army units with use of firearms (including 15 casualties), until November, when demonstrations were prohibited. One year later, 12 mayors and other locally elected officials have not yet been installed. The dates for legislative elections (due in 2019) and presidential elections (due in 2020) are slipping, among persistent rumours that Alpha Condé intends to run for a third mandate, not allowed under the current Constitution. The year 2018 was dominated by political and social turmoil: demonstrations by opposition movements, incidents of violence, teachers' strikes, civil society movements, detention of journalists, all in the absence of political dialogue between regime and opposition.

There are still major challenges related to the consolidation of democracy and rule of law. Little progress was achieved in the justice sector (access to justice, fight against impunity - a date is still pending for the trial for the massacre on 28 September 2009; the civil code is stuck in the National Assembly); in the Security Sector; and gender equality (Guinea remains a patriarchal society, women are underrepresented, 97% suffer from female genital mutilation (FGM). Civil society, supported by the IC, was in general able to express their views, which the Government is however reluctant to take up. Some journalists and media were harassed.
The Guinean democratic bases remain fragile. Challenges persist regarding economic, social and cultural rights. The management of resources in mining areas is a potentially destabilising factor. The endemic corruption and the political, economic and social uncertainty risk undermining the business climate in the country and the efforts to curb irregular migration.

**2. EU action - key focus areas and bilateral political engagement:** EU priorities are focused on promoting access to justice and the fight against impunity; reinforcing democracy and

tackling corruption; assuring material and personal security in accordance with the respect for human rights, through the improvement of the security forces' performance, the reintegration of vulnerable populations and support to victims of human rights violations, and gender equality (emphasis on fighting FGM and violence against women).

In order to monitor the February 2018 local elections, the EU deployed an Electoral Experts Mission (EEM), which highlighted several weaknesses in the electoral system. The EU is still waiting for an opportunity to discuss the EEM's recommendations with the Guinean authorities.

The EU continued to engage in a dialogue on human rights and democracy with Guinea in formal and informal settings, including local human rights for a. The EU raised concerns about human rights issues and encouraged the government to strengthen the protection of human rights through statements, speeches and workshops. Activities included support to the civil society organisations (CSOs), seminars and field visits to human rights-related cooperation projects. The EU encouraged the incorporation of the human rights approach within Guinea's National Economic and Social Plan (PNDES) and maintained regular dialogue with CSOs active in human rights issues, through frequent meetings including with human rights defenders (HRDs).

**3. EU financial engagement**: In 2018, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Stability and Peace (IcSP). Several projects (PARSS 3-RSS, PARJU, PASOC, PEID, EIDHR, CSO-LA) focused on supporting the justice and security reforms, the electoral process, civil society, and on preventing and promoting the peaceful resolution of conflicts.

The Justice Reform Support Programmme (PARJU) contributes to strengthening the capacity of the administration of justice, to improving access to justice, to the reform of the prison system and to tackling impunity also supporting human rights organisations. PARJU and EIDHR support FIDH in its assistance to the victims of the 28.9.09 massacre (legal clinics, medical assistance, free legal access in 859 most vulnerable cases, etc.) and in engaging the authorities and other actors to fight impunity and promote national reconciliation. Through PARJU, the NGO Terre des hommes financed the rehabilitation of 9 prisons in Guinea. There has been a slight drop in the number of prisoners, thanks in particular to the efforts of the EU (PARJU) and UNDP supporting quicker investigations. The EU support under the PARJU programme for training and costs of the judicial system (EUR 20 million) ends in 2020.

The IcSP Programme supports the prevention of violent extremism, fight against impunity, including the organisation of the trial following the 28.9.09 events; and logistical support to the Etats Généraux des Droits de l'Homme, held in 2018. It contributes to national security and to the prevention of terrorist risk.

EU substantial support to Security Sector Reform (SSR) continues with PARSS3, the 3$^{rd}$ SSR programme funded by the 11$^{th}$ EDF, launched in 2018. It focuses on the establishment of community police, training in ethics/deontology, improving trust between police forces and population, by underlining crime prevention. PARSS3 and a project on community police

financed by FPI contributed to improving HR awareness by security forces. The community police project funded by IcSP included human rights-linked activities such as workshops on crowd control law and regulations; equipment and training for the so-called "police of the police"; training of more than 1200 police agents in Conakry, including in victim support and customer service; improved investigations and evidence gathering by the judiciary police; development of effective dialogue structures between police and communities.

The EUTF (EUR 5.4 million), supports the IOM project on Migration Governance and Support to the Reintegration of Migrants in Guinea, which has allowed, since April 2017, for more than 10,000 Guineans to be returned from Africa and Europe, and receive reintegration assistance. This project also builds migration management capacity for government institutions and CSOs, and carries out national awareness-raising campaign on the dangers of irregular migration and the alternatives that exist. A second initiative funded by EUTF, INTEGRA (EUR 65 million) was launched in November 2018, aimed at creating jobs and providing training opportunities to anchor youth in Guinea, raise awareness of the risks of irregular migration and facilitate the reintegration of returnees.

**4. Multilateral context:** Guinea is party to a number of international human rights conventions, but has not still signed some, notably the International Convention for the protection of all persons from enforced disappearance, the International Convention on protection of the rights of migrant workers and their families, the 2nd optional Protocol to ICCPR on the abolition of the death penalty, and the two optional protocols to the Convention on the rights of the Child. Guinea is scheduled to undergo its Universal Periodic Review (UPR) in early 2020. In its previous review of January 2015, it accepted 180 recommendations out of 194. Mohammed Ibn Chambas, UN special representative and Head of the UN Office for West Africa (UNOWAS) visited Guinea in 2018 to discuss i.a. the consolidation of democracy, governance and human rights.

## Kenya

**1. Overview of the human rights and democracy situation:** 2018 was a year of political extremes for Kenya. In the aftermath of the prolonged 2017 election period, the year started with continued political unrest, crackdowns on opposition protests, intimidation and harassment of human rights defenders (HRDs) and journalists. The latter culminating in the shutdown of three private TV stations which were live-streaming opposition leader Raila Odinga's inauguration as the 'People's President' on 30 January 2018, an act that brought the country close to political violence. While authorities eventually did not arrest Odinga for his unconstitutional act and allowed the inauguration to take place, three members of the opposition were arrested in the aftermath, one of whom was forcefully deported to Canada due to his allegedly illegal dual citizenship. These very high tensions however vanished after the 9 March 'Handshake' between President Uhuru Kenyatta and Raila Odinga, that calmed political tensions and opened a potential window of opportunity to reconcile the various tribes of Kenya through the "Building Bridges Initiative" started by the two leaders. Despite this "wind of change" in politics, civil society organisations (CSOs) have continued reporting human rights abuses such as extra-judicial killings, disappearances and unlawful detentions. President Kenyatta's anti-corruption drive gained impetus in 2018, with emphasis on

accountability, particularly regarding public funds. The Government has also launched new police reforms to address public perception that the security forces are the main perpetrator of human rights abuses.

While Kenya attained lower middle income status in recent years, poverty figures released in 2018 showed very high inequality. Poverty remains high at 36.1 percent, and maternal mortality, particularly bad in Kenya's northern regions, still averages 0.5% of live births. UN Women estimates that around 21% of girls still undergo female genital mutilation/cutting. Environmental rights activist, pointing towards the harmful effects of large infrastructure projects also increasingly face harassment and intimidation by authorities.

**2. EU action – key focus areas:** In support of Kenya's Constitution, the EU Delegation focused on the 5 key priorities of the Human Rights and Democracy Country Strategy in 2018: (i) Civic Space, (ii) Human Rights and Security Forces, (iii) Impunity and Accountability, (iv) Human Rights Defenders and (v) Women's Rights.

The subject of Human Rights was addressed by EU Heads of Mission during both the official Article 8 Political Dialogue session on 12 November 2018 as well as in Whole Society Meetings throughout the year. The latter included the new Chair of the NGO Board, Directors of Public Prosecutions and the Criminal Investigations, civil society and gender organisations, religious and youth leaders and the media.

The EU Delegation continues to coordinate with human rights organisations such as the Kenya National Commission on Human Rights (KNCHR) and the Kenya Human Rights Commission (KHRC), Amnesty International and Peace Brigades as well as with EU member states active in human rights.

**3. EU bilateral political engagement:** To commemorate the 70th anniversary of the Universal Declaration on Human Rights, the EU Delegation organised the Green Space Festival. The event saw the participation of EU member states missions, two UN bodies (UN OHCHR and UN Habitat), a number of civil society actors including Kenya National Commission on Human Rights (KNCHR), Pawa254 (a human rights artist collective), Coalition for Grassroots Human Rights Defenders Mathare, CEFA (an Italian NGO working on prisons rights) and Amnesty Kenya as well as performances by artists, known for advocating art for social change. The event received extensive social media coverage. With close to 1,000 attendants on the day, the event reached over 100,000 responses on social media.

The EU Delegation participated in the Annual Human Rights Defenders Awards hosted by the Human Rights Defenders working group (chaired by the Embassy of Belgium). In 2018, two HRDs, one from Kenya's coastal island of Lamu and one from Mombasa, were recognised for their work in sensitising the local communities on the environmental impact of large infrastructure and energy projects.

In early 2018, the EU suspended the Water Towers project following the death of a Sengwer community member in Embobut forest. The forest is the traditional home of the Sengwer indigenous tribe, but the community has faced periodic forced evictions since 2007. Following inconclusive high level consultations, the EU provided financial support for the

Kenya National Human Rights Commission to undertake an independent fact finding mission, and to make recommendations on the way forward. Unfortunately, there is still no agreed way forward to achieve the conservation objectives while fully respecting the rights of indigenous communities and the programme remains suspended.

In 2018 the EU Delegation also carried out a number of demarches relating to human rights.

**4. EU financial engagement:** In 2018, the EU launched the Programme for Legal Empowerment and Aid Delivery (PLEAD), a 5 year EUR 34.15 million justice support programme aimed at improving access to legal aid and the expeditious delivery of justice. The Programme targets the counties with the 5 largest urban centres of the country and 7 counties of the most marginalised area of Kenya. It is implemented through the Department of Justice (implementation of the new legal aid act), Amkeni Wakenya (UNDP led facility supporting local Civil Society Organisations (CSOs) contributing to the delivery of legal aid services), and the UN Office on Drugs and Crime (UNODC) supporting Judiciary, the Office of the Director of Public Prosecutions, the Kenya Probation and Aftercare Service, the Witness Protection Agency, and the National Council on the Administration of Justice.

In 2018, as a result of an European Instrument for Democracy and Human Rights (EIDHR) Call for proposals aimed at "Human Rights and law enforcement" and "Abolition of the death penalty" in Kenya, 4 contracts for a total amount of EUR 1.7 million have been awarded to: (i) The Danish Institute for Human Rights, working directly with the Independent Police Oversight Authority to provide training on human rights and extra-judicial killings; (ii) the Kenya National Commission on Human Rights (KNCHR), focusing on institutional strengthening, monitoring of Kenya's international obligations, and investigation and redress of Human Rights violations related to extra-judicial killings and torture, UPR process, training and awareness raising around torture, etc.; (iii) Peace Brigades International, working at the grassroots level with two community based organisations to support human rights defenders and enhance dialogue between the police and local population in Nairobi's urban settlements ; (iv) the Death Penalty Project Ltd, to provide legal assistance and support to criminal defence/human rights lawyers, capacity-building of legal and medical professionals involved in capital cases; and to campaign in favour of the abolishment of the death penalty, mobilisation of a campaign informed by empirical research. Implementation is ongoing. Another call for proposals under the EIDHR was prepared to be launched in early 2019 targeting human rights defenders.

**5. Multilateral context:** A report by the Kenya Stakeholders' Coalition on the Universal Periodic Review (UPR) comprising over 60 NGOs that work on different human rights issues analysed the status of implementation of the UPR recommendations. The Kenya government accepted 192 out of the 253 recommendations; of these 58 have been fully implemented, 72 have been partially implemented, 65 have not been implemented and 30 lack information thereon. The thematic clusters were: (i) Legal and Institutional Reforms; (ii) Civil and Political Rights; (iii) Economic, Social and Cultural Rights and (iv) Group Rights. The latter cluster recorded a 34% implementation, followed by Legal and Institutional Reform (32%), Economic, Social and Cultural Rights (22%) and Civic and Political Rights (20%).

## Kingdom of Lesotho

**1. Overview of the human rights and democracy situation:** In Lesotho a number of areas raise concern, despite positive prospects provided by a National Dialogue which has the potential to foster popular reforms. In the course of 2018, Lesotho has seen important developments in its national reform process, following the national assembly elections of June 2017 and the formation of the third coalition government, the so called "Four by Four". From 26 to 28 November 2018 the First Multi-Stakeholder National Dialogue (MSND) plenary meeting was held. The Dialogue counted a large number of participants, including the self-exiled opposition leader Mothejoa Metsing. The first MSND was focused on defining the post-dialogue structure needed to oversee the implementation of reforms. The second MSND is planned to be held in the first semester of 2019. It is therefore too early to assess whether the political transition will impact the human rights situation in a lasting way**.** On the negative side, Lesotho witnessed a disturbing escalation of police violence and mistreatment of detainees during 2018 and police brutality is has emerged as a major theme on social media and radio. The EU, together with other international partners concerned with the human rights situation, continued to carefully monitor this issue. The right to freedom of expression remained restricted in 2018: in August, some journalists reported having received death threats from LCD supporters within the context of the investigation into corruption allegations against the former Deputy Prime Minister. Moreover, a local radio station was closed by authorities for 72 hours and its owner was also detained.

**2. EU action – key focus areas:** EU's objectives on human rights and democracy in the framework of its relations with Lesotho focus on the issues of women´s participation, social protection, LGBTI rights and strengthening of local human rights organisations. Other priorities identified within EU instruments are focused on the reinforcement of the justice system and on improving transparency and accountability in decision-making.

**3. EU bilateral political engagement:** No EU Member States are represented in Lesotho. The Article 8 Political Dialogue on 26 April 2018 was however attended by visiting representatives of several accredited EU Member States represented in Pretoria. A temporary six months moratorium, which would encourage exiled leaders of the opposition to participate in dialogue, was discussed during the Political Dialogue. The national dialogue and reforms process are the principal concerns for the EU Delegation, which is actively engaged with Government, opposition politicians and civil society organisations (CSOs) on this matter.

**4. EU financial engagement:** In 2018, the EU continued to provide financial support to projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR). The EU Country Based Support Scheme (CBSS) in Lesotho has provided substantial support under EIDHR in line with the EU priorities.

In line with the EU commitment to supporting establishment of Human Rights Commissions abiding by the Paris Principles, the Transformation Resource Centre (TRC) is implementing an EIDHR grant. The TRC is a social hub that advocates for justice, peace and participatory development. It has been instrumental in raising human rights issues in Lesotho, and continued to do so during 2018. The EU continues promoting stronger partnership with CSOs, such as the Lesotho Council of NGOs (LCN) through an EIDHR grant as well as a direct

grant under the 11th EDF since 2018, or the Participatory Initiative on Social Accountability (PISA) under the 11th EDF and in partnership with the German government. In the framework of PISA, dialogue platforms for issues of gender based violence and women´s participation have been developed. Among other important activities, the EU promoted LGTBI rights through the Women and Law in Southern Africa (WLSA) organisation, also under the EIDHR scheme.

On 24 September 2018, the EU, together with the Ministry of Social Development and UNICEF, signed an addendum to a Financing Agreement for the Support of Social Protection in Lesotho. In this way, the EU reinforced its commitment to a comprehensive and integrated social protection system in the country, increasing its contribution to the social protection programme by EUR 6.4 million. Prior to the commencement of the current project in 2015 the EU has worked in this area in partnership with UNICEF since 2009.

**5. Multilateral context:** Lesotho has signed and ratified almost all of the major UN and AU instruments including conventions and protocols for the protection of human rights, with the exceptions of the Optional Protocol to the Convention against Torture and the Optional Protocol to the ICCPR aiming at the abolition of the death penalty. However, only a few of these instruments have been codified into national law. Lesotho ratified the ICC Rome Statute on September 2000 and it remains a member. The last Universal Periodic Review (UPR) took place in 2015, with different stakeholders engaged in the preparations. Out of a total of 170 recommendations, the Government of Lesotho accepted 124 and 32 were noted. Those recommendations effectively rejected were mainly addressing matters such as LGTBI rights or the abolition of the death penalty. The next UPR will be held in October 2019.

## Liberia

**1. Overview of the human rights and democracy situation:** Although Liberia has gone far in the last 15 years since the end of civil war, the country is still fragile. It is crucial to consolidate inclusive and accountable governance, social cohesion, women empowerment, national dialogue and reconciliation, rule of law, decentralisation and land reform.

The 2017 peaceful electoral process and the successful handover of power in 2018 represented a major milestone for democracy in Liberia. Two by-elections have been organised in 2018 in a generally peaceful atmosphere. President Weah committed himself to maintaining the relatively positive environment for civil and political rights. Nevertheless, lack of resources hampers the enforcement of legislation intended to protect human rights while in other areas there is a reluctance to challenge traditional practices and attitudes that violate human rights. 2018 saw progress in some areas of human rights and democracy, while in others the situation remained unchanged or even deteriorated. Democratic institutions need to be strengthened and civil society needs to be supported to ensure both the demand for accountability and good governance and the capacity to deliver it.

Concerns remain in the areas of death penalty, enforcement of legislation against child labour and exploitation, as well as access to justice, health and education, lengthy pre-trial detention, poor prison conditions and questions regarding the sound management of Liberia's significant natural resources. Sexual and gender based violence continues to be a

major challenge, and impunity for such acts remains high. Female Genital Mutilation (FGM), affecting a significant part of Liberian women and girls, is not prohibited by law, and is perpetuated by secret societies through initiation rites, although President Weah mentioned that he would reintroduce the bill on 'domestic violence against women' to the legislature. Same-sex sexual conduct between consenting adults is criminalized and there have been attempts to increase penalties. Liberia's Constitution protects freedom of expression and the environment for human rights defenders (HRDs) in Liberia is generally benign, although there are incidents of individual harassment and abuse of power by public officials. Groups advocating for LGBTI rights are particularly vulnerable to harassment. Recently the Liberian National Police (LNP) and other security agencies have performed well in handling a number of political rallies and protests in Monrovia, adopting a preventative approach. However, police corruption and heavy-handed behaviour continues to be reported in the context of individual interactions with citizens.

**2. EU action – key focus areas:** EU action in Liberia in the areas of human rights and democracy focussed on women's rights, accountability of parliament, strengthening key autonomous institutions to monitor, enforce and promote good governance, strengthening the capacity of civil society, improving prison conditions and reducing pre-trial detention.

**3. EU bilateral political engagement:** The EU Human rights dialogue with Liberia is carried out as part of the EU-Liberia Article 8 Political Dialogue. Topics raised in 2018 included the recommendations of the EU Election Observation Mission (EOM), FGM and gender-based violence, abolition of the death penalty, prison conditions, freedom of the press (decriminalisation of violations of freedom of expression) and the need to deliver on anti-corruption promises. The EU Delegation regularly participated in meetings of the National Human Rights Action Plan Steering Committee, a joint Government-CSO body responsible for overseeing implementation of Liberia's Human Rights Action Plan. At the request of LGBTI rights defenders, the EU Delegation and Member States have offered public expressions of support as well as the provision of safe venues for meetings and activities. In November 2018, a platform of CSOs staged a peaceful march in Monrovia and delivered a statement at the EU Delegation and other Diplomatic Missions in support of the creation of a War Crimes Court to prosecute violators of international human rights laws in Liberia during the recent civil wars. The EU Head of Delegation received the statement and stressed that justice and reconciliation must be a Liberian-led debate and decision.

In terms of public outreach, the EU Delegation and EU Member States participated in various events and activities to mark international human rights days. On 10 October, European and World Day Against the Death Penalty, the EU Delegation supported the School of Law of the University of Liberia to organize a very well attended public debate on Liberia's legal framework on the death penalty and arguments in support of its abolition. Official EU Statements on human rights issues were circulated to the local media. On 4 December, the EU Delegation supported a local awareness session on FGM for Traditional Practitioners as a contribution to the Campaign of "16 Days of Activism against Gender Based Violence".

Recommendations issued by the EU EOM and other election observation missions deployed for the presidential elections in December 2017 have been reviewed by the National Election Commission (NEC) with a view to identifying a reform agenda for the period 2019-2023. The EU participates in the technical working group of actors providing support to the NEC.

**4. EU financial engagement:** "Good governance", including support for the electoral process, is a focal sector for the "National Indicative Programme" which is the basis of cooperation agreed with the Government of Liberia until 2020. Practical support to address human rights concerns is provided through specific projects in areas including women's rights, children's rights and the justice sector. European Instrument for Democracy and Human Rights (EIDHR) projects in Liberia in 2018 concerned work with local CSOs to promote inclusive participation of people in defending their rights, community based protection mechanisms for reducing sexual violence affecting women, girls and sexual minorities across 8 communities, work with key security and justice institutions to increase their awareness of Freedom of Information and transparency obligations, adoption and application of Freedom of Information curricula in key training institutes of the public sector, and enhancing the rule of law and the respect of the fundamental human rights of the most vulnerable prisoners in Liberia. In the framework of programmes in favour of non-state actors, three projects in 2018 supported access to land and land rights. In partnership with Sweden, the EU provided support to improving electoral institutions and processes. Other projects provided support to the decentralisation process as well as to the General Auditing Commission.

**5. Multilateral context:** Liberia has ratified the main international human rights instruments, but a number of these are yet to be integrated into domestic law. The Ministry of Justice is leading the process to follow up on Universal Periodic Review (UPR) recommendations of May 2015. In 2018, the government continued to take steps to address its backlog of reporting on human rights instruments, supported by UNMIL/UNDP. Liberia issued its first report on its implementation of the International Covenant on Civil and Political Rights (ICCPR), 11 years overdue. The Review Session of the ICCPR by the UN Human Rights Committee was followed in August 2018 by concluding observations raising concerns about the lack of implementation of recommendations issued by the Truth and Reconciliation Commission, de facto discrimination of individuals belonging to certain vulnerable groups and of LGBTI persons, underrepresentation of women in public affairs, lack of legal prohibition of FGM/C as well as gender-based violence against women, failure to abolish the death penalty, arbitrary arrests and detentions beyond 48 hours, trafficking in human beings, child labour, detention conditions, backlog of court cases, as well as the existence of defamation and libel provisions in the penal code.

## Madagascar

**1. Situation générale des Droits de l'Homme et la démocratie:** 2018 se conclut globalement avec un constat de progrès concernant la situation des droits de l'homme et la démocratie à Madagascar. La résolution pacifique et démocratique de la crise d'avril (qui aurait pu facilement déclencher une vague des violences), les décisions responsables de la Haute Cour Constitutionnelle, la démission du Président en accord avec la Constitution, la campagne électorale presque sans heurts et l'acceptation des résultats sont des gages importants pour le développement socio-économique du pays, le renforcement de la bonne gouvernance et de l'Etat de droit. Dans son ensemble, ce processus a consolidé la démocratie à Madagascar et a créé un climat apaisé, propice pour le respect et la promotion des Droits de l'Homme. Toutefois, les mauvaises pratiques et les facteurs structurels qui impactent le respect des Droits de l'Homme, persistent: le dysfonctionnement de l'administration publique, l'absence

des agents d'Etat dans les provinces et région hors de leurs chefs-lieux, l'insécurité croissante en milieu urbain et rural, l'extrême pauvreté, la vulnérabilité au changement climatique, les problèmes de gouvernance ou la corruption. L'interdiction des droits d'association a été enlevée au moment où les forces de l'ordre se sont déclarées neutres, le 23 avril 2018, et a contribué à changer un climat politique lourd en faveur de plus de liberté. La situation des femmes et jeunes filles reste très précaire et les lois et mécanismes de protection conçus pour faire face à la violence dont elles sont victimes ne sont pas toujours appliqués. Par ailleurs, en 2018, la maltraitance des enfants à Madagascar a atteint un niveau alarmant. Plus de quatre ans après l'abolition de la peine de mort, fin 2014, le droit de vie est en danger par le recours à la vindicte populaire, qui est rarement poursuivie et juridiquement condamnée. En outre, l'insécurité et le trafic d'espèces protégées ont augmenté d'une façon perceptible pendant toute l'année 2018. Dans le rapport 2018 sur la démocratie publié par *l'Economist Intelligence Unit*, Madagascar est qualifié de "*régime hybride*" et se trouve au 95ème rang de 167 pays, au 16ème rang de 50 pays africains. Ce rapport ne prend pas en compte le processus électoral qui s'est déroulé d'une façon crédible, transparent et inclusif. Le 24 octobre l'Assemblée Nationale a adopté une loi qui fait de la Commission nationale indépendante pour les Droits de l'Homme le mécanisme national de prévention de la torture.

**2. Action de l'UE – domaines d'intervention clés:** Les priorités de la Stratégie Droits de l'Homme et Démocratie pour Madagascar sont au nombre de cinq:

1. Droits civils et politiques : consolidation de la démocratie et soutien aux processus électoraux;
2. Promotion des droits économiques et sociaux;
3. Droits des femmes et des enfants, en particulier la lutte contre les violences basées sur le genre et le tourisme sexuel;
4. Renforcement de l'accès à la justice et appui aux institutions judiciaires;
5. Lutte contre la corruption et l'impunité.

**3. Les engagements politiques bilatéraux de l'UE:** L'Union européenne continue à renforcer le rôle de la société civile comme élément essentiel de gouvernance démocratique et d'un partenariat efficace pour le développement. En 2018 ont eu lieu des rencontres bilatérales sur le processus électoral et la lutte contre la corruption. De plus, un dialogue structuré s'était déroulé le 7 avril 2018 en préparation du dialogue politique avec le Président. Dans ce contexte, les problématiques relatives aux Droits de l'Homme ont été abordées; en particulier concernant le processus électoral, la lutte contre la corruption et la situation des défenseurs des Droits de l'Homme.

Parallèlement il y a deux priorités transversales, le renforcement et l'accompagnant d'une société civile engagée, ainsi qu'une attention particulière aux populations les plus vulnérables telles les personnes souffrant de handicap.

Dans le cadre de l´Article 8 de l'Accord de Cotonou, il y avait un dialogue politique prévu fin mai qui n'a pas eu lieu à cause de la crise pré-électorale et la création d'un gouvernement technique de consensus en préparation des élections présidentielles.

**4. Les engagements financiers de l'UE:** Au cours de l'année, l'engagement et l'action de l'UE et ses États Membres a continué à favoriser un rôle plus important de la société civile

comme élément essentiel de gouvernance démocratique et comme partenaire efficace pour le développement. En conséquence, en 2018 a commencé une nouvelle phase du projet Dinika II dans le cadre du 11ième FED. Plusieurs projets ont été développés aussi à travers l'Instrument européen pour la Démocratie et les Droits de l'Homme (IEDDH), surtout focalisées dans le processus électoral, l'amélioration de la participation, le renforcement de l'administration ou l´assistance technique. Dans le cadre de l'Instrument contribuant à la stabilité et à la paix (IcSP) le projet PEV vise à prévenir des conflits et violences potentielles liés aux élections et effectue également le monitoring des médias. En outre, l'UE a déployé – du 12 septembre 2018 au 23 janvier 2019 - une mission d'observation électorale internationale à l'occasion de l'élection présidentielle 2018.

En plus, dix projets sur la promotion des droits économiques et sociaux ont été financés pendant 2018 par le Fonds Commun multi bailleurs d'appui à la Société Civile Malagasy. Plusieurs projets concernant la promotion des droits des femmes et des enfants ont étés également mis en œuvre pour répondre aux priorités de lutte contre les violences basées sur le genre, le soutien aux systèmes éducatifs et aux familles vulnérables et la lutte contre la traite et le tourisme sexuel.

**5. Contexte multilatéral:** Pendant l'année 2018, Madagascar se trouvait dans l'étape de consultation nationale dans le cadre de l'Examen Périodique Universel (EPU) du Conseil des Droits de l'Homme de Nations Unies. Après la soumission des rapports des ONG, le prochain EPU aura lieu en Novembre 2019.

Madagascar a adhéré à la plupart des conventions internationales relatives aux Droits de l'Homme. Différentes structures ont été mises en place dans ce sens. Il s'agit entre autres, de la Commission indépendante des droits de l'Homme (CNIDH, mise en place en octobre 2016) et, en 2018 – suivant un imbroglio institutionnel - du Haut Conseil de la défense de l'Etat de droit (HCDDED) et de la Haute Cour de Justice (HCJ).

En 2018, le Parlement n'a ratifié aucun instrument international de Droits de l'Homme.

## Democratic Republic of Malawi

**1. Overview of the human rights and democracy situation:** While in general terms the human rights situation remained stable in Malawi during 2018, low intensity violence persisted and had a particular impact on vulnerable groups. The year ended with a reminder of the ongoing and severe threat to people living with Albinism. The killing of Yasin Phiri - one of 7 such killings during 2018 – provoked a local statement from the EU underlining the need for united action to protect the human rights and physical security of people living with albinism. Despite the progress achieved on the protection of people living with albinism since 2014, Malawi still faces extreme forms of discrimination that include abductions, killings and mutilations. The risk of this violence - which is a regional phenomenon covering several countries - is certain to remain high during a tense electoral period in 2019 and will be given a high priority by the EU. Accordingly, the EU will continue supporting the people living with albinism together with the Government of Malawi, the police and the judicial authorities, and with other partners in the region (including SADC and neighbouring

countries). The effective and prosecution of perpetrators is still a challenge that needs to be addressed in order to contribute to the fight against impunity. The majority of crimes remain unresolved and only 30% out of 148 cases reported had been concluded, a very slow proportion comparing other crime investigations.

In 2018 there were increasing threats and intimidation against human rights defenders (HRDs) and activists in Malawi. In August, a group of men attacked the leader of the "Human Rights Defender Coalition", an organisation which had initiated nation-wide demonstrations against corruption and impunity and in support of freedom of expression. Other members of the coalition have also been intimidated. While the government expressed a desire for greater accountability, draft legislation has been under consideration which could permit a level of regulation and control that could potentially violate the rights to freedom of association protected in the Malawi Constitution. Elections in May 2019 are likely to be highly contested and potentially divisive. An already emerging pattern of threats and violence against women involved in politics, including actual and potential candidates, requires urgent attention, and the behaviour of youth movements in the main parties also needs to be watched. This is not just a matter of policing but of responsible party leadership. A positive development was the active follow up by Malawian authorities and institutions of the 2014 and 2017 key recommendations of EU Electoral Observation Missions (EOMs). 1 December 2018 was set by the Ministry of Justice as the date of entry into force of the Political Parties´ Act, which repeals and replaces the Political Parties (Registration and Regulation) Act 1993. While the new Act will not be fully implemented for the forthcoming general elections in May 2019, important provisions banning "handouts" should be applicable with immediate effect. Corruption remains a key issue linked to governance: the Corruption Practices Amendment Bill was passed by parliament in December 2018 opening the recruitment process for the two top positions at the Anti-Corruption Bureau to competition.

**2. EU action- key focus areas:** During 2018, the EU continued its commitment to some of the main human rights and democracy priorities for the country such as:

- Freedom of expression and freedom of press**,** by defending media freedom, access to information, etc.
- Fight against corruption and promotion of governance, mainly by tackling corruption and domestic accountability.
- Protection of vulnerable groups and empowerment of women and youth, through preventing gender violence, promoting girls´ education and LGBTI rights, supporting people living with disabilities, people with albinism, etc.
- Reducing cruel, inhuman or degrading treatment or punishment, by addressing key areas in the country such as abuse in prisons and the death penalty.

**3. EU bilateral political engagement:** The EU Heads of Mission held a Political Dialogue in accordance with Article 8 of the Cotonou Partnership Agreement in June 2018, where human rights figured prominently on the agenda. The EU Delegation has also continued the regular exchanges on human rights issues through different means such as demarches and meetings with the Ministry of Justice and Constitutional Affairs and other stakeholders, key partners like the United States, the United Nations and civil society organisations (CSOs). The EU also supported the participation of representatives of the Malawi Human Rights

Commission, of Human Rights Defenders and of Ministry of Justice representatives to the 62nd and 63rd Ordinary Session of the African Charter on Human and People's Rights.

The EU Delegation continued its programme of visits to prisons during 2018 - in the framework of the Chilungamo project (2016-2024) - to monitor the situation and assess progress made. The EU Delegation together with EU Heads of Mission also launched a nationwide communication campaign to celebrate the 70th anniversary of the Universal Declaration on Human Rights with Ambassadors and Malawian personalities endorsing the messages in a publicity campaign.

**4. EU financial engagement:** The Chilungamo Programme, funded under the 11th EDF is perhaps the biggest financial support by the EU to governance in Malawi. Chilungamo, word meaning justice in Chichewa, has addressed a number of core governance challenges over the last three years, such as the lack of transparency and accountability or the limited access to justice for the vulnerable groups. This programme includes the Malawi Electoral Cycle Support basket fund and the National Registration and Identification System. Under Chilungamo projects, the EU address several concerns related in the Human Rights Country Strategy such as prosecution of cases of violence against People living with Albinism, support to CSOs, gender equality agenda, etc. In addition, women and youth empowerment is also been addressing through the 2016-2020 EU funded programme "Improving Secondary Education in Malawi", which specifically target girls as a vulnerable group. The EU has also supported, among other key areas, political participation of women through the European Instrument for Democracy and Human Rights (EIDHR). Under the 11$^{th}$ EDF, the EU has also been using some of its visibility budget to publish information, education and communication materials advocating against discrimination.

**5. Multilateral context:** Malawi is a member of the United Nations, the African Union and SADC. It has ratified many UN Human Rights Conventions and made binding international commitments to adhere to the standards laid down in these universal human rights documents. The relevant international commitment include the (1996) International Covenant on Civil and Political Rights ratified in 1992, the (1979) Convention on the Elimination of All forms of Discrimination against Women ratified in 1987, the (1966) International Convention on the Elimination of all forms of Racial Discrimination ratified in 1996, the (2007) Convention on the Rights of Persons with Disabilities, ratified in 2009, and the Convention against Corruption, ratified in 2007.

The last Universal Periodical Review (UPR) took place in 2015. Malawi received 199 recommendations of which 154 enjoyed its support and 45 were noted. Those noted mainly refer about (i) sexual orientation discrimination, victims of domestic violence and female genital mutilation; (ii) de jure moratorium or abolition of death penalty, by becoming a State party to the Second Option Protocol to the International Covenant on Civil and Political Rights; and (iii) international instruments about migrants, refugees and statelessness.

In 2018, a National Plan of Action on Human Rights was drafted using those recommendations and it is now pending Cabinet Approval.

## Mali

**1. Overview of the human rights and democracy situation:** The situation in Mali remained of serious concern in 2018 as the security and humanitarian conditions in the north and centre of the country continued to worsen. Main human rights concerns included arbitrary killings, torture, disappearances, prolonged illegal detention, sexual violence by armed actors and security forces alike, and the recruitment of child soldiers. Serious human rights abuses against civilians have also been reported in the context of anti-terrorist operations, including by the G5 Sahel Joint Force as well as in the context of growing intercommunal violence. The work of humanitarian organisations was also hampered by terrorist acts and banditry, and the right to education for thousands of children in the north and centre was severely curtailed due to insecurity and the forced closure or destruction of schools by groups hostile to the secular education system. Women's rights across the country also continued to be problematic in 2018 with a high prevalence of gender-based violence, including female genital mutilation/cutting, which is not legally criminalised. Trafficking in human beings and smuggling of migrants; poor prison conditions; slavery and child labour; and discrimination against certain groups such as persons with disabilities, persons with albinism, and on the grounds of sexual orientation (LGBTI) were also reported. The preparation of presidential elections held in 2018, which the EU observed with an Election Observation Mission (EOM), saw numerous cases of intimidation and violence against voters and election officials in parts of the country. Violations of the freedoms of assembly and expression as well as electoral irregularities were also reported during this period.

Impunity for human rights abuses remained the norm in the context of a weak judiciary system and the lack of state presence across large parts of the country. Positively, however, the authorities and the military opened investigations into allegations of extrajudicial killings by their forces. The work of the Truth, Justice and Reconciliation Commission continued in 2018, including in the regions, and in January the UNSG established the International Commission of Inquiry, as envisioned by the Agreement on Peace and Reconciliation of 2015, to investigate serious violations of international human rights and humanitarian law committed in Mali since January 2012. A draft law of national understanding, announced by the President of the Republic in end 2017, which could provide for amnesties for ‘all those involved in an armed rebellion’ who have ‘no blood on their hands’, was met with strong opposition by civil society, and has been shelved for the moment. Positively also, two bills on the rights of women and children are currently being drafted on gender-based violence and on child protection.

**2. EU action - key focus areas:** In 2018 the EU's priorities in the area of human rights included the fight against impunity, the promotion of the respect and protection of the rights of women and children, and the fight against corruption.

**3. EU bilateral political engagement:** In February 2018 the EU, the G5 Sahel and the UN formally agreed to work together to establish and operationalize a human rights compliance framework for the G5 Joint Force, which the EU is currently financing. As a member of the international mediation and guarantor of Mali's peace agreement, the EU continued to help advance the peace talks. Through its CSDP missions in Mali, EUTM Mali and EUCAP Sahel Mali, the EU continued to train members of the Malian defence and security forces on human rights law and international humanitarian law.

**4. EU financial engagement:** During 2018, eight projects financed by the European Instrument for Democracy and Human Rights (EIDHR) amounting to EUR 5.5 million implemented in Bamako District and the regions of Ségou, Koulikoro, Sikasso and Kayes, helped to take forward the priorities laid out in the EU Human Rights country strategy 2016-2020 in Mali. As concrete examples, the NGOs PlanBornefonden and Save the Children, with their Malian partners, have contributed to protecting women and girls against sexual and gender-based violence, in particular FGM and early and forced marriage, by educating women leaders of community associations, teachers, school children, local volunteers, men, local authorities and traditional leaders, including religious leaders. As a result, a number of communities have already committed to formally abolish female genital mutilation (FGM) and groups of government structures and civil society organisations have been set up to improve their actions and better assist potential victims of early and forced marriages. The NGO Fondation Hirondelle and its local partner Studio Tamani continued to feed into the gender equality public discussion with the use of multimedia content, in TV and radio, by illustrating and discussing the stories of women who managed to break through discriminating traditions and have succeed in their areas of interest. And the NGO ENDA Tiers Monde has been working on the promotion of women's participation in social and political life. With the support of political parties' women units, it has carried out an advocacy campaign to secure a minimum of 20% of women at the National Assembly in the upcoming legislative elections and to increase the number of women in targeted political parties' management structures. Worth noting is the signature in December 2018 of the EDF-funded Spotlight Initiative (EUR 16.7 million) which through a joint effort by the EU, the UN, the Government of Mali and civil society organisations (CSOs), seeks to improve the enforcement of sexual and reproductive health rights for women and girls, and to fight sexual and gender based violence as well as harmful practices.

The NGOs Kinderrechte Afrika and AMAPROS helped to protect children against child labour abuses while promoting their rights to education and health, including by improving the working conditions of hundreds of female minor domestic workers, rescuing several hundred boys and girls from the worst forms of labour and helping them to benefit from vocational training or their re-schooling, and by leading on a civic education project to equip and motivate young boys and girls to engage in the public debates on democracy and reconciliation. A project in favour of the rule of law and against impunity in the context of Malian 2012-13 crisis and subsequent reconciliation process implemented by the International Federation for Human Rights (FIDH) and its local partner the Malian Association for Human Rights ended in October 2018. Besides monitoring, raising awareness and advocating for the respect of human rights, the FIDH provided with legal assistance a number of victims of violations committed by State security forces in 2012/13 in the North of the country in several courts cases against the perpetrators, such as the general Amadou Haya Sanogo.

**5. Multilateral context:** Mali's human rights situation was reviewed under the Universal Periodic Review (UPR) in the UN Human Rights Council in January 2018 and received 194 recommendations, most on the abolition of the death penalty, fight against impunity, discriminatory practices against women and children, female genital mutilation, combating trafficking in human beings, and the right to education. Mali continued to engage with the

UN human rights system, including with the UN Independent Expert on the situation of human rights in Mali who visited the country before and after the presidential elections.

Mali's support to the ICC was again visible in 2018 when it handed a chief of the Islamic police in Timbuktu during its jihadist occupation in 2012 and 2013, to the International Criminal Court (ICC), on accusations of war crimes and crimes against humanity against individuals, and in particular for charges of sexual and gender-based violence, namely rape and sexual slavery.

## Mauritania

**1. Overview of the human rights and democracy situation:** Mauritania hosted the 62nd session of the African Union Human and People Rights commission in April 2018 as well as the 31st AU summit in July. During the last legislative, regional and municipal elections that were simultaneously organised in the autumn of 2018, the ruling Union for the Republic (UPR) obtained the absolute majority of the seats in the national assembly (93/157), as well as the presidency of all 13 regional councils and the majority of municipalities. Unlike the last elections, all opposition parties participated, with the Islamic Tawassoul party remaining the leading opposition party with 14 seats in parliament.

President Abdel Aziz, who is now in his second and last term, has kept his word that he would respect the constitutional two-term limit despite calls from his supporters to remain in place. However, he has also declared his intention to run for the post again in the future. Speculation is currently ongoing as to who will be his successor in what is set to be the country's first democratic transfer of the presidency since independence in 1960. A joint ACP-EU parliamentary assembly (JPA) mission in April encouraged the Mauritanian authorities to increase their work within the fields of governance, rule of law and human rights adherence in 2018.

Important law proposals were discussed by the National Assembly in 2018, although further implementation was stymied due to their sensitive nature. For example, a law targeting discrimination was adopted in January 2018, but has remained wildly contested by national non-governmental organisations as well as the OHCHR as it is viewed to impose a limit on the freedom of expression. This being said, Mauritania is at the top of the Reporters without Borders list of Arab countries when it comes to the freedom of written press and social media platforms. However, the revision of article 306 of the Penal Code is viewed to have set the country back from a prior 55th to a 72nd place (out of 180). Article 306 relates to the act of blasphemy, which it judges a crime automatically leading to the death penalty without taking into account the possible repentance of the accused. In 2014 the young blogger Mohamed Cheikh Ould M'Khaitir was sentenced to death on charges of blasphemy and apostasy. Although the charges were later eased to 2 years (already served) following a second appeal in 2017, M'Khaitir is still held in “administrative detention” at a secret location, allegedly for security reasons.

Slavery remains a persistent issue in Mauritania, with the government addressing the issue primarily as "remnants of the practice". NGOs have continued to bring forward cases. Three special tribunals have since 2015 been charged with judging cases of slavery, with five judgements in three years, whereof four happened shortly before the JPA visit in 2018. There is significant activity among NGOs within the specific area, although some, like IRA (Initiative de Resurgence du Mouvement Abolitionniste), have been refused official registration. IRA's leader Biram Dah Abeid, was elected to the National Assembly while kept in detention from 7 August till 31 December. Since his release he has declared that he will run for the Presidency.

Gender has remained a sensitive issue during 2018, as a draft law aimed at combatting gender-based violence was rejected for a second time on 25 December by the National Assembly's Islamic orientation commission, before being withdrawn by the government. The EU has continually provided support to local women's rights groups that have been working through 2018 to get a law passed making gender based violence a criminal act and providing human rights based protection for victims of this form of violence.

**2. EU action – key focus areas:** The EU supports the four identified priority areas: ensuring a functioning justice system, putting an end to practices of slavery, supporting the inclusion of Mauritanian women and putting an end to torture. The EU's activities in Mauritania in 2018 focused on supporting, encouraging and accompanying the implementation of these topics, as well as helping to provide the necessary space for corresponding reforms.

**3. EU bilateral political engagement:** The EU Delegation holds regular political dialogue meetings with the Mauritanian government. During these meetings the issue of human rights is a stable feature. The EU also raises specific human rights cases directly with the government.

European Instrument for Democracy and Human Rights (EIDHR) financed projects seek to improve the quality of life and support the reintegration of people detained in four Mauritanian prisons during 2018. The EIDHR has also financed four specific actions: two that fight slavery and two aimed at resolving land disputes in the Senegal River valley that have a direct link to discriminatory practices and practices of slavery. A new initiative has just started under the EIDHR that will work to prevent sexual violence against women and girls in the capital Nouakchott and in the Guidimakha region in southern Mauritania. The initiative will furthermore pay the medical and psychological costs that may be tied to such cases and work to secure human rights for Sexual-Violence Survivors. It is a project that largely includes local, regional and national authorities, but also the security and judicial sectors. In a more general context the EU supports an IOM initiative working to protect and reintegrate migrants, financed by the Emergency Trust Fund (EUTF). Another project works in the same vein to increase national capacities for providing protection of migrant children against trafficking in human beings and slavery.

**4. EU financial engagement:** Under the 11$^{th}$ EDF the programme for the improvement of the justice sector (PARJ) worth a total of EUR 12.6 million was approved in June. The 10$^{th}$ EDF Justice Programme completed in October 2018 worked to support the government in developing a national strategy for the justice sector.

**5. Multilateral context:** Despite judicial and institutional progress in the human rights area, serious concerns remain due to the continued lack of implementing legislative measures to improve the human rights situation in Mauritania. Since the last Universal Periodic Review (UPR) in 2017, Mauritania has been working in the third UPR cycle with international institutions (UNICEF, OHCHR) to tackle human rights issues such as gender, protection of vulnerable people, women and youth, putting an end to practices related to slavery and trafficking.

## Mauritius

**1. Overview of the human rights and democracy situation:** Mauritius has a good track record of protection and respect of human rights. It remains the top ranking country in overall governance in Africa according to Mo Ibrahim Index of African Governance. However, some challenges remain in terms of gender-based violence, domestic violence, protection of children and discrimination of LGBTI persons. The 2018 Gay Pride March was blocked due to opposition by some hostile demonstrators. A number of important pieces of legislation were still under preparation in 2018. The Declaration of Assets Bill was submitted to the parliament and adopted, but the Financing of Political Parties Act and the Freedom of Information Act have not been adopted. The Constitution Amendment Bill introducing the electoral reforms recommended by the UN Human Rights Committee (under the Optional Protocol to the International Covenant on Civil and Political Rights) failed to obtain the required majority. The Gender Equality Bill, the Children's Bill and the Adoption Bill, prepared with EU support, were not put on the Parliament's agenda in 2018. It is hoped that this could be done in 2019. A commission of enquiry on drugs submitted its report in 2018 after more than three years of work. The three reviews by Mauritius at the UN on CEDAW, CERD and Universal Periodic Review (UPR) in 2018 led to a series of important recommendations in various fields.

**2. EU action - key focus areas**: The EU carried out activities in the following priority areas:

- Women's rights

The EU stepped up its engagement on women's rights with the setting up of a High Level Policy Dialogue on Gender with the Government of Mauritius, which saw the adoption of a Joint Monitoring Framework to track progress on the implementation of the EU-Mauritius Gender Action Plan. The EU carried out a number of activities in this field.

- Children's rights and combatting child abuse

The EU provided technical assistance to the Ministry of Gender Equality, Child Development and Family Welfare for the finalisation of the Children's Bill, and the drafting of the Adoption Bill, including through a long consultation process.

- LGBTI rights

The EU engaged with local actors on this issue and funded an awareness raising activities as part of the project implemented by the National Human Rights Commission. The EU also organised jointly with the National Human Rights Commission a debate on promoting and

protecting human rights of LGBTI persons, as part of the celebration of the International Human Rights Day.

- Rule of law and institutional strengthening

An EU funded project contributed to the capacity building of the National Human Rights Commission.

**3. EU bilateral political engagement:** The EU continued to engage in human rights and democracy promotion in Mauritius through the annual political dialogue held with the Government in June 2018.

The High Level Policy Dialogue on Gender with the Government of Mauritius resulted in the adoption of a Joint Monitoring Framework, which provides both the Government and the EU with an opportunity to monitor a number of key performance indicators related to the promotion of gender equality, addressing gender based violence, and the economic empowerment of women and girls among others. Through this framework, the EU will be working with the Government and the civil society for girls and women to achieve equality in all aspects of life: access to education, equal pay for equal work, access to top positions in companies and politics as well as protection from violence.

The EU also provided technical assistance to the Ministry of Gender Equality, Child Development and Family Welfare to draft the Gender Equality Bill, to provide capacity building in gender mainstreaming and to develop gender related statistics, as well as a number of tools for the mainstreaming of gender in the public sector. An awareness raising event was also organised in November 2018 by the National Human Rights Commission and the EU, attended by the Vice President to raise awareness on women's rights. A bracelet campaign against violence against women also marked the commemorations of the 70$^{th}$ anniversary of the Universal Declaration on Human Rights.

The EU strengthened its dialogue with the human rights defenders (HRDs), including in the context of the UPR process.

As part of the celebration of the International Human Rights Day, the EU organised jointly with the National Human Rights Commission a forum debate on promoting and protecting human rights of LGBTI persons,

**4. EU financial engagement:** Since 2017, the National Human Rights Commission is implementing an EU funded project aimed at promoting respect for human rights in the Mauritius. The project focuses on rights of women, in a bid to sensitise people to stop violence on women. More than 4000 people were trained in the last eight months of 2018.

The EU also provided technical assistance to the Ministry of Gender Equality, Child Development and Family Welfare to draft the Gender Equality Bill, to provide capacity building in gender mainstreaming and to develop gender related statistics. Technical assistance was also provided for the preparation of a costed National Gender Action Plan for Gender Mainstreaming in the Public Sector and the establishment of Technical Gender Working Groups. The Gender Equality Bill has not yet been presented to the Parliament.

The EU provided technical assistance to the Ministry of Gender Equality, Child Development and Family Welfare for the finalisation of the Children's Bill, and the drafting of the Adoption

Bill. These two draft Bills were elaborated after a long process of consultations with both Government and civil society.

The EU funded project implemented by the National Human Rights Commission includes awareness raising on the rights of LGBTI persons. In this context, the EU organised jointly with the National Human Rights Commission a forum on how to promote these rights, with high level panelists from Mauritius and from Europe, reaching around 100 participants.

**5. Multilateral context:** The year 2018 was active in terms of reporting to UN bodies by Mauritius. The country had to submit its report to the Committee on the Elimination of Discrimination against Women, to the Committee on elimination of racial discrimination. The UPR was held for Mauritius in November 2018 and important recommendations were made, such as to increase efforts to combat all forms of discrimination, in particular against women, persons with disabilities and based on sexual orientation and gender identity. Many recommendations were made to end discrimination against the LGBTI community. Mauritius ratified the Rome Statute establishing the ICC in 2002.

## Republic of Mozambique

**1. Overview of the human rights and democracy situation:** The situation in Mozambique remains challenging. Despite progress achieved in the conflict with the Renamo, now addressed through dialogue and peace talks, an emerging armed insurgency in Cabo Delgado is resulting in increasing deaths, displacements and burned villages. In this context, further to the insurgents severe infringements to human rights, a series of extrajudicial killings by the security forces have also been reported and journalists have been illegally detained while covering developments in the province.
Municipal elections took place on 10 October 2018. They were generally orderly and peaceful. However, they were also marked with serious problems, including communication regarding the tabulation of final results, casting a shadow on the credibility of the whole electoral process and the role of electoral bodies.
Mozambique's situation regarding the press and the freedom of opinion has also been affected by persistent intimidation and violence against journalists and other citizens. Moreover, prospects of a significant increase of the fees for press and broadcast licences risk, if confirmed would further restrict the freedom of expression.
The silence of authorities and lack of conclusive investigations on many cases has contributed to a culture of impunity, which is also manifest in the fight against corruption. Mozambique has dropped, for the third consecutive year, in the Corruption Perception Index of Transparency International, in connection to high profile cases like the hidden debt scandal.
Positive developments concern in particular government efforts regarding gender equality. The National Plan for prevention of gender based violence and efforts to promote gender equality such as the country’s engagement in the 'He for She' UN campaign, represent concrete progress. Further, the removal of the obligation for pregnant teenagers to attend school classes only during night-time shifts, which was achieved in December when the Government cancelled Circular no.39/2003, represents a positive turnaround, reversing a practice which had clearly discriminated towards female teenagers."

**2. EU Action – key focus areas:** In 2018, the EU continued to focus on key areas such as the consolidation of peace and the democratic system, rule of law and good governance, with a special emphasis on the fight against corruption and promotion of fundamental rights and freedoms. A particular focus on gender related discrimination has also been sought.

**3. EU bilateral political engagement:** The human rights situation in Mozambique was discussed in December at the Article 8 Political Dialogue with the Government. As a result there is agreement in principle to hold regular dialogues with the EU on human rights and on issues regarding the rule of law. EU political engagement in support of the current electoral cycle has also led to the deployment of an Electoral Expert Mission (EEM), which formulated a series of recommendations to the electoral bodies that should also facilitate a dialogue with authorities in this regard. Moreover, the EU has continually supported sustainable peace, encouraging ongoing dialogue through public and non-public communication, while announcing its readiness to effectively contribute to the implementation of a sustainable peace agreement. The EU has also been in regular contact with civil society in a dialogue focusing on human rights and the democracy situation.

**4. EU financial engagement:** As regards support to democracy and citizen's rights, further to the EEM deployment, the EU is supporting the electoral process in Mozambique, jointly with Austria, through an EDF project worth EUR 8.8 million implemented by International IDEA. The project, with a strong gender emphasis, covers not only support to domestic observers and to the newly elected representatives, but is also encouraging citizens' participation (including civic education) and support the reform of the electoral legislation. The EU's initiatives are complementary to EU Member States' engagement in support to the electoral process, in particular Sweden. Furthermore, a EUR 3 million contract was also signed with ActionAid Mozambique to promote and strengthen the governance and sustainable democratic civic discussion. Moreover, as part of EU's general support to civil society and local authorities, six actions were initiated worth EUR 4.3 million. Italy is also supporting civil registration and crucial statistics for the exercise of human rights.

On broader Governance issues, MASC, with EU support, continued its work focusing on capacity-building of the civil society to partner with authorities for accountability, while Sweden and the Netherlands concur to similar objectives through AGIR. Finland and the Netherlands also fund IMD, the Institute for Multiparty Democracy with a programme focusing on the governance of natural resources. In 2018, UK started a "Transparency and Accountability for Inclusive Development" (TAID) initiative, which aims at enhancing accountability and creating a more inclusive governance system (Transparency International and CIP). Austria also started “Inclusive Sofala 2018-22”, a partnership with NGO 'Light for the World'.

On the rule of law, a new EDF programme is focusing on the fight against corruption through support to the Anti-corruption office and the Prosecutor’s services. The programme also backs the 'Green Lines', allowing citizens to denounce corruption. In addition, UK through TAID is also providing support in fighting corruption and promoting transparency focusing on the role of civil society, but also on national institutions, the Supreme Court and the Parliament. Portugal also implemented the EU co-financed "Project to Support the

Consolidation of the Rule of Law in PALOP-TL, supporting institutions in the field of Justice, while bilaterally providing technical assistance to promote the qualification and training of human resources in the area of justice.

Further to overall Gender mainstreamed objectives, the EU is co-organising with the UN the 'Spotlight Initiative' aiming at the elimination of violence against girls and women with Mozambique being one of the participating countries. Moreover, several activities and programs with European Instrument for Democracy and Human Rights (EIDHR) funding took place in 2018. They include, two actions aimed at supporting woman's rights and social participation ('Women and Law in Southern Africa') as well as promoting the rights and protection of children and youth ('Meninos de Moçambique'). In 2018 Italy also launched an initiative on the economic empowerment of women in Zambezia and Cabo Delgado and initiated a new programme to strengthen the economic and social inclusion of people with disabilities. Furthermore, the project "New Generation of Women Leaders", implemented by the NGO Girl Move in Nampula, has received support from Portugal. Moreover, Sweden promoted the participation of women in the peace process and in decision-making processes through capacity-building projects. In this regard, the UK funded a project 'Ligada – Mozambique Support to Adolescent Girls and Women' aiming at urban female economic empowerment.

**5. Multilateral context:** The UN special rapporteur for the rights of LGBTI visited Mozambique in December 2018. The International Monetary Fund (IMF) welcomed the plans of the authorities to prepare with the Funds assistance, a comprehensive diagnostic of governance and corruption and the adoption of reforms to improve the business environment as well as governance and transparency.

## Namibia

**1. Overview of the human rights and democracy situation:** As in previous years, the situation in Namibia was quite satisfactory in 2018. The government's Harambee Prosperity Plan speeded up the legislative process in the area of good governance. The new Public Procurement Act entered into force in April 2017 but its implementation is still a challenge and there are growing doubts on its benefits. In addition, the Bill on Whistle Blower Protection and the Bill on Witness Protection were signed in October 2017, but the existing legal provisions are not being implemented for the moment. On the other hand, the Second National Land Conference was successful showing that Namibia is a mature democracy able to use dialogue as an instrument of conflict resolution. The level of freedom of speech in this context was remarkable.
Nevertheless, Namibia has been pointed out as a destination country for children and to a lesser extent for women, subjected to forced labour and trafficking in human beings. This issue has only recently received attention in Namibia. The Combating of Trafficking in Persons Act 1 of 2018 gives effect to the UN Protocol to Prevent Suppress and Punish Trafficking in Person, especially women and Children. However, the Act has not yet been gazetted and can therefore not be implemented. Unemployment, poverty and social inequality continue to be key challenges for the country and also affect the human rights situation. The report “Assessing Inclusive Education in Practice in Namibia” published by the

Ministry of Education, Arts and Culture could help to tailor future interventions to ensure that children with disabilities or special needs have equal access to education and opportunities. Regarding LGBTI´s rights, the situation is concerning. Despite the improvements in the official discourse over the past years, sexual activity between males is penalised and LGBTI people have to face daily different forms of discrimination, for example at public health centres. Gender Based Violence (GBV) is still the main obstacle in Namibia´s progress towards gender equality. In terms of public response, the effective access and delivery of services for survivors is still a challenge. According to the latest National Demographic Health Survey, 32% of all women aged 15-49 surveyed had experienced physical violence since the age of 15. Harmful gender norms such as toxic masculinity continue to play an important role in the high prevalence.

**2. EU action- key focus areas:** The EU continued to raise human rights and democracy issues with Namibian counterparts in various settings with particular attention to the promotion of i) economic, social and cultural rights; ii) women's rights and fight against gender based violence and iii) children´s rights as well as minorities´ rights (with a focus on indigenous/marginalised people). The last two areas were selected under the 2017 European Instrument for Democracy and Human Rights (EIDHR) as the main priorities and four projects were developed accordingly. For the next call of proposals under EIDHR, there will be a call for cultural projects and fight against GBV will continue being the main focus given the dramatic situation in the country.

The EU Delegation, jointly with some EU Member States, continues supporting the priorities established in the *Roadmap for engagement with Civil Society* (revised in May 2018 for the new period 2018-2020) using different instruments and modalities, from political dialogue to development cooperation programmes and projects. In addition, the EU Delegation, together with Member States and other partners have been working together to reinforce complementarities in important issues. The EU Delegation co-partnered for the second time the “Youth for Global Goals Conference” with the objective of bringing together both young and senior leaders from different sectors to engage on pertinent local and global issues within the context of SDGs 4, 8 and 9.

**3. EU bilateral political engagement:** The Article 8 Political Dialogue took place on 17 October 2018 and it included discussions on Human Rights related issues, namely trafficking in human beings, GBV and follow up of the UPR recommendations. Within this context, the EU also informed about the EUR 1.2 million EIDHR new call for proposals. Concerning GBV, the Ministry of Gender Equality acknowledged that despite all the national and international laws and regulations dealing with GBV, the situation could not yet be improved. The EU stands ready to continue supporting the Government of Namibia in its efforts.

The EU Head of Delegation speaks frequently at events co-organised with other national and international stakeholders such as the World Press Freedom Day, co-organised with UNESCO. The launch and closure of projects has also been used to pass important messages.

**4. EU financial engagement:** In 2018, the EU continued to provide financial support to seven projects funded through the EIDHR and other measures addressing key areas. The EU Delegation is funding the following projects/programmes: 1) “Action for becoming a credible CSO in Namibian Communities”, to reinforce civil society organisations (CSOs) as influential

actors and make them develop capacities and skills that lead to an improved dialogue with elected representatives (EU contribution EUR 449,568). 2) “Combating Teenage Pregnancies in informal settlement”, to empower adolescent girls and young women living in informal settlements and to enable them to access development opportunities such as life skills training and pre-vocational skills (EU contribution EUR 298,458). 3) “Survivors speak up. No more gender based violence”, to implement new approaches to address GBV and Learner´s pregnancies through holistic preventive measures and enhanced protection for GBV survivors (EU contribution EUR 400,000). 4) “Promoting the equal rights of LGBTI people in Namibia”, to contribute to the reduction of discrimination, increased tolerance and the protection of LGBTI´s rights (EU contribution EUR 889,463). 5) “Programme for Communal Land and Development, to improve livelihoods of communal farmers through enhanced sustainable land management practices, improved productivity and market-orientation through securing land rights, infrastructure investments and access to advisory services (EU contribution EUR 17,2 million) and 6) “Enhancing Participatory Democracy in Namibia”, together with the National Planning Commission. The financing agreement for this programme was signed in June 2017, the international tender was launched in 2018 and the technical assistance to implement it is expected to be signed by May 2019 (EU contribution EUR 6 million).

**5. Multilateral context:** Regarding the follow up of the last Universal Periodic Review (UPR) in January 2016, out of 219 recommendations, 191 were accepted by the Government and 28 were noted. In order to deal with the UPR follow-up, the Ministry of Justice has created an Inter-ministerial Committee on Human Rights, including representatives from line Ministries and NGO´s. The Committee has a partner with the High Commissioner for Human Rights, who organised training for Namibian stakeholders on how to implement the recommendations. The Government wants to establish an Implementation Plan and a sectoral committee has been set up to deal with the ratification of international instruments.

## Niger

**1. Overview of the human rights and democracy situation:** In 2018 Niger adopted a moratorium against the death penalty and reopened dialogue within the Extractive Industries Transparency Initiative (EITI). The Nigerien authorities also made significant efforts to ensure human rights in a situation greatly affected by growing regional instability. Niger showed significant willingness to engage in a dialogue on transparency, access to justice as well as the protection of women and children.

Niger is the crossroads for the crises in South Libya, Northern Mali, and the Lake Chad region. As a result, it is obliged to use significant resources (both human and financial) to limit their impact on national security. In 2018 Boko Haram continued to cause insecurity along the border with Nigeria with roughly 250.000 people driven into the southern Diffa region due to an escalation of terrorist activities in the Lake Chad area. Also the increased unrest in Burkina Faso paired with an already difficult situation in Mali, led another 90.000 to become internally displaced. The Nigerien authorities formally set up a national legal framework for the protection of displaced persons in November 2018, which worked to

ensure an increased military and civilian cooperation in the Tillabery-region in the west, as it was placed under a state of emergency in December.

Although the overall number of migrants in transit through Niger to Algeria and Libya has dropped, the situation has reversed with an ever increasing number of migrants arriving in the Nigerien northern regions from the two North African countries, in particular Algeria. Again, the Nigerien authorities have shown great commitment to the treatment of migrants and to the full compliance with human rights laws. The country has worked to ensure its already existing cooperation with international humanitarian actors (IOM and UNHCR) and with the EU (through the Emergency Transit Mechanism, for people evacuated from Libya eligible for repatriation in European countries).
The political context remains tense and is marked by the predominance of the ruling party PNDS and a total disorganisation of the opposition. Although the government showed increased openness towards political opposition, a higher tolerance for the written press and a readiness to address issues of ethnic or social dissent, the extent of political freedom of expression remains frail. 24 people were arrested and kept in preventive detention as they participated in demonstrations that were supported by the political opposition, against the Government's new Finance Act. The Act has carried serious repercussions for the private sector as well as local merchants, who survive on a day-to-day basis. Many shop owners have been forced to close due to the sudden imposition of taxes introduced to reduce Niger's fiscal deficit. How the Nigerien authorities will address the issue of ensuring the rights and dignity of people working in the largely informal sectors remains to be seen.

Under the Nigerien national plan for social and economic development (PDES) a program targeting institutional transparency was adopted by law in June 2018. The law sets the organisation and authority of the Nigerien justice system, which is likely to improve the pace at which cases are treated.

**2. EU Action – key focus areas:** The EU continues strengthening democratic institutions in full respect of human rights and the rule of law. The four key priorities in the area of human rights are the consolidation of democratic principles, ensuring timely access to the justice system, supporting the role and rights of Nigerien women and ensuring equal access to public services, as well as peace, security and dignity for all Nigeriens.

**3. EU bilateral political engagement:** The EU holds regular bilateral meetings with the Nigerien authorities of which human rights are an integral part, as they are during the shaping of projects that the EU funds and supports. The EU actively uses its good relations with the Nigerien authorities to ensure needed sectoral reforms that reflect the European positions on specific issues of human rights and rule of law in close co-ordination with like-minded actors.

**4. EU financial engagement:** The EU provides to Niger one of the highest per capita aid allocations under the 11$^{th}$ EDF (EUR 686 million), a large part of which comes through budget support. With this aid, notable progress has been made with regards to the implementation of the National Plan for Social and Economic Developments (PDES 2017-2021), which has human rights included in its strategic axes and has had a particular focus on institutional transparency. The projects generally support themes such as access to justice, health

services, education and this specifically for vulnerable groups such as women and girls. Access to the justice system for these groups happens through support to the Nigerien agency providing justice assistance (ANAJJ).

The EU has directly supported the Nigerien Commission for Human Rights – CNDH, in particular the improvement of its general strategy. Thanks to this effort, the CNDH regained the "A" status in 2017 and adopted a more proactive role in 2018 when guiding other actors at a national level. Other projects funded by the European Instrument for Democracy and Human Rights (EIDHR) focus on the fight against slavery and seek to improve the conditions for prisoners, detained minors, and provide support to vulnerable children. Through the CSDP mission EUCAP Niger, the EU continued to train the Nigerien defence and security forces as well as certain actors of the justice sector, civil society, with a special emphasis on human rights and international humanitarian law, respect for judicial procedure as well as protection of victims, witnesses and vulnerable groups.

**5. Multilateral context:** Throughout 2018 Niger continued to engage with UN actors and has ratified most international human rights instruments, including the adoption of the moratorium to end capital punishment.

In 2018 Niger underwent the Universal Periodic Review (UPR) and received 112 recommendations. Niger has benefited from the support of the international community (UNHCR, IOM, OHCHR) for their implementation. Niger hosts IOM and ETM mechanisms that cooperate closely on reintegrating migrants arriving from Algeria, and supporting migrants coming from Libya eligible for repatriation in European countries.

## Nigeria

**1. Overview of the human rights and democracy situation:** The situation in Nigeria remains highly complex with significant differences across the country and diverging trends on the different human rights issues. As in previous years, the human rights situation was shaped by a number of violent and escalating conflicts, particularly in the North East and the Middle Belt. Weak implementation capacity and corruption in key institutions and law enforcement agencies mandated to uphold and protect the rights of the citizens remain a key challenge. The security situation in the North East deteriorated markedly in 2018. The situation remains one of the worst humanitarian and protection crises in the world. By the end of 2018, 7.1 million people were estimated to be in need of humanitarian assistance, and more than 850,000 people in Borno are estimated to be in areas that are inaccessible to humanitarian organisations. There are reports of widespread human rights violations committed by armed non-state actors and Security Forces, including killing of civilians, kidnappings, use of women/children as suicide bombers, extra-judicial killings, arbitrary detention and sexual violence. There has been little progress in terms of investigating and prosecuting perpetrators of violence.
The conflicts between farmer communities and herdsmen escalated markedly in 2018, becoming the deadliest crisis in Nigeria with thousands of casualties and hundreds of thousands internally displaced. While the root causes are fundamentally economic and lack of governance, the violence increasingly takes on a worrying ethno-religious dimension.

Federal and State governments are being criticised for the failure to ensure security, rule of law and for not addressing the widespread impunity.
Other areas of concern include the rights for religious minorities, particularly the case of the prolonged detention of the leader of the *Islamic Movement of Nigeria* (IMN) and clashes with Security Forces; deteriorating economic and social rights with extreme poverty rates on the rise; and the issue of women's rights, where Nigeria features poorly on almost all global indicators.

**2. EU Action – key focus areas:** The five strategic priorities in the EU HRDCS for Nigeria are:

- Human Rights and conflict/post-conflict situations;
- Strengthen Rule of Law in compliance with international Human Rights Instruments;
- Elections;
- Human Rights of Women;
- Rights of minorities and vulnerable groups, including Persons with Disabilities, children, LGBTI persons and ethno-religious minorities.

**3. EU bilateral political engagement:** The EU in close partnership with Member States has sought to promote and improve the respect for human rights in Nigeria through an integrated approach, combining political/diplomatic, development cooperation and public diplomacy tools to maximise impact and create synergy between the different tools and instruments.
In terms of political/diplomatic engagement, the EU has intensified the human rights dialogue with Nigeria. Several Member States have had high level visits, where key human rights issues have been discussed. In April 2018, the visit of the European Parliament Subcommittee for Human Rights (DROI) provided an opportunity to raise human rights issues of concern at the highest level. Another priority has been strengthening the discussions of human rights issues in the context of the Human Rights Council (HRC).
The EU Delegation and Member States have scaled up advocacy and public diplomacy efforts in 2018 to amplify the reach of key human rights messages. A new and highly successful modality has been a partnership with Nigerian influencers engaged in human rights and democracy. This has enabled EU campaigns to reach millions on people on social media, particularly youth.

**4. EU financial engagement:** In terms of development cooperation, EU and Member States' support in 2018 focused at both strengthening institutions, supporting capacity building of civil society organisations (CSOs) as well as targeted interventions on human rights. Key examples include projects aimed at improving civilian-military relations and security forces' compliance with human rights, human rights training for security forces (Military and Police), reforming the civil society regulatory framework, support to the fight against corruption and the reform of the judiciary, assisting Nigeria to strengthen rule of law-based criminal justice response to terrorism, and the abolition of infanticide. The EU and Member States also have a robust programmatic response to deepening democracy through election and support programmes. On women's rights, efforts to design and operationalise the joint UN-EU *Spotlight Initiative* were initiated. Nigeria has been selected as a beneficiary country with a EUR 25 million contribution.
On the humanitarian side, EU through DG ECHO has provided assistance of EUR 59.3 million in 2018 – around 90% allocated for the North East response. Member States have also

contributed substantial amounts to the humanitarian response. In 2018, DG ECHO has championed the "call for action" on preventing GBV in emergency situations with a particular focus on improving the situation in IDP sites in the North East.

**5. Multilateral context:** The EU and Member States engaged actively during the Universal Periodic Review (UPR) examination of Nigeria in November 2018. During the review, 22 EU Member States made recommendations in areas of concern including death penalty; improved accountability including for violations by government forces; trafficking and forced labour; sexual orientation and gender identity; children and youth; women's rights and gender equality; application and implementation of existing legislation or ratification of international instruments; electoral processes; and torture, detention and due process.

## Rwanda

**1. Overview of the human rights and democracy situation:** There were some positive developments in Rwanda in 2018 which could be the first signs of an opening of political space. This included the acquittal of an opposition figure and presidential pardon for another, who had been serving a lengthy prison sentence, as well as for thousands of other prisoners, among them some genocide convicts. Four members of parliament from two new opposition parties were elected in a peaceful election in September. The debate on social media continued to expand the space for political discussions. Meanwhile the group of people belonging to an unregistered opposition party who were arrested in August 2017 remained in prison awaiting trial for terrorism charges and alleged links to armed groups in DRC. In July the UN's Subcommittee on Prevention of Torture (UNSPT) terminated its visit, without completing it. Overall, the human rights situation remained largely unchanged with continued reports of serious violations of civil and political rights and continued progress on social and economic rights.

**2. EU action – key focus areas:** The EU and its Member States continued to focus their attention on two main priority areas: (i) the area of the most serious violations of human rights – i.e. enforced disappearances, arbitrary detentions and use of torture and other inhuman or degrading treatments in detention facilities, and ii) the area with the most significant restrictions of human rights – i.e. the politically related rights and freedoms such as the freedom of expression/freedom of media, freedom of association and freedom of assembly.

**3. EU bilateral political engagement:** The EU continued to engage on human rights and democracy with Rwanda and it continues to monitor the human rights situation closely, including by following relevant court cases. The EU Delegation and EU Member States in Rwanda have also promoted human rights through public diplomacy. Examples were bringing visibility to LGBTI issues on the International Day Against Homophobia and Transphobia, celebrating the 70th anniversary of the Universal Declaration of Human Rights (UDHR@70) at the annual European Street Fair and organising of a public discussion on the topic of Freedom of Information featuring panellists from civil society, government and media. For International Human Rights Day, the EU hosted a symposium jointly with UN OHCHR and local NGOs for experience sharing on reporting and monitoring.

**4. EU financial engagement:** In 2018, three projects were launched under the 2017 call for proposals related to priorities identified in the EU Human Rights strategy. The projects targeted three main issues, namely i) prevention of torture, rehabilitation of victims and access to justice ii) monitoring and upholding international human rights obligations with regards to the right to health and non-discrimination for the LGBTI individuals and sex workers, and iii) strengthening the capacity of CSOs, human rights defenders (HRDs) and the media to effectively challenge discrimination and advocate for greater respect and promotion of the rights of historically marginalised peoples. An additional project on prevention of torture, rehabilitation of victims and access to justice has also received support via global European Instrument for Democracy and Human Rights (EIDHR) call for proposals.

The EU Delegation has also launched five new projects in 2018 through the CSO budget line, relating to strengthening the capacity of CSOs and citizens to hold public authorities to account at national and local levels and promoting more inclusive, responsive and transparent governance in Rwanda. Two of these projects focus on accountable governance in the agricultural sector.

**5. Multilateral context:** 2018 was Rwanda's last year of its two year term as a member of the UN Human Rights Council (HRC). It held vice-presidency of the bureau in 2018. The country continued to vote largely together with the EU, to abstain from voting on politically sensitive issues, and to remain a good partner in the African group within the UN rights system.

Rwanda has accepted 50 out of 229 recommendations in the UPR Cycle 2015-19. In January 2018, the Civil Society Coalition on UPR submitted an in-depth and rather critical Mid-Term Assessment Report to the UN HRC, while also admitting that many of the issues raised in their alternative report during the second review have been addressed or are being implemented.

The termination of the visit of the UNSPT in July was the first such full termination of a visit in the 11 years that the UNSPT has exercised its mandate globally. The visit had been suspended in October 2017. The Subcommittee cited a lack of cooperation from the government, whereas the Rwandan government referred to human error and expressed hope for a renewed visit. Concrete steps have been undertaken by the authorities to move forward with the implementation of a national prevention mechanism as foreseen by OPCAT.

Rwanda is signatory to almost all core human rights instruments, but is yet to accede to the International Convention for the Protection of All Persons from Enforced Disappearances.

## São Tomé and Príncipe

**1. Overview of the human rights and democracy situation:** The overall human rights and governance record in São Tomé and Príncipe is relatively good, especially by regional

standards (the country ranks 11/54 in the Mo Ibrahim Index of African Governance). Despite an overall positive human rights record in terms of civil and political rights, some issues remain a concern: gender-based discrimination and violence, including domestic violence, child labour and sexual abuse against children still need to be addressed, as well as corruption (although the indicator of the perception of corruption has significantly improved since 2012), access to justice and poor access to social services. Some of the issues are due to bad implementation of the existing legislation, due to the lack of faith in the legal system, lack of capacity and slow change in the society's mentality and social norms. Since 2017, the journalists' association has also been denouncing various forms of pressure or censorship against journalists who would not support the Government's line.

**2. EU action - key focus areas:** The EU's priorities in São Tomé and Príncipe remain: economic, social and cultural rights (including access to drinkable water); rights of the child; women's rights and gender equality; encouraging the ratification of the Rome Statute and support to the civil society's capacity to intervene constructively in order to influence policy making in various fields, including the protection of biodiversity.

**3. EU bilateral political engagement:** The EU issued a statement welcoming the ratification by São Tomé and Príncipe of: the UN Convention on Economic, Social and Cultural Rights; the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment; the UN Convention on the Protection of the Rights of All Migrants Workers and members of their Families, the UN Convention on the Elimination of all Forms of Racial Discrimination, the UN Convention on Civil and Political Rights (ICCPR) and the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.

In its regular political dialogue with the Government, the EU encouraged further consolidating good governance and democratic principles and implementing these human rights instruments in order to improve effectively the human rights situation in the country.
In its policy dialogue with São Tomé and Príncipe in the water and sanitation sector, the EU continued promoting improved transparency and public finance management.

**4. EU financial engagement:** Three projects are ongoing in São Tomé and Príncipe, supporting women's rights: the Organization Associação para a Cooperação entre os Povos (ACEP), in partnership with Federação das ONG em STP (FONG-STP), Associação São-tomense de Mulheres Juristas (ASMJ) and Plataforma para Direitos Humanos e Equidade de Género (PDHEG), with a grant of EUR 90,000. The EU awarded the Portuguese NGO ADM Estrela with EUR 236,000 under the 2014 European Instrument for Democracy and Human Rights (EIDHR) thematic line. The NGO, together with Fundação da Criança e Juventude (FCJ), Associação São-tomense de Mulheres Juristas (ASMJ) and Associação São-tomense para o Planeamento Familiar (ASPF), is implementing the project "Mais Voz Violencia Zero", contributing to the eradication of gender-based violence. The third project is implemented by Centro Aconselhamento Contra a Violência Domestica (CACVD), a structure created by the Saotomean Ministry of Justice in the framework of ENIEG (National Strategy for Equality and Gender Equity). CACVD was funded EUR 99,940 to implement a 24 month project which lasts until 2019.

**4. Multilateral context**

São Tomé and Príncipe has now ratified almost all major UN human rights instruments: the United Nations Convention on Economic, Social and Cultural Rights; the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment; the UN Convention on the Protection of the Rights of All Migrants Workers and members of their Families; the UN Convention on the Elimination of all Forms of Racial Discrimination; the UN Convention on Civil and Political Rights (ICCPR); the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty; the UN Optional Protocol to the International Covenant on Civil and Political Rights and the UN Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
São Tomé and Príncipe signed the Rome Statute establishing the International Criminal Court (ICC) in 2000, but has not yet ratified it.

As far as regional human rights instruments are concerned, the country ratified the African Charter on Human and People's Rights in 1986, but has not signed or ratified the corresponding Protocol on the Establishment of an African Court on Human and Peoples' Rights. Despite having signed the African Charter on Democracy, Elections and Governance in 2010, São Tomé and Príncipe has not yet ratified it.
São Tomé and Príncipe underwent the Universal Periodic Reviews (UPR) in January 2011 and 2015 and the upcoming review is due in 2020. The UPR has been an important tool to engage with the government in many essential human rights issues, including, among other: ratification of Human Rights Instruments; rights of the child; gender-based and domestic violence; rights of persons with disabilities.
São Tomé and Príncipe has always been a co-sponsor of the UNGA resolution "Moratorium on the use of the death penalty".
São Tomé and Príncipe usually fulfils its reporting obligations before the UN treaty bodies with delays which can probably be explained by the limited capacity of the country and the fact that, due to "batch ratifications", the reporting date is the same for many documents, a problem which will be aggravated with the numerous ratifications done in 2017.

## Senegal

**1. Overview of the human rights and democracy situation:** The overall human rights situation in Senegal remains satisfactory, particularly against the background of developments in neighbouring countries. However, progress is slow in many areas, such as corruption, early marriage or Female genital mutilation (FGM). Legislation and protective measures remain to be fully implemented or improved (e.g. family code), while existing punitive legislation on LGBTI is unlikely to be addressed. Legislation as well as social custom continue to hamper women's access to health services, education, jobs, land, credit and justice, especially in rural areas. Sexual violence against women and harmful practices, such as FGM/C and early marriage, persist, while protective measures continue to be poorly enforced.

Although Senegal has ratified the major conventions on the rights of the child, the situation concerning street children, many of them students of koranic schools (talibé), remains alarming. Prosecution of the persons exploiting them is still insufficient and adoption of the new law regulating koranic schools is pending. LGBTI persons are at risk of aggression and/or arbitrary detention.

The death penalty is abolished since 2004, but the Second Optional Protocol to ICCPR has so far not been endorsed. Efforts have been made to improve the poor detention conditions in Senegalese prisons, but overcrowding and long pre-trial detentions remain frequent. According to the Minister of Justice, the 37 Senegalese prisons would all have been rehabilitated in 2018.

Regarding elections, in the run-up to presidential scrutiny of February 2019, several controversial aspects of the preparatory process resulted in political distrust. While the space for freedom of expression and assembly remains open, legal provisions concerning freedom of expression include vague definitions and far-reaching powers of the executive, which might be used in a restrictive way. Freedom of assembly is limited by a specific administrative decision which bans demonstrations in the centre of Dakar, where major national institutions are located.

**2. EU action – key focus areas:** EU action focused on the rights of women, children and LGBTI persons. The EU also supported the fight against impunity, strengthened civil society organisations and promoted freedom of expression and assembly in Senegal.

**3. EU bilateral political engagement:** To support women's empowerment, the EU Head of Delegation participated in the first regional meeting of the group "Women in Africa" encouraging women to launch their own businesses. To boost the rights of children, the European Commissioner in charge of International Cooperation and Development participated in the high-level conference of the global partnership on education in Dakar.

The EU Delegation supported the 9$^{th}$ training session in international human rights law, focussed on the role of enterprises in international human rights law organised in September together with the French Embassy, the René Cassin Foundation and the German Friedrich Naumann Foundation.

To celebrate the 70$^{th}$ anniversary of the Universal Declaration of Human Rights, the EU co-financed a free concert organised by the French Embassy at the French Institute in Dakar, under the patronage of the Ministry of justice and the UN High Commissioner for Human Rights on International Human Rights Day on 10 December. Singers and graffiti artists were present to attract a young urban public and to expose them to human rights via selected articles of the Universal Declaration of Human Rights.

In agreement with Senegalese authorities, the EU scheduled the deployment of an Election Observation Mission (EOM) for presidential elections to be held on 24 February 2019. Preparatory talks between independent election experts funded by the EU and a wide range of stakeholders took place in November 2018. This builds upon the EU EOM and election experts missions deployed for presidential and parliamentary elections respectively in 2012, in continuation of subsequent recommendations and follow-up. The 2019 EU EOM will provide an updated analysis of the entire electoral process in order to carry out an impartial, neutral and objective assessment, operating in a fully independent manner. The mission's final report will include concrete recommendations with a view to supporting improvements in view of future electoral processes.

**4. EU financial engagement:** The EU further pursued the implementation of eight projects under the European Development Fund (EDF) for a total of EUR 4.3 million supporting civil society organisations (CSOs) protecting and assisting children who became victims of physical and/or psychological abuse, street children, including talibé children**.** Furthermore,

a regional project under the Instrument contributing to Stability and Peace ended in early 2018 after three years. The project contributed to the funding of SOS Children's Villages work to protect children in difficult situations. Under the European Instrument for Democracy and Human Rights (EIDHR), a new grant was allocated to Plan Ireland in view of an awareness raising campaign in 2019 on various forms of exploitation of children in Senegal.

In the framework of the EU support to the national observatory of detention centres (Observatoire National des Lieux de Privation de Liberté - ONLPL), EU Delegation participated in awareness raising missions, prison visits and training sessions for members of the security forces on prisoners' rights in various locations in Senegal.

Financial assistance (EUR 10 million) under the 11th EDF to strengthen the rule of law continued, improving judicial administration, strengthening the respect of human rights, and fighting corruption and money laundering. The EU also provided EUR 500,000 to the national office for the fight against corruption. The same amount was provided in support to the national cell for the treatment of financial information (Cellule Nationale de Traitement des Informations Financières – CENTIF) in order to strengthen the national fight against money laundering and terrorism financing. Furthermore, the EU is providing support to the Senegalese security forces to fight against terrorism and organised crime (EUR 10 million under the 11th EDF), which also aims at promoting good governance, transparency, inclusivity, accountability and human rights. The EU supported also the construction of several court buildings to improve access to justice for the population at large.

**5. Multilateral context**: Senegal has been elected member of the UN Human Rights Council for the period 2018-2021 and as its chair in 2019. The country remains active in support of the International Criminal Court (ICC).

Senegal underwent its Universal Periodic Review (UPR) in November 2018, including a review of commitments taken at the last UPR in 2013, when the country had accepted 152 out of 185 recommendations. Concerning the strengthening of national human rights institutions, it was noted that the national human rights commission and the ONLPL were insufficiently funded and their independence was not guaranteed by the legal framework. During the 2018 session, recommendations mainly concerned women's rights, children's rights and rights of persons with disabilities, ethnic minorities or LGBTI persons. The official response of the government to the recommendations issued is scheduled for early 2019.

## The Seychelles

**1. Overview of the human rights and democracy situation:** Seychelles ranked 2nd in the 2018 Mo Ibrahim Index of African Governance and is well positioned to serve as example among its peers. Recently adopted measures confirm the Seychelles' ambition to make further progress in this area, but some of them still need to be implemented. The principles of the constitutionality and the independence of the judiciary will be key in this context. The independent institutions are either new (Anti-Corruption Commission), or under reconstruction (Electoral Commission, Human Rights Commission, Ombudsman), and all face capacity issues.

The Human Rights Commission Bill was approved in June 2018, establishing an independent Commission. However, its implementation has been slowed by legal issues surrounding the exclusion of a candidate to lead the Commission. The Access to Information Bill was adopted in May 2018 but its provisions remain to be implemented. The Truth, Reconciliation and National Unity Commission Bill was approved in August 2018.

Seychelles has adopted a 'zero tolerance' policy to trafficking in human beings.

**2. EU action - key focus areas**: The EU carried out activities in the following priority areas:

- Strengthening electoral processes

The electoral governance project was implemented by the Citizens Engagement Platform Seychelles - CEPS (funded by the European Instrument for Democracy and Human Rights-EIDHR). The project (which benefited from EU Delegation and Member States joint efforts) brought collaboration between CEPS and the Electoral Commission who jointly delivered training to political parties on their rights, duties and obligations.

- Institutional strengthening of HR and Governance related institutions

The EU financed Transparency Initiative (funded by the Civil Society and Local Authorities budget – CSO/LA) allows for awareness raising and educating activities for the citizens of Seychelles and all stakeholders on the issues of governance, accountability and corruption. Actions also include research on corruption, building a platform for advocacy and constructive debates to support and implement structures/guidance related to good governance and accountability and facilitating meetings on corruption. The project is implemented in collaboration with the Anti-Corruption Commission Seychelles. The prevention activities that are implemented under this project also assist the Anti-Corruption Commission Seychelles in achieving some of its objectives, namely awareness raising in schools.

- Combatting domestic violence

The EIDHR grant to CEPS covers activities aimed at the improvement of the quality of life and dignity of vulnerable women, increasing their opportunities, protection and integration in the society. An EU funded shelter for women who are victims of domestic violence was inaugurated by EU Ambassadors in the margins of a political dialogue session with the Government of Seychelles (CSO/LA budget). The rules and procedures to operate the centre are being discussed between the CEPS and the Government and the President has committed to build a permanent shelter for women victims of violence, to be managed by CEPS. CEPS also organised a much-awaited debate on the draft Domestic Violence Bill in 2018 with the Government.

**3. EU bilateral political engagement:** The EU continued to support human rights and democracy in Seychelles through Article 8 Political Dialogue held in November 2018 and cooperation programmes. The EU's objectives are to promote respect for human rights, democracy and rule of law, especially with regard to strengthening of electoral processes, institutional strengthening of human rights and governance related institutions, combatting domestic violence and addressing drug abuse especially among women. The reinforcement of the capacity of the Attorney General's Office and the Anti-Corruption Commission is a key priority shared by the EU and the three branches of government.

The EU and Member States also carried out activities in the following fields: fight against human trafficking, social justice, truth and reconciliation, LGBTI rights and broad human rights related awareness raising campaigns.

**4. EU financial engagement:** The use of thematic budget lines (EIDHR and CSO-LA) has been fundamental and contributed to the following priority areas: electoral governance, institutional strengthening of human rights and governance related institutions, fight against corruption, combatting gender based violence and drug abuse. Improving governance in the country is key for continuous economic and inclusive growth as well as enhancing business environment which in turn should render foreign direct investment (including by European companies) more attractive in the years to come.

The EIDHR funded the electoral governance project implemented by the Citizens Engagement Platform Seychelles – CEPS (EUR 99,000) while the CSO/LA budget financed the Transparency Initiative on governance, accountability and fight against corruption (EUR 300,000), as well as the shelter for women who are victims of domestic violence and drug abuse run by CEPS (EUR 300,000) and other activities linked to this project.

**5. Multilateral context:** Seychelles remains an important international ally to the EU. Seychelles' commitment to multilateralism was underlined by the President during the 73th UN General Assembly and reiterated during the Article 8 Political Dialogue with the EU in November 2018. Seychelles has joined the Global Alliance to end trade in goods used for capital punishment and torture.

Seychelles has ratified the Rome Statute in 2010 and remains committed to the International Criminal Court (ICC). The country has accepted 143 out of the 151 recommendations formulated during the 2016 Universal Periodic Review (UPR).

## Sierra Leone

**1. Overview of the human rights and democracy situation:** Sierra Leone has achieved remarkable progress in human rights and democracy since the end of the civil war. However, challenges persist, largely due to poverty, governance issues and entrenched traditional practices. The human rights legal framework is satisfactory, while the main issue continues to be implementation. Presidential, parliamentary and local elections took place in March/April 2018 and yielded a peaceful transition of power to Julius Maada Bio in May 2018. President Bio's commitment to human rights was reaffirmed at State Opening of Parliament in May 2018. Limited progress on the human rights agenda has been achieved so far. The launch in December of a National Strategy for the Reduction of Adolescent Pregnancy and Child Marriage is a welcome development. Since the new Government of Sierra Leone (GoSL) has relieved the previous Commissioners of The Sierra Leone Human Rights Commission (SLHRC) of their duties in 2018, the appointment of new Commissioners is pending and the process has been challenged. The new administration has significantly stepped up efforts to curb corruption, with tangible results, but in 2018 efforts appeared to focus on the past administration. Several high-level appointments and the replacement of significant numbers of state employees raised concerns with regard to due process and inclusive governance. Violent clashes between supporters of opposing parties in September

2018 during the Kambia by-elections have not been publicly condemned by the GoSL and an official investigation report is still pending. In December 2018, a draft Development Cooperation Framework was presented, in which the role of NGOs is largely restricted. Furthermore, the Constitutional Review Process, aimed to increase inclusive democracy and national cohesion and to align the Constitution to international human rights norms, came to a standstill in the wake of the change of government. Further efforts are needed in the areas of consolidating the rule of law and the separation of powers in Sierra Leone.

**2. EU action – key focus areas:** EU activities in Sierra Leone in the area of human rights and democracy in 2018 focussed on promoting gender equality and woman's rights, support to electoral processes, improving detention conditions, working with civil society, support to freedom of expression, abolition of the death penalty, enforcement of legislation against child labour and exploitation, rights of persons with disabilities, fight against corruption and improved access to justice, health and education.

**3. EU bilateral political engagement:** In the framework of the political dialogue, the EU and Member States invited the GoSL to make further progress in the areas of transparency, rules-based decision making and disclosure, implementation of the recommendations issued by the EU Election Observation Mission (EOM), women's and children's rights, repealing criminal libel law and the abolition of the death penalty. They expressed support to the GoSL in its efforts to minimise corruption but underlined that the Commission of Inquiry should apply the highest levels of transparency, integrity and independence. They also conveyed concerns regarding the new NGO policy, which might possibly lead to a de facto restriction of civil society space. Many of these points were also discussed during the visit of President Bio to the EU in November 2018.

In partnership with UN Women, the EU Delegation held a major awareness raising event in November 2018 to mark International Day for the Elimination of Violence against Women. For the 16 Days of Activism Campaign, EU produced a video with strong messages from gender ambassadors in Sierra Leone, including from President Bio. The video was aired on national TV and during a National Gender Based Violence Policy Dialogue conference. The EU and Member States continued to advocate for the elimination of FGM, focusing in 2018 on the approval of a National Strategy for the Reduction of FGM and supporting sensitisation efforts. On Human Rights Day, a video from the EU Human Rights Defenders Campaign was projected. International partners continued to advocate with GoSL for the repeal of criminal libel and the abolition of the death penalty.

**4. EU financial engagement:** The EU and Member States actively supported the UN-led process of assisting Sierra Leone in holding credible, inclusive and transparent elections in 2018, by being constantly engaged in the strategic and technical steering structures of the process. An EU EOM was deployed to assess the entire electoral process and presented its 29 recommendations to the GoSL and election stakeholders. Under its governance programme, the EU provided technical assistance to the National Electoral Commission (NEC) for EOM follow-up and to Parliament to facilitate the legislative process for corresponding legal instruments. Another technical assistance team worked within the National Civil Registration Authority on legal and technical issues to create future voter registers. A multi-donor UNDP electoral assistance programme brought together the EU, UK

and Ireland (and also Canada) in financially supporting the NEC, including post-electoral activities till end 2018. The EU also supported National Elections Watch (NEW), an umbrella CSO with over 300 member organizations, as well as the NGO Search for Common Ground to improve overall citizens' involvement and participation in governance processes in six selected districts. A project under the African Peace Facility, implemented by ECOWAS, assisted with the prevention, management and resolution of conflicts around the time of elections and had a concrete positive impact on the 2018 elections process. Support for the work of the NEC funded by the UK, Ireland and EU included a priority focus on participation of people with disabilities.

The EU supported the local NGO Prison Watch, which works on improving the human rights situation in detention centres. A number of projects signed in 2018 under the EU's Civil Society Organisations/Local Authorities (CSO/LA) budget line work towards empowerment of women and their participation in policy making, as well as strengthening of rural CSOs to enable them to participate in development and decision making processes. A project funded under the European Instrument for Democracy and Human Rights (EIDHR), led by the international NGO GOAL in collaboration with World Hope International and the Sierra Leone Labour Congress, has been addressing trafficking in human beings, child labour and decent work issues. The EU worked with local authorities and CSOs to support quality learning and education service delivery. Several projects across the country are aimed at increasing access of especially the girl child to education, improving the quality of teaching and teaching facilities and educational infrastructure. The EU also supported projects for improved access to quality education for children with disabilities in two districts.

**5. Multilateral context:** The EU and the Member States followed up on the implementation of recommendations made in the framework of Sierra Leone's 2nd cycle Universal Periodic Review (UPR) held in January 2016.

## Somalia

**1. Overview of the human rights and democracy situation:** Somalia continues to suffer from widespread insecurity, fuelled primarily by almost daily attacks from Al-Shabaab, but also persistent clan rivalries and capacity weaknesses of the Somali security forces. The lack of security and rule of law remain major obstacles for ensuring any protection of basic human rights, with basic policing functions, access to justice and correctional facilities only being available in limited locations, mostly in Mogadishu and to varying degrees in the regional capitals.

The absence of institutions, legislative frameworks and capacity to implement them remains a key obstacle to ensure respect for human rights. During 2018, the Federal Government signalled its intention to develop a justice model, establish key institutions such as the human rights commission, judicial service commission and constitutional court, and approve important legislation on matters related to anti-corruption and elections. However, work towards this end has not made significant progress following the suspension of cooperation between the Federal Government and the Federal Member States in September 2018.

As the regional elections in South West State have illustrated, the absence of institutions and legislation governing the conduct of the different stakeholders before, during and after the

elections can lead to human rights abuses, including occurrences of violence. The upcoming regional elections in Jubbaland and Galmudug States should anticipate the shortcoming and weaknesses identified in the elections in South West State.
In this context, the EU is encouraging the Federal Government to investigate wrongdoings during those elections and held those responsible for human rights violations accountable. The EU is also encouraging the Federal Government to collaborate with the Human Rights Due Diligence Investigation initiated by the United Nations in December 2018.
Freedom of expression and of the press is severely constrained, and attacks against journalists common. Insufficient protections exist to ensure the respect of women's and girls' rights which continue to be seriously violated, with sexual and gender-based violence pervasive. Respect for the rights of children remains a concern, with an upshot in forced recruitment of minors by Al Shabaab being a particular concern. While Somalia has been elected to the UN Human Rights Council (HRC) in 2018, the establishment of Somali institutions (such as the Human Rights Commission foreseen by the provisional Constitution) that can serve to tackle the human rights situation still needs to be concretised. Chronic instability and the focus on security issues will continue to make it difficult for the Federal Government of Somalia to implement and respect key human rights commitments.

**2. EU action – key focus areas:** EU's support to Somalia is guided by the objective to rebuild the state, improve stability and reduce poverty. EU activities in Somalia and Somaliland in the area of human rights in 2018 focussed on promoting gender equality and women's rights, ending violence against women and children, improving access to justice through institutional capacity building, support to mobile courts and legal aid provision, as well as the promotion of alternative dispute resolution mechanisms. EU actions also focused on supporting the police and providing human rights training, strengthening the role of the media and civil society organisations (CSOs) to monitor and report on human rights violations, as well as improving detention conditions and access to justice by prisoners.

**3. EU bilateral political engagement:** The protection of human rights is a key element addressed by the EU in its regular exchanges with government counterparts at all levels. The EU backs this dialogue with concrete support to build the capacities of Somali security actors to improve the respect for human rights. In its role as chair of the Human Rights Working Group and regular participant to the Human Rights Pillar Working Group, the EU has been actively engaging in advocacy efforts on various human rights-related topics, including in favour of establishing the Human Rights Commission. In the next Art. 8 political dialogue, the EU will have the opportunity to address human rights issues at the highest political level.

**4. EU financial engagement:** In 2018 the EU continued supporting a range of projects related to strengthening the respect for human rights in Somalia (including Somaliland), both through the European Instrument for Democracy and Human Rights (for a total of EUR 5 million) and the EU Emergency Trust Fund for Africa (EUTF), the latter providing new support in the areas of rule of law, corrections, and security sector reform. The new EUTF-financed programmes are implemented through the UN Multi-Partner Trust Fund (MPTF) and were signed in December 2018 for a total contribution of EUR 16.3 million. EU support to democratisation is provided both through the UN MPTF and projects implemented by CSOs, focusing on enhancing political representation of women, minorities, internally displaced people and persons with disabilities. The EU's support to the media sector focuses i.a. on

safety and security of journalists and improving the awareness among Somali security forces on the rights and existing laws protecting journalists in Somalia.

**5. Multilateral context:** Although several human rights-related international commitments have been ratified by the Federal Government of Somalia, the ability of the Somali authorities to implement them remains weak. The Federal Member States are even further away from being in a position to adhere to international commitments due to extremely limited capacities. Yet with Somalia having been elected to the UN HRC in 2018, there is an opportunity to reinforce the work done with key government actors in favour of a strengthened enforcement of human rights commitments. This also represents an opportunity for civil society actors to lobby more effectively for the respect of human rights in Somalia. The Federal Government has recently indicated that it will engage in a voluntary Mid-Term Review Report on the implementation progress of the Universal Periodic Review (UPR) recommendations. Somalia has yet to adopt and/or ratify a number of other key international commitments, including the Rome Statute for the International Criminal Court.

## South Africa

**1. Overview of the human rights and democracy situation:** Realisation of socio-economic rights for all and elimination of all forms of discrimination and inequality remain the country's biggest challenge. 2018 saw the national debate brought forward on several complex issues, such as: gender-based violence; universal healthcare; land reform and linked to this, the acrimonious existence of traditional/customary and common law rights and systems further entrenching inequality. The new leadership, receptive to societal pressure, undertook an active role. The fight against high-level corruption entered a new dynamic, exposing the extent of erosion of institutions. Restoring the trust of citizens will be a challenging task, but some promising steps have already been taken. Positioning of parties ahead of general elections in May 2019 has polarised society, politicising key issues like land reform or migration, creating space for populist narratives, with the underlying risks of increasing racism and xenophobia. During 2018, journalists have faced open and repeated harassment and threats from opposition parties. Threats and harassment of human rights defenders (HRDs), particularly active in mining and environmental sectors, have raised particular concerns, as noted by the UN Committee on Economic, Social and Cultural Rights. An active and robust media, civil society and an independent judiciary – credited with a significant contribution to bringing about the leadership transition early 2018 - continued to play a key role in protecting rule of law and fundamental democratic rights. There have been encouraging signs on a more value-based foreign policy, but its scope will depend on the outcome of elections.

**2. EU action- key focus areas:** The EU collective action in 2018, whether through political and policy dialogue and outreach at different levels, or by means of technical and financial assistance and public diplomacy, addressed the following priority areas:

- Rule of Law, access to justice and the fight against impunity; reinforcement of accountability mechanisms, including Legislature, Judiciary and Chapter 9 Institutions;
- Socio-Economic Rights;

- Gender Equality, Women Empowerment and Gender Based Violence;
- Inclusion: Migrants, racism, LGBTi and disabilities;
- International Dimension of Human rights.

**3. EU bilateral political engagement:** The 5th EU-South Africa Human Rights Dialogue held in Pretoria on 27 March 2018 focused on improving cooperation in key issues on the multilateral human rights agenda, including the death penalty moratorium, business and human rights and an exchange of views on the functioning of the Human Rights Council (HRC), in the context of the upcoming review, and on domestic human rights issues in South Africa linked to EU support. These included ratification of OPCAT, gender based violence and socio-economic rights. The EU-South Africa summit (15 November 2018) agreed to strengthen cooperation on human rights at the UN HRC and other multilateral fora. The South Africa-EU Inter-parliamentary meeting (31 October-1 November 2018) also addressed a number of human rights issues, including sharing experiences on land reform and condemning modern slavery and calling for international cooperation to fight it. The EU Delegation and Member States continued regular outreach to the Department of International Relations and Cooperation ahead of human rights multilateral meetings, to share and deepen understanding of respective positions.

**4. EU financial engagement:** EU financial assistance was channelled primarily through the European Instrument for Democracy and Human Rights (EIDHR), the thematic lines of the Development Cooperation Instrument (Civil Society Organisations and Local Authorities; Justice; Education; Health). Substantial support programmes on Enhancing Legislature Oversight, improving access to socio-economic rights and gender equality were either launched or continued during 2018. Targeted activities provided support to the South African authorities in: (i) drafting of legislation (e.g. The Smuggling of Migrants Bill); (ii) implementing the National Action Plan against Racism (design data collection methods) and the National Strategy for LGBTI people (fast track justice for homophobic incidents), respectively; (iii) preparing for the establishment of a National Preventive Mechanism, in order to accelerate the ratification of OPCAT; (iv) preparing a national cybersecurity framework legislation; v) identifying possible measures to address illicit financial flows being diverted to foreign jurisdictions; vi) capacity building for conflict resolution for the IEC senior management staff at national and provincial level, ahead of general polls in 2019.

Civil society organisations (CSOs) are important dialogue and implementation partners in all activities. In addition, the EU provided more than 10 specialised trainings days in 2018 and supported the production of 10 short movies highlighting the work done by CSOs to promote human rights. Extensive public diplomacy efforts throughout the year culminated in a joint public event with the government and OHCHR on 7 December 2018, to mark the 70th anniversary of the Universal Declaration of Human Rights, with the participation of Michelle Bachelet, UN High Commissioner for Human Rights and President Ramaphosa.

**5. Multilateral context:** Member of the UN Human Rights Council for a second consecutive mandate, South Africa has been an unpredictable and challenging partner on Country Specific Resolutions, but also on issues related to business and human rights or LGBTI. First ever recommendations of the UN Committees on Economic, Social and Cultural Rights

(September 2018) and on the Rights of People with disabilities (October 2018) called, among other, on South Africa to withdraw its Declaration in relation to article 13 (2)a and 14 of the ICRSCR and ensure free primary education for all, including children with disabilities, migrant, refugee and asylum seeking children, a significant number of which (including approximately half a million children with disabilities) remain outside the school system.

The encouraging signs that under President Ramaphosa the country may start pursuing again a value-based foreign policy, underpinned by the values and principles of its progressive Constitution were timidly followed through. South Africa support for the UN resolution on the human rights situation in Myanmar in December 2018 was a first step in an announced shift in its voting patterns in multilateral fora, suggesting there may be room for increased EU-South Africa cooperation.

The notice of withdrawal and an alternative draft legal framework regulating international crimes, i.e. International Crimes Bill, have stalled in Parliament since being submitted end of 2017.

## South Sudan

**1. Overview of the human rights and democracy situation:** The peace agreement signed in September 2018 has led to a cessation of hostilities which was largely respected. As a result, the security situation has significantly improved and has allowed the relaunch of some economic activities and safer movement of persons, with direct positive impact on the population. However, fighting continued sporadically even after the signing of the peace agreement and high levels of sexual and gender based violence occurred, in particular a mass rape in Unity State in November 2018. While the signing of the peace agreement has led to the release of some prisoners of war and political detainees, others, including prominent political and civil society figures, remain in prison. The authorities have responsibility to ensure due process for those who are considered to be criminal cases. Despite the peace agreement, the humanitarian crisis affecting the people of South Sudan is in 2018 more acute than in previous years. While situation demands an urgent scale-up of the humanitarian response, aid workers are themselves a target.

Prior to the peace agreement, civilians, including the most vulnerable, bore the brunt of the conflict: indiscriminate attacks, revenge killings, torture, abduction of women and children, forced displacement, property looting and burning, starvation, rape and other forms of sexual and gender-based violence are human rights violations and abuses that have been documented in 2018 by the Commission on Human Rights in South Sudan (CHRSS) and in two human rights reports by UNMISS. Work on the establishment of transitional justice mechanisms (including the Hybrid Court and the Commission for Truth, Healing and Reconciliation) proceeded very slowly. The environment of impunity continues and contributes to the deterioration of human rights situation. Alleged perpetrators still occupy senior political and military positions. According to UN and international NGOs reports, a significant number of death sentences have been pronounced by South Sudanese courts in 2018 and even more people are currently on death row.

Overall, real progress towards increased political and economic accountability, transparency and inclusiveness is extremely slow. The space for civil society, in particular human rights defenders and journalists to work freely remains heavily constrained. They are subjected to intimidation, harassment, arbitrary arrest. There is both censorship and considerable self-censorship in the country.

**2. EU action - key focus areas:** The EU priority in 2018 was to urge all South Sudanese parties to participate in an inclusive peace process in good faith and show increased real commitment on creating the conditions for sustainable and lasting peace and stability. The EU has encouraged all parties to implement fully the ceasefire agreement of December 2017 and implement fully and timely the revitalised peace agreement of September 2018. As a key focus area, the EU deployed action to promote democracy and human rights, including gender equality as well as to support accountability for human rights violations committed during the conflict. The EU has attached particular importance on continued monitoring of the situation with regard to the democratic space, freedoms of expression, association and assembly and support to South Sudanese Hunan Rights Defenders (HRDs).

**3. EU bilateral political engagement:** Through 2018 the EU, which chairs both the EU Heads of Mission meetings (HoMs) and an extended HOMs group in Juba (the latter including, besides EU members states, Asian and African states, as well as Canada, Norway, Switzerland and US) coordinated messaging and took action to promote the revitalisation of the peace agreement and condemn and discourage violations of the ceasefire. Since the signing of the peace agreement, the EU has continued advocating around the cessation of hostilities, and the effective performance of the corresponding monitoring and oversight bodies. The EU took the lead in coordinated statements and demarches, for example on the mass sexual violence in Bentiu in November 2018, and the attack on ceasefire monitors in December 2018. A key focus of EU engagement in 2018 continued to be the targeting of humanitarian aid including issues of access denial, harassment and bureaucratic impediments. The EU together with Sweden organised a well-attended event on International Women's Day, as well as public events on International Human Rights Day: This included 16 days campaign against gender-based violence, participation of EU ambassadors in a radio talk show about human rights, death penalty and the important role human rights defenders; hosting of an event with artists and performers from South Sudan on the theme of human rights, gender-based violence and early marriages and an article by the EU Ambassador on the EU's role as Global Chair of the Call to Action to end gender-based violence in emergencies.

**4. EU financial engagement:** A project under the European Instrument for Democracy and Human Rights (EIDHR) aims at contributing to the establishment of a network of human rights defenders. Its objective is to increase the quantity and quality of human rights work by improving the safety and security of local HRDs. In 2018 more than 200 civil society activists were trained. A strong network of 40 civil society organizations has participated in various capacity building activities financed by the project. In 2018 the EU has with this project invested in the civic space in both rural areas (such as Wau, Yei and Mundri) and in the capital Juba. Another EIDHR project is focusing on capacity building for independent local media and the promotion of access to information and free online and offline expression in South Sudan via radio stations. In 2018, two new radio programmes on refugees and women

were created, in addition to the previous 14 programmes. Two new platforms were also created (Facebook Live and Instagram) and around 25 journalists trained. For many people, this is an important source of information on the situation in the country.

The remaining ongoing EIDHR/Civil Society Organisations projects focus on supporting disabled people, older externally displaced people, media freedom, as well as technical and vocational education. A newly approved programme (*Building Sustainable Peace and Reconciliation in South Sudan*) includes a component to "Promote a comprehensive approach to transitional justice". This is intended to result in an increased awareness of national stakeholders on concepts of transitional justice and to conduct selected preparatory actions for national transitional justice mechanisms.

**5. Multilateral context:** The full implementation of international human rights commitments of South Sudan remains a challenge. Recommendations from the latest Universal Periodic Review (UPR) of November 2016 did not materialise and in 2018 no plan of action for their implementation was finalised by the authorities. The government of South Sudan has shown cooperation with the UN mechanisms by receiving a technical mission by the OHCHR. The UPR midterm review is due to take place in May 2019, with the next review taking place in 2021.

In July 2018, OHCHR and UNMISS Human Rights Division released their report documenting gross violations and abuses of international human rights and humanitarian law in Unity State, South Sudan, in April-May 2018. The EU has continued to support the work of the Commission on Human Rights in South Sudan, established by the Human Rights Council in 2016, and supported the extension of its mandate.

## Sudan

**1. Overview of the human rights and democracy situation:** The human rights situation in Sudan is a matter of continuous concern for the EU. The intensified restrictions on independent media, civil society, harassment and arbitrary detention of human rights defenders, political activists and journalists as well as the lack of accountability for perpetrators of human rights violations and abuses remain commonplace in Sudan. In mid-December, large-scale protests erupted across Sudan. Sparked by rising costs of living and shortages, the latter have cast a spotlight on a much deep-rooted public discontent over the Government's policies. The Sudanese security forces responded by using force, at times live ammunition, but also tear gas and arbitrary arrests. Amnesty International assessed around 40 people to have been killed by the end of 2018. Hundreds of demonstrators, including human rights activists, journalists and opposition members, remained detained with independent media, including social media, curtailed.

**2. EU action – key focus areas:** Despite the increased restrictions on human rights defenders (HRDs) and civil society, the Human Rights and Democracy Country Strategy (2016-2020) for Sudan continues to be relevant. The EU's key focus areas are (i) promotion of greater space and a safe, conducive environment for HRDs and civil society organisations (CSOs); (ii) ensuring greater freedom of expression in the press, the media and on digital platforms and

freedom of speech; (iii) protection and promotion of the human rights of women and children; (iv) protection and promotion of the human rights of migrants, refugees and IDPs and (v) fostering inclusive and peaceful governance that respects human rights.

**3. EU bilateral political engagement:** The EU continues to co-chair and host the International Partners' Forum for Human Rights, a group of diplomatic representatives in Khartoum that regularly exchanges on human rights issues. The EU Delegation also closely monitored specific human rights cases, observed court trials as well as raised human rights concerns and called the Sudanese authorities for action. The EU also issued several statements in 2018, both locally as well as by the Spokesperson of the High Representative, expressing concerns about the Government of Sudan's violent response to protests, calling for restraint and respect to freedom of expression.

On the International Women's Day in March, the EU Delegation organised a lunch debate with women human rights activists to discuss possible actions to promote women's rights in Sudan. The Annual Human Rights Award of the EU Delegation was dedicated in 2018 to justice and equality for women. The Prize was awarded to a renowned women's rights activist Nahed Jabrallah. During the global 16 Days of Activism Against Gender-based Violence campaign, the EU co-hosted with the Embassy of Spain and SEEMA Center for Training and Protection of Women and Children's Rights a workshop in the framework of Eliminating Violence Against Women.

In October, the EU Delegation together with the Embassies of the resident EU Member States and the United States organised an encounter with Sudanese chief-editors and journalists. A local statement issued thereafter highlighted concerns about constraints on freedom of expression and press freedoms in Sudan, in particular the continuous seizures of newspapers. Sudanese authorities expressed their discontent with the issued statement.

The European Parliament adopted two resolutions in 2018 on the human rights situation in Sudan. In March, the Parliament expressed concern about the arrests of human rights defenders in Sudan, including human rights lawyer Salih Mahmoud Osman. He was released by the authorities only in April. In May, the parliamentarians drew attention to the case of Noura Hussein Hammad, facing the death penalty. In June, Noura's death sentence was replaced with a 5-year prison term.

**4. EU financial engagement:** Throughout 2018, the EU continued to support a number of projects relating to human rights in Sudan through European Instrument for Democracy and Human Rights (EIDHR) and Civil Society Organisations and Local Authorities (CSO-LA) funding. The EU provided support to human rights defenders through the EIDHR emergency small grant facility.

The EU also continued to provide Sudan with technical assistance relating to human rights and good governance, such as human rights capacity trainings, technical support on the rule of law and assistance in the implementation of the UN Action Plan on ending and preventing recruitment of child soldiers.

In 2018, an EU-funded project *xChange Sudan* was launched with the aim of establishing a new space for multimedia knowledge in Sudan. The project is also training journalists in investigative reporting techniques and making them familiar with new multimedia formats.

The EU supported directly the people of Sudan through actions funded by the EU Emergency Trust Fund for Africa (EUTF). The EU's cooperation mainly focuses on assisting refugees, internally displaced persons (IDPs) and host communities. The main areas of this on-going support include education, health, food security, rural development and the fight against climate change. The EU's assistance strictly follows the 'Do-no-harm approach'. In addition, the EU continued to be instrumental in supplying humanitarian assistance to the people in need.

**5. Multilateral context:** The UN Independent Expert for Human Rights in Sudan, Aristide Nononsi, visited Sudan in April 2018. During his visit, Nononsi called on the Government to lift restrictions on freedoms of expression and association, and allow civil society actors, as well as political activists to demonstrate peacefully and engage in public action. He also stressed that the National Intelligence and Security Service (NISS) should cease using unlawful detentions to silence HRDs, journalists and political activists. The UN Human Rights Council (HRC) in September extended the Independent Expert's mandate for one more year or until an Office of the UN High Commissioner for Human Rights (OHCHR) in Sudan is declared fully operational. The Office is yet to be established, an expert team from the OHCHR visited Sudan in December to start negotiating the terms of reference.

The EU speech at the 37th session of the HRC expressed concerns about the arrests and detentions *inter alia* of human rights defenders, journalists and members of the opposition in Sudan and about the restrictions on freedom of expression and association. During the 38th session of the HRC in June 2018, the EU included Sudan in its item 2 statement, expressing concerns about the human rights situation in the country and urging the Sudanese authorities to respect the rights to freedom of opinion, expression, association and peaceful assembly, in compliance with international human rights law.

Concerning cooperation with the International Criminal Court (ICC), President Omar al-Bashir remained subject to two arrest warrants issued by the Court on charges of crimes against humanity, war crimes and genocide. During a UN Security Council hearing in December, ICC Prosecutor Fatou Bensouda regretted that Sudan continued to refuse to cooperate with the Court, thus failing to demonstrate its commitment to ending impunity and denying justice for the victims in Darfur.

## Tanzania

**1. Overview of the human rights and democracy situation:** Overall, the United Republic of Tanzania remains a stable and peaceful country. However, 2018 was marked by growing concerns over the protection of human rights and fundamental freedoms, especially freedom of expression, association and assembly. Recent legal reforms and practices are contributing to creating a non-conducive environment for the promotion of civic and political rights as well as for fundamental rights of various groups (e.g. pastoralists, pregnant

teenagers, LGBTI, refugees) and of human rights' defenders (HRDs) and opposition politicians in general. The Government's commitment to human rights also decreased, and civil society organisations (CSOs) and religious leaders have denounced a shrinking civic space on several occasions.

**2. EU action - key focus areas:** In connection with World Refugee Day, the EU Delegation launched a social media campaign casting light on the persecution, conflict and violence many refugees flee from and the unsafe conditions they often live in.

On International Women's Day, the EU Delegation together with other partners organised a panel discussion of men, including political leaders, youth and human rights activists, giving their personal experience of and role in countering gender-based violence, and gender roles in the family and national economy. In May, the EU Delegation organised events highlighting the importance of gender equality in agriculture. Other sponsored activities involved children and youth on their international days, respectively, advocating for their rights and opportunities to reverse gender imbalances. Together with the Swedish embassy and UNFPA, the EU Delegation launched the photo exhibition "Faces of Resilience" focusing on successfully ending FGM. The EUD also had videos produced on women doing well in a male-dominated environment as part of the Global #SheIsWe Campaign, and three cartoons on gender rights, consent and negotiation gender roles. In parallel, social-media campaigns have aimed to enlighten and inform the public, featuring social influencers.

A local statement was issued on the rise in political violence and intimidation in February 2018, after a young student riding a bus was fatally hit by a stray bullet while security forces were trying to disband an opposition rally.

The EU Delegation and Member States have bilaterally raised concerns over relevant human rights abuses and other sensitive issues on appropriate occasions. On World Press Freedom Day the EUD co-financed a two-day workshop where media outlets, CSOs, academic institutions and government bodies worked on topics such as free speech online, promoting journalists' safety, sexual harassment in the media industry, and contemporary challenges to press freedom.

The EU Delegation also facilitated a regional study on shrinking civic space and two subsequent regional workshops with local NGOs (through the Supporting Democracy program), as well as an assessment on media and an internship for four young journalists (via Media4Democracy).

**3. EU bilateral political engagement:** As a continuation of 2017's focus on women's rights, the EU Delegation engaged in facilitating events about ending female genital mutilation (FGM), teenage pregnancies and child marriage, which culminated in a high-level National Dialogue and resulted in engagement from the East African Community (EAC) on the cross-border aspects of gender-based violence in general and FGM in particular.

Furthermore, in November the HRVP Federica Mogherini issued a declaration on behalf of the EU on EU-Tanzania relations, which expressed concerns about shrinking public space and deteriorating trends for human rights.

In December, the European Parliament adopted a resolution on the situation of human rights in Tanzania, expressing concerns about the deteriorating political situation, characterised by a shrinking of the public space through the tightening of restrictions on the activities of CSOs, HRDs, the media and many political parties.

**4. EU financial engagement:** In 2018, the EU continued supporting projects worth approximately EUR 10 million in the area of democracy and human rights and facilitating capacity building and networking initiatives.

Three specific actions worth EUR 2 million (European Instrument for Democracy and Human Rights - EIDHR), are currently ongoing to protect young women from female genital mutilation and child marriage in the most affected regions (Mara, Geita and Shinyanga) and older women from killings based on witchcraft suspicions. Overall these projects aim at saving 2500 women from harmful practices, as well as at producing long lasting changes in the communities, so that women can feel safer and see their rights respected.

Three actions worth EUR 2 million under the European Development Fund (EDF) are ongoing to support the inclusion of women and youth in political system, in view of the upcoming elections. These projects will train approximately 4000 aspirants, while working in collaboration with government institutions, parliament and political parties, as well as fighting against common prejudices.

Three additional actions worth approximately EUR 2 million (CSO+EIDHR) are aiming at strengthening accountability and fighting against corruption in the areas of public finance, environment and business rights.

In addition, a EUR 3 million (EDF) program funds 18 CSOs in Zanzibar and Pemba to implement micro projects in the area of youth advocacy, women rights, civic education, legal aid, as well as heritage and environment preservation. The program aims at strengthening the capacities of CSOs and their engagement in policy dialogue with relevant institutions.

A new project of EUR 1 million (EIDHR) was signed in December to enhance the protection of PWDs in refugees' camps and across the border between Tanzania and Burundi.

Finally, in 2018 the EU Delegation has also facilitated studies and exchanges on civic and democratic space both at regional and national level, and supporting capacity building and networking initiatives for CSOs and HRDs through existing EU global programmes, such as *Supporting Democracy, Media4Democracy, Protect Defenders* and other budget lines.

**5. Multilateral context**: During the 39$^{th}$ Session of the UN Human Rights Council in September 2018, the EU included Tanzania in its statement under item 2, expressing concerns about the human rights situation in the country. At the end of 2018, the National Dialogue co-organised by the EU Delegation was showcased as an approach with visible results on the International Conference for Ending FGM in Burkina Faso organised by the United Nations and the African Union.

## The Gambia

**1. Overview of the human rights and democracy situation:** In 2017, a democratic change of leadership ended 22 years of authoritarian rule under former President Yahya Jammeh, after opposition candidate Adama Barrow had won presidential elections on 1 December 2016. Under President Jammeh, areas of specific concern included press freedom, the death penalty, prison conditions, rights of LGBTI persons, arbitrary arrests, detentions beyond the constitutional limit of 72 hours, and judicial independence. The current government is committed to democratic reforms, respect of human rights and the rule of law and has made good progress in 2018. However, the financial, economic and political legacy of former President Jammeh constitutes a challenge, and the country remains politically divided. Civil society is gradually strengthening its capacities and level of organisation in order to fully play its role in the new political context.

In the area of transitional justice, the commission of inquiry looking into the former government's assets ("Janneh Commission") has finished its work. The Commission is preparing a report on the main findings for submission to the President. Preparations for hearings in front of the Truth, Reconciliation and Reparations Commission (TRRC) to start in January 2019 were successfully accomplished. Hearings will address human rights abuses and other crimes committed under the previous government. An initiative to have former President Jammeh extradited from his current exile in Equatorial Guinee to Ghana to face trial for the murder of a group of Ghanaian migrants is ongoing and could become the first step of bringing him to trial for human rights abuses. The Constitutional Review Commission has launched country-wide consultations with a view to adopting a new Constitution via referendum in 2020. Repressive legislation on press freedom is under review and currently not applied, but remains valid. At the same time, press freedom is de facto established and lively public political discussions have replaced the previous climate of fear. Preparations for a thorough security sector reform have advanced slowly. The independence of the judiciary has been strengthened through appointments of judges including to high courts, thus containing the former practice of temporary contracts. While detentions without trial beyond the legally allowed 72 hours still occurred, they were limited to members of the armed forces and based on their specific status and triggered public criticism. In February 2018, President Barrow declared a moratorium on the use of the death penalty in The Gambia. Gender parity in lower basic education, bills banning female genital mutilation and child marriage are examples of the commitment of the authorities towards gender issues. However, despite sensitisation and enforcement of the law of 2015 banning FGM/C, the practice is still widespread in The Gambia. An amendment to the criminal code including a law on "aggravated homosexuality", imposing life imprisonment for the same-sex acts specified therein, and another law sanctioning "unnatural behaviour" are still valid. While there were no reports of prosecution of LGBTI persons since the handover of power, the subject remains sensitive. The establishment of a National Human Rights Commission in The Gambia has made slow progress towards appointment of Commissioners, which is scheduled for 2019. Establishment of an anti-corruption commission is still pending.

**2. EU action – key focus areas:** The EU is committed to supporting the current democratic transition with the aim of strengthening democratic institutions in full respect of human

rights and the rule of law. The EU's positions in this area are to a large extent in line with the agenda of President Barrow's government. In 2018, EU activities focussed on supporting, encouraging and accompanying the implementation of this agenda as well as helping to provide the necessary fiscal space to implement the corresponding reforms.

**3. EU bilateral political engagement:** The EU's political support to the Gambian government included a continuous and productive dialogue at all levels. The EU actively used its membership of several steering committees for sectoral reforms to promote its positions on specific issues of human rights and rule of law in close co-ordination with like-minded actors. Commissioner Mimica and President Barrow met in spring 2018 in New York to prepare the International Conference for The Gambia, which took place on 22 May in Brussels. On the basis of the National Development Plan, this ministerial conference, co-hosted by the Republic of Gambia and the EU, gathered delegations from 43 countries and 10 International organisations and confirmed strong international political and economic support to the country. The EU announced EUR 140 million of new grants, among a total pledge of EUR 1.45 billion. The reinforced international political support to the country was reflected in a joint communiqué, reaffirming support and solidarity in assisting the transition from a dictatorship to a fully-fledged democracy. A seminar at the conference was dedicated a.o. to specific issues of democratic transition.

**4. EU financial engagement:** In 2018, the EU remained the main donor of The Gambia. The second phase of the National Indicative Programme (2017-2020) under the 11th EDF includes "governance/security/rule of law" as its first focal sector (EUR 135 million). Budget support continued, combined with technical assistance in the areas of good governance and democratic reforms.

Support under the Instrument contributing to Stability and Peace (IcSP) targeted the security sector reform. The European Instrument for Democracy and Human Rights (EIDHR) focussed EUR 400 000 support on capacity building for the parliamentary committee on human rights, supporting the victims of human rights violations and the enactment of the disability rights Act.

In the framework of a capacity building initiative, the European Parliament hosted members and staff of the new National Assembly in early 2018 for a study visit to strengthen the democratic oversight in the country.

**5. Multilateral context:** The decision of the ECOWAS Court of Justice of 2014, which stated that the government had failed to properly investigate the torture and murder cases of three Gambian journalists under the Jammeh regime, was followed up in 2018. The Gambian government initiated compensation payments to some of the families of the victims, although the full adherence to the Court ruling is still pending.

On the occasion of the UN General Assembly in September 2018, an initiative highlighting good human rights stories launched by the EU Special Representative for Human Rights, Stavros Lambrinidis, also included The Gambia.

## Togo

**1. Overview of the human rights and democracy situation:** The state of human rights in Togo is largely influenced by its recent past and its socio-economic context. In a country where 55% of the population is under the poverty line, and with significant inequality, Togo is struggling to get over its authoritarian past. While a legal framework exists to a large extent, the consolidation of democracy, the rule of law and the respect of human rights are hindered by weak state institutions and lack of political will from the authorities.

In 2018, human rights remained unsatisfactory, as the political crisis which started in 2017 continued between the government and the united opposition, despite the mediation organised by ECOWAS and partly due to the lack of trust between the two blocks. The roadmap agreed in July 2018 to deescalate and adopt institutional and constitutional reforms leading to parliamentary elections in December 2018 and presidential elections in 2020 allowed the legislative elections to take place as foreseen on the 20 December 2018. They were boycotted by the opposition, despite a strong implication of ECOWAS and the international partners and organisations in Togo. Numerous demonstrations, mostly peaceful, degenerated in dozens of arrests, making prisons even more overcrowded (double the normal capacity). Freedom of the press and media is generally respected in the written press, radio and internet, less so on TV.

While formally recognised in the legislation, equal rights for women are not well respected. Due to the levels of poverty, cases of slavery impact women more than men, and access to education is also restricted for them. Furthermore, other challenges exist, such as genital mutilations, in particular in rural areas, or the discrimination of people suffering from albinism.

**2. EU action – the key focus areas** remain the same as last year, and concern:

- Reform of the judicial system: As Togo only attributes 1% of its budget to Justice, progress is slow, and justice is not independent. But under the EU funded Support to the Justice System programme, aiming at improving the functioning of the judicial system, and increasing the cooperation with judicial police, some results have been visible, and the government has also increased recruitments in the sector.
- Support to national reconciliation: Some local NGOs have received grants to raise awareness within the population, and encourage dialogue and reconciliation.
- Support to the modernisation of State services: The government is working on a reform of local self-government, with the creation of 116 municipalities, with EU support on the delivery of public services.
- Professionalisation of law enforcement bodies: A new National Police School has opened in 2017 as a centre of education and retraining of the police officers, with EU financial support.
- The implementation of the gender Action Plan: Clear indicators have been selected for various budget support programmes in various sectors. Additionally, some training activities for women in politics have been undertaken, and some awareness campaigns took place, including on TV.
- Support to civil society: It took place in the framework of EU funded programme PROCEMA, for instance with a mapping of local NGOs and a roadmap of EU support towards civil society.

**3. EU bilateral political engagement:** The EU Delegation has followed closely the situation around the 2018 elections, together with its partners of the "Group of 5" (EU, France, Germany, US, UN). The Group of 5 supported the ECOWAS mediation and encouraged all the Togolese political actors to uphold the dialogue and implement the roadmap leading to a resumption of a pacified political life. The road to a long-term solution, under a consensus leading to credible, inclusive and transparent elections seemed close by, but neither the government, which did not fully implement the measures agreed upon to deescalate, nor the opposition, who decided to boycott the elections, raised themselves to the existing challenge.

While there are doubts about the effective turnout, the legislative elections did take place on 20 December 2018 in a relatively peaceful way, but the overall goal of national reconciliation remains unfulfilled. However, the Presidential pardon announced in January concerned 454 persons, according to two criteria, having less than 6 months to serve, or being gravely ill. This pardon is a result of the EU funded project to support the judicial sector and a partial response to the overpopulation in Togo's jails. It also demonstrates the importance of the EU's engagement in promoting justice reform and of the constant dialogue that the EU has kept open with the Togolese authorities during 2018, leading to an improvement of the situation with NGOs working on the national reconciliation, inter alia.

**4. EU financial engagement:** The Presidential pardon, which was officially announced in January 2019, is fully in line with the EU objective to help reduce the overcrowding of Togolese prisons an improve conditions in detention. The EU financially supports the reform of the Togolese justice and penitentiary system.

An EU funded programme PRODEGOL, co-financed with Germany is being implemented on the improvement of the delivery of civil service, such as birth certificates and other administrative acts.

On freedom of the press, the EU Delegation and partners from the US, France and Germany organised in 2018 a competition aiming at the promotion of quality journalism.

**5. Multilateral context:** Togo has been re-elected to the Council of Human Rights for a two years mandate (2018-2020). During the last Universal Periodic Review (UPR), in October 2016, the Council has noted a number of positive developments, such as a new Criminal Code. But Togo has refused to implement proposals linked to the accession to the Rome Statute, or those linked to LGBTI rights.

## Uganda

**1. Overview of the human rights and democracy situation:** The political landscape of Uganda in 2018 was defined by consistent challenges to political and civic space. The narrowing of public debate by opposition, civil society organisations (CSOs) and media has been assured by robust and at times brutal behaviour of security forces, exemplified by the violent arrests and alleged acts of torture targeting opposition activists and MPs in the context of the by-election organised in the Arua district in August 2018. Several cases of increasing government violation of free association, expression, and assembly rights were documented. Corruption in the Ugandan public sector continues to be perceived as endemic.

The country loses about EUR 7 billion each year in illicit financial flows through tax avoidance and evasion, money laundering, and bribery.

**2. EU action - key focus areas:** An EU Election Follow-up Mission (EFM) was deployed in Uganda from 5-9 March 2018 to measure progress in implementing electoral reforms recommended by the EU Election Observation Mission (EOM) in 2016. The EFM, led by MEP Eduard Kukan, met all key stakeholders in the country and concluded that there was limited political will and very limited progress in reforms in line with EOM recommendations.

The joint initiative of the Democratic Governance Facility (DGF) has continued to train members of the media. DGF worked in close collaboration with EU-funded actions as well as bilateral Member States interventions in the same field.

The EU Delegation and Member States continued to address corruption and wider accountability in their political outreach, including marking International Anti-corruption Day on 9 December, framing the issue as crucial for investor confidence.

EU continued to engage and encourage the Government to complete the process of approval of the Transitional Justice Policy and Bill. After much delay, the Bill was submitted to Cabinet in August but is still to be approved.

Throughout 2018, the EU Delegation chaired the HRD Development Partners group and regularly invited human rights defenders (HRDs), CSOs and government institutions for ad-hoc meetings. It also provided support to HRDs through the European Instrument for Democracy and Human Rights (EIDHR) emergency small grant facility and through the EU-funded CSO consortium-led programme 'protectdefenders.eu'.

The EU continues to underline the universality and indivisibility of fundamental human rights and employs a rights based approach in political engagements. Focus was placed on those who are disadvantaged, targeted or excluded, including refugees and the LGBTI community.
As a contribution to the implementation of the Comprehensive Refugee Response Framework (CRRF) in Uganda, the EU and its Member States, together with Norway, have adopted the Humanitarian-Development Nexus Action Plan. It highlights issues such as protection, dignity and self-reliance, and ensuring gender equality and the empowerment of girls and women.

**3. EU bilateral political engagement:** On 20 August the EU and its Member States, together with Norway and Iceland, reacted to the violence in Arua with a joint statement on the incident, expressing concern over the events and calling for immediate transparent investigations. On September 13, the European Parliament adopted a resolution on the "Arrest of parliamentarians from the opposition" which sparked an intense debate in the local media and was met with strong reactions from the Government of Uganda (GoU).

The EU called for the enactment of relevant human rights legislation such as the Private Member's Bill 'National Legal Aid Bill', the Marriage and Divorce Bill and Sexual Offences Bill and enforcement of the Domestic Violence Act and the Female Genital Mutilation Act. In part due to this advocacy, Uganda's judiciary, which is facing a significant backlog of cases

and shortages of judges, set up special court sessions to expeditiously hear and dispose of 1,000 cases related to crimes on sexual and gender-based violence.

The EU continued to actively contribute to efforts to secure the permanent abolition of the death penalty in Uganda. The EU's political outreach included the organisation and active participation in actions to commemorate the World Day against the Death Penalty and publishing a statement in two leading Ugandan dailies. EU Heads of Missions paid a solidarity visit to death row inmates at Luzira maximum security prison in October 2018.

**4. EU financial engagement:** A number of development cooperation projects, at national and regional level, have the objectives to ensure the protection of children's rights and curbing violence against children. This includes the Kampiringisa project, focusing on children in conflict with the law. Other flagship cooperation projects included the continued implementation of the Advance Afrika and PICOT project under the European Instrument for Democracy and Human Rights (EIDHR) budget line, which advocates for change in attitudes and behaviours that escalate sexual and gender based violence and child abuse.

Under the EU Trust Fund (EUTF) for Africa, the EU has funded several projects worth a total of EUR 44.3 million. Two new EUTF programmes, one targeting security, justice and livelihoods and another one in support of service provision in refugee-hosting municipalities, including a regional focus, have been approved for start of implementation in 2019.

**5. Multilateral context:** The EU closely followed the verification exercise undertaken by the Government and the UNHCR regarding the actual number of refugees hosted in Uganda, and stressed the importance of following through on the subsequent investigations on alleged cases of corruption, financial mismanagement and sexual exploitation and abuse.

## Zambia

**1. Overview of the human rights and democracy situation:** Incidents that restricted the fundamental freedoms of assembly, association and expression were reported throughout the year, as highlighted among others by the Human Rights Commission that deplored the "violation of the right to peaceful assembly through discriminatory application of the Public Order Act". The Media Institute of Southern Africa stated that Zambian media practitioners are still working in a challenging environment with a number of assault cases reported and often practice self-censorship. Corruption was reportedly further on the increase in 2018, and while the Government continues to pronounce itself against corruption, in practice there is very limited follow up and prosecution of cases. In 2018, women´s and girls´ rights continued to face significant obstacles in Zambia, especially regarding the continuously high prevalence of Sexual and Gender Based Violence (SGBV) and child marriage. The Government has demonstrated leadership to reduce early child marriage both within Zambia and the international arena, with the hope to register structural changes in the next few years. Sexual and reproductive health and rights continue to be a key issue, resulting *inter alia* in the country's alarmingly high adolescent pregnancy rate. Poverty and vulnerability continue to be key challenges, and children´s rights to good education are severely affected in terms of quality. Consensual same sex activity continues to be criminalised and people

convicted of same sex relations face jail sentences of up to 14 years. There is political commitment to alleviate the conditions of people in prisons, facilitate the protection of refugees and in support of the rights of people with disabilities.

**2. EU action- key focus areas:** The EU Delegation and the eight resident EU Member States in Zambia supported the implementation of agreed priorities and objectives of the EU Human Rights and Democracy Country Strategy throughout the year, both at the political level and through their development relations. For the period 2016-2020 the EU Human Rights and Democracy Country Strategy for Zambia focuses its action on the following areas:

- the advancement of women's and girls' rights, including sexual and reproductive rights and the fight against gender-based violence;
- the promotion of economic, social and cultural rights, including children and their right to good education and good health;
- the enhancement of transparent governance**,** including the fight against corruption, improved access to information, and freedom of expression, assembly and association;
- the promotion of a fair and efficient justice system, including the right to a fair trial, the rights of persons in detention, and the abolition of the death penalty;
- the cultivation of an environment of non-discrimination, with a focus on the rights of marginalised groups.

The EU also works to implement relevant recommendations of the EU Election Observation Mission 2016, as well as the objectives of the EU Gender Action Plan and the EU CSO Roadmap 2018-2020, locally agreed with EU Member States and other donors and in consultation with Civil Society Organisations (CSOs).

**3. EU bilateral political engagement:** In the framework of the Zambia-EU "Article 8" Political Dialogue that took place in April 2018 several core human rights and democracy issues were discussed, including women´s empowerment, sexual and reproductive health and rights, corruption, freedom of assembly and expression, the importance of the national dialogue process, the eradication of political violence and the moratorium against the death penalty.

In the course of 2018, the political engagement of the EU Delegation regarding human rights and democracy in Zambia took different forms and included interactions with key stakeholders as part of the ongoing political dialogue (Article 8 meeting; meetings with the President, relevant Ministers and other senior interlocutors such as the Chief Justice; meetings with CSOs and Human Rights Defenders) as well as the participation in different events (e.g.: Human Rights Day), demarches and several other activities organised as part of the Delegation's public diplomacy.

The EU Delegation and the EU Member States present in Zambia advocated for EU priorities in the field of human rights and democracy throughout the year, *inter alia* through the press, radio and social media. They seized the opportunity of National Day speeches, civil society events, launching of development projects as well as of international days such as Human Rights Day to promote relevant issues that fall under the EU priorities in this field.

**4. EU financial engagement:** The EU and the EU Member States are major development partners for Zambia. They currently support human rights and democracy via grant support to CSOs, to the national Human Rights Commission and the National Assembly, as well as via technical assistance to Government authorities.

The EU Delegation supports human rights and democracy in Zambia via the European Instrument for Democracy and Human Rights (EIDHR) and via the Civil Society Organisations -Local Authorities Programme (CSO-LA). Key examples of these projects are the nation-wide campaign against the death penalty implemented by the Human Rights Commission; the programme for the promotion of prisoner's rights and their reintegration into society; the programme in favour of the inclusion of persons with disability; and the support to DRC refugees and host communities for the access to services ensuring human rights and dignity. The National Indicative Programme under the 11th European Development Fund also contributes to the support of women's rights in Zambia through the large EU Programme (EUR 25 million) to prevent Sexual and Gender-Based Violence and to provide services to survivors of violence.

**5. Multilateral context:** The third Universal Periodic Review (UPR) process for Zambia took place in November 2017. In May 2018, the Government released the results of its examination of the 203 recommendations. The Government accepted an overwhelming majority (183) of the recommendations, while one was supported in part and 19 were noted (effectively rejected). The rejected recommendations relate essentially to the abolition of death penalty (9), the decriminalisation of same-sex relationships (7), the access to social services, education and health for refugee and migrant children (2), and the implementation of the Marriage Act establishing the legal age for marriage as 21 years old (1).

While commemorating the 20 years since Zambia's last execution in 1997, the Government showed openness in 2017 to work towards an eventual *de jure* abolition of the death penalty and to abandon its traditional abstention policy at the UN General Assembly (UNGA) in the interim. However, despite several declarations and reassurances – also in public – by the relevant Ministries in the course of 2018, Zambia regrettably decided to abstain again at the UNGA vote on the moratorium of the death penalty on 17 December 2018.

## Zimbabwe

**1. Overview of the human rights and democracy situation:** 2018 was dominated by the process that culminated in July´s presidential, parliamentary and local elections, to which the EU sent an EU Election Observation Mission (EOM). The harmonised elections were seen as a critical but essential test of Zimbabwe´s long and challenging reform process. The EU EOM report contains a number of recommendations in view of improving future electoral processes, which will be important to follow-up for the future. The elections were an acknowledged improvement on previous Zimbabwean elections, even though international observer missions highlighted significant shortcomings. However, and although the change of power in 2017 was not followed by widespread physical violence, the post-election period saw an increase in violence and intimidations against activists and opposition supporters, in particular the dramatic crackdown by security forces on opposition demonstrators on 1

August. Following that major event, the overall number of human rights violations sharply decreased, but more exposed members of the opposition, trade unions and civil society were confronted with intimidations, violations of the rights of arrested persons and of freedom of assembly.

President Mnangagwa set up a Commission of Inquiry to investigate the violence against civilians during the post-election period. The report was published on 18 December 2018. The report puts the blame on the killing of 6 civilians, and injuring many others, on the army and the police while falling short of accusing the police or army hierarchy, let alone the commander directly. It also calls for further investigations by the police and for audits in the procedures of the security forces. The recommendations made by the Commission of Inquiry on post-election violence are particularly relevant and its implementation is urgent to improve human rights situation in Zimbabwe.

Although greater freedom of expression was observed in 2018, with opposition parties free to campaign throughout the election period, key repressive legislation, such as Access to Information and Protection of Privacy Act (AIPPA) and the Public Order and Security Act (POSA), remained in place. The Constitutional Court ruling against section 27 of POSA was a positive development, which gives the government of Zimbabwe until April 2019 to repeal or amend the legislation. Approximately 30 key bills and statutes require amendments, most of them to align the legislation to the 2013 Constitution but progress was made only on two of these bills in 2018. Across the entire 2018 the judiciary has been accused of applying justice selectively, but was also credited of bold sentences that upheld constitutional rights. Overall, as in 2017, the judiciary positively contributed to the protection of human rights.

**2. EU action- key focus areas:** In 2018, EU priorities in the area of human rights and democracy continued to target both institutions and civil society organisations (CSOs) engaged in the implementation of the new Constitution, particularly the new Declaration of Rights. The 2018 elections inevitably shifted the EU's focus towards political rights, but attention was also paid to socio-economic rights, to strengthening the rule of law, to promoting and protecting human rights defenders (HRDs). The project in support to women's and children's rights, and rights of people at risk continued as well.

Several statements were issued in the course of 2018. On 8 March 2018, the EU Delegation, the Heads of Mission of EU Member States present in Harare, and the Heads of Mission of Australia, Canada, Switzerland and the United States of America issued a joint local statement welcoming the repeated commitment by the Zimbabwean administration to fundamental human rights and freedoms and to national healing and reconciliation. It also voiced concerns over the abduction of missing activist Itai Dzamara (three years on). On 5 April 2018, the EU Delegation, the Heads of Mission of EU Member States present in Harare, and the Heads of Mission of Switzerland issued a joint local statement encouraging all political parties to adhere to principles of mutual respect and tolerance in the upcoming primary elections.

On 1 August 2018, the EU Election Observation Mission issued a preliminary statement on improved political climate, inclusive participation rights and peaceful vote, but lamented un-level playing field, intimidation of voters and lack of trust in the process which undermined the pre-election environment. On 2 August 2018, the EU Spokesperson issued a statement

praising the peaceful atmosphere on Election Day and the impressive engagement of the Zimbabwean people in this democratic process. She also reiterated the willingness to assist a democratically elected government to ensure a peaceful and prosperous future. On 7 August 2018, the EU Delegation, the Heads of Mission of EU Member States present in Harare, and the Heads of Mission of Australia, Canada, Switzerland and the United States of America issued a joint local statement noting with grave concern the eruption of violence and occurrence of serious human rights violations following the election. On 9 August 2018, the European EU, the Heads of Mission of EU Member States present in Harare, and the Heads of Mission of Australia, Canada, Switzerland and the United States of America issued a joint local statement calling on the Government of Zimbabwe to guarantee the physical integrity and rights of MDC Alliance's principal, Tendai Biti.

On 21 August 2018, the EU Delegation issued a press statement in response to media articles and clarified that the EU Head of Delegation had not accused President Mnangagwa of lying with reference to alleged cases of human rights violations. On 24 August 2018, the EU Delegation, the Heads of Mission of EU Member States present in Harare, and the Heads of Mission of Switzerland issued a joint local statement acknowledging the verdict of Zimbabwe's Constitutional Court which had dismissed a petition opposing the election results. They also called to the respect of the Zimbabwe Constitution and the rule of law.

**3. EU bilateral political engagement:** No Political Dialogue was held at senior official level due to the provisional nature of the leadership during the transition period between the resignation of President Mugabe in November 2017 and the announcement of the results of the elections in August 2018.

Following an invitation by Zimbabwean Government, the Electoral Observation Mission (EOM)'s core team, consisting of ten analysts, arrived in Harare on 6 June 2018. On 20 June, the core team was joined by 44 long-term observers who were deployed across the country. A further 44 short-term observers were also deployed a few days prior to Election Day. In addition, a delegation of the European Parliament and diplomats from EU Member States accredited to Zimbabwe reinforced the Mission on Election Day. In October 2018, EU EOM to the Republic of Zimbabwe presented its Final Report on the 30 July harmonised elections at a press conference in Harare. The EU EOM was well received by the Zimbabwean authorities and the government committed to follow-up on its recommendations

**4. EU financial engagement:** Throughout 2018, the EU continued to provide support through projects funded under the European Development Fund (EDF), the Development Cooperation Instrument (DCI), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument Contributing to Stability and Peace (IcSP).Twelve projects, for a total cost of EUR 9,872,292, contributed to protection and promotion of civil and political rights. Twenty projects, for a total cost of EUR 30,109,821, contributed to the reinforcement of democratic institutions. In addition, two projects, for a total cost of EUR 63,824,800, contributed to health, including fight against gender based violence. Finally, four projects, for a total cost of EUR 2,425,368, were implemented in the areas of civil society support, citizen participation and peace and reconciliation.

**5. Multilateral context:** Within the framework of the Universal Periodic Review (UPR) by the UN Human Rights Council, last review took place in 2016 and Zimbabwe accepted 154 out of 263 recommendations; a mid-term review is foreseen in May 2019. Next UPR will take place

in 2021. The majority of the recommendations are related to international instruments. No progress was made on the accession to international instruments, despite expectations (e.g.: cancellation of death penalty) and priorities (e.g.: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention for the Protection of All Persons from Enforced Disappearance).

# Arabian Peninsula

## Bahrain

**1. Overview of the human rights and democracy situation:** Bahrain held two rounds of parliamentary elections in 2018, to which active members of the dissolved political societies (Al Wefaaq and Al Waad) were not permitted to stand as candidates. Amendments to the law regulating the exercise of political rights deprived numerous citizens of their right to vote. While official figures point to a 67% participation in the first round, with a record six women elected, the actual voter turnout remains difficult to assess in the absence of international election observers. Political and civil rights, such as freedom of expression and freedom of association continued to be subject to overly broad definitions of terrorism in the Terrorist Act. Protesters and opposition leaders were detained on the basis of these provisions. Several human rights defenders (HRDs), including Nabeel Rajab, are still serving prison sentences. Seventeen individuals were sentenced to death in 2018, while four death penalties were commuted to life sentences by King Hamad on 26 April. Deprivation of nationality, leaving most of the sentenced persons stateless, remains a cause of concern. Military courts continued to try civilians, going against one of the main recommendations of the Bahrain Independent Commission of Inquiry. Bahrain has been promoting social and economic rights by addressing citizen's housing, education and health needs. The country has achieved improvements on gender issues, although the national law continues to discriminate against women in the right to divorce and the transmission of Bahraini nationality to their children. Bahrain has achieved significant progress in the fight against trafficking in human beings.

**2. EU action - key focus areas:** The EU and Member States continued to regularly raise pertinent human rights issues as well as individual cases, at different levels, in their various engagements with Bahraini authorities. The third meeting of the informal working group on Human Rights between the Ministry of Foreign Affairs of Bahrain and the EEAS was held in May 2018 in Manama. A wide range of EU concerns, including on fair trial, due process, death penalty, alleged torture accusations, revocations of citizenship, reinstatement of military courts and freedom of expression were raised.

**3. EU bilateral political engagement:** The EU Delegation in Riyadh, accredited also to Bahrain, liaising with resident Member States in Manama, coordinates closely on human rights issues including on several individual cases.

In 2018, the EEAS Spokesperson issued four statements on individual human rights cases in Bahrain calling for upholding freedom of expression, and publicly expressing concern over the increasingly limited political space in Bahrain, including for non-violent opposition.

Moreover, the EU addressed the human rights situation in Bahrain in statements under items 4 and 2 respectively at the United Nations Human Rights Council meetings on 14 March and 19 June in Geneva.

The European Parliament passed a resolution on 14 June on the human rights situation in Bahrain that called on the government to release all political activists and human rights defenders, including Nabeel Rajab. It also called for an official moratorium on all executions, and for an end to the military trials of civilians. It condemned the high number of death sentences and criticized the stripping of citizenship "as a means of reprisal."

**4. Multilateral context:** On 12 October, the UN General Assembly elected Bahrain to the Human Rights Council (HRC). Bahrain has been elected as one of the 19 members of the NGO Committee for the period 2019-2022.

During the 38th HRC session, former UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein indicated that Bahrain continued to refuse his office and the Special Procedures unconditional access to the country "amid continued crackdowns on civil society and additional legislation which further restricts the people's fundamental rights."

UN High Commissioner for Human Rights Michelle Bachelet noted on 10 September during her opening statement at the 39th Session of the HRC, the "large number of cases of revocation of citizenship" and called for the release of all human rights defenders who are currently arbitrarily detained, including Nabeel Rajab.

On 4 July, Bahrain submitted its first report on the implementation of the provisions of the International Covenant on Civil and Political rights. The United Nations Human Rights Committee published its response to Bahrain's periodic report on its implementation of the International Covenant on Civil and Political Rights on 26 July.

On 17 July, the country presented a Voluntary National Review on its efforts to achieve the 2030 Sustainable Development Goals at the High-Level Political Forum of the UN ECOSOC.

## Iraq

**1. Overview of the human rights and democracy situation:** Iraq held peaceful parliamentary elections in 2018, but continued to face challenges given the impact of several years of conflict. A year after the territorial defeat of Da´esh, 1.8 million people are still internally displaced. Human rights challenges concern the situation of ethnic and religious minorities, impeded or forced returns and destruction of property of internally displaced persons (IDPs), lack of basic services in camps hosting presumed Da´esh affiliated IDPs and their families, lack of due process and fair trial standards across the judiciary as well as gender-based violence. The death penalty continues to be applied under the law on counter-terrorism, targeting many suspected Da´esh-affiliated Iraqi men and women. There are reports of torture in police detention centres, interrogation cells and in formal and informal prisons. Despite some progress, including an enhanced legal framework to advance women's empowerment, the political, economic and social participation of women remains poor. Female human rights activists and liberal high profile women are under threat and several of

them were killed in 2018. While there are no restrictions on freedom of speech, journalists continue to face security concerns. Lack of governmental transparency and inadequate access to information made it difficult to fully assess the magnitude of many reported human rights problems. The Iraq High Commission for Human Rights (IHCHR), whose creation the EU supported, continues to show flaws in terms of political independence and effectiveness.

**2. EU action - key focus areas:** The EU´s human rights policy in Iraq remains focussed on: (a) the protection of civilians in areas of conflict and easing the return of IDPs; (b) the protection of ethnic/religious minorities, national and social reconciliation; (c) women's empowerment; (d) the independence of the IHCHR; (e) fair and transparent rule of law. The EU regularly advocates for Iraq to adhere to the core tenets of international human rights law and to sign the Rome Statute. The EU remains also vocal against the use of death penalty.

Two flagship projects on rule of law and gender/education are contributing towards an improved rights-based environment in the country.

- Protect the Future: Juvenile Justice Reform in Iraq: in partnership with Heartland Alliance International (HAI) aims at improving the service delivery of judicial institutions in Iraq supporting access of vulnerable groups to justice and improved detention conditions, including for those children and adolescents in conflict with the law. The two year project has already generated some valuable tangible results such as: a baseline assessment of the juvenile justice system; practical guidelines for judges and prosecutors; tailored guidelines and best practices for investigative judges, prosecutors and police officers outlining responsibilities, and requirements to protect juveniles in custody from abuse; legislative recommendations for the new draft Child Protection Law; and “Know-Your-Rights” packages for juveniles and their parents.
- Enhancing Education, Developing Community, and Promoting Visibility to Effect Gender Equity in Iraq and the Greater MENA Region: the Centre for Gender and Development Studies at the American University of Sulaymanyiah, through an EU grant, works to include educational development in the field of gender studies in three MENA countries (Iraq, Egypt, Lebanon) and community capacity building in gender awareness and advocacy. Through its regional dimension and tri-lingual format it focusses on the review and translation of key texts, training of academics, the development of a gender studies network and the production of six gender-related short films in English, Arabic, and Kurdish.

**3. EU bilateral political engagement:** During 2018 the EU consistently advocated with the Iraqi government for comprehensive outreach to all components of Iraqi society and to advance on national reconciliation supporting reconciliation initiatives as well as the work of the International Commission on Missing Persons (ICMP) on mass graves. The EU emphasised the need for IDP returns to be safe, voluntary, informed and dignified. In addition, the EU supported reform programmes addressing wide-spread corruption, poor public financial management and deficient public service delivery. The EU maintained its strong stance against the death penalty. The EU continued to advocate through all available channels for improved standards regarding prolonged detention and lack of due process.

As a result of the 2018 legislative elections, which respected the constitutional female quota of 25%, 83 female MPs were elected. The EU supports the female MPs' caucus, gathering some 30 women MPs among the most committed to the advancement of women's rights.

The EU is regularly conveying messages in support of women's empowerment to the Iraqi authorities, among others, regarding the inclusion of female Ministers in the new government.

**4. EU financial engagement:** In 2018, the EU continued to provide financial support (around EUR 200 million) to human rights-related projects through various EU financial instruments. The four core-areas supported by EU interventions were:

- Reconciliation/governance through support to dialogue, conflict reduction between IDPs and host communities, concerns related to missing persons and sectarian violence, protection of cultural heritage and diversity;
- Education/vocational training: capacity-building for primary, secondary and vocational education;
- Capacity building of civil society and freedom of media; and
- Security: rule of law, developing human-rights compliant counter-terrorism legislation.

**5. Multilateral context:** Iraq is party to a number of international human rights conventions but many of them have not yet been ratified. Iraq has not yet acceded to the 1951 UN Convention Relating to the Status of Refugees and the Convention on the non-applicability of Statutory Limitations to War Crimes. In addition, Iraq has not signed the Optional Protocols relating to complaint procedures for the Convention against Torture and the Convention on the Elimination of All Forms of Discrimination against Women. Neither has Iraq acceded to the Statute of the International Criminal Court.

On 29 October 2018, the United Nations Investigative Team to promote accountability for crimes committed by Da'esh in Iraq and the Levant (based on UN Security Council Resolution 2379) was deployed to Baghdad. The Investigative Team will collect and compile evidence, conduct field-based investigations, preserve and store evidence.

## Kuwait

**1. Overview of the human rights and democracy situation:** The State of Kuwait is a constitutional emirate with a democratically elected parliament and an appointed government. The Emir holds ultimate authority over most government decisions. A human rights office was established this year under the Cabinet to work on human rights issues. The main challenges relate to human rights concerning political and civil liberties, such as freedom of speech, assembly and association and limitations to the space for political dissent. In July, 16 people, including opposition politicians, were sentenced to prison for storming parliament during a 2011 protest. In January, the London-based blogger Abdallah Saleh was sentenced in absentia for insulting Kuwait's allies, after he had earlier faced similar charges in relation to his messages on Saudi Arabia and UAE. Further challenges relate to rights of migrant workers (which make up two thirds of Kuwait's resident population), and extensively documented cases ranging from confiscation of passports to long hours of work to physical abuse. The crisis around a temporary ban on migration to Kuwait ordered by the Philippines in January, pending an investigation into the death of seven Filipino domestic workers, was resolved in May with a memorandum of understanding intended to provide additional legal protection for Filipino migrant workers. More than

100,000 residents of the Bidoon community remain stateless, despite some improvement in their human rights situation. Women continue to face discrimination with regard to laws on inheritance, marriage, child custody, and their inability to transfer their citizenship to their children. Adultery and extramarital sexual intercourse are criminalized. Kuwait maintains the death penalty, including for drug-related charges, but no executions were reported in 2018.

**2. EU action - key focus areas:** The Delegation of the EU in Riyadh, accredited also to the State of Kuwait, liaises with the Kuwaiti authorities on a regular basis. During working and high level visits, the EU continues to raise human rights issues. The Delegation also engages regularly with Kuwaiti institutions dealing with human rights and local civil society organisations, along with individual human rights defenders. In 2018, the Embassy of the Netherlands and the International Organisation of Migration (IOM) implemented a capacity-building project for the Public Authority for Manpower and the Ministry of Interior on identification of victims of trafficking.

**3. EU bilateral political engagement:** Kuwait is an important partner to the EU and there is an on-going political dialogue at many different levels, also on sectorial issues. On 27 November 2018, the European External Action Service (EEAS) and Kuwait held high level political consultations in Brussels under the framework of a Cooperation Arrangement concluded between the parties in 2016. In December 2018, the European Parliament's Delegation for Relations with the Arabian Peninsula visited Kuwait, holding political consultations with local authorities including on human rights issues. On the occasion of the 70th anniversary of the adoption of the Universal Declaration of Human Rights, the Delegation of the EU to Riyadh awarded the Chaillot Prize for the Promotion of Human Rights in the GCC region in 2018 to the Lothan Youth Achievement Centre 'LOYAC', in recognition of the organisation's remarkable effort for the empowerment of youth, women and marginalised persons in the State of Kuwait.

**4. EU financial engagement:** EUR 15.000 was granted to support LOYAC's efforts to engage Kuwaiti youth in creative expression through art and dance.

**5. Multilateral context:** Kuwait had its mid-term reporting for the Universal Periodic Review (UPR) in July 2017. The next UPR will take place in January 2020. To date, Kuwait accepted 178 recommendations made by the Council while rejecting 71, due to "incompliance with the Kuwaiti constitution and the Islamic Sharia" – including all recommendations relating to the abolition of the death penalty and to the naturalisation of the Bidoons (stateless people). Kuwait accepted recommendations to guarantee freedom of expression and to review legislation to protect human rights defenders, journalists and bloggers. As for the situation of stateless people, the UN Committee on the Elimination of Racial Discrimination recommended in 2017 that all Bidoon should be guaranteed access to adequate social services and education on an equal footing with Kuwaiti nationals, and that in its next periodic report Kuwait should provide information on access to education for Bidoons.

## Oman

**1. Overview of the human rights and democracy situation:** The Sultanate of Oman is a stable and tolerant country, but faces some challenges, mainly related to civil liberties such as freedom of expression and freedom of the press, freedom of association, and migrant workers' rights. The independent newspaper Azamn has been closed since October 2017. Some social media and internet activists have been arrested on charges of "prejudice to State order" or "contempt of religion" after expressing views on public affairs. A new Penal Code targeted activities related to assembly and association with prison penalties. Migrant workers remained vulnerable to abuse by employers whose consent is a prerequisite to change jobs, while socio-economic rights are well respected for Omani nationals. Two death sentences were handed down for homicide (a moratorium on the use of the death penalty is in force). Oman continued to make progress on women's rights by withdrawing some reservations to the UN Convention on Elimination of Discrimination against Women. New efforts were made against trafficking in human beings in both protection and prosecution, with the launching of a 5-Year Action Plan. Cases of child abuse cases were more often reported and dealt with thanks to the 24-hour telephone hot line operated by social development services. The Omani Commission for Human Rights received complaints and carried out demarches including prison visits.

**2. EU action- key focus areas**: The EU Head of Delegation in Riyadh, accredited also to Oman, is in constant contact with resident Member States Heads of Mission, and liaises with the authorities on a regular basis. Several topics are discussed during working and high level visits, such as freedom of expression and press and the situation of human rights defenders.

**3. EU bilateral political engagement:** Oman is an important partner to the EU and there is an on-going political dialogue at many different levels, including on sectorial issues. On 20 September 2018, the EEAS and Oman's MFA signed a Cooperation Arrangement to provide the basis for enhanced political dialogue and sectoral cooperation.

**4. Multilateral context:** The last Universal Periodic Review (UPR) took place in November 2015. Oman accepted a number of recommendations -among others- to improve women's rights, to implement the Child Law, to strengthen awareness-raising for children's rights, to reinforce expatriate workers protection, increase efforts in protecting migrant workers' human rights and combatting human trafficking. Nevertheless it rejected others, including abolition of the death penalty and bringing freedoms of expression and assembly in line with international standards. The next UPR Review will take place in November 2020.

Oman partially followed the observations made by the UN Committee on the Elimination of Discrimination against Women in November 2017 and completed the steps for the withdrawal of its reservation to article 15 (4) of the Convention, which was approved by Royal Decree 3/2019. It also ratified the 1995 Amendment to Art. 20 (1) regarding the duration of the Committee meetings. However, the general reservation as well as reservations to Articles 9 (2) and 16 (1) (a), (c) and (f), remain in place.

## Qatar

**1. Overview of the human rights and democracy situation:** The overall human rights situation has not fundamentally changed in 2018. Labour conditions of migrant workers in

the Gulf region remain a concern, including in Qatar where 90% of the 2.3 million population is non-Qatari. In view of the hosting of major international events, including the 2022 FIFA World Cup, the government has increased its commitment and efforts to improve labour conditions for migrant workers. Recent positive steps in this regard included: the abolition of exit permits for most foreign workers, although not for domestic workers; the opening of an ILO office in Doha to oversee the implementation of a three-year agreement to promote labour laws and to build government officials' implementation capacity in line with international practices; the establishment of a workers' welfare fund for outstanding payments and other social protection measures; and the creation of Visa Centres abroad which have contributed to enhanced legal protection of workers. Political and civil liberties, such as freedom of speech and press, assembly and association continued to be subject to certain restrictions, with journalists being subject to prosecution for criticising the government and the ruling family or Islam. The Doha News website is still blocked within Qatar. Gender equality and women empowerment receive increasing attention, with 4 (out of 45) women on the Shura (Advisory) Council and one woman minister, but women continued to face domestic violence and discrimination in various forms. While Qatar is not yet party to the 1951 Refugee Convention, it became the first country in the Gulf region to set out procedures and requirements for individuals to seek asylum in the country. Qatar has raised human rights implications of the blockade imposed by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates (UAE) in multilateral fora, and presented a complaint against the UAE to the International Court of Justice denouncing a number of human rights violations resulting from the blockade.

**2. EU action - key focus areas:** The EU Delegation in Riyadh, accredited also to Qatar, is in constant contact with resident EU Member States Heads of Mission, coordinating EU positions and liaising with the authorities on a regular basis. During working and high level visits, the EU continues to raise with its Qatari counterparts pertinent human rights issues, mainly migrants' rights, labour conditions and freedom of expression.

**3. EU bilateral political engagement:** Following agreement in June between the HRVP and the Qatari Foreign Minister, the first session of the EU-Qatar informal working Group on Human Rights was held in Doha in December, addressing a wide range of issues, including migrant rights, freedom of expression and media freedoms, the right to education and freedom of religion or belief. In the course of the year, several meetings took place between the Chairman of the National Human Rights Commission and EU institutions (e.g. with European Parliament DROI Committee in April).

**4. Multilateral context:** Following its 2017 re-election, Qatar will remain in the Human Rights Council for the period 2018-2020. Qatar made progress in 2018 in ratifying two main Covenants, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Technical cooperation between Qatar and the ILO was formalised in a three year program (2018-2020), funded by the Qatari government (EUR 22 million budget) and structured around five main pillars: a) wage protection, b) occupational safety/health and labour inspection, c) replacement of the "Kafala" system with a contractual system, d) forced labour and human trafficking, e) promoting workers' voice.

Some progress was made on the implementation of the 145 recommendations accepted by Qatar in the framework of its second Universal Periodic Review (UPR) at the UN Human Rights Council in May 2014. The next UPR on Qatar is to take place in May 2019.

In 2016, the Building and Wood Workers International, the global trade union for construction workers, signed an agreement with Qatar's Supreme Committee for Delivery and Legacy permitting a number of joint labour and accommodation inspections at World Cup stadiums construction sites in 2018.

Following the recommendation of the Sub-Committee on Accreditation of the Global Alliance for National Human Rights Institutions, the National Human Rights Commission has kept its status as fully compliant, affirming its independence to work on human rights issues. In 2018, the Commission continued to be instrumental in referring complaints by migrant workers to the relevant bodies and making recommendations to cabinet on improving human rights.

## Saudi Arabia

**1. Overview of the human rights and democracy situation:** The overall human rights situation in the Kingdom of Saudi Arabia (KSA) raised a number of key concerns in 2018. The killing of the journalist Jamal Khashoggi in the Saudi consulate in Istanbul on 2 October resonated worldwide. Some fundamental questions around the murder remained unanswered. Furthermore, a high number of arrests – including those of activists, human rights and women's rights defenders, imams and academics – took place, resulting in a further reduction of the space available for public debate. The Counterterrorism law and the Specialised Criminal Court continued to be used for trials of civilians. Capital punishment remains a key concern with 149 executions reportedly taking place in 2018. While the Shura Council passed a final draft law to codify the age of majority to 18 years and exempting minors from the death penalty for some crimes, the draft law still requires formal adoption. Some progress was achieved in relation to women's rights. This included the opening of further professions to women, gradual relaxation of some social norms (mixed entertainment events) and the lifting of the driving ban for women in June. However, the male guardianship system (requesting women to gain permission from a male guardian to do ordinary things such as travelling), remains in place. The opening towards religious dialogue, which started in 2017 continued in 2018 mainly through high level visits from religious leaders. However, freedom of religion continues to be severely restricted.

**2. EU action - key focus areas:** The EU, together with EU Member States, continued to raise human rights issues in their various engagements with Saudi authorities, mainly with the Ministry of Foreign Affairs, the Ministry of Justice, and the Human Right Commission. Recurrent topics in those discussions were the Specialized Criminal Court for civilian trials, the detention of women human rights defenders, victims of freedom of expression cases, as well as imminent executions and the use of the death penalty.

**3. EU bilateral political engagement:** The EU Delegation coordinates closely with EU Member States' Embassies in Riyadh to exchange information and coordinate positions and common messages, which are conveyed to KSA authorities at different levels.

Following the sentencing of HR defenders Mohamed Al Otaibi and Abdullah Al Atawi by the Specialised Criminal Court, the EEAS Spokesperson issued a statement underlining the importance for the EU to respect human rights, including the right to a fair trial, in all cases and stressing that the EU would follow the appeal procedure closely.

In May, the European Parliament adopted a Resolution on the situation of women's rights defenders in Saudi Arabia. The Resolution condemned the arrests of the human rights and women's rights activists and expressed concerns over reports that some are being held incommunicado.

The EU reaction to the killing of Jamal Khashoggi was expressed in two Declarations by the High Representative on behalf of the EU, after the confirmation of the killings and following the declarations by the Saudi prosecutor on the first indictments. The European Parliament also adopted a Resolution on the issue.

Trial attendance by diplomats was part of Saudi commitments to the third session of the Universal Periodic Review. However, trial attendance during the second half of 2018 was a challenge for the EU Delegation, EU Member State Embassies and other countries and continues to be raised with the Saudi authorities.

**4. Multilateral context:** The third session of the Universal Periodic Review (UPR) of the Kingdom of Saudi Arabia, held in November, presented a comprehensive overview of the human rights situation in the country. Against the backdrop of the international reactions to the killing of Jamal Khashoggi, the EU called for increased protection for civil society, including journalists and human rights defenders. Issues relating to women's rights, as well as the protection of freedom of expression and association, dominated the dialogue. Death penalty, torture and arbitrary and unlawful detention, were the subject of many recommendations. Other significant topics included combatting trafficking in human beings, the rights of migrant workers and the ratification of core UN treaties.

In its own statements, the Saudi delegation placed great emphasis on reform within the country including the establishment of national human rights institutions. The Saudi delegation stressed Saudi Arabia's commitment to the mainstreaming of human rights within the context of the principles of Sharia. Cooperation with international human rights mechanisms, emphasised in the Saudi statement, is yet to materialise.

A June 2018 UN report by the UN Special Rapporteur on Counterterrorism and Human Rights expressed concern with arbitrary arrests and detention, the admission of evidence obtained under torture, and executions.

## United Arab Emirates

**1. Overview of the human rights and democracy situation:** The overall human rights situation has not fundamentally changed in 2018. Some positive steps were taken by the

country's leadership - notably with regards to women's empowerment and freedom of religion or belief. The adoption in April 2018 of a Labour law guaranteeing equal wages for men and women was followed in December by a Presidential decree introducing gender parity for the upcoming 2019 elections in the Federal National Council, the UAE representative body. The 5th Forum for Promoting Peace in Muslim Societies, seeking to promote inter-faith dialogue and aiming at empowering moderate voices, was held in November in Abu Dhabi. An UAE Fatwa Council was established in June 2018, and is chaired by Sunni Scholar Sheikh Abdullah bin Bayyah - known for his work against religious extremism- acting as the official point of reference for issuing state-approved legal Islamic opinions and rulings. Important challenges however remain, including continued restrictions on freedom of expression and freedom of assembly, allegations of arbitrary and/or incommunicado detentions and torture and of enforced disappearances, the extensive application of counterterrorism legislation as well as alleged violations of human rights in Yemen, either by UAE troops engaged in the Saudi-led coalition or by Emirati-backed local militias. Political parties and trade unions remain forbidden, civil society is under-developed and under strict government control.

**2. EU action - key focus areas:** The EU has monitored the human rights situation in the country throughout 2018, including individual cases, such as the case of Ahmed Mansour (see below) in close coordination with EU Member States and like-minded embassies. The EU has focussed on the importance of the right to a fair trial, access to a lawyer, the right to information, the presumption of innocence, and an end to investigations based on extraction of confessions through torture and ill-treatment. The EU reiterated its call for a *de jure* moratorium of the death penalty and for a prohibition of ill-treatment to be enshrined in law. The ongoing war in Yemen, in which the UAE actively takes part in the coalition lead by Saudi Arabia, has prompted the EU to reiterate the need for all warring parties to protect civilians and to respect International Humanitarian Law.

**3. EU bilateral political engagement**: The UAE is the first country in the Gulf region with whom the EU set up a comprehensive dialogue on Human Rights. The 8th UAE-EU Human Rights Informal Working Group, which took place in July 2018 in Abu Dhabi, provided the overall framework for the EU and the UAE to discuss salient human rights topics in their bilateral relations. These informal working group meetings have provided a platform for the EU and the UAE to have an open and frank dialogue and for the EU an opportunity to continue to stress that respecting international human rights obligations and the rule of law, including international humanitarian law, is a guarantee for long term sustainable stability.

The EU followed closely the case of UAE national Ahmed Mansour, the 2015 Martin Ennals Human Rights Defenders (HRDs) awards recipient, whose conviction for "defamation, disruption of public order and the propagation of incitement and hatred" for his social media activities (on the basis of the Cybercrime law) and sentencing to 10 years imprisonment were upheld by the Federal Supreme Court on 30 December. The judicial developments regarding Ahmed Mansour were addressed consistently by the EU with the UAE authorities and received close attention also in the European Parliament. Questions regarding his health condition, the numbers of family and other visits in prison, as well as the possibility to observe his trial were raised. Following his lost appeal at the end of December, a HRVP spokesperson statement was released, reiterating the EU principled position that no one

shall be detained merely on the grounds of peaceful expression of opinions and asking for Mansour's case to be reconsidered.

**4. Multilateral context:** In January 2018 the UAE undertook their 3rd Universal Periodic Review (UPR) and accepted 132 recommendations and took note of 98 recommendations, out of the 230 received. Most of the noted recommendations related to civil and political rights including accession to the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance. Other recommendations concerned appropriate measures to ensure a safe environment for human rights defenders free from harassment and intimidation; amendment of the Code of Criminal Procedure and establishment of a maximum limit for pre-trial detention; and immediate notification to defendants of the charges against them. The next UPR review will be in 2023.

The preparations for the UN Human Rights Council and the UNGA Third Committee sessions also permitted further EU dialogue and outreach with the UAE Ministry of Foreign Affairs and Intentional Cooperation.

## Yemen

**1. Overview of the human rights and democracy situation:** Yemen is facing the world's worst humanitarian crisis, in the terms of the United Nations. The continuing conflict has resulted in a heavy civilian death toll (unofficial estimates recently reached 60.000) and irreparable damage to most of the public infrastructure. The port city of Al-Hodeidah, the focal point of hostilities since June 2018, is one of the main delivery and storage points of food and humanitarian aid, and its slow operational pace has led to critical levels of food insecurity, adding to an extreme crisis of the economic fabric of the country and its population. Journalists, human rights defenders, political opponents as well as civil society organisations (CSOs) are subjected to harassment, censorship, threats and arbitrary detention. This includes minorities, such as the Baha'i community. Prominent members of the latter have been in detention for years and are facing death penalty for apostasy, especially in the Houthi-controlled territories. Women and children remain one of the most vulnerable groups and make up 76% of internally displaced persons (IDP). More than 3 million Yemeni women and girls are at risk of gender-based violence. 70% of children dropped out of schools, more than two thirds of girls are married off before reaching the age of 18, at least 842 cases of recruitment and use of children in the conflict have been documented, and 1,316 children have been killed and maimed in the conflict. In December 2018, the parties met in Sweden for the first time since the beginning of the war, and signed up to the Stockholm Agreement which includes, amongst other elements, an agreement to reach a ceasefire in Hodeidah.

**2. EU action - key focus areas:** The EU's priority is to stop the conflict and improve the overall situation in Yemen. Throughout the conflict but especially in 2018, the EU has remained active in the following three main areas: 1) Political support, security and human

rights, 2) Humanitarian assistance and 3) Development assistance. All EU programmes addressed immediate, medium and long term needs with a particular focus on resilience.

**3. EU bilateral political engagement:** The EU remained fully engaged in support of UN efforts to reach a political solution, and has consistently voiced its concerns against violations and abuses of International Human Rights Law and of International Humanitarian Law, more specifically against the targeting of civilians. This was done through statements also through formal and informal contacts with all parties to the conflict.

The Foreign Affairs Council adopted on 25 June conclusions on Yemen, reiterating its strong support to the UN-led peace process, calling on all parties to the conflict to engage constructively with the UN Special Envoy in view of resuming peace negotiations, and stressing its commitment to support all Yemenis in a comprehensive way. The HRVP and the Commission issued joint statements to call on the parties to respect international humanitarian and human rights law.

The European Parliament passed a resolution on 4 October on the situation of Yemen which condemned attacks on civilians, called on all parties to the conflict to cease hostilities and to allow for immediate and full humanitarian access to the conflict-affected areas, freedom of expression, and to release all journalists and human rights defenders as well as investigate cases of human rights abuse.

In March 2018 and July 2018, the Head of EU Delegation to Yemen undertook missions to Sana'a to reach out to all Yemeni parties to encourage them to engage in a credible, all-inclusive dialogue to reach a political settlement for the crisis in Yemen led by the UN Special Envoy Office. A set of humanitarian messages, previously agreed with EU Member States, were conveyed to the Houthi movement.

**4. EU financial engagement:** Within the area of political support, security and human rights, the EU provided over EUR 50 million to support activities that are set to prepare the ground for the resumption of a "track I" political process. The EU allocation for humanitarian assistance in 2018 for Yemen amounted in total EUR 118 million. In the period 2018-2020, development assistance is set to EUR 150 million under the EU Development Cooperation Instrument.

The EU continues to support Yemen human rights and civil society through three main sources: European Initiative for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and Civil Society Organisations and Local Authorities (CSO-LA). Projects financed under the Development Cooperation Instrument (DCI) comprise human rights-related components in areas such as health, nutrition or IDPs.

**5. Multilateral context:** On 28 September, the Human Rights Council (HRC) extended the mandate of the Group of Eminent International and Regional Experts on Yemen for a further period of one year. All EU Member States voted in favor. It further requested the Group to submit a comprehensive written report to the High Commissioner for presentation at the forty-second session of the Council.

The EU Delegation and Member States also prepared the Universal Period Review (UPR) for Yemen, taking place in January 2019, and are currently drafting – together with Member States, the Human Rights Strategy and Democracy Profile for Yemen.

# Asia

## Afghanistan

**1. Overview of the human rights and democracy situation:** The human rights situation in Afghanistan continued to face many challenges. The Government maintained its commitment to protect human rights and adopted relevant legislation (e.g. the new Anti-corruption Law, the Law on prohibition and prevention of harassment against women and children and the Law on Access to Information). However, implementation of legislation throughout the country remains weak and progress is limited by insufficient capacity and resources, as well as cultural traditions. Afghans still suffer widespread human rights violations and abuses, partly as a result of the on-going armed conflict. 2018 marked a negative record in civilian casualties[15], also for children. Parliamentary elections were conducted in October, after a three year delay, with a good level of citizen participation but many technical difficulties and security incidents.

**2. EU action - key focus areas:** Human rights is a key element of the 2017 EU-Afghanistan Strategy. In 2018, the EU priorities continued to be the rights of the child, women's rights, human rights defenders (HRD's), the fight against torture and ill-treatment, the death penalty, civilian casualties, access to justice, freedom of expression, socially vulnerable and/or persons with disabilities, returnees and Internally Displaced Persons (IDPs). The EU was also active in supporting the fight against corruption and the development of democratic institutions, particularly in the context of the parliamentary elections.

**3. EU bilateral political engagement:** Human rights and democracy are discussed in the framework of the Cooperation Agreement on Partnership and Development (CAPD). Two meetings took place in 2018: the first EU-Afghanistan Joint Committee (February, Brussels) and the first Special Working Group on Human Rights, Good Governance and Migration (May, Kabul). In the context of the Geneva Ministerial Conference on Afghanistan (27-28 November), the EU underlined the importance of defending the fundamental rights of all Afghans - particularly women, children and minorities - in an eventual peace settlement.

The EU continued to prioritize *women's rights and gender equality;* some of the key issues in this area are: the implementation of the National Action Plan on UN Security Council Resolution 1325 (NAP 1325) and the prevention of violence against women. The EU advocated for increased women's participation in all sectors of society and actively participated in the Kabul Symposium on women organized in May, which had as its main theme 'women and responsible citizenship'.

With regard to *children's rights*, the Child Protection Act has remained pending in the Afghan Parliament for the past two years and was rejected for the fourth time in December. This was a worrying development which the EU raised during its dialogues with Afghanistan. The EU encouraged the speedy adoption of the Child Protection Act, while also underlining the

[15] UNAMA's latest update documents 8,050 civilian casualties (2,798 deaths – 653 children and 5,252 injured), covering the period 1 January to 30 September 2018.

importance of implementing legislation protecting children from forced marriage, child labour and protection from sexual harassment.

The EU-Afghanistan dialogue addressed *reforms in the judicial system, including on the right to a fair trial and on the prevention of torture and ill treatment.* Better implementation of existing legislation – the new Penal Code, the law on the prevention of torture and the related National Prevention Mechanism, the law on the Elimination of Violence Against Women (EVAW law) – is essential, as well as the continuation of reforms and the institution building process. *Human rights defenders (HRD's) and journalists* remained highly affected by insecurity. Discussions took place on the need for establishing an efficient protection system and assistance. In 2018 Afghanistan adopted the Access to Information Law, which is ranked as one of the best in the world according to the Centre for Law and Democracy and Access Info Europe. Budgetary and other support is needed for its thorough implementation.

Providing better facilities and opportunities for socially vulnerable people and persons with disabilities, including women and children, remains an urgent need in Afghanistan. The National Action Plan for socially vulnerable persons and persons with disabilities and the Law on Rights and Privileges of Persons with Disabilities, which reserves three percent of jobs in the government and private sector to individuals with disabilities, still need to be fully enforced.

The *death penalty* was a subject of discussion, with the EU and its MS repeating the call for a moratorium. A demarche was conducted in early 2018 after three executions were carried out. In the field of *anticorruption*, there is good legislation, and a revised anti-corruption strategy that added a pillar on economic institutions and new benchmarks and which is expected to be finalised soon. There was, however, still a need for concrete results to enhance the population's confidence in the system. Enforcement of judicial decisions remains a key challenge. The EU organised its third annual Anti-Corruption campaign; followed by a high-level Anti-Corruption Conference in April entitled "*Corruption in recess, Peace in progress*".

*Parliamentary elections* showed a high degree of citizen mobilisation, including by women, despite security threats and attacks. In view of the presidential elections in 2019, drawing the lessons learned from these elections and working towards a better electoral process – including more inclusivity and women's equal access as candidates and voters and fighting fraud and corruption – are essential for Afghan democracy and citizens' trust in the institutions. The EU, alongside the international community, provided support for capacity building and training ahead of the elections and will continue this support.

**4. EU financial engagement:** As in previous years, in 2018 the EU continued to be a key donor in Afghanistan. The EU Delegation in Kabul implemented nine and signed one new contract in support of civil society, human rights, gender and media. The newly-signed project will develop a locally owned and sustainable safety and protection mechanism for HRDs and strengthen the existing safety and protection mechanism for media workers in Afghanistan. In 2018, policy dialogues were instrumental in raising gender equality issues. Particular attention was devoted to the development of the Geneva Mutual Accountability Framework (GMAF) deliverables 2019-2020, agreed at the Geneva Ministerial, that maintain a strong focus on gender equality, and in particular on strengthening the justice system response to violence against women. The EU continued its support, including financial, for returned Afghans and IDP's.

**5. Multilateral context:** Afghanistan is a member of Human Rights Council for the term 2018-2020. It ratified the Optional Protocol to the Convention against Torture (CAT) in April. Afghanistan has not signed the 2nd Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) regarding the abolishment of the death penalty and still needs to submit its report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD).

## People's Republic of Bangladesh

**1. Overview of the human rights and democracy situation:** In 2018, Bangladesh continued to face significant challenges in the area of human rights. Shrinking democratic space, rule of law and law enforcement, civil and political rights, labour rights, freedom of expression and women's rights remained areas of serious concern.

The December 2018 parliamentary elections marked an important mobilisation of voters and for the first time in 10 years, the participation of the opposition. However, violence has marred Election Day, and significant obstacles to a level playing field remained in place throughout the process, tainting the electoral campaign and the vote, with large scale arrests of opposition leaders and candidates and intimidation of the media.

Bangladesh has made progress in the area of workers' safety under the EU-led Sustainability Compact which also brings together Bangladesh, the ILO, the US and Canada. Still, there are important labour rights violations, especially as regards the freedom of association, and concerns over child labour in the informal sector. The country still needs to make significant improvements to address ILO's recommendations and ensure compliance with fundamental ILO Conventions.

Extrajudicial killings and enforced disappearances remain a very serious concern in Bangladesh. Human rights NGOs reported 400 cases of extrajudicial killings in 2018. This number is significantly higher than in previous years since 2010, mainly due to the government's new campaign against narcotics, in which more than 200 alleged drug dealers have been killed by security forces in "shootouts". Human rights NGOs also reported 80 cases of enforced disappearances in 2018.

In 2018 Bangladesh ranked 146th on the World Press Freedom Index. The media and civil society operate under a legal framework that is not in line with international standards of freedom of expression. The adoption of the Digital Security Act was highly criticised for bringing new restrictions on unprecise grounds, to the freedom of expression and the right to access to information.

Despite the generous role and actions of Bangladesh in hosting 730,000 Rohingya people fleeing violence in Myanmar, the situation of the Rohingya refugees remained challenging.

While living conditions in the refugee camps have gradually improved, refugees remain vulnerable and in an extremely precarious situation. Continued investments into food security, water, sanitation, hygiene, and health are very important. Refugees live in congested sites with space constraints resulting in continued protection issues and poor living conditions due to extremely high density, in locations at risk of landslide and flood. Congestion heightens the risk of fire, disease outbreak, security breaches, and poses

protection and mental health risks. Addressing mental health and psychosocial needs of refugees, as well as continuing to address sexual and gender-based violence case management, counter-trafficking programming and psychosocial support for children and adults remain critical.

Approximately 50% of pre-primary and primary children learners and 97% of youth and adolescents still lack access to relevant quality education. The Rohingya refugee children need better access and quality education opportunities.

It is crucial for stability, economic growth and development that Bangladesh promotes and protects the human rights of all, regardless of ethnicity, age, gender identity, sexual orientation, religious or political affiliation, disability or socio-economic background. The World Economic Forum's "Gender Gap Index of 2018" ranked Bangladesh as 48th on the global ranking. The EU continues to work in this sector with projects notably in the area of women workers' rights and protecting women from gender-based violence.

**2. EU action - key focus areas:** EU actions and activities in Bangladesh in 2018 focused on the respect for the rule of law and access to justice in line with international principles of governance, promoting freedom of expression, upholding fundamental economic and social rights, gender equality, women's human rights and preventing gender-based violence, enhancing the protection of minorities (religious, ethnic, work and descent-based) and refugees and abolishing the death penalty.

As indicated in the 2018 GSP Report from the Commission to the European Parliament and the Council, the EU has enhanced its engagement with Bangladesh under the Everything But Arms arrangement of the Generalised System of Preferences.

Through enhanced engagement, the EU intensified the dialogue with Bangladesh to press for concrete actions on and sustainable solutions to serious shortcomings in respecting fundamental human and labour rights. In Bangladesh, the Commission has raised concerns regarding labour rights, in particular freedom of association and the implementation of the joint initiative known as the "Compact for Continuous Improvements in Labour Rights and Factory Safety in the Ready-Made Garment and Knitwear Industry in Bangladesh". The EU has in particular raised the alignment of the Bangladesh Labour Act and the Export Processing Zone Act with the ILO labour rights conventions as one of the priority actions.

The process has helped to build pressure on government in order to address issues of concern, and is seeing some positive developments. In parallel, the issues were raised in a coherent and coordinated manner through all relevant channels (such as trade committees, political or human rights dialogues).

**3. EU bilateral political engagement:** The biennial EU-Bangladesh Subgroup on Human Rights and Good Governance met in April 2018 in Dhaka. The meeting highlighted the need for further progress in several areas, notably the rule of law and the law enforcement, elections, labour rights, freedom of expression, freedom of association, press freedom, and the situation of women, children and minorities. The third EU-Bangladesh Diplomatic Consultations on 19 July in Dhaka also engaged actively on these issues.

Throughout the year, the EU Delegation continued monitoring developments in labour rights in the framework of the Sustainability Compact, stressing the urgent need for aligning labour legislation with International Labour Organisation's standards and fully allowing for the freedom of association.

On the occasion of Human Rights Day on 10 December 2018, the EU Delegation organised two events, focusing on combating violence against women and on the rights of persons with disabilities.

The EU Delegation, together with the EU Heads of Mission, issued 5 local statements related to human rights in 2018. The statements called attention to the high level of casualties and the use of excessive force in the drive against narcotics; the restriction of freedom of expression by the new Digital Security Act; the unlawful and disproportionate violence against student protesters and the urgent need to improve road safety; the need to respect the rule of law, citizens' rights to universal suffrage, freedom of expression and right to peaceful assembly as regards the 2018 Parliamentary elections. On the occasion of the World Day against the Death Penalty on 10 October, the EU Heads of Mission issued a statement reiterating their commitment to the worldwide abolition of death penalty.

**4. EU financial engagement:** In 2018, EU development cooperation supported a number of initiatives implemented by different organisations nationwide and focussing on access to justice, migrant and refugee rights, economic and social rights, women's rights, child rights, indigenous and minority rights and support to civil society organisations. These projects were funded under the envelope for Bangladesh of the Development Cooperation Instrument, but also through the thematic instruments EIDHR (European Instrument for Democracy and Human Rights) and CSO-LA (in support to Civil Society Organisations and Local Authorities).

These initiatives brought some successful stories from the ground in 2018:

Under the EIDHR project "Strengthened Civil Society Protects and Promotes Women's Rights", 32 student forums have been formed this year in 32 secondary schools for a total of 960 students. Training has been provided to the student forums focusing on women rights, gender issues, child marriage to build confidence among students so that they can identify incidents of gender based violence, child marriage and can take joint actions to prevent the child marriage and gender based violence.

In the framework of the project "Supporting Human Rights Defenders Working for Women's and Girls' Rights in Bangladesh", 20 potential young women Rural Media Professionals received a fellowship award to improve their career in defending rural women's and girls' rights.

Under the project "Promoting enhanced participation and empowerment of Dalit communities in Bangladesh with an evidence base for realisation of Dalit Human Rights and Entitlements", Dalit Human Rights Defenders received support.

**5. Multilateral context:** The EU and its Member states played an active role in the third Universal Periodic Review (UPR) of Bangladesh in May 2018, putting forward a high number of recommendations on various human rights issues.

## Kingdom of Bhutan

**1. Overview of the human rights and democracy situation:** Since the first elections in 2008, Bhutan has made significant progress in its democratisation process and in the area of human rights. Overall, the constitution and laws are in line with international standards and

no incidents of serious human right violations or abuses have been reported in 2018.

The elections for the National Council in April 2018 and for the General Assembly in September/October 2018 went smoothly. There was no formal international election monitoring but only a so-called 'DiploWatch' facilitated by the EU, which did not witness any irregularities. Overall, the elections projected a pluralist and mature democratic life developing in Bhutan, with lively debates, a record participation and rather unexpected results that were not challenged.

Bhutan continues to take steps in strengthening its democratic institutions, although 2018, an election year, did not see any new major bills coming through Parliament. Bhutan also continued to make progress on the empowerment of local authorities and the creation of a more vibrant civil society, on fighting poverty and improving access to social services, as well as on safeguarding women's and children's rights, and promoting gender equality. Bhutan's very low international ranking in the Global Gender Gap Index 2017 (124 out of 144 countries) should significantly improve in the 2018 Index, as the number of women in Parliament has largely increased.

Bhutan is slowly continuing to improve its records on freedom of expression and media. Self-censorship is a challenge and further efforts are needed the enhance media pluralism and the participation of citizens in the running of public life. The challenging situation of the Lhotsampa minority (Nepali-speaking Hindus) has improved gradually in recent years.

**2. EU action - key focus areas:** EU actions in 2018 focused on supporting the Bhutanese government's efforts to strengthen democracy through the empowerment of local authorities and the creation of a vibrant civil society, assisting Bhutan's efforts to protect women's and children's rights, and promote gender equality, and calling for an end to discriminatory treatment of minorities.

**3. EU bilateral political engagement**: Despite not having an EU Delegation or EU Member States Embassies in Bhutan, regular bilateral meetings and visits, as well as EU projects, provide occasions to raise issues and support positive developments. They receive a large coverage in the media and social media in Bhutan. Apart from the regular meetings related to development cooperation and projects, the EU continued in 2018 to engage with Bhutan at the political level including on human rights issues. The EU, mainly through the EU Delegation to Nepal, monitors the developments regarding the re-settlement of the Bhutanese refugees in Nepal, working closely with the core group of countries that have received refugees.

**4. EU financial engagement:** The implementation of various EU projects has contributed to strengthening human rights and democracy (total EU Multi-annual Indicative Programme – MIP - for 2014-20 amounting EUR 42 million, with support to civil society being one of the two priority sectors).

In 2018 the EU implemented its project to support Civil Society Organisations' development using a grant fund mechanism to address specific issues related for example to civic awareness and citizens participation, women's political and social empowerment, socio-economic empowerment initiatives and vulnerability reduction initiatives. By the end of 2018 the project had involved a series of important stakeholders representing Government, Dzongkhag Planning Officers, civil society, and community-based organisations. Helvetas (implementing partner) launched two calls for proposals and received 86 project proposals.

**5. Multilateral context:** Bhutan's progress in signing, ratifying and implementing core international Human Rights instruments remains slow although some positive steps in that direction have been observed in early 2018, with the support of Austria. Like in 2017, there were no visit of Special Rapporteurs in 2018 (Bhutan has not issued a "standing invitation" to special rapporteurs).

## Brunei Darussalam

**1. Overview of the human rights and democracy situation:** Brunei Darussalam is a de facto absolute monarchy ruled by the Sultan as the Head of State and Government with full executive powers, a position he has held since 1967. The legal system is based on British common law, with a parallel sharia law system applying to Muslims and non-Muslims. Following the introduction of phase one in 2014, the Government is still working on Standard Operating Procedures to further roll out the Sharia Penal Code, including physical punishments. However, there are still no precise indications when further phases of the Code would be introduced. Full enactment of the Sharia Penal Code would undermine Brunei's long-standing international human rights commitments.

Sharia is in fact the culmination of years of Islamisation of Brunei's laws on the basis of the specific concept of Malay Islamic Monarchy (Melaya Islam Beraja/MIB). Freedom of religion or belief remains a key issue. Islam – Shafi'i Islam, other forms are banned – is Brunei's official religion and four other religions (Buddhism, Christianism - Catholic and Anglican-, Hinduism and Taoism) are officially recognised although their practice is considerably restricted. For instance, Christian schools are not permitted to teach their religion; new construction of religious buildings and places of worship is not allowed; and public religious services and celebrations, including for Christmas and Chinese New Year, are illegal even though Christmas remains a public holiday. Non-Muslims suffer discrimination by the State (e.g. social benefits, access to the army or the public administration). These discrimination practises are primarily enforced at the government level, while ordinary Muslims in Brunei remain largely tolerant. Other serious human rights issues relate to civil and political rights, most notably the absence of credible, inclusive and transparent elections. The death penalty is still retained although no executions have taken place since 1984 so Brunei can be considered abolitionist de facto.

**2. EU action - key focus areas:** The EU uses its bilateral meetings with Brunei's authorities to raise human rights issues and has regularly urged Brunei to accede to further core UN human rights conventions. There is no dialogue on human rights with Brunei but human rights concerns are regularly raised by the local EU representation and during the annual visit of the non-resident Head of Delegation that took place on 6-7 March 2018. On this occasion, the issue of Brunei's sharia law and its compliance with international human rights obligations was raised.

**3. EU bilateral political engagement:** Bilateral relations are very limited given the fact that PCA negotiations have been paused following the adoption of the Sharia Penal Code in May 2014.

**4. Multilateral context**: There has been no change in terms of signature or accession to any additional UN Human Rights Convention in 2018. The Convention against Torture signed in

2015 has still not been ratified.

## Kingdom of Cambodia

**1. Overview of the human rights and democracy situation:** Although there have been some improvements in certain areas such as trafficking in human beings, education and children's protection, and despite some recent actions and announcements releasing some pressure on civil society, the overall situation in the country remains negative.

The decision in November 2017, to dissolve the main opposition party (Cambodia National Rescue Party (CNRP), on the basis of provisions contained in recent amendments to the Law on Political Parties, and the subsequent reallocation of its 55 National Assembly and 5007 commune council seats to other parties, have heavily impacted on the credibility of Cambodia's democratic process. Following the dissolution of the CNRP, the ruling CCP won all seats in the National Assembly election of 29 July 2018. This followed an indirect election on 24 February 2018, in which the CPP won all available seats in the Senate.

The arrest of opposition leader Kem Sokha (September 2017) and the banning from politics for 5 years of 118 CNRP senior members have been of equal concern. Kem Sokha's detention was found to be arbitrary by the UN Working Group on Arbitrary Detention in April 2018. Still awaiting his trial, he was released on bail on 10 September, but under conditions corresponding, in practice, to a house arrest. On 2 January 2019 the King signed an amendment to the Law on Political Parties (Article 45) which may allow, on government's request, "rehabilitation" by the King of persons who have been banned from political activities by the Supreme Court. This amendment may allow banned CNRP officials to return to politics. It was unclear yet whether all the 118 banned officials will be rehabilitated as, according to government statements, they would have to request rehabilitation individually.

The operating environment for civil society organizations has become progressively more restrictive, especially in the months preceding the 29 July General Election. There were a number of cases of use (or threat of use) of legal action to target rights defenders in civil society. Several Civil Society Organisations (CSOs) have reported harassment and excessive monitoring by the authorities. After the 29 July election, some prominent civil society activists and rights defenders were released on suspended sentences or royal pardon. In November 2018, the government revoked a requirement that CSOs give three days advance notice of all activities, and announced the imminent organisation of meetings with representatives of local and international NGOs to address challenges to civil society.

Cambodia ranks 142$^{nd}$ out of 180 countries in the 2018 World Press Freedom Index, dropping 10 positions compared to the previous year. The numerous media outlets closed under different legal provisions in 2017 have not restarted their activities. The introduction of the *Lèse-Majesté* Law, the Inter-Ministerial Prakas No 170 on website and social media control, and the amendment of Articles 42 and 49 of the Constitution (obligation to defend the national interest), as well as the National Election Committee Code of Conduct for the Media, all create new possibilities to further limit freedom of expression. Several journalists and bloggers remain under threat of legal action.

According to the World Justice Project's Rule of Law Index 2017–2018, Cambodia ranked 112$^{th}$ out of 113 countries in terms of rule of law, and scored zero in relation to the independence of

the judiciary. The judicial system has been used as a tool to target political opponents, rights activists, journalists and critical social media users. There were also concerns about the speed of judicial processes and the wide use of pre-trial detention, which contribute to overcrowding of prisons in the country.

The Cambodian government has taken some steps to resolve long standing disputes on Economic Land Concessions (ELCs), notably those for sugar plantations. On 24 December, the Land Ministry released an annual report on land disputes. According to the report, out of 513 cases of land dispute filed to the Ministry, 263 cases have been resolved. However, with specific reference to ELCs, concerns have been raised by NGOs as to the inclusiveness and transparency of the process in some cases. The deterioration of the political environment impacted negatively on labour rights. Many ILO Conventions, and in particular Convention 87 on Freedom of Association, are not effectively implemented in law and in practice.

On 16 November 2018, the Trial Judges at the Extraordinary Chambers in the Courts of Cambodia delivered a historic verdict in Case 002/02, finding senior Khmer Rouge leaders, Nuon Chea and Khieu Samphan, guilty of genocide (in relation to Cham and Vietnamese people), crimes against humanity and grave breaches of 1949 Geneva Conventions.

**2. EU action - key focus areas:** In 2018, the EU stepped up its engagement with Cambodia with regard to the Everything But Arms (EBA) preferential trade regime due to a lack of compliance with a number of UN Human Rights Conventions and ILO Conventions. An EU fact-finding mission (FFM) visited Cambodia in July 2018 and a dialogue is currently ongoing with the government.

**3. EU bilateral political engagement:** In line with the priorities set out in the Human Rights and Democracy Country Strategy as well as the European Roadmap for Engagement with Civil Society in Cambodia, the EU Delegation to Cambodia has implemented a number of actions to contribute to the protection of Human Rights and Democracy in the country. Several CSO consultations have taken place in the framework of the Roadmap for Engagement with Civil Society and the monitoring of EBA commitments. In November the Delegation hosted the CSO In-country Pre-sessions of the 3rd UN Universal Periodic Review (UPR) on Cambodia (January 2019), organised by UPR Info, Office of the United Nations High Commissioner for Human Rights (OHCHR) and a leading local Human rights NGO (CCHR). Financial support was extended to CSOs, helping to promote citizens' awareness on election processes and voting rights.

**4. EU financial engagement:** Technical assistance was provided to the Ministry of Justice for the drafting of a national legal aid policy. The EU has also supported the Implementation of the Social Accountability Framework (ISAF) to improve government-citizens partnership for public sector accountability. In collaboration with the Swedish International Development Agency (SIDA), the EU Delegation provided financial assistance to Transparency International Cambodia to implement a national anticorruption strategy. In 2018, a local European Instrument for Democracy and Human Rights (EIDHR) call for proposals focusing on land rights, freedom of expression and labour rights was finalised with five contracts awarded as a result. Moreover the EU has continued its support to the UN OHCHR on land rights, judicial reform and monitoring of human rights situation.

The EU Delegation has also supported CSOs to promote safe migration and reduce undocumented migration to Cambodia’s neighbours, especially Thailand. The EU has continued to provide financial support to the Extraordinary Chambers in the Courts of

Cambodia (ECCC) to judge crimes against humanity under the Khmer Rouge regime.

**5. Multilateral context:** In September 2018, the UN Special Rapporteur on Cambodia, Rhona Smith, presented her third substantive report on the human rights situation in Cambodia (UN Doc A/HRC/39/73). The Memorandum of Understanding with OHCHR, which was due to expire at the end of 2018, was renewed for a two-year period in October 2018.

## People's Republic of China

**1. Overview of the human rights and democracy situation:** The human rights situation in the People's Republic of China continued to be a matter of significant concern during 2018, especially in Xinjiang. The authorities continued to favour progress in economic and social rights over civil and political rights.

China's development since the reform and opening up period has led to the dramatic improvement of a number of aspects of economic and social rights, not least in the area of poverty alleviation and the rights to social goods (job creation, health and education above all). However, recent developments in the area of civil and political rights point to a serious and ongoing deterioration in the situation of human rights defenders and protection of the right of freedom of expression on-line and off-line, freedom of association and assembly, the rule of law and access to justice. Freedom of religion or belief has worsened with the expansion of re-education camps and the establishment of a mass surveillance system in Xinjiang.

The Public Security Administrative Punishments Law, the Law on Detention Centres and National Supervision Law, the Criminal Procedure Law, all these laws raised concerns as they contain a number of provisions which are inconsistent with Chinese obligations under international law or broad and vague definitions that are open to interpretation and possible abuse by authorities. The EU (on behalf of Member States) submitted lists of questions and suggestions during the public consultation period for amendments of the two later laws, and continued to urge the authorities to implement and observe the protections contained in other Chinese laws.

The situation of religious and ethnic minorities continues to worsen, in particular in Xinjiang Uyghur Autonomous Region, where severe violations of human rights continue to be reported alongside tightening restrictions on the exercise of religious freedom. Many credible reports have emerged, including the one by the United Nations Committee of the Elimination of Racial Discrimination, based on testimonies of witnesses about extra-judicial mass detention in political "re-education centres" affecting Uighurs and other minorities, intimidation of citizens by mass surveillance, restrictions on travel, and of Uighurs abroad, including the EU, being harassed or returned to China involuntarily. While access to Xinjiang and Tibet are still restricted for diplomatic staff, including UN and independent observers, a number of official visits have been organised to Xinjiang for foreign officials and journalists. The grip on religion continued to tighten in Tibetan Autonomous Region and the Tibetan inhabited territories with the Communist Party of China taking direct control over monasteries and other religious institutions which was accompanied by five Tibetan self-immolations. Despite the signing of a concordat between the Vatican and China, the situation of Christian communities did not improve, with continued crackdowns, on "home churches".

The EU remains concerned about the large number of individuals detained or imprisoned on almost daily basis for exercising rights guaranteed by the Chinese constitution. The year under review has also been characterised by the conviction and ongoing detention of human rights lawyers and activists. Mr Wang Quanzhang who disappeared in August 2015 during a nationwide crackdown on human rights lawyers, known as the "709 crackdown", was convicted of "subversion of state power" and sentenced to four years and six months on 26 December 2018. Reports of the mistreatment of the individuals in detention continue to appear, besides physical torture describing numerous cruel methods of torment, such as psychological distress, denial of medical aid in terminal conditions, and other forms of violence, as well as pressure to their associates and family members. Gui Minhai, an EU national from Sweden, had been detained in mainland China in early 2018 and was kept incommunicado for a long period.

The Chinese government has also produced two White papers throughout the year resulting in the creation of a new narrative on human rights in China. Celebrating 40 years of reform and opening up, China published a White paper on "Progress in Human Rights over the 40 years of reform and opening up in China" in December 2018 and a White paper on "China's Policies and Practices on Protecting Freedom of Religious Belief" in April 2018.

**2. EU action - key focus:** As in previous years, the EU pursued its commitments to promote the universality, indivisibility and interdependence of human rights based on the UN Charter and standards, the need to give equal weight to political and civil rights, and to improve the human rights situation in China.

The EU's main priorities regarding the human rights situation in China were: supporting freedom of expression and assembly; providing support to civil society, human rights defenders and persons belonging to ethnic and religious minorities, in particular Uighurs and Tibetans; promoting genuine progress towards China's expressed ambition of establishing the rule of law; supporting freedom of religion and belief, especially in Xinjiang; and raising concerns related to death penalty and gender equality in China.

The EU continued working with the Chinese government on improving the living standards of China's citizens, gradually improving access to basic social services such as healthcare and education, and eradicating poverty.

**3. EU bilateral political engagement:** The 36$^{th}$ round of the EU-China Human Rights Dialogue was held in Beijing on 9-10 July 2018. As detailed in the press release published on 10 July, the two-day programme allowed for candid discussions on a wide range of human rights, and the possibility of future cooperation on issues related to business and human rights, disability rights and the status of women. While acknowledging China's progress on economic and social rights, the EU emphasised the universality, indivisibility and interdependence of human rights and the need to give equal weight to political and civil rights. The EU also conveyed its concerns related to the deteriorating situation of civil and political rights in China and submitted two lists of individual cases during the Dialogue. This year's Human Rights Dialogue was held on the third anniversary of the arrest and detention of more than 300 human rights lawyers and defenders beginning on 9 July 2015.

The EU, its Member States, and China continued to conduct technical exchanges on human rights issues. While exchanges on non-sensitive human rights issues continued and in some cases increased, cooperation on issues related to civil and political rights is proving increasingly difficult. Both the EU and its Member States raised their concern about China's

human rights situation in international fora, and the Member States raised a number of issues, such as ratification of the International Covenant for Civil and Political Rights, situation in Xinjiang, death penalty, torture and extra-legal detentions, during the 3rd cycle of China's Universal Periodic Review (UPR).

**4. EU financial engagement:** The EU has, in line with its global human rights priorities, worked to improve China's human rights situation through official government cooperation, under the EIDHR and Non-State-Actors (NSA) instruments, and through grassroots support. A special focus of the cooperation is rule of law, which is in line with China's own priorities. Other topics the EU has supported are women's and children's rights, and rights of vulnerable groups. On the occasion of international days throughout the year, the EU Delegation in China and the Member States have organised and supported a number of public diplomacy activities. The EU Delegation and a number of Member States have also supported grassroots initiatives linked to rights promotion.

**5. Multilateral context:** 2018 was marked by the 3rd Universal Periodic Review of China and the EU urged China to implement the recommendations made by its Member states.

The EU continued to call on China to fulfil its obligations under the UN Charter and international law, which are also reflected in China's Constitution. The EU also urged China to celebrate the 20th anniversary of the signature of the International Covenant on Civil and Political Rights by ratifying it.

The EU referred to the human rights situation in China in its item 4 statements issued during the March, June and September sessions of the UN Human Rights Council (HRC). While acknowledging the progress made on a number of areas of social and economic rights in China, the EU raised its concerns about the detention of a number of human rights defenders including EU national Gui Minhai, Wang Quanzhang, Li Yuhan, Huang Qi, Yu Wensheng, Wu Gan, Gao Zhisheng, Ilham Tohti, Qin Yongmin, Li Yuhan, and Tashi Wangchuk. It also called on China to respect freedom of religion or belief and freedom of expression, as well as the rights of persons belonging to ethnic minorities. The EU also expressed concerns related to Xinjiang and the expansion of re-education camps.

The third UPR of China was the opportunity for a number of delegations, including 25 EU Member States to convey 346 recommendations to China. EU Member States concerns and recommendations focused on the protection of ethnic minorities' human rights, especially Uyghurs and Tibetans, re-education centres in Xinjiang, freedom of religion or belief, freedom of expression, peaceful assembly and of the press, protection of groups in vulnerable situations, including women, children, disabled persons, LGBTI people, Hong Kong, access to all regions of China for the High Commissioner for human rights, Special procedure mandate holders and other independent observers, space for the civil society, human rights defenders, journalists and lawyers, ratification of international human rights instruments, as well as implementation of the International Covenant for Civil and Political Rights (signed by China on 5 October 1998 but not ratified), its second optional protocol, as well as the optional protocol to the Convention against Torture, the abolition of the death penalty or an immediate moratorium, and the establishment of a National Human Rights Institution in line with the Paris Principles. The UPR of China also served as a platform for the promotion of "Human rights with Chinese characteristics" and based under national conditions, undermining the universality of human rights and UN conventions.

## Hong Kong Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation:** In 2018, in Hong Kong many aspects of the 'one country, two systems' principle continued to work well; however, there were increasing concerns about the erosion of this principle. The rule of law prevails and the independence of the judiciary is not in doubt. Fundamental rights and freedoms are generally respected but there is a clear negative trend, particularly with regard to political and civil rights. Freedom of press and freedom of expression, particularly with regard to sensitive political topics, are facing unprecedented challenges. Self-censorship is becoming more evident, all the more so after the widely reported refusal to extend the working visa of the Finacial Times's Asia Editor. Other major areas of concern include human trafficking, the rights of foreign domestic workers, and LGBTI rights. Political reform to introduce universal suffrage has been indefinitely stalled. For the first time, Hong Kong was the focus of a number of questions/recommendations during China's Universal Periodic Review (UPR) in Geneva.

**2. EU action - key focus areas**: The EU Office coordinated preparations for the Universal Periodic Review and hosted a second diplomatic roundtable (EU Member States, like-minded countries, a coalition of Hong Kong NGOs) on 29 June 2018.

Freedom of press and expression, trafficking in human beings, LGBTI rights and rights of foreign domestic workers were the key focus areas of the EU's engagement in Hong Kong (On 9 October 2018 a Statement by the HRVP's Spokesperson on the refusal to renew a visa for a foreign journalist in Hong Kong was published). Political and civil rights became a new focus area with two statements by the HRVP's Spokesperson on the decision to bar Agnes Chow from running for a Legislative Council by-election (29 January 2018) and on the decision to ban the Hong Kong National Party (24 September 2018).

**3. EU bilateral political engagement:** On 10-11 September 2018 the EU Office, in cooperation with the Office of the Secretary for Security of Hong Kong, organised a third workshop on preventing and combating trafficking in human beings and protecting its victims. The workshop was well attended with more than 140 participants from Hong Kong and four experts from EU Member States. Over three years the EU provided training to more than 300 officials from various relevant departments.

During 10 November-10 December 2018 the EU Office ran a Facebook Campaign to celebrate the 70th anniversary of the Universal Declaration of Human Rights. 30 articles of the Declaration were tattooed (with temporary henna tattoo) on the hands of lawmakers, human rights activists, consuls generals (Member States and like-minded countries) and representatives of civil society. On the occasion of the International Human Rights Day, the EU Office co-hosted a Human Rights Art Exhibition on 8 December 2018.

**4. Multilateral context:** On 6 November 2018, Hong Kong, as part of China's review, was subject to the Universal Periodic Review (UPR) for the third time. This year it received an unprecedented number of questions/recommendations. 12 countries used the UPR hearing to highlight their concerns about human rights in Hong Kong. Four countries, including 2 EU Member States, submitted questions in advance. Seven, including 3 Member States, made

recommendations. UK referenced Hong Kong outside the formal UPR procedure of questions and recommendations. Questions/recommendations were related to the implementation of 'one country, two systems', the case of Gui Minhai, challenges to freedom of expression, of the press, of association, LGBTI rights, rights of migrant workers and children's rights. The focus on Hong Kong in the UPR reflected the progressive deterioration of civil and political rights in recent years.

## Macao Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation:** Under the 'one country, two systems', the rule of law and the independence of the judiciary are upheld and the rights and fundamental freedoms are generally respected. However, political opposition is weak and civil society is not very vocal. Macao's people have only limited representation and the introduction of universal suffrage is not foreseen by its Basic Law. Press freedom is respected, though there are concerns about self-censorship. Trafficking in human beings, rights of LGBTI and migrant workers, and freedom of association and collective bargaining are among the main human rights concerns.

**2. EU action - key focus areas**: The EU's key focus areas remained trafficking in human beings and LGBTI rights.

**3. EU bilateral political engagement:** A workshop on combatting trafficking in human beings was planned for September 2018 but was cancelled last minute by Macao authorities.

**4. Multilateral context:** On 6 November 2018, Macao, as part of China's review, was subject to the Universal Periodic Review (UPR) for the third time. Macao received two recommendations: from Ireland on LGBTI rights and from Indonesia on migrant workers' rights.

## Taiwan

**1. Overall human rights situation:** Taiwan's human rights situation remains fairly good in comparison with the rest of the region. Drafting of legislation for establishment of a National Human Rights Institution started in 2018. The newly amended Company Act raised awareness of corporate social responsibility. However, the situation has deteriorated in three specific areas. Firstly, on death penalty; where the execution of death row inmate Li Hung-chi on 31 August put an end to the de facto moratorium since May 2016. Secondly, LGBTI rights, where three referenda presented by anti-LGBTI groups to limit marriage rights to only different-sex couples and restrict teaching about LGBTI at schools passed the legal threshold on 24 November 2018. Thirdly, on migrant workers' rights several cases of poor working conditions and abuses of migrant fishery and domestic workers were reported.

**2. EU action - key focus areas:** First EU-Taiwan Human Rights Consultations took place on 22 March 2018 in Taipei, where key human rights issues of mutual concern were discussed. 2018 EU-Taiwan Judicial Exchange Programme was co-hosted by the European Economic

and Trade Office (EETO) with Germany, France and UK Offices on 26-29 March 2018. Four international experts took part, with a focus on the abolition of the death penalty, and other human rights issues. They met judges, prosecutors, legislators and NGOs during seminars and official visits to exchange best practices. Regular meetings with human rights NGOs were organised by the EETO, including preparing bilateral EU-Taiwan Consultations and review how to push forward human rights progress. On 10 December 2018, International Human Rights Day, an op-ed signed by the Head of the EETO and 18 Member States' and Like-minded HoMs was published in both Mandarin and English by the Apple Daily and the Taipei Times, highlighting the 70th anniversary of the Universal Declaration of Human Rights, the progress made and areas which need improvement. Head of the EETO attended the opening event of a workshop to discuss the establishment of the Asian Human Rights Court Simulation held in Taipei on 6-7 October 2018. The EETO provided financial support to the organizer, which allowed inviting former Vice-President of the European Court of Human Rights András Sajó to travel to Taiwan and attend the workshop. The workshop was conducted successfully with the conclusion to have the first Court Simulation held in Taipei in July 2019. EETO has provided support for the publication of Taiwan Human Rights Journal by the Chang Fo-Chuan Centre for the Study of Human Rights at the Soochow University. The Journal is the only academic human rights publication in the Chinese speaking world. It is influential as it shapes the human rights narrative in the academic circles, and has become one of the sources of reference for Taiwanese government officials on human rights related matters.

On 31 August 2018 the HRVP spokesperson issued a statement on the execution of Li Hung-chi, where the EU's position against the death penalty was reiterated, with a call on the Taiwanese authorities to immediately reintroduce a moratorium on the death penalty. The EETO coordinated and carried out a joint demarche on the execution of Li Hung-chi to Minister of Justice Tsai Ching-hsiang with EU Member States and like-minded countries on 27 September 2018. On 8 October 2018, Head of the EETO attended a press conference for the World/European Day against the Death Penalty hosted by the Taiwan Alliance to End the Death Penalty (TAEDP) to express again the disappointment towards the execution carried out on 31 August 2018, and to call on the Taiwanese authorities to reintroduce a moratorium on the death penalty. From June 2018 to May 2019, the EETO has supported the Taiwan Alliance to End the Death Penalty (TAEDP) to conduct 30 public deliberation sessions on the alternatives to the death penalty across Taiwan. This initiative has raised awareness and increased public debates on the possible alternatives to replace the death penalty. In order to better understand the procedure applied during the execution, and discuss the views on the issue within Taiwanese society, Head of the EETO met with former executioners, including Mr. Wang a retired marshal who carried out six executions while on duty. According to Wang, the Taiwanese society has a deep-rooted distrust of its judicial system, which fuels its enduring support for the death penalty as a tool of justice and revenge. The abolition of death penalty remains highly politicised and controversial in Taiwan.

A short video about Mr. Chi Chia-wei, the first person in Taiwan to come out as gay on national television, was co-produced by the EETO and the Taiwan Tongzhi Hotline and released on 3 October 2018 as part of the EEAS Human Rights Defender video campaign. This video tells the story behind his fight for marriage equality for the past 32 years. To show support and commitment of the EU to the protection of LGBTI rights, the EETO participated

in the annual Taiwan Pride Parade, the largest of its kind in Asia, with more than 137,000 people attending this year. Around 60 people from 16 MS and like-minded offices joined the Delegation's parade group, making it the largest foreign office group. Op-ed articles for the International Day against Homophobia in May and the Taiwan Pride Parade in October were co-signed by Head of the EETO with Heads of Missions from MS and like-minded countries and published in both Mandarin Chinese and English in local newspapers. In December 2018, the EETO coordinated a discussion meeting with pro-LGBTI NGOs to gather information on their thoughts and next steps after the referendum results, which limited marriage rights in the Civil Code to only between different-sex couples and restricted teaching about LGBTI in primary and secondary schools.

**3. EU bilateral political engagement:** The EU Delegation remains in close contact with the Ministry of Justice, the Department of Gender Equality in the Executive Yuan, the Judicial Yuan, and other relevant government agencies in charge of human rights related issues. The first bilateral Human Rights Consultations on 22 March 2018 established a mechanism for such dialogues to take place annually in order to share experiences and best practices, as well as to review and follow up on all human rights issues of mutual concern.

**4. EU financial engagement:** In 2018, around EUR 22,000 of the EETO's Press & Information budget was used to organise, host, promote or support events and initiatives on human rights. These activities have resulted in increased public awareness and enhanced exchanges between the EU and Taiwan, both with the government agencies and the NGOs.

**5. Multilateral context:** Although Taiwan is not a member of the United Nations it has voluntarily incorporated the provisions of six of the UN's nine human rights treaties into its domestic laws. In 2012 and 2017, Taiwan drafted implementation reports on five of the treaties and invited panels of international experts consisting of former UN human rights rapporteurs, international court judges and renowned academics to review these reports. Observations and recommendations were provided by the panel after each review. NGOs are invited to participate in the Presidential Office Human Rights Consultative Committee to follow up and make sure necessary actions are taken and progress is made according to the observations and recommendations of the international panel.

## Iran

**1. Overview of the human rights and democracy situation:** The situation of human rights in Iran remained a matter of concern in 2018. An encouraging development was the significant reduction in drug-related executions, thanks to the amended Anti-Narcotics law which was adopted in October 2017. The authorities also committed to introduce reforms aimed at combating violence against women and Iran continued to accommodate millions of mainly Afghan refugees within its borders and provide them with healthcare and education. At the same time, restrictions to civil freedoms persisted, notably lack of guarantees of fair trial, violations of freedom of expression, religion or belief and of women's and girls' rights. Abuse and torture in prison and the detention of dual nationals remained matters of serious concern.

***2.* EU action - key focus areas**: The EU continued to closely follow the situation of human rights in Iran and voiced concerns using a variety of formal and informal, bilateral and multilateral tools. As in previous years, the EU supported the resolution on the human rights situation in Iran tabled by Canada during the United Nations General Assembly in New York. In its bilateral contacts the EU focused on issues of particular concern such as individual cases, the use of death penalty and issued statements in particular on the execution of juvenile offenders.

**3. EU bilateral political engagement:** The EU held the third round of informal discussions with Iran on human rights issues in the context of the EU-Iran High Level Dialogue, convened in Brussels on 26 November 2018. Both sides agreed to continue the discussion in a constructive spirit and to focus on tangible results. Through this channel of communication and engagement at political level the EU will progressively address its concerns. Human Rights are part of a broad and comprehensive agenda of cooperation with Iran which is based on the Joint Statement agreed on 16 April 2016.

**4. Multilateral context:** The Government of Iran accepted 189 of the 291 recommendations based on the Universal Periodic Review (UPR) in 2014 and asserted that most of the recommendations had been implemented. However, Iran still failed to implement its legal obligations stemming from international human rights conventions to which it is a party.

## Republic of Korea

**1. Overview of the human rights and democracy situation:** The Republic of Korea (ROK) is a developed constitutional democracy, characterised by a good human rights record. In 2018 a new four-year National Action Plan was released which framed President Moon Jae-in's vision of strengthening the overall framework for human rights, notably in the area of economic and social rights. Positive developments could be seen on various issues, notably on the court decisions that led to the release of hundreds imprisoned conscientious objectors and the entry into force of legislation to improve employment rights. The EU discusses human rights issues with the Republic of Korea in various formats, including high-level meetings as well as specific thematic dialogues. The 5$^{th}$ EU-ROK Human Rights consultations took place on 4 October 2018, with discussions on a large number of questions including on cooperation at the UN, the International Criminal Court (ICC), violence against women in conflict situations, the death penalty, labour rights, business and human rights and the situation of conscientious objectors.

**2. EU action - key focus areas**: EU action in the Republic of Korea in 2018 focused on the *de-jure* abolition of the death penalty, freedom of association, human rights of people belonging to minorities and people who are LGBTI, situation of conscientious objectors to military service and gender equality and combating violence against women.

**3. EU bilateral political engagement:** Following positive developments regarding the situation of conscientious objectors (ruling by the Constitutional Court instructing the government to establish an alternative to military service by 2020), the EU and Member States maintained close contact with civil society organisations (CSOs). EU diplomats attended meetings at the National Assembly during which civil society representatives

presented case studies of forms of alternative service in line with international standards. On 10 December 2018, the Ambassador of Sweden shared his personal experience as a conscientious objector when he made remarks in the presence of President Moon at the National Human Rights Commission of Korea (NHRCK) event marking the 70th anniversary of the Universal Declaration of Human Rights.

The EU remains firmly committed to encouraging *de-jure* abolition of the death penalty in the Republic of Korea following the de-facto moratorium on executions in place since 1998. The ambassadors from the EU issued a joint Local Statement supporting the recommendation of the National Human Rights Commission of Korea that the country accede to the Second Optional Protocol of the ICCPR and participated in related events throughout the year.

As regards non-discrimination and the rights of people belonging to minorities, the EU and many EU Member States participated in the annual Seoul LGBTI Pride Festival and Parade, with several EU embassies and the EU Delegation hosting booths at the event.

On gender equality, Per-Anders Sunesson, the Swedish Ambassador-at-large for Combatting Trafficking in Persons, and the EU Delegation alongside British MP Sarah Champion participated in a conference at the National Assembly aimed at mobilising support for legislation to halt the prosecution of minors for prostitution. The EU Delegation, jointly with the embassies of Sweden and the UK subsequently attended events organised by leading civil society organisations working to prevent trafficking of children for sexual purposes. The EU and Member States engaged with a number of civil society actors to encourage greater debate on the practical changes required to improve gender equality in Korea.

The EU and Member States used the opportunity of the 2018 Pyeongchang Winter Paralympics to highlight the need to work towards inclusive societies. In this context, a seminar for journalists was organised on covering issues connected to people with disabilities and a competition was organised for the best media article on the Paralympics and people with disabilities.

**4. EU financial engagement:** The EIDHR was used to fund the translation into Korean language of a recent publication by the International Commission against the Death Penalty (ICDP) on "How States Abolish the Death Penalty". The Partnership Instrument Public Diplomacy Project funded actions around the Paralympic Games designed to increase awareness of the rights of people with disabilities, including a seminar for journalists. The same project was also used to plan for the development of a civil society platform, which will facilitate cooperation between NGOs in the Republic of Korea and the EU.

**5. Multilateral context:** The Republic of Korea participated in the EU-led "Good Human Rights Stories Initiative" at the UNGA73, explaining the strength of its civil society.

The voting record of the Republic of Korea in UN human rights fora remained very similar to that of the EU, demonstrating like-minded values in most areas. The government continued, however, to abstain on the UNGA Resolution to establish a Moratorium on the Death Penalty despite a recommendation from the National Human Rights Commission of Korea that it vote in favour. Korean civil society organisations remained active in UN human rights fora discussions on issues in their country throughout the year. Reviews by the Committee on Eliminating Discrimination against Women and the Committee on the Elimination of Racial Discrimination both identified improvements since the last reviews while suggesting

action to address longstanding and emerging issues of concern.

The Republic of Korea facilitated a visit by the UN Special Rapporteur on Adequate Housing and two visits by the Special Rapporteur on the Human Rights situation in the DPRK.

## Democratic People's Republic of Korea (DPRK)

**1. Overview of the human rights and democracy situation:** The dire human rights situation in the Democratic People's Republic of Korea (DPRK) remained unchanged in 2018. The government continues to maintain strong control over its population, and according to reports, commits enforced relocations, uses forced labour, makes arbitrary arrests and detentions, and maintains political prison camps. Severe restrictions on basic civil and political liberties for citizens, including the absence of access to a fair trial, freedom of expression, religion, association and assembly persist. Independent media and civil society organisations and organised political opposition remain prohibited. Children continue to be used for unpaid labour and are subject to physical violence and punishment. Women face sexual harassment and abuse, including in detention, as well as trafficking and forced marriage abroad. In addition to grave human rights violations, the general living conditions remain very difficult, including chronic food insecurity, widespread malnutrition and lack of access to safe drinking water and sanitation. Collecting verifiable information continues to be a challenge given the limited access to the DPRK. The UN's Special Rapporteur on the situation of human rights in the DPRK continues not to be granted access to the country. While the family reunions that took place in August could be seen as a positive step, reflecting progress made on the inter-Korean track, the overall development of the diplomatic process so far has not led to any parallel improvement of the human rights and humanitarian situation in the Democratic People’s Republic of Korea.

**2. EU action - key focus areas:** The EU has a policy of Critical Engagement towards the DPRK, which combines pressure through sanctions and other measures while keeping communication and dialogue channels open. Its goals, aimed at the complete, verifiable and irreversible denuclearisation, are to support a lasting reduction of tensions on the Korean Peninsula and in the region, the upholding of the global non-proliferation regime, and the improvement of human rights in the DPRK.

**3. EU bilateral political engagement:** The EU has no Delegation in the DPRK. EU Member States with diplomatic presence in the country take turn every 6 months to represent the EU locally. Due to unfavourable political circumstances, the EU last held its political dialogue with the DPRK in 2015.

**4. EU financial engagement:** In 2018, the EU provided assistance to the DPRK mainly in the area of food security. Some projects also support DPRK organisations in addressing the social inclusion of people with disabilities and the elderly, while others tackle disaster preparedness in rural communities. All these activities are of direct benefit to those among the most vulnerable people in the DPRK.

**5. Multilateral context:** In 2018, the EU and Japan jointly tabled resolutions on the situation of human rights in DPRK at the 73$^{rd}$ session of UN General Assembly (UNGA) and the 37$^{th}$ session of UN Human Rights Council (HRC) respectively.

# India

**1. Overview of the human rights and democracy situation:** India is a democratic and pluralist country where the 1950 Constitution, relevant legislation and robust institutions warrant citizens' rights, along the core principles of secularism and equality. Multiple laws and policies are aimed at improving the situation of disadvantaged and poor people and independent judicial institutions, an active civil society and a vibrant media seek government accountability and action. However, structural issues such as institutional capacities, unequal distribution of resource and access to services as well as deeply engrained cultural mind-sets remained as impediments towards the full implementation of human rights.

In this context, national human rights institutions such as the National Human Rights Commission (NHRC) and the State Human Rights Commissions with their promotion and protection mandate continue to play an important role. Moreover, the National Commission for Minorities and the National Commission for Women, the National Commission for the Protection of Child Rights as well as States Human Rights Commissions are key players towards achieving the Sustainable Development Goals to which India is fully committed.

2018 was a year of landmark decisions of the Supreme Court which de facto abolished the criminalisation of consensual homosexual acts between adults as well as adultery and affirmed the right to privacy, amongst others. The government also continued multiple activities to improve the situation of women and child rights. In the fight against female genital mutilation, the Supreme Court recognised it as punishable crime in 2018. Efforts to change cultural mind-sets through official programmes for the empowerment of the girl child, such as "Save the Girl, Educate the Girl" continue and the issue of child marriage is being addressed with awareness raising programmes. However, despite increased attention to the issue, sexual abuse of children remains an important concern of the authorities and public opinion.

Late 2018 also marked by the rise of the #MeToo movement in India. Around the first year anniversary of this international initiative, numerous women reported in the media and on the internet alleged cases of sexual abuse and harassment at the workplace.

There was a heightened sense of concern about the continuing trend of a shrinking space for civil society, arrests of human rights activists and investigations of non-governmental organisations as well as a deterioration of inter-communal relations, deeper societal polarisation and increased mobilisation along caste divisions and religious affiliations. These features have intensified in the run-up to the general elections partly owing to the recourse to identity politics.

**2. EU action - key focus areas**: EU activities and events regularly promote all human rights policy priority areas relevant to India. In 2018, the EU continued to engage with multiple stakeholders in India, not least the civil society, in various formats and at various levels, including meetings, parliamentary visits and events organised by the EU Delegation, EU Member States or EU sponsored projects.

**3. EU bilateral political engagement:** There were increased contacts with the National Human Rights Commission. In March 2018, the EU Head of Delegation raised a range of issues in a meeting with the Chairperson of the National Human Rights Commission. In

October, the Delegation contributed to an international human rights conference organised to mark the 25th anniversary of the NHRC, contributing to a Panel on business and human rights. The EU also regularly raises attention to address challenges faced by human rights defenders to the NHRC's dedicated focal point.

The EU Delegation has further intensified public outreach activities on key issues such as gender equality, ending discrimination on any ground or status and the rights of children. On International Women's Day, the EU Head of Delegation participated in a Facebook live discussion on economic empowerment of women. In May-June, the Delegation participated in a campaign for LGBTI rights, organising activities such as a joint press release, embassy lighting on rainbow colours, social media messages, movie screening and panel discussions. In October the Delegation brought 16 missions together for a girls´ empowerment action, partnering with Plan International and their good will Ambassador, a Bollywood actor which gathered wide attention.

**4. EU financial engagement:** The EU affords practical support to the realisation of human rights and the work of civil society actors through its programs and projects. The EU Delegation, together with Member States, supported a large number of projects contributing to the above mentioned priorities. Under the European Instrument for Democracy and Human Rights (EIDHR) projects that commenced in 2018 have a specific focus on the rights of the urban homeless and manual scavengers; access to justice for children; rights of LGBTI persons; and accountability in the criminal justice institutions with particular focus torture, prisoners with mental illnesses, economically disadvantaged persons dependent on legal aid and persons on death row.

Other newly launched projects focus on Women Human Rights Defenders, Torture elimination and rehabilitation, and ending violence and discrimination against Dalits, minorities and LGBTI communities. Furthermore, the EU continued providing financial support through EIDHR for gender and child rights, disability rights, Dalit and minority rights, inclusive policing and online freedoms of expression, association and assembly.

Under the framework of the Partnership Instrument, two projects were initiated in 2018 with the focus on enhancing engagement between EU and Indian Civil Society Organisations (CSOs) focusing on disabilities, private sector action on sustainable development goals, and confidence-building.

**5. Multilateral context:** India is party to major international human rights instruments and committed to United Nations human rights bodies such as the UN Human Rights Council (HRC). In October 2018, after the mandatory pause of one year, India was re-elected as a member of the HRC for the term 2019-2021. UN special procedures issued several statements raising concerns over several issues in India on sexual violence, discrimination against religious minorities, targeting of activists, and lack of accountability for security forces. The HRC in June received the report of the Special Rapporteur on the human rights to safe drinking water and sanitation, Léo Heller, who had been on an official visit to India from 27 October to 10 November 2017. The UN Special Rapporteur on racism also raised concerns on a decision to deport seven Rohingya back to Myanmar. In June 2018, the Office of the UN High Commissioner for Human Rights released a report on the human rights situation in Kashmir, covering both sides of the Line of Control. The report points at violations of human rights and impeded accountability. Kashmir was the stage of intensified counterinsurgency and robust policing of demonstrations, which often turned violent. It has been considered to

be the year with highest number of civilian, security personnel and militants / terrorists deaths and injuries in a decade. India continued implementation of recommendations made in its third Universal Periodic Review (UPR) in May 2017 when 250 recommendations were made of which 152 were accepted. The government agreed to meet and consult with civil society representatives in this context.

## Indonesia

**1. Overview of the human rights and democracy situation:** Indonesia is a stable democracy with credible, inclusive and transparent elections, with diverse and active media and a vibrant civil society. Basic human rights are guaranteed by law and the institutional human rights framework which includes a National Commission on Human Rights, a National Commission on Violence against Women, and the Commission for Child Protection. In 2018 Indonesia held local elections in 17 provinces and 154 districts. The Constitutional Court struck down passages of the 1974 marriage law that allowed women to get married at the age of 16 and men at age of 19.

At the same time, a number of human rights related issues persisted. Authorities continue to apply a controversial blasphemy law. At least six people were sentenced to prison terms in 2018. Minorities such as Ahmadis, Shi'a Muslims and members of the LGBTI community still experienced discrimination and violence. The draft revised criminal code contains provisions that would outlaw same-sex relations and extramarital sex. No executions were carried out in 2018 but 45 people were sentenced to death and more than 300 inmates remain on death row. Human Rights Defenders continue to report intimidation and harassment and a growing number of cases of criminalisation.

**2. EU action - key focus areas:** The abolition of the death penalty is a major priority for the EU. The revised criminal code, (whose adoption might take place in 2019), will likely define the death penalty as an "alternative punishment" whereby convicts sentenced to death will be given a 10-year probation period, with the possibility of commuting the death sentence to 20 years in prison. The EU continues to encourage Indonesia to re-establish a de facto moratorium, as one of the recommendations accepted by Indonesia in the last cycle of the Universal Periodic Review in 2017.

Throughout the year the EU continued to monitor the revision of the criminal code through regular meetings with government, parliament, civil society and international partners. Of particular concern are the provisions to criminalise same-sex relations and extramarital sex.

In the area of non-discrimination and protection of minorities, the EU closely followed up the frequent application of the blasphemy law and was in regular contact with minority groups and victims of discrimination and intolerance throughout 2018, including with representatives of religious minority groups and LGBTI organisations. Throughout the year LGBTI groups have faced discrimination, harassment and restrictions of the civil and political rights that are recognised to all Indonesian citizens. On the occasion of the Asia Games and Para Games held in Indonesia the EU Delegation organised a competition for journalists on the themes of non-discrimination and inclusiveness.

Throughout the year, the EU promoted the universality of human rights at the occasion of the 70$^{th}$ anniversary of the Universal Declaration of Human Rights. Initiatives included social

media campaigns (#standupforhumanrights, #HumanRightsPower featuring bracelets, #YourRightsYourFuture or the Human Rights Defenders campaign) and collaboration with a film festival focused on inclusion.

**3. EU bilateral political engagement:** The EU-Indonesia Partnership and Cooperation Agreement, which provides the framework for bilateral cooperation is based on shared values and includes joint commitments to the safeguarding and promotion of human rights. The seventh bilateral Human Rights Dialogue took place in February 2018 covering a wide range of issues, including access to justice and penal policy, the rights of migrants and people belonging to minorities, disinformation, business and human rights, freedom of assembly and association and freedom of expression. Both sides agreed to organise a seminar on disinformation and hate speech, which was organised in cooperation with Indonesian ministries in October 2018. It brought together Indonesian and European experts from government, media and civil society and provided a platform exchange experiences and best practices in tackling disinformation while respecting fundamental rights and democratic freedoms.

The Ministry of Foreign Affairs convened the "Jakarta Conversation on the 70th Year of Universal Declaration on Human Rights and 25th Year of the Vienna Declaration and Programme of Action", on 5 February 2018. The event counted with the presence of the High Commissioner of Human Rights and the EU was invited to be one of panellists. The EU Delegation also partnered with the Ministry of Law and Human Rights in the organisation of a photo competition with the theme "human rights through your eyes" to mark the Human Rights day and the 70$^{th}$ anniversary of the Declaration.

**4. EU financial engagement:** In 2018 the EU continued to mobilise funds to support its focus areas of engagement in Indonesia together with the EU Member States. The EU supported a number of initiatives: for example "Comprehensive Actions against the Death Penalty", Combating discrimination and stigma of women and children with disabilities in Central Java", "Building local capacities and alliances for participatory Inclusive and open public finance management processes in Indonesia", "project against hate speech: Engaging religious leaders and the police as key stakeholders in tackling hate speech as a driver of radicalisation and intolerance", etc.

**5. Multilateral context:** Following a visit of the EUSR Lambrinidis in April, Indonesia joined the good human right stories initiative. Foreign Minister Retno Marsudi participated at the high-level meeting at the UN General Assembly on 27 September presenting the diversity and pluralism of Indonesia.

In follow up to the 2017 Universal Periodic Review (UPR), the EU continues to monitor Indonesia's commitments made in its acceptance of 167 out of 225 recommendations. The EU Delegation continued to lend its support to the OHCHR and in 2018 notably ahead of the visit of the High Commissioner in February and the deputy High Commissioner in November.

## Japan

**1. Overview of the human rights and democracy situation:** Japan remains an established and well-functioning democracy which overall ensures a high level of respect for human rights. In 2018, the situation remained stable, with little change in comparison to 2017.

Overall, Japan serves an example for other countries in its embrace of and advocacy for the observance of international human rights obligations, although the continued application of death penalty remains a major concern. The EU is engaged in human rights discussions with Japan in various formats, which include high-level meetings as well as specific thematic dialogues. The annual Human Rights Dialogue consultations with Japan took place on 22 June, with discussions on cooperation in multilateral fora, country specific situations, and bilateral issues (death penalty, business and human rights, gender).

**2. EU action - key focus areas**: The EU action in Japan in 2018 focused on the death penalty, gender equality, non-discrimination (LGBTI issues) and children's rights.

**3. EU bilateral political engagement:** The EU remains firmly committed to the abolition of the death penalty in Japan. The main policy goal remains to obtain from Japan a moratorium on executions, while examining alternatives to the death penalty, with a view to its eventual abolition. In 2018, 15 executions took place (an exceptionally high number linked to the crimes of the Aum Shinrikyo cult). The EU expressed its position in local statements and in the human rights dialogue with Japan. For the World Day Against the Death Penalty on 10 October the EU Delegation published in Japanese a European Union/Council of Europe joint statement against the death penalty.

Japan lags behind most major developed economies on gender equality. Despite strong commitment by the Japanese government to address gender discrimination and inequalities, progress in this area is slower than it could be, notably in the workplace, where problems of wage gap and lack of access to management positions persist. On 10 May the EU Delegation participated in the Japan WIN Conference of the Women's International Network (WIN) with a keynote speech. On 19 June, the EU Delegation organised an event on violence against women in cooperation with the UN Information Centre.

As regards non-discrimination, on 6 May the EU Delegation and embassies of the EU Member States took part in the Tokyo Rainbow Pride event. On 17 May the EU Delegation published a statement to mark the International Day against Homophobia, Transphobia and Biphobia. The EU Delegation hosted a well-attended public event on 4 October, co-organised with the Embassy of Ireland, entitled, "Advancing LGBT Rights: Sharing Perspectives from the EU & Japan".

Concerning Children's rights, the EU Delegation sponsored a youth festival and charity walk organised by the NGO Human Rights Now, held on 17 November, on the occasion of World Children’s Day, to raise awareness regarding the human rights of children. The EU Delegation and EU Member States also engaged at different levels with the Japanese Ministry of Justice on the issue of parental child abduction.

The European Parliament, in its resolution of 12 December on the draft Council decision on the conclusion of the EU-Japan Economic Partnership Agreement, highlighted the fact that Japan has yet to ratify two ILO core conventions (on discrimination and on the abolition of forced labour) and its expectation of concrete progress within a reasonable timeframe on the part of Japan towards ratifying and implementing the Conventions.

**4. EU financial engagement:** The EU Delegation manages a two-year EUR 222,000 Partnership Instrument project, "Engagement with Civil Society in Japan on Fundamental Rights: Death Penalty and the Criminal Justice System", to support civil society-led activities to promote awareness of the criminal justice system in relation to the death penalty in

Japan. Activities in 2018 included debates at schools and universities, the creation of a website on the death penalty, the criminal justice system and prisoner's rights in Japan, and public documentary screenings.

In the field of gender equality, the "WE EMPOWER" project benefits from EUR 1.5 million for activities in Japan, aiming to support sustainable, inclusive and equitable economic growth through: (i) advocacy and multi-stakeholder policy dialogues; and (ii) building capacity in the private sector in line with internationally-agreed Women Empowerment Principles. In Japan in 2018, the project consulted with Japanese stakeholders (the results of which have fed into the 2018 G7 agenda of Canada), and established an Advisory Group to provide project guidance and facilitate engagement with industry and government representatives.

The EU supports together with ILO and OECD a 36-month project on "Responsible Supply Chains in Asia". The project benefits from EUR 1.5 million for activities in Japan, and aims to contribute to enhanced respect for international human rights, labour and environmental standards by businesses engaged in supply chains in Asia. The focus for Japan is on the automotive and electronics industries. 2018 activities included the mapping of Corporate Social Responsibility policies on responsible supply chains and consultations with the Keidanren business federation.

**5. Multilateral context:** At the conclusion in March of its Universal Periodic Review at the Human Rights Council, Japan received 217 recommendations from 106 countries. Japan agreed to follow up on 145 recommendations, including those related to the protection of socially vulnerable persons such as women, children and persons with disability. Japan also partially accepted to follow up on an additional 10 recommendations. Japan became a pathfinding country in the global partnership to end violence against children and held a first multi-stakeholder meeting on the baseline study on business and human rights as a process of formulating its national action plan on business and human rights. At the UNGA73 3rd Committee session in New York in November the EU and Japan tabled jointly a successful resolution on human rights in the DPRK. For resolutions on other topics, the EU and Japan supported or voted along the same lines in the overwhelming number of cases. However, Japan abstained on votes on Myanmar and Yemen in the Human Rights Council's 39th session in Geneva in September, which was the subject of two demarches by the EU Delegation. Japan also abstained in the subsequent 3rd Committee vote on Myanmar.

## Lao People's Democratic Republic (Lao PDR)

**1. Overview of the human rights and democracy situation:** The Lao PDR has made limited progress towards the national objective to establish a genuine rule of law with the National Assembly gradually developing its oversight role over the government.

Lao PDR has a weak regulatory environment and law enforcement. Corruption remains a main challenge for the government which has adopted (but enforced with uneven results) several reform policies regarding fiscal transparency, forestry and wildlife trafficking.

Laos is lagging behind in terms of effective implementation of its international human rights obligations in several areas.

The rights to freedom of expression, association and peaceful assembly remain restricted,

and the state continues to exercise a close control over media and civil society. There was no progress on investigations into a number of enforced disappearances.

In 2018 Laos submitted state party reports to the UN Human Rights Committee, as well as to the CEDAW Committee and the UN Committee on the Rights of the Child.

The Death Penalty still applies despite a *de facto* moratorium in place since 1989. The number of crimes punishable by capital sentence has been reduced from 18 to 12.

The new Penal Code, adopted by the National Assembly in May 2017 but promulgated in October 2018, aims to better comply with international standards, in particular with regard to environmental crime and anti-money laundering, while the concepts of genocide and torture are now included in conformity with international definitions.

**2. EU action - key focus areas**: The EU's priorities for 2018 continued to focus on human rights promotion and advocacy with the Laos' government authorities and through support to the local civil society, good governance and rule of law.

The 8th EU-Lao PDR Human Rights Dialogue took place in Brussels in March 2018. In the field of good governance and rule of law, the EU gave continuous support for the public administration reforms, capacity building and implementation of the judicial and legislative framework (Citizen Engagement for Good Governance, Accountability and the Rule of Law programme), as well as continuing institutional capacity building with special focus on the National Assembly and People Provincial Assemblies, citizens' participation and conductive environment for civil society.

**3. EU bilateral political engagement:** The EU developed close cooperation with Lao authorities in the run-up and follow-up to the 2018 EU-Lao PDR Human Rights Dialogue, this being evidenced, for example, by the joint organization of the 70th anniversary of the UN Universal on Human Rights (UNDHR) event in December 2018. The EU Delegation to the Lao PDR also organised a panel discussion jointly with the Ministry of Foreign Affairs of Laos, the UN office and the Australian Embassy. The focus of the workshop was the universality of human rights and the impact of UNDHR principles to the international human rights law as well as to the Lao legal framework.

**4. EU financial engagement:** In 2018 the EU has continued to mobilise funds to support its focus areas of engagement in Laos together with the EU Member States as well as Switzerland in the framework of the European Joint Programming. In particular, the EU and 5 Member States (France, Germany, Ireland, Luxembourg, United Kingdom) and Switzerland have financially supported the activities in the governance sector where European partners are among the main providers of development assistance with total indicative commitments of EUR 22.5 million in the planning period 2015-2020. The implementation of programmes is ongoing and will continue in 2019. The EU has also supported several initiatives to support local civil society organisations.

**5. Multilateral context:** Although Laos has renounced to draft a UPR Action Plan, it did not stop its implementation. Three years after the 2ndUPR cycle, the Lao authorities are now consulting all relevant stakeholders in the run-up to the next cycle in 2020. The Government's main concern is the lack of resources for implementing over 116 recommendations, some of which are particularly broad in scope. Lao authorities have extended an invitation to the UN Special Rapporteur on Extreme Poverty, who is expected to visit Laos in March 2019.

## Malaysia

**1. Overview of the human rights and democracy situation:** The historic election in Malaysia on 9 May 2018, with the first democratic regime change in 61 years, brought to power the Pakatan Harapan (PH) coalition. The new government's first months in office were promising in terms of progress on human rights. The government has delivered on a first batch of crucial institutional reforms. Nine government agencies, until recently part of the Prime Minister's Department, now report directly to Parliament. Following the elections, the media has become considerably freer and approximately 90% of human rights defenders (HRDs) and former opposition (now ruling coalition) politicians charged under the previous administration have been acquitted or the charges have been dropped. The Malaysian Cabinet decided to abolish the death penalty in its entirety and a moratorium on executions for all crimes has been put in place. The LGBTI community continues to face serious discrimination in Malaysia, with same-sex relationships being criminalised. Cross-dressing is criminalised in most of Malaysia's 13 states. Two women were caned publicly on 3 September in the Sharia High Court in the State of Terengganu, for allegedly attempting to have same-sex relations. The EU reacted with a HRVP Spokesperson's statement. Malaysia was downgraded to Tier 2 Watch List in the U.S. TIP 2018 Report.

**2. EU action - key focus areas**: EU activities in Malaysia in 2018 focused on death penalty, freedom of religion and belief (FoRB) and accession of Malaysia to remaining International Human Rights Treaties. On death penalty, in the framework of a European Instrument for Democracy and Human Rights (EIDHR) project, the EU held a Parliamentary Roundtable on the abolition of the death penalty and encouraged Malaysia's vote in favour of UNGA's Moratorium Resolution. The EU Special Envoy on Freedom of Religion or Belief outside the EU, Jan Figel, visited Malaysia on 12-13 November 2018, engaging with Malaysian authorities, as well as with civil and religious actors. The EU funded a project under an EIDHR grant (EUR 275,000) on "Promoting the Accession of Remaining International Human Rights Treaties in Malaysia" implemented by the National Human Rights Commission of Malaysia (SUHAKAM).

**3. EU bilateral political engagements:** A constructive EU-Malaysia senior officials meeting took place in June during which human rights issues were discussed. The EU welcomed the new government's commitment to ratify the ICCPR as well as to revoke the mandatory death penalty. The EU also called on the government to grant refugees the rights to work, healthcare and education.

**4. EU financial engagement:** The EU implemented a project under EIDHR for "Accompanying Parliamentarians, National Institutions and Civil Society for the Abolition of Death Penalty in Central Africa and Southeast Asia" implemented by *Ensemble Contre La Peine de Mort* (ECPM) (Together against the death Penalty) in cooperation with the Coalition on the Abolishment of Death Penalty in ASEAN (ADPAN) (EUR 1.2 million until 2019). Parliamentary Roundtable on the abolition of the death penalty in Malaysia co-organised by the Parliamentarians for Global Action (PGA) and ECPM on 30-31 October at the Parliament of Malaysia was organised in the framework of this EIDHR project.

There is also an ongoing project implemented by Malaysian NGO *Sisters in Islam* was granted

a project for EUR 745,000 (from the EIDHR Global Call) on "Protecting Women Human Rights Defenders by Expanding the Space for Public Discourse on Islam and Women's Rights", which will be executed until 2019.

Another EU project for realising women migrant workers' rights and opportunities in the ASEAN region (Spotlight Initiative) is called "Safe and Fair" and is implemented by the ILO. The official launch of the project in Malaysia took place on 25 September 2018. Total budget is EUR 25 million and it will last under 2022. Under the project for protecting children affected by migration in Southeast, South, and Central Asia, which is implemented by UNICEF, Malaysia component is EUR 1.6 million and it will last until June 2021.

The EU is also funding a UNHCR implemented project (under EIDHR 2016/372-801) called "Global technical assistance and capacity building programme to prevent detention of children and to protect children and other asylum-seekers in detention"; implemented by the UNHCR. It started in 2016 and is ending in March 2019.

**5. Multilateral context:** For the first time, Malaysia shifted to a positive vote regarding the UNGA Death Penalty Moratorium Resolution.

During Malaysia's 3rd Universal Periodic Review (UPR) held in November, many participating States recognised Malaysia's achievements under its new government. Recommendations focused mainly on the total abolition of the death penalty and corporal punishment, female genital mutilation, children's rights, child marriage, rights of migrant workers and discrimination of LGBTI persons. Malaysia received a total of 268 recommendations.

The Government has pledged the ratification of all six remaining international core human rights conventions (Malaysia has ratified CEDAW, CRC and CRPD). This has been reiterated both by PM Mahathir in his speech at UNGA, as well during Malaysia's 3rd UPR in November. However, following pressure and a public demonstration by Malay Muslim groups (who fear that the ratification of ICERD would impact negatively on their positive discrimination), the Government announced in November that Malaysia will not ratify the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in the near future.

## Maldives

**1. Overview of the human rights and democracy situation:** The first half of 2018 saw a continued deterioration of the political and human rights situation in the Maldives. A Supreme Court ruling on 1 February, to free key political prisoners and reinstate opposition members of the Parliament, resulted in a 45 day state of emergency, under which several opposition figures as well as 2 of the 5 Supreme Court justices were arrested on charges of terrorism. The UN Special Rapporteur on the independence of judges and lawyers expressed concern at reports of interference and irregularities in the judicial procedures that led to these convictions. Freedom of assembly and expression continued to be restricted until the inauguration of the new government. Press freedom in the Maldives had continued to slide, with several international organisations expressing concern at the threats to journalists and restrictions on press freedom – particularly during the state of emergency in February.

Presidential elections in September ushered in a new administration that campaigned on a

platform to restore democracy and the rule of law. In his inaugural speech, President Solih stated that his administration's foreign policy will be shaped by "human rights, democracy and climate change diplomacy". His 100 Day pledges included judicial and police reform, investigation of corruption, and environmental protection. In November, the controversial Anti-Defamation Act was repealed. A presidential commission was also formed by to investigate unresolved murders and cases of enforced disappearances.

Several arrests throughout the year highlighted the urgency and reality of the threat from radicalization. In January, both the US and the UK issued travel advisories over the risk of terrorism. The Minister of Defence also acknowledged that the number of Maldivians travelling overseas to fight with jihadi groups was on the rise.

Custodial deaths reported periodically raised questions about prison conditions. Lawyers reported arbitrary restrictions on access to their clients, particularly during the state of emergency. There were also allegations of torture reported.

Despite pledging to uphold the 65-year moratorium on the death penalty by the new administration in November, the Maldives voted against a UN General Assembly resolution in support of a moratorium on the death penalty in December.

**2. EU action - key focus areas:** EU actions and activities in the Maldives in 2018 focused on the EU priority areas for political engagement. These were notably on credible, inclusive and transparent elections, respect for civil and political rights, reinforcement of the rule of law and the political representation and economic empowerment of women.

In January, the EU Elections Follow-Up Mission conducted a mid-term assessment of the election framework and the state of play of the implementation of the 2014 EU Election Observation Mission recommendations. The EU and Member States partially funded the local chapter of Transparency International in its nationwide election observation effort in September.

The EU and the Member States also continued to work closely with civil society, having regular meetings with CSOs, human rights defenders and media on all visits. Since February 2017, the EU Delegation funds a Transparency International (partnering with Transparency Maldives) project aiming at building capacity and empowering local authorities and civil society actors.

To reinforce the rule of law, the independence of judiciary and the separation of powers, the EU urged the authorities, both publically and privately, to restore the normal functioning of the parliament, and offered assistance for judicial reform. In October, the EU offered the President-Elect assistance in areas such as reform of the judiciary, strengthening respect for human rights, and the rule of law.

In order to promote the political representation and economic empowerment of women, the advancement of women's rights and an end to discrimination, abuse and violence against women, the EU and its Member States continued to work closely with civil society actors and human rights defenders working on women's issues through regular meetings.

**3. EU bilateral political engagement:** On 26 February 2018, the EU Foreign Affairs Council adopted conclusions on the Maldives calling on the competent Maldivian institutions to lift immediately the state of emergency and restore all constitutionally guaranteed rights, condemning the politically motivated arrests and calling for the immediate release of all

political prisoners. Senior officials from the European External Action Service met with a Ministerial delegation from the Government of Maldives on 27 June 2018 in Brussels to discuss the political situation, addressing the continuing deterioration of democracy in line with the Council conclusions of 26 February 2018, which also refer to possible targeted measures. On 16 July, the Foreign Affairs Council adopted a framework for targeted restrictive measures against persons and entities responsible for undermining the rule of law or obstructing an inclusive political solution in the Maldives as well as persons and entities responsible for serious human rights violations.

**4. EU financial engagement:** As an upper middle income country, the Maldives have graduated from EU's bilateral development assistance but can benefit from other financial instruments. The Maldives benefits from a project on climate change (EUR 10.5 million) where gender is mainstreamed and promotes equal access for women to participate in governance processes, education and economic opportunities.

**5. Multilateral context:** Following the declaration of the state of emergency and pursuant incarceration of opposition figures and Supreme Court justices, there was widespread international criticism and scrutiny, with over 40 nations expressing concern over the human rights situation during the UN Human Rights Council session in March.

In June, the UN Special Rapporteur on the independence of judges and lawyers also expressed concern at reports of interference and irregularities in the judicial procedures that led to the convictions of some of the state of emergency detainees.

## Mongolia

**1. Overview of the human rights and democracy situation:** Mongolia is one of few democratic countries in the region and in general, Mongolia has a good human rights record. Its political system was relatively stable in 2018; the major event was the resignation of four Ministers for mismanagement and corruption. The revelation of corruption cases in a public Fund for Small and Medium Enterprises in 2018 was an indicator of the freedom of press but also of the poor management of public funds. Concern remains about corruption within the judiciary. The main human rights issue continues to be death penalty. It was removed from the Mongolian Criminal Code in 2017; however, in April 2018 President Battulga reiterated his initiative to restore the death penalty to perpetrators of child abuse. Reintroduction of death penalty would go against Mongolia's international commitments. Child abuse is a significant problem and consists principally of domestic violence and sexual abuse; cases are not declining. The National Human Rights Commission of Mongolia (NHRC) continues to lack capacity. It received around 800 complaints in 2018. The top three issues were violence against children, complaints on mining companies and on labour rights. A revision of the Law on the NHRC to address shortcomings was submitted to the Parliament in the autumn of 2018. On disabilities, the most pressing issues according to Non-governmental Organisations are accessibility, independent living, access to education, access to employment and lack of data. The National Human Rights Commission of Mongolia also submitted a report where it views the enforcement of the right to education for children with disabilities as insufficient. To improve the juvenile justice system, the Law on Promotion of Youth Development entered into force on 1 January 2018.

**2. EU action - key focus areas:** The EU's priorities for 2018 continued to be labour law, courts and lawyers, administration of justice and law enforcement, and strengthening of Civil Society Organisations (CSOs).

On Labour Law, the ILO, in partnership with the EU, continues to provide technical assistance and policy advice to Mongolia in tripartite review of the revised labour law. Not all provisions in the draft law that is now with the Parliament have received the endorsement of the social partners.

On courts and lawyers, ILO experts led a training seminar for 35 members of the Mongolia Bar Association (judges, prosecutors, legal advocates and legal educators), under and EU-financed project in June 2018. This training was dedicated to issues related to child labour and forced labour conventions.

In the area of rule of law (administration of justice and law enforcement), since October 2017, the EU Delegation has been implementing a project to improve the application of human rights conventions in the criminal justice system and strengthening the capacity of the General Prosecutor's Office to adapt to the new Criminal Code. Under the project three conferences took place in 2018: on the implementation of human rights (January), on causes of violence against children and youth (June), and on the need to establish a full-fledged juvenile justice system in the country (November 2018). The three conferences ended with a concrete set of recommendations.

The EU also is implementing three projects to support the capacity of CSOs with a focus on rural areas. The overall objective of the project in Khenti Province is to enhance the participation of civil society organizations in the agriculture sector so as to contribute to inclusive and sustainable development. In Zavkhan province the project aims at empower civil society organisations to improve economic development. The aim of the "Empowered People-empowered livelihoods" project is to contribute to improving the livelihoods of rural population in Arkhangai and Uvurkhangai provinces.

**3. EU bilateral political engagement:** The EU-Mongolia Human Rights Dialogue took place in Brussels in April 2018. The main concern expressed by the EU during the Human Rights Dialogue related to the Presidential considerations regarding the suitability of death penalty for child abuse crimes. Mongolia asked for EU support with arguments against death penalty, with the training of journalists (if possible study visits to Europe) and with awareness-raising, particularly through the media, in order to educate public opinion which is still vulnerable to populist arguments.

During the visit of the EU Heads of Mission (HoMs) to Mongolia in November 2018, a number of meetings were arranged with high level Mongolian authorities (including the President and the Minister of Foreign affairs) where recent human rights developments were discussed, including the EU concerns on the possible reintroduction of the death penalty. The HoMs also met with international organisations present in Mongolia, with social partners and local NGOs, which allowed exchanges of views on the human rights situation.

**4. EU financial engagement:** Under the European Initiative for Democracy and Human Rights (EIDHR), there are two relevant projects: Right to Breathe (R2B) – Adequate information systems, enhanced transparency and accountability on air pollution data and actions in Ulaan Bataar and Arkhange (approx. EUR 300,000), and 'Closing the gap': a right-based approach toward independent living for people to disabilities (approx. EUR 300,000). R2B is

set up to strengthen access to information, awareness and monitoring of the situation and corresponding actions addressing air pollution in urban Mongolia. 'Closing the gap' has two intended outcomes: (i) to enhance collaboration between CSOs and Human Rights Provincial Offices to implement Human rights protection procedures for people with disabilities, and (ii) to foster the CSOs capacity to promote independent living conditions for people with disabilities at local and national level. The EU also has a Policy Support Facility to support the EU-Mongolia Human Rights Dialogue (EUR 300,000). It has two components: i) to enhance effective implementation of international human rights instruments; and (ii) to strengthen the capacity of the Prosecutors' General Office.

**5. Multilateral context:** Mongolia has continued to support the Global Alliance for Torture-free Trade Initiative launched at the UN General Assembly, and is currently working with the EU on ways to best implement the Initiative. It has joined recently the International Contact Group on Freedom of religion or belief, led by Canada, a platform allowing like-minded democracies to coordinate their action in favour of religion or belief at the UN.

Mongolia abstained from the joint EU-OIC resolution on the Human Rights situation in Myanmar, as well as on the Canada-led resolution on Iran, the resolution on Syria and the resolution on Crimea at UNGA 73. This shows Mongolia's lack of support for country-specific resolutions and preference for taking a neutral approach at the UN rather than confronting their big neighbours.

## Myanmar/Burma

**1. Overview of the human rights and democracy situation:** Myanmar/Burma continued efforts, with mixed results, to achieve democracy, peace and national reconciliation. In March 2018 former Speaker of the Lower House U Win Myint was elected by Parliament as the country's tenth president following the resignation of then President Htin Kyaw. In November 2018 by-elections were held for 13 vacant seats at three levels (Upper House, Lower House and State/Regional assemblies).

Departures of the Rohingya for Bangladesh continued in 2018 (16,000; more than 730,000 in total since August 2017). Despite the existence of bilateral agreements on return of displaced persons from Rakhine State between with Bangladesh and a tripartite Memorandum of Understanding with UNHCR and UNDP (5 June 2018) to associate them to eventual return, conditions for voluntary, safe and dignified return in Rakhine State are yet to be met. Around 120,000 Rohingya continue to live in IDP camps in central Rakhine with severely impeded access to education and health care. In 2018 the government elaborated a "*National Strategy for Closure of IDP camp in Myanmar*" and declared four IDP camps closed without granting these populations return to their places of origin. Myanmar/Burma also claimed to have been implementing 81 out of the 88 recommendations of the Advisory Commission on Rakhine State without visible progress in terms of freedom of movement, access to basic social services and citizenship.

Myanmar/Burma established on 30 July 2018 an Independent Commission of Enquiry to investigate into human rights violations committed in Rakhine State (two foreign and two national members; 12 months mandate).

Two additional ethnic armed groups (New Mon State Party; Lahu Democratic Union) signed

the Nationwide Ceasefire Agreement) on 13 February 2018. The third session of the "*21st century Panglong Union Peace Conference*" (July 2018) brought some progress on the principles of the future federal union. However, the situation on the ground was marked by renewed conflict in Kachin, northern Shan and Kayin States resulting in a total number of 110,000 IDPs. In November 2018, the two largest signatories to the NCA (Restoration Council of Shan State; Karen National Union) suspended their participation in the formal peace process. On 21 December 2018, the Tatmadaw declared a four months unilateral ceasefire in the northern and eastern areas and announced a transfer of the General Administration Department, the backbone of the bureaucracy, from military to civilian control. These developments contrasted with new violence between the Arakan Army and the Tatmadaw in Chin and Rakhine States in late 2018.

Freedom of belief remained being challenged. Myanmar/Burma's largest non-state armed actor, the United Wa State Army, issued a statement on 13 September 2018 announcing it was curtailing the practising of Christianity and that all churches built after 1992 would be destroyed as they had been built illegally. On 24 December, a group of about 40 people attacked a group of about a dozen Christian Chin families in Sappie village, Ann Township, central Rakhine, when they were erecting a pavilion to celebrate Christmas, vandalising the pavilion and injuring at least two people.

According to the Assistance Association for Political Prisoners (Burma) as of December 2018 there were 327 "*individuals oppressed*" in Myanmar/Burma due to political activity, of which 35 are currently serving prison sentences, 56 awaiting trial inside prison and 236 outside prison. The persecution of journalists and social media users increased under section 66(d) of Telecommunications Act (2013) and section 500 and 505 of the Penal Code. Reuters journalists Wa Lone and Kyaw Soe Oo detained since December 2017 under the Official Secrets Act (1923) because they "*illegally acquired information with the intention to share it with foreign media*" were sentenced to seven years' prison on 3 September 2018. An appeal hearing took place on 24 December 2018 and the repeal was rejected on 11 January 2019.

Myanmar/Burma started a reform of the Media Law to better protect journalists but so far has not shown readiness to repeal or amend contested provisions of the Telecommunications Act, the Penal Code or the Official Secrets Act. Myanmar/Burma continued work in order to amend the Labour Organisation Law, the Settlements of Labour Disputes Law and the EU has advocated to respect compliance with relevant ILO Conventions and to consult widely social partners and civil society on envisaged reform.

**2. EU action – key focus areas:** The four general priority areas for EU action on human rights in Myanmar/Burma remain as follows: i) non-discrimination; ii) fundamental freedoms; iii) economic and social rights and iv) strengthening democracy and the rule of law. The EU's main concerns include civil and political rights, specifically freedom of expression both online and offline, media, association and assembly. Moreover, special attention is being given to the rights of women and children, including in situation of conflict and persons belonging to ethnic and religious minorities (not only the Rohingya), the latter as a result of a growing ideology of Buddhist nationalism and xenophobia in the country. In the light of the ongoing crisis in Rakhine State, the EU continued encouraging the government of Myanmar/Burma to urgently address the root causes, particularly by eliminating statelessness, institutionalised segregation and discrimination against the Rohingya, providing access to basic services, allowing freedom of movement and access to citizenship and last but not least,

accountability for serious and systematic human rights violations.

**3. EU bilateral political engagement:** The EU continued to place particular importance on human rights in the political dialogue with Myanmar/Burma. The European Parliament's Subcommittee on Human Rights (DROI) joined by Foreign Affairs and Trade Committee MEPs as well as Members of the ASEAN Delegation visited the country on 13-16 February 2018 and met with civil society and government ministers In March 2018 the EU Special Representative for Human Rights met with civil society and human rights defenders in Yangon and co-chaired the Fourth EU-Myanmar Human Rights Dialogue in Nay Pyi Taw. The High Representative held a meeting with the Myanmar/Burma Minister for International Cooperation in the margins of the ASEM Summit (Brussels, 18-19 October).

The EU continued attending court hearings of human rights defenders and journalists. It has observed the murder trial of prominent lawyer U Ko Ni and the hearings of seventeen young peace activists and three journalists of Eleven Media. The EU Delegation and Member States were present at all the court hearings of Reuters journalists Wa Lone and Kyaw Soe Oo and statements were issued at critical stages of the judicial process; at the prosecution of the two journalist on 9 July 2018 and at their sentencing on 3 September 2018.

Several local EU statements were issued, inter alia on the Myanmar/Burma military's admission of extrajudicial killings of 10 Muslim villagers in Rakhine State (January 2018), human rights and humanitarian issues in Kachin State (February 2018) and the formation of the Independent Commission of Enquiry (June 2018).

In accordance with Foreign Affairs Council adopted conclusions on Myanmar/Burma of 28 February and 10 December 2018, the EU continued its balanced approach of constructive engagement with the civilian government while maintaining pressure on the government to progress on accountability. In this context the EU strengthened the arms embargo on Myanmar/Burma on 26 April 2018 and imposed targeted restrictive measures (a travel ban and asset freeze) against fourteen senior officers of the Tatmadaw and the border guard police, responsible for serious human rights violations.

The EU continued to remind Myanmar/Burma of its obligations under the Generalised Scheme of Preferences/Everything But Arms (EBA) scheme and a monitoring mission to assess the country's compliance with fundamental human rights and labour rights standards as enshrined in core international conventions took place on 28-31 October 2018 in Yangon and Nay Pyi Taw. This was followed by a bilateral senior officials' meeting on 10-11 December 2018 in Brussels with focus on key issues of concern as reflected in above mentioned Council conclusions.

**4. EU financial engagement:** In 2018, the EU had two ongoing EIDHR projects in Myanmar/Burma. One of the projects is focusing on empowering human rights defenders and civil society organisations to promote and protect the human rights of the most vulnerable groups and the second one contributes to building an inclusive and democratic Myanmar/Burma through empowering marginalised, ethnic communities and their duty bearers to uphold and protect human rights and consolidate good governance.

In addition, a new project started under the CSO-LA thematic programme to support the country's largest umbrella NGO in the area of women's rights. The project aims, on the one hand, to enhance women's rights advocacy and policy dialogue at the local and national level and, on the other hand, at building the capacity of small CSOs in remote areas by allocating

small grants. Project activities in the first year of implementation included a significant advocacy campaign for adopting the Prevention of Violence against Women Law, as well as a film festival that took place in many locations around the country, including Rakhine State.

The EU continued to be a key partner in the field of access to justice through its *MyJustice* programme and support to electoral reform has continued with the start of the second phase of the STEP Democracy project (2018-2021) with focus on the implementation of the recommendations of the EU Election Observation Mission 2015 in cooperation with the Union Election Commission.

**5. Multilateral context:** The Government started to review the 1993 Child Law to bring it in line with the Convention on the Right of the Child and indicated its readiness to speed up the process of ratification of the Optional Protocol to the Convention on the Rights of the Child signed in 2015.

The EU and the OIC jointly sponsored resolutions on the situation of human rights in Myanmar at the UN Human Rights Council/HRC (23 March and 27 September 2018) and at the UN General Assembly Third Committee (16 November 2018) with focus on accountability for "*gravest crimes under international law*" in Rakhine, Kachin and Shan States, as evidenced mainly by the findings of the independent international fact-finding mission on Myanmar of the HRC. On 27 September 2018 the HRC established an independent mechanism to further investigate and prepare criminal cases to promote accountability for gross human rights violations in Myanmar/Burma. The UN General Assembly Fifth Committee adopted in December 2018 the budgetary allocations for the functioning of this mechanism.

Following a request by the International Criminal Court's (ICC) prosecutor, the Pre-Trial Chamber I of the ICC decided by majority that the Court may exercise jurisdiction on *"forced deportation"* of Rohingya from Myanmar/Burma to Bangladesh on the basis that Bangladesh is a state party to the Rome Statute. On 18 September 2018 the ICC Prosecutor announced the opening of a Preliminary Examination concerning the alleged deportation of the Rohingya people from Myanmar/Burma to Bangladesh. Myanmar/Burma refused cooperation with the ICC in the context of this procedure.

The UN Security Council visited Myanmar/Burma on 30 April-1 May 2018 and urged that it grants access to the UN and ensures accountability. Myanmar/Burma remained on the agenda of the UN Security Council in 2018.

Myanmar/Burma refused cooperation with the UN Special Rapporteur on the situation for Human Rights in Myanmar and the HRC independent international fact-finding mission on Myanmar. It also declared that it would not cooperate with the new independent investigative mechanism established by the HRC. Myanmar/Burma cooperated with the new Special Envoy of the UN Secretary General appointed in April 2018 who visited the country several times and agreed to the opening of a local office of the Special Envoy in Nay Pyi Taw.

The Special Representative of the UN Secretary General for Children and Armed Conflict visited Myanmar/Burma in May 2018. In a Joint Communiqué dated 7 December 2018 the Special Representative of the UN Secretary General on Sexual Violence in Conflict and the Government announced an action plan to address conflict-related violence.

## Federal Democratic Republic of Nepal

**1. Overview of the human rights and democracy situation:** Confirming the consolidation of democracy, a new government elected with a wide majority in Parliament took office in February 2018 following the successful organisation of local, regional and federal elections in December 2017 and January 2018. The Government's two-third's majority in Parliament gives a real prospect for long-term stability and governance reforms.

While the promulgation of the 2015 Constitution progressed in 2018, a significant gap still exists in the implementation of the constitutional and legal provisions on human rights. In September 2018, a total of 16 bills on fundamental rights were passed, but the implementing regulations still need to be drafted. In addition, new criminal and civil codes are being enforced since August 2018 which criminalise *inter alia* Chhaupadi, the dowry system and sexual harassment. On the other hand, the ongoing challenge of violence against women and the inability of the state organs to apprehend offenders and provide justice were highlighted by the case of the rape and murder of 13-year old Nirmala Panta. Furthermore, the newly applied Criminal Code states that presenting religious belief publicly with any intention of conversion is a crime, which makes religious minorities in the country vulnerable.

Twelve years after the end of the armed conflict and the signing of the peace agreement, the transitional justice process is still uncertain. Following a 2015 ruling of the Supreme Court requiring a reform of the transitional justice law, the government presented an amendment to the law in June, but little progress has been made since then. Critics stress that the draft has not been consulted widely with victims and contains provisions for disproportionately lenient sentencing, favouring perpetrators. The transitional justice Commissions created by the current law have so far not been effective and were not provided with the necessary human and economic resources to function properly. The mandate of the Commissions was prolonged until February 2019, but their fate beyond that date remains unclear. Furthermore, the release of former Parliament member Balkrishna Dhungel, who was convicted of a conflict-era murder in 2010 but only arrested in October 2017 by a presidential pardon in May 2018, after serving close to eight years of this 20 years sentence, served as an illustration of the problem of impunity.

**2. EU action - key areas** focused on the Rule of Law, gender equality and non-discrimination, economic and social rights, as well as children's rights.

**3. EU bilateral political engagement:** In 2018, the EU Delegation continued to actively participate in the work of the International Development Partners' Group, the Gender Equality and Social Inclusion working group, the Election working group as well as the EU Human Rights Defenders Working Group and Human Rights Core Group with all these mechanisms providing fora for looking into and assessing the human rights situation, including transitional justice matters. The EU Delegation in Nepal organised different events at the occasion of the 70$^{th}$ International Human Rights Day and a 16 day-long campaign on violence against women addressing the issues of gender equality and violence against girls and women.

**4. EU financial engagement:** The EU Delegation, together with Member States, supported a large number of projects contributing to the priorities of the Human Rights and Democracy

Country Strategy 2016-2020.

In the area of rule of law and governance, the EU Delegation *inter alia* organised various trainings for project partners incorporating a rights-based approach, which is now streamlined in all processes. Furthermore, the strengthening of the institutional capacity and delivery of the Election Commission through the UNDP Election Support Programme continued and a new project on strengthening the capacity of the National Human Rights Commission was signed. Three projects for a total of EUR 3 million signed in 2018 will contribute to strengthening governance, accountability, the participation of marginalised communities and to fostering their socio-economic opportunities in provinces 2, 6 and 7.

Regarding the focus on gender and children's rights, the EU Delegation carried out various projects in partnership with UN Women and other CSOs. Projects implemented for example by Action Works Nepal and Child Workers in Nepal focused on gender issues, notably physical and psychological integrity, economic empowerment and political participation. Moreover, the delegation supported financially (EUR 75.000) the review phase I of Nepal's National Action Plan on UNSCR 1325 and 1820 and reflected the outcomes in phase II. The EU Delegation also supported a nutrition project contributing to the wellbeing of children and particularly of girls from the marginalised communities in the country.

Relating to non-discrimination and economic and social rights, a project was funded on combating caste based discrimination contributing to the strengthening of the legal framework related to equality and non-discrimination as well as to enhancing effective access to justice for victims. Furthermore, the EU Delegation together with the Finish Agency Finnida implemented the WAVE project focusing on ensuring water access and sanitation for communities in rural areas.

**5. Multilateral context:** Since Nepal has been elected as a member of the Human Rights Council for the term 2018-2020, the new Government outlined its foreign policy priorities as creating an enabling environment for the enjoyment of human rights by attaining economic development and providing means of implementation of human rights obligations.

The UN Special Rapporteur on violence against women Dubravka Šimonov visited Nepal in November 2018 to look particularly into the systematic causes of gender-based violence against women and the situation faced by those who encounter multiple and intersecting forms of discrimination and violence. While she acknowledged the progress made in developing a legal framework to protect women's rights, she noted that considerable implementation gaps still exist including on outlawed practices such as Chhaupadi and highlighted the discriminatory provisions in the Citizenship Act. Furthermore, she qualified the rape and killing of Nirmala Pant is "a test case" for the government.

The UN Special Rapporteur on the Human Rights of Migrants Felipe González Morales visited Nepal in early 2018, recommending a strict implementation of the provision of sending migrant workers on zero investment, legally defining the role of manpower agencies, middlemen and agents and adopting a zero tolerance policy against those abusing migrant workers.

## Pakistan

**1. Overview of the human rights and democracy situation:** The 2018 general elections marked the second democratic transition in Pakistan, leading to changes of government at the federal and provincial levels. The EU deployed an Election Observation Mission (EU EOM) led by Michael Gahler, Member of the European Parliament, to observe the July general elections. The EU EOM found that the positive changes made to the Pakistani electoral legal framework were overshadowed by restrictions on freedom of expression and unequal campaign opportunities. The presence of military personnel inside polling stations, restraints on women's participation and that of people with disabilities and the separate electoral roll for the Ahmadis, were also identified as shortcomings. EU spokesperson statements were issued in July 2018 in reaction to bomb attacks targeting electoral rallies.

Journalists' and human rights defenders' voices continue to be silenced under the pretext of national security. Gross human rights violations such as enforced disappearances, extrajudicial killings and torture continued to take place with impunity mainly in Balochistan. The misuse of blasphemy laws and related violence remain a matter of great concern. The October 2018 Supreme Court ruling overturning the death sentence for blasphemy in the case of Asia Bibi was upheld by the Court's decision of 29 January 2019 not to hear the submitted review petition. The interfaith harmony policy is still due to be passed in Parliament. Progress on the legal front has been made in the area of women's and children's rights, but still requires effective implementation. The review of the catalogue of offenses carrying the death penalty is on the agenda of the government. The number of executions continues to show a significantly decreasing trend, with 14 cases in 2018, from 44 in 2017. The EU regrets that Pakistan's vote for the UN resolution abolishing the Death Penalty was withdrawn as a technical error.

**2. EU action - key focus areas:** The EU continued to focus its efforts in the following key priority areas: i) freedom of expression, ii) freedom of religion or belief, iii) women's rights and gender equality, iv) death penalty and v) rule of law and access to justice.

Press freedom was under attack before the general elections and this worrying trend has not receded. The shrinking space for civil society organisations (CSOs), including international non-governmental organizations (INGOs) remains an issue. The EU and like-minded partners issued a joint local statement in December 2018 on the situation of INGOs, pointing to the willingness to maintain a constructive and regular dialogue with Pakistan on the country's registration policy and its implementation.

Several interfaith events took place throughout the year where the EU and its Member States were represented. Ján Figeľ, the European Commission's Special Envoy for Freedom of Religion or Belief outside the EU, visited Pakistan for a second time in 2018 as part of the EU's intiative on a "Citizens Roundtable – charting pathways for pluralism", a seminar engaging interlocutors from the federal and provincial governments, religious leaders, human rights practitioners, academia and students.

Human rights awareness-raising was also part of the EU's public diplomacy. The EU Delegation, in collaboration with the Swedish Embassy, UN Women and the Pakistani Potohar Organization for Development Advocacy (PODA), organised two public readings of the documentary play SEVEN in Karachi and in Quetta, promoting access to justice for women by raising awareness of Pakistan's existing legal framework on violence against women.

To commemorate the European and World Day against Death Penalty, an op-ed by the EU Head of Delegation published in the English and Urdu press while a live screening of a play on the death penalty was attended by a broad spectrum of Pakistani civil society.

On the occasion of International Human Rights Day in December, the EU, together with the UN and 27 EU and non-EU countries, organized a highly successful Human Rights Film Festival reaching over 4000 students and policy makers.

**3. EU bilateral political engagement:** Dialogue and cooperation between the EU and the Pakistani Ministry of Human Rights continued to be constructive, with a strong potential to advance many important human rights topics.

The EU participated in the first ever International Conference on Human Rights in Islamabad in February, and stressed the importance of freedom of expression and the need to protect human rights defenders.

The biennial report on the implementation of GSP+ was issued in January and was followed by a GSP+ monitoring mission to Pakistan in October. The key issues discussed with Pakistani authorities related among others to enforced disappearances and secret detention, the use of torture, the death penalty, the high prevalence of child labour, freedom of association and of expression, and Pakistan's cooperation with UN supervisory mechanisms and reporting obligations.

The 9th meeting of the EU-Pakistan Joint Commission and its Subgroup on Governance and Human Rights in November 2018 provided an opportunity to discuss the human rights preoccupations of both sides and to identify the challenges requiring continued attention.

**4. EU financial engagement:** The EU and its Member States implemented projects in all human rights focus areas. The contracting of a 9.6 million Euro project on the 'Promotion of Human Rights in Pakistan' in 2018 is considered a milestone initiative in EU-Pakistan development cooperation on human rights. The EU and Pakistan also signed a Financing Agreement at the end of 2018 on a project providing 'Support to Parliamentary Development in Pakistan' amounting to 15 million Euros.

**5. Multilateral context:** Pakistan's membership of the Human Rights Council (HRC) from 2018 until 2020 enables the country to engage with the EU and the wider international community on human rights issues in international fora. It also provides an opportunity for Pakistan to act as an example as regards implementation of human rights obligations domestically. Pakistan acted as coordinator on behalf of the Organisation of Islamic Cooperation (OIC) in Geneva. The HRC resolution on Myanmar, jointly presented by EU and the OIC, was a very positive step.

The EU encourages Pakistan to accept individual complaint procedures under those UN conventions that provide for them, and to issue a standing invitation to UN Special Procedure mandate holders and to expedite decisions on pending requests for visits.

## Philippines

**1. Overview of the human rights and democracy situation:** In 2018 the way the campaign against illegal drugs was conducted and overcrowding in jails remained matters of grave

concern, as well as the significant number of drug-related killings during law-enforcement operations, the apparent lack of due process during these operations and the fact that these deaths were not effectively investigated. The announced adoption by the Government of a national human rights' action plan by end 2018 was delayed. The human rights framework remained fragile, with the Commission on Human Rights and other oversight bodies under threat. Local observers referred to a "climate of fear" with the President's most vocal opponents being removed or silenced. According to them, the "war on drugs" was being used to clamp down not only on opposition but also on journalists, lawyers and trade unionists. Some expressed great worries regarding the erosion of the rule of law and of the independence of the judiciary (when investigating drug-related cases) and the announced withdrawal of the Philippines from the International Criminal Court (ICC).

Improvements have been noted in the implementation of human rights largely as a result of the Philippines' socio-economic development. Economic growth and reforms are contributing to raising living standards in the country, as does the Philippines' agenda on universal health care and job creation as part of inclusive economic growth. Improvements of children's access to education and health continue. Action is being taken to combat trafficking and support its victims, as well as sheltering children in armed conflict. In addition, the EU noticed that the Government did not re-establish death penalty as announced.

Adoption of the Bangsamoro Organic Law by Congress and its signature by President Duterte has been perceived as a sign of progress to promote peace and stability in the Philippines. A local referendum in the concerned areas is scheduled to take place on 21 January and 6 February 2019. Conversely, peace negotiations with the communists, involving the government of Norway have been stalled.

**2. EU action - key focus areas**: In January, the Commission published its GSP+ country Report for the Philippines covering the period 2016-2017. In September the Commission and the EEAS carried out a 4th GSP + monitoring mission. The mission concluded on a mixed picture with continuing violations of civil and political rights and some positive developments in the socioeconomic and environmental fields.

In April, the European Parliament (EP) adopted a human rights resolution and called on the Government of the Philippines to put an immediate end to the extrajudicial killings and invite the authorities to cooperate fully with the UN Special Procedures. The EP also called on the Government to remove human rights defenders from its terrorist list and welcomed the initiative of the ICC to inquire into the allegations of crimes against humanity in the context of the killings during the "war on drugs".

In November, the EU Delegation in Manila issued a statement in agreement with the EU Heads of Mission in the Philippines condemning the killing of Attorney Benjamin Tarug Ramos, Secretary General of Negros Occidental Chapter of the National Union of Peoples' Lawyers. Attorney Ramos was the main lawyer for the National Federation of Sugar Workers in Negros Occidental and provided assistance to farmers following the killing of nine sugar cane farmers in October 2018.

**3. EU bilateral political engagement:** The EU Delegation and several EU Member States' Embassies had public speaking engagements and development cooperation projects on human rights. There were meetings with Human Rights Defenders, including NGO representatives, journalists and Commissioners of the Human Rights Commission, to get

updates on the fight against impunity and ongoing efforts to promote rule of law in the Philippines, as well as to share views on possible contributions from the international community to improve the general situation of human rights in the country.

In August, following the ratification of the Philippines-EU Partnership and Cooperation Agreement (PCA) the same year, the EU Delegation organised a conference about the PCA with various government stakeholders. The conference included a panel on human rights involving two EU Member States, the Department of Foreign Affairs, the Department of Labour and the Human Rights Office of the President. Since early 2018, there have been bilateral negotiations between the EU and the Philippines regarding the rules of procedure of the PCA Joint Committee.

**4. EU financial engagements** in the Philippines in the field of human rights remained in line with the EU's priorities for the year. They included financing agreements with the government in the area of justice reform and support to national human rights institutions (GOJUST programme) and the finalisation of a programme on health (including a Dangerous Drug Abuse and Prevention Programme) under the Development Cooperation Instrument; support to CSOs through calls for proposals under the EIDHR and CSO/LA instruments; and support to the Mindanao Peace Process through the Instrument contributing to Stability and Peace.

**5. Multilateral context:** Throughout 2018, there have been several statements of UN experts raising concerns about government's efforts to shut down independent media outlet, establishment of a list of 600 individuals accused of terrorism, including the UN Special Rapporteur on the Rights of Indigenous Peoples of Philippine nationality and about public threats issued against the Philippines' Chief Justice by the country's President, following her dismissal. In March, the International Criminal Court confirmed that it was investigating crime allegations against President Duterte, both as mayor of Davao and then as President of the country. In response, the President announced the Philippines' withdrawal from the Rome Statute. In February and June, Iceland tabled two successive resolutions that were supported by 27 EU Member States, raising concerns about the human rights situation in the Philippines. In June, the EU adopted a statement at the UN Human Rights Council (HRC) reiterating its concerns on the human rights situation in the Philippines, including the death toll associated with the campaign against illegal drugs. The EU expected the Government to fulfil its obligations under national and international law and regretted the country's decision to initiate its withdrawal from the Rome Statute. The EU also expressed concern over due process in the removal of Chief Justice Sereno and urged the government to protect the independence of the judiciary in the Philippines. In October the Philippines won another three-year term on the UN Human Rights Council.

## Singapore

**1. Overview of the human rights and democracy situation:** Singapore's human rights track record in the course of 2018 was characterised by mixed developments. While some progress was made in the field of ratifying/acceding to some international conventions/protocols and migrant workers' rights, there was no change on the death penalty, which still remains in use and is widely supported by the population. In addition,

signs of backsliding were observed in terms of freedom of expression. In general, there is room for improvement on transparency and access to information.

**2. EU action – key focus areas**: The key focus areas of EU actions for Singapore are to support the ratification of the core international human rights agreements that Singapore is not party to, increase freedom of expression, freedom of the media and political participation, consideration of a moratorium on the death penalty and to make available better statistics about its use of the death penalty beyond an annual total, taking better steps to protect and fulfil migrant rights and the decriminalisation of homosexuality.

**3. EU bilateral political engagement:** The EU organised its annual panel discussion on the death penalty in Singapore on 5 October 2018 to commemorate the European and World Death Penalty Day. The EU Delegation was the only diplomatic mission to carry out such an event in Singapore due to the sensitivity of the topic. The theme of the discussion this year was "Just Punishment: Conversations on the Death Penalty" and gathered students, academics, diplomats and activists.

The EU held its yearly Human Rights Day seminar on 7 December 2018, focusing this year on the "70th anniversary of the Universal Declaration of Human Rights". The seminar featured three panels covering "Human Rights and the Environment", "Human Rights and Digital Security", and "Human Rights of Persons with Disabilities". Building on previous years' practice, the theme of the seminar was agreed jointly with Ambassador Barry Desker (Singapore's Representative to the ASEAN Intergovernmental Commission on Human Rights). This annual event was considered by many civil society representatives to be their only opportunity to meet with government representatives.

Civil society organisations (CSOs) were also involved in the organisation of other key events of the year and continued to be regularly consulted on the EU's key focus areas. The EU Delegation organised several briefing sessions with civil society for incoming visitors.

**4. EU financial engagement:** Financing civil society organisations by foreign entities remained prohibited in Singapore. The EU established a specific partnership with UN WOMEN Singapore to support some of its activities. The EU advocacy strengthened and supported the Singaporean civil society in their long term objectives. The EU Delegation's activities consisted of monitoring and reporting, coordinating closely with Member States, as well as organising meetings with prominent members of Singapore's civil society.

**5. Multilateral context**: After the 2016 Universal Period Review (UPR), the EU Delegation followed-up on a number of recommendations with CSOs. In the second half of 2018, Singaporean CSOs published mid-term review reports on Singapore's implementation of the 2016 UPR recommendations, highlighting progress in some areas but also indicating lack of action in several other fields.

## Sri Lanka

**1. Overview of the human rights and democracy situation:** Progress in implementing UN Human Rights Council (HRC) resolution 30/1 continued to be slow. A Bill to establish an Office for Reparations was narrowly passed in parliament on 10 October 2018. The Office on Missing Persons (OMP) is the only one of four recommended transitional justice mechanisms

to be operationalised. The forthcoming March 2019 UN HRC session will mark the end of the two-year extension granted through resolution 34/1.

In spite of major progresses in the human rights situation following the 2015 election, 2018 was a tumultuous year for human rights and democracy in Sri Lanka.

In March 2018, a personal altercation spiralled into violence targeting Muslim-owned homes, businesses, and places of worship in Kandy district. The government imposed a police curfew and declared a national State of Emergency for a few days, which enabled to limit the violence, but also resulted in temporarily blocked access to social media platforms, and other restrictions.

On 26 October 2018, a decision by President Sirisena to dismiss the Prime Minister and appoint in replacement former President Mahinda Rajapaksa triggered a major political crisis by pulling his SLFP faction out of the coalition government formed with UNP in 2015, as Prime Minister. The move was condemned widely for violating the Constitution, and the crisis was resolved by the Supreme Court which ruled that the President's dissolution of Parliament and calling snap polls was unconstitutional.

Over past years, the EU had continued to stress the need for alignment of Prevention of Terrorism Act (PTA) with international standards and the government has come forward with a new Counter Terrorism Bill to replace it. The Supreme Court however ruled that certain clauses of the Bill were not consistent with the constitution. The Bill will become law with two-thirds parliamentary support and approval by the people in a referendum. The PTA meanwhile continues in force.

Constitutional reform stalled during 2018 after the interim report of the Steering Committee on Constitutional Reform was presented in September 2017.

There continue to be multiple challenges to the promotion and protection of women's rights, including deep-rooted and widespread violence against women and girls and discriminatory customary laws and practices such as FGM.

In July, President Sirisena announced his intention to implement the death penalty to combat a perceived escalation in Sri Lanka's drug trade and related crimes. Whereas capital punishment is a legal penalty, no execution has been carried out since June 1976. Sri Lanka voted in favour of the UN moratorium on executions in December 2018.

**2. EU action - key focus areas**: The EU continued to support the implementation of the UN HRC resolution through support to resettlement, transitional justice, non-recurrence and constitutional reform, as well as working on advancing women's political, economic and civic rights and rights and physical and psychological integrity.

**3. EU bilateral political engagement:** The 21st meeting of the EU-Sri Lanka Joint Commission took place on 18 January 2018 in Colombo and dealt with a broad range of bilateral and multilateral issues including human rights, trade, and development cooperation. The third meeting of the Working Group on Governance, Rule of Law, and Human Rights was held in Brussels on 5 June 2018. There was a detailed exchange of information on many important ongoing reforms, such as the replacement of the PTA, the full implementation of the UN HRC resolution. The EU reiterated its readiness to continue supporting the Government in advancing national reconciliation.

The EU Delegation jointly with Member States conducted a number of bilateral meetings

with Government and Provincial representatives, including the President, the Prime Minister, the Foreign Minister, and Chief Ministers. Discussions centred on human rights and political issues including the death penalty, the constitutional crisis, and proposed Counterterrorism legislation. The political dialogues were sometimes accompanied by EU public statements. A statement by the spokesperson of the HRVP was notably issued in the midst of the constitutional crisis, warning that the country was at risk of instability and unrest and to expressing the EUs expectation that a solution respectful of the country's constitution would be found quickly

**4. EU financial engagement:** Five projects target women's economic rights, including support to livelihood, leading to the improvement of living standards, and women's health including access to improved healthcare facilities, water, sanitation and nutrition. Women's civic rights protection are also addressed through support to capacity building of service providers working in social and child protection such as at police stations. The elimination of gender- based violence is strongly addressed by all five projects.

The Catalytic Support to Peacebuilding in Sri Lanka project focuses on support to the Government on transitional justice, constitutional reform, and assistance for a National Policy on Durable Solutions for Conflict Affected Displacement. The project is expected to end in mid-2019.

## Thailand

**1. Overview of the human rights and democracy situation:** In 2018, freedom of expression and assembly remained restricted in Thailand. Criminal charges such as sedition, computer crime and public assembly, as well as defamation lawsuits, continued to be brought against human rights defenders and political activists.

Public gatherings of more than five people remained prohibited in 2018. On 11 December 2018, the Thai military leadership, the National Council for Peace and Order (NCPO), lifted restrictions on political activities, including the ban on political gatherings of five or more people as well as a rule preventing political parties from convening meetings without prior approval, and engaging in political activities such as campaigning.

Under NCPO Orders 3/2015 and 13/2016, military authorities can detain people for a wide range of offences, and hold them for up to seven days without charge or any safeguards against mistreatment. In December 2018, the draft bill on prevention of torture and enforced disappearance was approved at its first hearing by the National Legislative Assembly (NLA).

Thailand was on its way to establish an official moratorium on the death penalty in 2019. However, in June 2018, Thailand carried out its first capital execution (by lethal injection) since 2009. Thailand would have achieved the status of de facto abolitionist country, had it not carried out any executions before 24 August 2019.

Thailand is not a party to the 1951 Refugee Convention or its 1967 Protocol. The Thai authorities continued to treat asylum seekers, including those recognised as refugees by the United Nations, as illegal migrants subject to arrest and deportation.

In February 2018, Sam Sokha, a UNHCR-recognised refugee, was forcibly returned to

Cambodia by Thai authorities, after a Thai court found her guilty of overstaying her visa. In November 2018, the Thai authorities detained Hakeem Ali Mohamed Al-Araibi, a recognised refugee from Bahrain with permanent residency in Australia, when he arrived at Bangkok's Suvarnabhumi airport from Australia.

In February 2018, the Thai Government announced its National Agenda "Human Rights as a Driving Force of Thailand 4.0 towards Sustainable Development". The Thailand 4.0 policy places emphasis on technology and innovation-based economic development while promoting people's participation and environmental-friendliness in parallel to creating sustainability, with human rights complementing these efforts. In March-April 2018, the UN Working Group on Business and Human Rights visited Thailand to examine efforts to prevent, mitigate and remedy adverse human rights impacts of business operations.

The Thai Government remains committed to suppressing forced labour, child labour, and the trafficking of migrant workers in the fishing and seafood processing sectors. In June 2018, Thailand became the first country in Asia to ratify the 2014 Protocol to the Forced Labour Convention (Protocol 29). The Government also publicly pledged to ratify the ILO Work in Fishing Convention (C188) by January 2019.

**2. EU action - key focus areas:** The EU continues to encourage the restoration of the democratic process in Thailand through credible, inclusive and transparent elections and the respect for human rights and fundamental freedoms.

**3. EU bilateral political engagement:** The EU-Thailand Labour Dialogue was launched in May 2018, shifting the focus from labour rights in the context of Illegal, Unreported and Unregulated (IUU) Fishing to a broader scope of labour matters.

In the course of 2018, representatives from the EU Delegation to Thailand and EU Member States observed several trials and police hearings of human rights defenders, migrant workers and labour rights activists.

The EU Delegation to Thailand organised a number of meetings between civil society representatives, human rights defenders and Members of the European Parliament as well as representatives of EU Member States.

**4. EU financial engagement:** Technical assistance has been provided to a multitude of projects such as: a) support to an IOM project promoting stability, well-being and harmony for Myanmar Muslim and host communities in Thailand; b) a project designed to support Indigenous Peoples Human Rights Defenders, including women, and their organisations in effectively advancing the rights of indigenous peoples, particularly their lands, territories and resources; c) a project aiming to contribute to the improvement of human rights for Cambodian workers in Thailand by reducing abuse, working exploitation and trafficking cases; d) a programme implemented by ILO and designed to contribute in combatting unacceptable forms of work in the Thai fishing and seafood Industry. The overall objective is to prevent and reduce forced labour, child labour and other unacceptable forms of work, while progressively eliminate the exploitation of workers, particularly migrant workers, in the Thai fishing and seafood processing sectors; e) a project targeting women in North and North-East of Thailand and supporting them in getting access to improved services and financing from the provincial governments; the programme is also designed to contribute in eliminating violence against women and promoting women empowerment; f) a programme on birth registration of migrant children; g) a project designed to contribute to the fight

against violence against women in the Deep South.

**5. Multilateral context:** In March-April 2018, the UN Working Group on Business and Human Rights visited Thailand to examine efforts to prevent, mitigate and remedy adverse human rights impacts of business operations.

In June 2018, Thailand became the first country in Asia to ratify the 2014 Protocol to the Forced Labour Convention (Protocol 29). The Government also publicly pledged to ratify the ILO Work in Fishing Convention (C188) by January 2019.

## Timor-Leste

**1. Overview of the human rights and democracy situation:** While Timor-Leste has taken significant steps with regard to the consolidation of its institutions, the global picture shows a society where 40% of the population lacks the minimum resources to satisfy its basic needs (World Bank). In 2018 the late approval of the budget resulted in delays in public investment and impacted the living standards and enjoyment of basic socio-economic rights. Continuing gender based violence, high number of unresolved judicial cases, limited rights of women and children as well as ongoing land disputes remain challenging human rights issues in Timor-Leste. However, some positive developments can also be noted in 2018 such as fair elections in May, leading to the parliamentary victory of the AMP Alliance and the formation of the VIII Constitutional government, and the increased involvement of civil society organisations in public affairs. Throughout 2018, the leading umbrella civil society organisations (CSOs), represented by FONGTIL, held multiple consultations with key institutions (Presidency, Government, Parliament) regarding the key governance issues. A constructive relationship has developed between NGO such as Judicial System Monitoring Program (JSMP), "Lao Hamutuk", Belun, Conselho National Joventude of Timor-Leste (representing Timor-Leste youth), Assistensia Legal ba Feto no Labarik (legal assistance for women and children) on issues such as the fight against corruption.

**2. EU action- key focus areas:** In the context of the EU support to good governance in Timor-Leste for the period 2018-2020, the EU delegation will finalise in early 2019 a CSO mapping exercise identifying and assessing key civil society actors in the two focal sectors of cooperation under the 11th EDF National Indicative Programme, i.e. good governance and rural development, including nutrition. An information session on "Improving Government Accountability through Social Audit" that took place in Dili on 10 September 2018 promoted the process of social auditing by civil society actors to government programs and consequently accountability through social oversight. To implement the EU Project to support the consolidation of the rule of law in the Portuguese-speaking African countries (PALOP) and Timor-Leste (including the strengthening of PALOP and Timor-Leste regional cooperation), the EU Delegation held a conference in March 2018 in Dili, focussing on the challenges facing the criminal justice agencies and the courts with regard to economic and financial organised crime.

In a joint initiative funded by the EU and implemented by the International Centre for Migration Development (ICMPD) on 11 September 2018 in Dili, the “MIEUX" project was introduced to the Timor-Leste authorities as a tool to better address irregular migration and mixed migratory flows, together with a proposal for peer-to-peer transfer of expertise

training, in particular on fighting Trafficking in Human Beings (THB) and conducting investigations of THB offenses.

An original project funded by the European Instrument for Democracy and Human Rights (EIDHR) aimed at increasing human rights and democracy awareness through a popular television series, "Laloran Justica", (Waves of Justice). It featured family tensions, love stories, music, corruption and carried messages on the protection of human rights and the importance of gender equality. This TV series was also a good vector for EU support to the "Ombudsman for Human Rights and Justice" ("Provedoria"). In the context of the Timor-Leste National Action Plan against gender-based violence for 2017-2021 aiming at prevention, provision of services and access to justice for the victims, coordination, monitoring and evaluation, the EU Delegation launched a call for proposals to promote gender equality, women's rights and the prevention of gender based violence. A contract was awarded to Plan International Finland, which started on 1 July 2018. EUDEL also organised a conference on 8 June 2018 in Dili on the theme of "Strong Women for a Strong Nation", with the participation of President Francisco Guterres and other personalities from Africa, Latin America and Europe. It gave special emphasis to women as role models, distinguished in their areas of activity, and as a source of inspiration and encouragement for the future.

The EU supported the early legislative elections in May 2018 with the dispatching of an Election Experts Mission (EEM) and a financial support to the Office of the Ombudsman for Human Rights and Justice.

A positive example in the human rights and reconciliation domain is the new website of the memorial institution "Chega" National Centre that was launched in October 2018, which aims at research and preservation of memory in solidarity with the vulnerable victims of past human rights violations.

**3. EU bilateral political engagement:** The EU has pursued its commitment to good governance in Timor-Leste throughout 2018, aiming to strengthen the institutional framework in accordance with the Timor-Leste Strategic Development Plan 2011-2030. The EU continued to work on the improvement of public financial management oversight with a view to increasing capacity for and transparency of the management of public funds. The EU played a major role in supporting good governance activities and capacity-building programmes within the public administration, the justice sector, the national parliament, media and CSOs in partnership with the Camões Institute for Cooperation and Language. Improved compliance with court decisions has been reported.

**4. EU financial engagement:** Alongside projects that began in the past and continued into 2018, new projects initiated in 2018 covered the fields of *democratic governance* ("Monitorizacao da Eleicao Parlamentar Antecipada" – 74,000 euros); *capacity-building* ("Strengthening the capacity of Timorese Non-Governmental Organisations in writing proposals, managing and reporting EU grant procedures" – 24,000 euro); *gender-based violence* (3-year-long "Say NO to Gender-based violence in TL" project – 423,000 euros); *nutrition* (3-year-long "Partnership for improving Nutrition in TL (PINTL) project of 15 million euros); and *human rights education* ('Development of human rights education and research activities at the Universidade Nacional Timor Lorosa'e (UNTL in Dili)" Global Campus, 426,000 euros). Projects signed in December 2018 will tackle reforestation; awareness and promotion of initiatives addressing issues related to climate change and their impact on

sustainable development; and consumer rights.

**5. Multilateral and regional context**: The last Universal Periodic Review (UPR) of Timor-Leste (Nov 2016-March 2017) had led to 154 recommendations, 146 of which were accepted by Timor-Leste. The effort to address these is ongoing.

## Vietnam

**1. Overview of the human rights and democracy situation:** While overall conditions in the daily life of Vietnamese citizens have been improving, 2018 was not a positive year in the promotion and protection of human rights. Vietnam has been expanding its body of law and striving for international integration, however the space for civil society has been shrinking.

The new 2015 Criminal Code, which entered into force in January 2018, inter alia provides for the right to access to counsel at all stages of criminal proceedings, broaden eligibility for free legal counsel and introduce video and audio recording for interrogations of accused persons by investigation authorities on official premises. However these provisions are yet to be fully implemented. Moreover the Criminal Code sharpened sanctions under the National Security Chapter (XIII) whose vague wording provided opportune grounds for substantial restrictions in freedom of assembly and freedom of expression.

With the introduction of new legislation, such as the cybersecurity law approved in June 2018, freedom of expression online could be suppressed even further.

The 2016 Law on Belief and Religion entered into force in January 2018. While achieving progress in some areas, this law did not fully enable the right to exercise religious freedom. Moreover some religious groups suffer from cross-cutting forms of discrimination as well.

Concerning human rights activists, authorities in Vietnam continue to harass, intimidate, apply travel bans, physically attack, arbitrarily detain and imprison political and human rights defenders, journalists and bloggers for exercising their rights and fundamental freedom of expression, either online or offline. Human rights activists face harsh conditions in detention, including denial of access to medical care, legal counsel and family contact, transfer to remote prisons as well as lengthy sentences. Police brutality, including deaths in police custody, remains a serious concern.

**2. EU action - key focus areas**: The EU's priorities for 2018 continued to be on freedom of expression (online and offline), freedom of association and assembly, abolition of the death penalty, fight against trafficking in human beings, labour rights and ILO conventions. In addition to these, the EU also focussed on the implementation of UNCAT, freedom of religion and belief and various forms of (cross-sectorial) discrimination.

**3. EU bilateral political engagement:** Human rights featured prominently across bilateral discussions with Vietnamese authorities at all levels. The EU commented draft legislation and offered technical input.

The EU expressed serious concerns about the situation of human rights defenders and the negative trend of detentions, arrests and sentencing meant to restrict freedom of expression both online and offline. The EU repeatedly called the Vietnamese authorities to immediately release all bloggers and human right activists imprisoned for having peacefully expressed

their views.

Moreover the EU regularly requested the possibility to observe the trials of human right defenders and insisted on access to legal aid, medical support and family visits for prisoners.

Finally the EU substantially advocated and provided technical assistance for the ratification of all core ILO Conventions and their implementation. The Government of Vietnam indicated its intention to ratify the remaining three core ILO Conventions and has been actively revising the labour code.

The Rules of Procedures for the implementation of the EU-Vietnam Partnership and Cooperation Agreement (PCA) were agreed between the two sides. They foresee the continuation of the Dialogue on Human Rights as well as cooperation on good governance, rule of law and human rights.

**4. EU financial engagement:** Projects under the European Instrument for Democracy and Human Rights (EIDHR) addressed issues including LGBTI, business and human rights and ethnic minority rights. Additional projects under the Non State Actors-Local Authorities thematic instrument aimed at broadening civil society's space and capacity in areas of health care, access to energy, labour, gender empowerment and education.

Finally, the EU and the relevant Vietnamese authorities prepared activities on the prevention of human trafficking.

**5. Multilateral context:** Vietnam published its International Covenant on Civil and Political Rights report in December 2017. The next review will take place in 2019.

UNCAT published its *Concluding observations on the initial report of Vietnam* in December 2018. While certain progress was acknowledged, UNCAT issued a series of recommendations, inter alia, on the definition and criminalisation of torture in national legislation, fundamental legal safeguards, pre-trial and administrative detention.

Vietnam had accepted the vast majority of recommendations made during the 2nd Universal Periodic Review (UPR) cycle and submitted it first implementation report in 2017. Throughout 2018**,** Vietnam has actively engaged with the UN in consultations about the UPR procedure. The next UPR review is expected in 2019.

# Oceania

## Australia

**1. Overview of the human rights and democracy situation:** Australia continues to have a positive human rights record and is very engaged in advocating progress on human rights issues in the Asia-Pacific region and beyond, especially since the country took its seat on the Human Rights Council. The main human rights challenge remains the overall condition of Australia's indigenous population which remains dramatically behind on many social indicators such as education, health, and percentage of the overall prison population. The unresolved status and condition of migrants caught trying to enter Australia by sea (including refugees/asylum seekers) and currently in Papua New Guinea and Nauru remains a concern. In December 2017 Australia approved the Same Sex Marriage Act and ratified the

Optional Protocol to the Convention against Torture (OPCAT). Internationally, this year Australia launched a strategy for the abolition of the death penalty with a clear focus on advocacy in the region. This is one of the follow ups of its 2017 Foreign Policy White paper which stated the centrality of "human rights" for Australia's foreign policy action. Australia is prioritising work under its overseas aid programme to tackle inequality and is committed to advancing human rights and the Sustainable Development Goals (SDGs), with specific initiatives in the Pacific to improve opportunities for women and eliminate gender inequality and violence against women.

**2. EU action - key focus areas:** Main actions of the EU's focussed on engaging with Australian Government officials on human rights issues through high level meetings/dialogues, demarches and outreach for common actions at international level. The EU engaged with Australia on Human Rights in the Pacific region and Development issues, including through the EU-AUS-NZ trilateral dialogue. Exploring ways to better coordinate with Australia on advocacy to abolish the death penalty in the region and beyond has been a priority.

**3. EU bilateral political engagement:** The EU regularly engages with the Australian Government, Human Rights agencies, NGOs and local communities to promote good human rights policies and support initiatives to counter racism, gender inequality, and other human rights-related activities. Examples of this action include support to the Australian Human Rights Commission (the independent statutory organisation responsible for the observance of human rights in Australia) by sponsoring the Commission's Annual Award for "Racism. It Stops With Me". This award recognises the contribution of an organisation to reduce and prevent racism in the country. Organisations can include community groups or businesses and they can be recognised for a range of anti-racism work including education and prevention.

Another example is the organisation of an EU Trivia Night with fund-raising activity in favour of an organisation promoting or advocating human rights. This year, the funds raised went to the UNHCR's office to Australia to assist in their work with refugees and asylum seekers. EU Delegation in Canberra also took part in the Human Rights Defenders Video Campaign, and produced a video on the Refugee Advice and Casework Service.

**4. Multilateral context:** Australia took up its position on the Human Rights Council in January 2018 with a focus on gender equality, good governance, freedom of expression, the rights of indigenous peoples, and strong national human rights institutions and capacity building.

In July 2018, the UN Committee on the Elimination of Discrimination against Women issued its 8th periodic report on Australia, commending it for the progress since the 7$^{th}$ periodic report but raising concerns, inter alia, regarding Australia's lack of a Charter of Human Rights, and the high level of gender-based violence against women.

Australia has recently announced it will not adhere to the UN Global Compact for Safe, Orderly and Regular Migration but will sign up to the Global Compact on Refugees.

## Fiji

**1. Overview of the human rights and democracy situation:** Fiji held general elections in 2018; according to the interim report of the Multinational Observer Group Fijian voters were

able to exercise their right to vote freely, the process was credible, inclusive and transparent and the outcome reflected the will of Fijian voters. However, further efforts were needed to address the remaining challenges with regard to the polling process and ensure a meaningful dialogue with civil society which remains determined to become local observers in the next elections. In October 2018, Fiji was elected to the UN Human Rights Council for a three-year term (2019 – 2021) which should give further impetus to strengthening the rule of law and ensuring protection of human rights and freedoms in the country.

Despite the acquittal of three members of the local FijiTimes newspaper of sedition charges in May 2018, concerns on media freedom persist. The Media Industry Development Decree of 2010 is still in place, continuing to impose pressure on journalists, editors and media owners, triggering self-censorship and hindering full and transparent democratic debate. Implementation of the Online Safety Act 2018 is to be done in line with international standards on freedom of expression.

The Government condemns violence against women and children and is involved in awareness campaigns. The Women's Action Plan (2010-2019) is in place and a first ever Child Helpline and Domestic Violence Helpline have been established.

**2. EU action - Key focus areas:** EU action key focus areas were inter alia follow-up to the 3rd EU-Fiji High-level Political Dialogue under Article 8 of the ACP-EU Partnership Agreement of May 2018, to continue to promote access to justice and respect to human rights. Besides, support has been provided to Fiji's prominent role on the international stage with regards to fight against climate change, in particular its Presidency of COP23 under the UN Framework Convention on Climate Change.

The EU had offered to send a self-standing EU Election Experts Mission (EEM) to attend to the general elections in November 2018, but the offer was not taken up by Fiji's government. Instead, the EU was invited to nominate observers to be part of the Multinational Observer Group (MOG) co-led by Australia, Indonesia and India, which had to be declined due to the conflicting methodologies for election observation.

**3. EU bilateral political engagement:** During the Enhanced Political Dialogue in May 2018, the EU discussed accession to international human rights instruments, human rights issues and preparation to the 2018 elections, media environment, freedom of expression, domestic violence, as well as legislative reforms. The EU commended Fiji for its openness to discuss human rights matters and to engage on the Law and Justice sectors. The important role of CSOs in discussions on Human Rights and democracy was reaffirmed.

During the year, the EU Delegation for the Pacific carried out demarches and outreach activities inviting Fiji to support EU human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** The 11th EDF funded *'Access to Justice'* Programme aims at enhancing institutional capacity of the Judicial department, the Legal Aid Commission (LAC) and provide initial support to Fiji's Human Rights and Anti-Discrimination Commission (HRADC). Amongst the measures supported in 2018 are digitalisation in court administration and filings to reduce costs and inefficiencies, increasing access to the courts, and ensuring access to laws as reference materials. Institutional capacity has been strengthened and effectiveness improved by procuring critical ICT infrastructure for a Case Management system, establishment of Helpdesks for the Courts as well as specific training and peer exchange for judges and magistrates (both in Fiji and outside). The LAC was supported to

deliver services to the most vulnerable, including opening of new offices in the outer islands and developing a toll free Helpline. Dialogue between CSOs and the HRADC continued in 2018 with interactive dialogue events organised across the various provinces of Fiji with 30 CSOs/Community based organisations.

Under the EU-funded project *'Upholding Citizens' Constitutional Rights for Democratic Consolidation in Fiji'* implemented by the International Institute for Democracy and Electoral Assistance (International IDEA) in consortium with four Fijian CSOs, a 3-day workshop took place in April, where 25 CSO participants learnt about the principles of electoral system design and operations, principles of constitutional rights and the rights-based approach, in view of the elections in November. A closed and an open forum meeting were organised in July with leaders of CSOs, members of the academia, selected community leaders and the Supervisor of Elections, providing an opportunity to clarify many of the election related issues.

In November 2018, the *Pacific Partnership to End Violence Against Women and Girls* that brings together governments, CSOs, communities and other partners, was launched. The programme is funded primarily by the EU with targeted support from the Australian Government and UN Women. Priorities for Fiji, which has become one of the focus countries, include prevention work aiming to address harmful social norms; improving access to essential services for survivors of gender-based violence and monitoring and reporting on government commitments to gender equality and elimination of violence against women and girls.

**5. Multilateral context:** In 2018, Fiji has become the first Pacific Island Country elected as a member to the UN Human Rights Council, its 3-year term starting as of 1 January 2019. The next UPR for Fiji is expected to take place in November 2019. The national consultation stage started in May 2018 and completed in January 2019 so the CSO report drafting will begin.

In 2018, Fiji ratified, without reservations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, thus accepting UPR recommendations in this regard from its last Review in October 2014.

The UN Special Rapporteur on human rights and the environment visited Fiji in December 2018. UNSR praised Fiji for its leadership on climate change. At the same time, gaps between environmental commitments and their implementation were noted, environmental problems interfering with a wide range of human rights, including rights to life, health, food, housing, water and sanitation, as well as the right to live in a healthy environment. Fiji was urged to increase its actions to protect human rights and the environment on the ground.

## The Federated States of Micronesia

**1. Overview of the human rights and democracy situation:** In 2018, basic human rights were respected in the Federated States of Micronesia (FSM), such as right to assembly and freedom of speech, and no gross human rights' abuses were identified. There were however human rights concerns relating to domestic violence and trafficking in human beings that still demanded attention. Other human rights issues include problems related to climate change.

**2. EU action - Key focus areas:** Cultural factors in the male-dominated society continued to

limit women's representation in Government and politics. Women are well represented in the middle and lower ranks of Government at both the Federal and State level, but are scarcer in the upper ranks. All of the 14 members of Congress are men. FSM remains one of the few countries in the world with no women in the legislature.

Women enjoy equal rights under the law, including those regarding property ownership and employment. However, socio-economic discrimination and violence against women continue to be the most prevalent human rights problem in the country. There is still no national legislation criminalizing sexual assault, but each state has identical legislation criminalising sexual assault against, and sexual relations with, girls under the age of 13. Cases of domestic violence often go unreported because of family pressure or inaction by the authorities. Offenders rarely face trial, and those found guilty usually receive light sentences.

In spite of the Human Trafficking Act of 2012, FSM remained a source country for forced labour and sex trafficking. Many sex trafficking cases remain unreported due to victims' fear of shame and embarrassment in FSM's insular communities. As part of a larger awareness campaign the Government implemented a national action plan to combat trafficking in human beings.

No labour unions exist, though there are no laws against their formation. The right to strike and bargain collectively is not legally recognised. The judiciary is independent, but lacks funding.

**3. EU bilateral political engagement:** In 2018, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States to support EU human rights initiatives and priorities at the UN level. The EU Delegation in Fiji continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are very closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential elements for the implementation of the regional roadmap for Civil Society Organisations (CSOs) in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11$^{th}$ EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

**5. Multilateral context:** No visits have been made by Special Procedures in 2018, and FSM has not extended a standing invitation.

## Republic of Kiribati

**1. Overview of the human rights and democracy situation:** In 2018, the overall human rights situation remained the same, with no systematic abuse, but continued concerns on gender-based violence which is deeply rooted in traditional behavioural norms. Kiribati's biggest challenge remains climate change. The country is at risk of becoming uninhabitable by the end of the century, which will lead to migration issues.

Human rights violations in Kiribati included violence against women such as spousal abuse, child abuse and sexual exploitation of children that remain serious challenges to tackle effectively in spite of the national legislation condemning all kind of children and women

abuse. Discrimination on the basis of race or origin is prohibited by the constitution; however, only native i-Kiribati may own land. Gender discrimination is prohibited only as regards to employment. Consensual sex between males is criminalised, but there were no reports of prosecutions in 2018.

Sexual and gender-based violence continued to be prevalent throughout Kiribati - 68% of women reported experiencing physical and/or sexual violence. Violence against children (42% of the population) and child malnutrition remained issues of serious concerns. Although children have been legally protected from sexual exploitation since 2013, Kiribati remains a source country for girls subjected to sex trafficking. Prosecution of trafficking offenders remained an issue, as did physical punishment of children.

Although in 2017 Kiribati's government established the National Human Rights Taskforce within the Ministry of Justice, with a mandate to oversee implementation of all ratified Human Rights Conventions, Kiribati has yet to establish a National Human Rights' Institution in compliance with the Paris Principles.

Furthermore, a formal system for granting asylum or refugee status has still not been set up. Women's participation in political life remained low.

**2. EU action - key focus areas:** The 1st EU-Kiribati Political Dialogue was held in South Tarawa in January 2018. Human rights, good governance, democratic principles and the rule of law were discussed during the meeting with the government of Kiribati.

**3. EU bilateral political engagement:** During 2018, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including Kiribati, to support EU human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' Meeting in Apia in September 2017.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for Civil Society Organizations (CSOs) in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11th EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million). The Civil Society Organizations support is implemented by the Pacific Islands Forum Secretariat for which the EU allocated Kiribati EUR 0.3 million. CSOs are empowered to effectively monitor implementation of national gender equality policies, primary prevention actions plans and challenge social norms and behaviours.

The EU also funds the Pacific Islands Forum Secretariat (PIFS) human rights-related initiatives.

## Nauru

**1. Overview of the human rights and democracy situation:** Nauru's mixed track record with regards to democracy, the rule of law and human rights continued during 2018. In early

2018, the Nauru Supreme Court Judge Muecke ordered the prosecution of the *'Nauru 19'* (a group of former MPs that the Government is accusing of rioting outside Parliament in 2015), to be permanently thrown out and in his ruling criticised the Nauru government for *"executive interference"*. In response, the Nauru government appealed his decision and the case began once again in mid-December, in the new Nauruan 'Court of Appeals' which the government established after ending its links to Australia's highest court in April 2018. The overall situation for refugees and asylum seekers in the regional Offshore Processing Centre (OPC) has slightly improved given that the Government has decided an *"open door camp"* policy but also because the majority of children have now been evacuated from the OPC, although 17 still remain there. Many refugees started living in town or were free to move and work during the day and use the OPC as a residence. Several commercial activities and restaurants have been opened by the refugees. Although the situation remained difficult for many refugees and asylum seekers, cases of depression and self-harming decreased consistently following the easing of the detention conditions. Other human rights issues included climate change and related problems.

**2. EU action - Key focus areas**: The EU holds regular political and policy dialogues with the authorities. Human rights related issues that were raised, were primarily connected to the 'Offshore Processing Centre' refugees and climate refugees' challenges. Through an EU-funded project, the EU promoted human rights and gender equality, in particular with regard to drafting the 'Family Protection Bill'.

A 'Working Group on Treaties' has been recently set up within the Ministry of Foreign Affairs to deal with Human Rights-related Treaties and Conventions. Nauru has not yet established a 'National Human Rights Institution (NHRI)'.

**3. EU bilateral political engagement:** The informal EU-Nauru Political Dialogue took place in May 2018, focusing inter alia on the post-2016 elections political situation, human rights, sustainable and inclusive development in Nauru, as well as the situation of refugees and asylum seekers. During 2018, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States, including Nauru, to support EU human rights initiatives and priorities at the UN level. In a positive development, Nauru amended its Criminal Code in 2016, abolishing the death penalty and decriminalising homosexuality. However, the EU was concerned over the recent criminalisation of criticism towards Nauru's ruling administration. The EU Delegation in Fiji continued to actively promote climate change awareness, as in the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for Civil Society Organisations (CSOs) in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11$^{th}$ EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

**5. Multilateral context:** Despite the ratification of International Human Rights Treaties and the protection from inhuman treatment provided for in Nauru's Constitution (Part 2.7), the actual protection of refugees remains fragile due in part to limited financial capacities. Human rights challenges included separation of family members, lack of appropriate medical care, assault and robbery towards refugees and serious mental health problems.

## New Zealand

**1. Overview of the human rights and democracy situation:** New Zealand shares similar values and human rights standards with the EU and its Member States. There is a robust institutional framework to promote and protect human rights. In 2018, New Zealand celebrated 125 Years of Women's Suffrage as the first country to give women the right to vote. Prime Minister Jacinda Ardern has pledged to dismantle gender barriers. Her government introduced the Equal Pay Amendment Bill to facilitate workers' pay equity claims. In July 2018, the refugee quota increased from 750 to 1000. It will increase again in 2020 to 1500. An additional 500 Syrian refugees were resettled between 2016 and 2018. The government has repeatedly offered to accept refugees detained in Nauru and Manus Island.

**2. EU action – key focus areas**: Main issues in the EU's focus have been family violence (VAW), socio-economic disparities for Māori and Pasifika People, and child poverty. UN Women reported that New Zealand has the highest rate of domestic violence in the OECD. The government is working on a National Strategy and Action Plan which is long awaited by CSOs. Ethnic disparities are evident in the criminal justice system. Māori, while representing around 15% of the population overall, represent 50% of the male prison population, 60% of the female prison population and 70% of youth justice residents. On child poverty, in 2016 and 2017, New Zealand's child protection system was reformed and a Ministry of Children established. Further to this, in 2018, the government introduced the Child Poverty Reduction Bill. It is a priority for PM Ardern who also serves as Minister for Child Poverty Reduction.

**3. EU bilateral political engagement:** Contacts between the Delegation and the independent Human Rights Commission (HRC) are ongoing. A meeting was organised to discuss New Zealand's upcoming third Universal Periodic Review (UPR), the overall domestic situation and operational tools. The Delegation also attended a UPR pre-session where civil society organisations presented their perspectives. In June 2018, the Delegation met with the New Zealand Refugee Council regarding the immigration policies/situation in New Zealand and the EU. It has a special interest in learning about the integration of refugees in the EU.

The EU and New Zealand are negotiating a Free Trade Agreement which includes a 'Trade for All' component. This seeks to promote gender equity and enhance economic opportunities for Māori. Negotiations are exploring genetic resources, traditional knowledge and folklore.

In April 2018, the Delegation sponsored the Sustainable Development Goals (SDGs) Summit in Wellington – the first ever SDGs conference in New Zealand.

**4. Multilateral context:** During its 2014 second UPR, New Zealand had received 155 recommendations, 121 of which were accepted. From these recommendations, 100 necessary actions were created by the HRC, which monitors progress. It found 55 actions had been completed, 40 were in progress with 1 action that saw no progress in the 2017-2018 period, and four actions that had been superseded.

## Palau

**1. Overview of the human rights and democracy situation:** No gross human rights' abuses

were identified in 2018; however there were human rights concerns that still required attention such as assuring rights of children, addressing gender-based violence and tackling trafficking in human beings, including due care of trafficked persons, migrants and asylum seekers. Other human rights issues included climate change and related problems. The establishment of a National Human Rights Institution was in progress, but not finalised.

Although the Palauan society is matriarchal and matrilineal, women are still underrepresented in the national Congress, the Cabinet and in the higher levels of the civil service. Women have close to equal status in public and private sector employment, education as well as in public participation. Sexual harassment and rape, including spousal rape, are illegal. Domestic violence is not covered by specific legislation and remains a challenge. However, the government conducted public education efforts to combat abuse against women and children.

Palau's legislation does not provide for the granting of asylum or refugee status and the government has not established a formal system for providing protection to refugees. In practice the government nevertheless provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. Children born to non-citizens inherit their parents' citizenship.

**2. EU action - key focus areas:** Human rights were discussed through the last informal Political Dialogue held in Palau, in April 2018. Through the dialogue with the country and through different financial instruments, the EU promoted human rights, gender equality and the increased participation of women in decision making.

**3. EU bilateral political engagement:** During 2018, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including Palau, to support EU human rights initiatives and priorities at the UN level. Gender equality and human rights are shared values and common challenges between the EU and Palau in the framework of the Sustainable Development Goals dialogue. The EU Delegation in Fiji continued to actively promote climate change awareness, as in the Pacific region, climate change and human rights are very closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for CSOs in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11$^{th}$ EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million). The European Union granted Palau an allocation of EUR 0.2 million allowance to support civil society organizations.

**5. Multilateral context:** Steps taken towards ratification of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) have focused on awareness programmes and consultations with key stakeholders, including traditional women's groups.

## Independent State of Papua New Guinea

**1. Overview of the human rights and democracy situation:** Police brutality, tribal conflicts, post-election violence and various election-related court cases, violence against women and

children, and corruption across all levels of government all contribute to a low level of basic human rights enforcement in the country. In spite of genuine efforts on policy development in the last few years the country's concrete progress is held back by weak institutional capacities (including lack of coordination among different entities in the administration) and poor policy implementation.

**2. EU action - key focus areas**: The EU's main focus has been on gender-based violence (GBV), abolition of death penalty, establishment of an Independent Human Rights Commission and preparations for the Bougainville Referendum.

The EU continued to support the efforts of partners to address the issues of violence against women including sorcery-related violence, police brutality and intimate partner violence. The EU actively contributed to the 2018 "16 Days of Activism Against Gender-Based Violence Campaign" through the current NSA II programme and through active participation in the Human Rights quarterly forums and gender forums.

Through political engagement, including in meetings with the PM and the Minister of Justice, the EU conveyed key messages on the death penalty including advocating for moving from a *de facto* moratorium to abolition. The EU furthermore supported an initiative of the seven mainstream churches in PNG by hosting a formal dialogue on the death penalty between the churches, UN and the EU at the EU Delegation in November 2018. A position paper representing the views of the church is expected to be presented to the Government in the course of 2019.

Throughout the year the EU has consistently been raising in various forums and bilateral meetings the issue of establishment of an Independent Human Rights Commission which is long overdue (1996 government commitment). The EU met several times with the Justice Minister and raised the issue on each occasion. Although in 2018 concrete steps were taken towards the finalisation of the legislative framework for the establishment of an independent Human Rights Commission, concerns emerged towards the end of the year that it might be difficult to secure funding at this time, given budgetary constraints. Therefore, in order to address the concerns raised by the EU the Justice Department has started exploring ways to enhance the efficiency of already existing structures, notably the Human Rights Secretariat.

The EU conducted a second joint EU and Member States visit to Bougainville in June (the first had taken place in January 2017) at the time of a Joint Supervisory Board meeting taking place under the Peace Agreement. This helped prepare the ground for EU action in support of a robust and technically sound referendum in Bougainville on independence. At the time of writing this referendum was expected to take place on 15 June 2019, but there were also indications that it could be deferred to later in the year, as preparatory work was lagging behind.

**3. EU bilateral political engagement:** In October 2017 the then newly appointed Justice Minister accepted an invitation by the EU to speak at the official opening of the annual Human Rights Film Festival, a joint UN-EU initiative. In 2018, the Minister offered to become the official patron of the Festival. On 8 October, the World Day against the Death Penalty, the EU Delegation in Port Moresby organised, for the first time ever, a very well-attended media briefing (presence of print and online media, TV and radio) in which the EU Ambassador and his French colleague explained the EU's position and that of France regarding the Death Penalty. As a direct result of raising the issue of the long overdue

establishment of the Human Rights Commission in a meeting with the Justice Minister in early December 2018, work got underway within days thereafter to look into the possibility of enhancing the efficiency of already existing structures, notably the Human Rights Secretariat by moving it from the Ministry of Community Development to the Department of Justice and Attorney-General. In an unusual personal appearance at the last Human Rights Forum of the year the Justice Minister explained the above to Development Partners, vowing swift progress with the Human Rights Secretariat and ultimately having the Human Rights Commission fully established by the end of the current government term, i.e. by 2021.

**4. EU financial engagement:** During 2018, most of the EU projects funded under the European Instrument for Democracy and Human Rights (EIDHR) were closed. In the "*Hope Project*", more than 800 human right defenders (HRDs) went through specific capacity building programmes. They are now working within their communities and villages advocating for the need to respect human rights. Under the *'Addressing Trafficking in Persons' Project*' more than 400 judicial officers, forestry and fisheries sector officers and border and customs officers were trained on anti-trafficking laws and application procedures. The *'Stronger Justice, Stronger Community'* is the only project currently still being implemented. Under this project, a total of 400 frontline workers (judicial staff, police personnel and community volunteers) are trained on the implementation procedures of the new 'Lukautim Pikinini Act- Child Protection Act'.

**5. Multilateral context:** Following PNG's second Universal Periodic Review (UPR) Report to the UN Human Rights Council in May 2016 the UN Working Group made 161 recommendations of which only 101 recommendations were accepted by the government. In order to implement the 101 recommendations, PNG has established a multi-sectoral agency working committee which is to oversee and coordinate sectoral implementation. However, there has been slow progress in the implementation of the recommendations.

The submission of the initial report on the implementation of the Convention on the Right of Persons with Disabilities (CRPD) has been three years overdue (originally due in by October 2015). The government had not undertaken any concrete action on the implementation on this Convention. PNG had also failed to deliver its fourth periodic report on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (UNCEDAW) which was due by 2015, and there was no progress on the fifth periodic cycle of reporting due in July 2018. It was hoped that a revamped Human Rights Secretariat would help achieving progress in these areas.

## Republic of Marshall Islands

**1. Overview of the human rights and democracy situation:** Human rights were generally respected in Republic of Marshall Islands (RMI) and no gross human rights abuses were identified in 2018. There were, however, some recurrent human rights concerns such as gender-based violence, domestic violence, child abuse and cases of trafficking in human beings that demanded attention. Organ trafficking remained an issue in the country, along with poor conditions in prison and detention centres, climate change and related problems. There were no reported cases of arbitrary deprivation of life or political prisoner. Trafficking in human beings requires further efforts to protect victims, and improved enforcement of

the national legislation.

Although in 2016 Ms Hilda Heine became the country's first female President and the Pacific's first female elected Head of State, women are still underrepresented in all areas of political life.

There continued to be very low awareness of issues pertaining to children's rights. Corporal punishment is illegal in schools but still permitted at home. There is no minimum age for employment for children which has raised concerns that children are not attending compulsory education. Only 80% of students who attend primary school reach eighth grade and only 70%-75% of those enter high school. There are few services for the protection of children, and the Human Rights Office in the Ministry of Internal Affairs is poorly staffed.

**2. EU action - key focus areas:** During 2018, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including RMI, to support EU human rights initiatives and priorities at the UN level.

**3. EU bilateral political engagement:** Human rights were discussed through an informal Political Dialogue held in March 2017. Through the dialogue with the country and through different financial instruments, the EU promoted human rights, gender equality and the increased participation of women in decision making. The EU Delegation in Fiji continued to actively promote climate change awareness, as in the Pacific region, climate change and human rights are very closely intertwined.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' Meeting in Apia in September 2017.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for Civil Society Organisations (CSOs) in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11$^{th}$ EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

## Samoa

**1. Overview of the human rights and democracy situation:** In 2018, the overall human rights situation in the country remained positive. Human rights in Samoa are protected by its Constitution and legislative framework. There are however human rights' concerns such as potential pressure on freedom of religion following amendment in June 2017 of the Constitution to transform the country from a secular to a Christian state. Concerns related to gender-based/domestic violence continue to demand attention. The 2018 National Public Inquiry into family violence in Samoa, revealed that family violence rate in Samoa appears to be higher than the global average. In general, the government is open to dialogue and remains committed to improving human rights.

A traditional system of governance co-exists with democratic process in Samoa, affecting participation of women in politics and public decision-making. While there is universal suffrage for all Samoan citizens aged 21 and over, still only chiefs of villages (*matai*) may

contest the elections. The number of women holding *matai* title remains low, which constitutes a barrier to increasing number of women candidates in the elections. Women's participation in the village council decision-making is mainly indirect. Constitutional amendment, which introduced a 10 % parliamentary quota for female MPs in 2013, was activated during the 2016 elections: there are five female MPs (out of total 50 MPs) in the current Parliament.

**2. EU Action - key focus areas**: Through dialogue with the government and non-state actors in conjunction with various financial instruments, the EU has been promoting human rights, gender equality and increased participation of women in decision making.

There is a political will in Samoa to advance national action to end domestic violence. Since signing the CEDAW, legislative reform included adoption of the Family Safety Act 2013. There is a need to progress on efficient implementation of the legislation. The Ministry of Women, Communities and Social Development is tasked to oversee service provision for women and girls who have been subject to violence. The National Human Rights Institution (NHRI) identified domestic violence as a priority human rights concern. The 2018 National Public Inquiry into family violence in Samoa, carried out by NHRI, revealed that family violence rate appears to be higher than the global average: 87 % of respondents within the family setting had experienced threats of violence and 86 % had been subject to assaults. The Inquiry findings highlight that there is no part of *Fa'asamoa* (Samoan culture or way of life) providing for violence inside or outside family unit, however, some cultural norms contribute to the patriarchal framework, often placing women in inferior position, intensifying the gender hierarchy and bringing down the veil of silence. A majority of Samoans believe in physical violence/disciplines as a common approach for raising children. The NHRI set out a list of recommendations towards elimination of family violence including, inter alia, establishment of a Family Violence Prevention Office, National Family Violence Prevention Strategy and Communications Strategy, Family Violence Prevention Council and Taskforce.

**3. EU bilateral political engagement:** Meetings at various levels were used as a platform to promote respect for human rights and gender equality in the Pacific region including Samoa. The EU bilateral engagement followed up on issues discussed in the enhanced EU-Samoa Political Dialogue under Article 8 of the Cotonou Agreement, held in Apia in October 2016, where human rights and democracy issues as well as policy measures taken by the authorities were addressed. Samoa committed to continue its active engagement in the discussion of human rights issues with civil society organisations (CSOs), which were represented at the political dialogue, and the development partners. The EU invited Samoa to accede to the International Covenant on Economic, Social and Cultural Rights, and invited Samoa to examine the possibility of decriminalising male homosexuality.

**4. EU financial engagement:** The EU provides support to the Samoan civil society to strengthen engagement between the civil society and the Government of Samoa in strategic planning, implementation and oversight along the key sectors of the Strategy for the Development of Samoa. Human rights and gender related issues are addressed through support to CSOs working with communities, village councils, government institutions and the NHRI in order to challenge gender stereotyping, increase public awareness of existing legal rights, as well as protection offered to victims, contributing to the reduction of violence against women and greater empowerment of women in Samoan society.

Samoa is a focus country under the new regional Pacific Partnership to End Violence against Women and Girls programme, launched in November 2018 and funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. The action is implemented in partnership with government, CSOs, communities and other partners to promote gender equality, prevent violence against women and girls, and increase access to quality response services for survivors. The activities under the programme will support, inter alia, the implementation of key recommendations from the National Inquiry into Family Violence Report 2018; working violence prevention approach; linking Samoan partners to a regional Community of Practice that encourages knowledge sharing; assisting gender based violence survivors with better access to quality crisis response and social services, especially in remote and low-access locations around Samoa.

**5. Multilateral context:** The next Universal Periodic Review (UPR) of Samoa is expected in May 2021.

## Solomon Islands

**1. Overview of the human rights and democracy situation:** Although the government of Solomon Islands has yet to enact a comprehensive human rights policy, a number of improvements took place during 2018. However, successful implementation of the Acts remains a challenge.

The *'Child and Family Welfare Act 2017' (CFWA)* was passed on 20 February 2017. Joint capacity building workshops on the FPA and CFWA were organised during 2018. There is currently no legislation to legally prohibit corporal punishment of children. The present legislation under Article 233 of the Penal Code (1963) confirms *"the right of any parent, teacher, or other person, having the lawful control of a child or young person to administer reasonable punishment to him"*. The Draft Federal Constitution 2013 still provides for *"reasonable chastisement"*.

The government's work on a legislative package of reforms (aiming at improving political stability, access of women to parliament, fight against corruption and protection of whistle-blowers) moved forward in 2018. The *'Anti-corruption Act'* which provides for the creation of an Independent Anti-corruption entity (tabled in Parliament in early 2016 and withdrawn in 2017, reportedly due to resistance by certain members of the government), was finally passed on 25 July 2018. Parliament also passed the *'Whistleblowers Protection Act'* on 31 July, aiming to protect people who come forward with information on corruption.

Domestic violence remained an issue of national concern in 2018. According to SIG's Ministry of Women, Youths, Children and Family Affairs, around 64% of women aged 15–49 who have been in a relationship reported experiencing physical and/or sexual violence by a partner.

Legal aid is officially available in criminal, family and civil matters through the Public Solicitor's Office; however it has been noted that the Office is routinely overburdened and under-resourced. Much effort has been put into improving access to justice for women victims of domestic violence, particularly since the start of implementation of the Family Protection Act (2014) in April 2016.

**2. EU action - key focus areas:** Main areas of the EU's focus were discrimination and violence

(physical and sexual) against women and girls, gender inequalities (including gender-based violence (GBV) - combined with endemic corruption - remain the most significant human rights abuses in the Solomon Islands (SI). Initiatives have been taken by donors but the number of rape and incest cases continues to be alarming. Other human rights issues included climate change and related problems.

**3. EU bilateral political engagement:** Following the closure of the EU Delegation in the Solomon Islands in August 2018, the EU Delegation in Fiji is responsible for the EU political and operational cooperation in Solomon Islands. The EU remained committed to supporting government and non-state actor efforts to reduce gender-based violence. Regarding the fight against corruption, the EU Delegation in Fiji managed an on-going Budget Support programme that applies a vigilant monitoring of government spending, in particular the Constituency Development Funds (CDFs). The EU, together with other donors, meets regularly with the Government, commends its fight against corruption and openly discusses the CDF situation. The EU Delegation in Fiji continued to actively promote climate change awareness, as in the Pacific region, climate change and human rights are very closely intertwined.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' Meeting in Apia in September 2017. The EU has been financing an action on *'Support to initiatives and actions on the protection of children against sexual exploitation and sexual abuse'*. The EU has also funded projects on women's rights, violence against women, women's empowerment and women's participation. The EU Delegation in Fiji will continue a close dialogue with the country's civil society organisations (CSOs), which are supported by thematic budget lines (EUR 0.6 million from the European Instrument for Democracy and Human Rights (EIDHR) and EUR 1.5 million from the CSO-LA), under calls for proposals in 2017. There are 68 non-governmental organisations (NGOs) currently registered with the Pacific Islands Association of Non-Governmental Organisations.

## Tonga

**1. Overview of the human rights and democracy situation:** In 2018, the level of domestic violence remains a critical human rights issue in Tonga and has been identified by the Government as a major impediment to gender equality. Necessary measures still have to be taken, in order to effectively implement provisions of the national Family Protection Act of 2013 which recognises domestic violence as a legal offence and provides a legal framework for preventing domestic violence. While there is no discriminatory legislation with regards to participation of women in politics, traditional system and cultural factors limit participation of women in political processes and local government. Ratification of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) by Tonga is still stalled.

There is no full equality of suffrage and not all the seats of the Parliament are directly elected. This is not in line with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), and other international standards.

Women also face challenges with regards to the full enjoyment of economic rights,

particularly inheritance and land rights. The legal status of same-sex relationships is not recognised in Tonga and consenting same-sex relationships between adults remain criminalised by the law (there are no reports of law enforcement though). A de facto moratorium on the application of the death penalty is in place since 1982.

**2. EU action - key focus areas:** EU actions focus inter alia on supporting the ratification of or accession to the remaining core Human Rights Conventions; promoting gender equality and women rights and supporting Civil Society Organisations (CSOs) engagement with the Government of Tonga on policy dialogue and governance.

**3. EU bilateral political engagement:** The EU followed up on issues discussed in the first Enhanced High Level Political Dialogue under Article 8 of the Cotonou Agreement in Nuku'alofa in April 2017. In the area of human rights, the EU urged Tonga to abolish the death penalty, to ratify (or accede to) the Rome Statute and core Human Rights Conventions, and to decriminalise same-sex relations. The EU carried out demarches and outreach activities inviting Tonga to support human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** Tonga is covered under a regional roadmap for CSOs in the Pacific, with the purpose of ensuring a more structured and effective dialogue with CSOs as well as to intensify the linkages between CSOs, local authorities and the government. EU financial support was devoted to capacity building of CSOs, strengthening CSOs role in advocacy towards gender equality and women's rights and addressing the problem of domestic violence and its impact on families and the development of the society.

The "Experiences and Needs of Children and Children with Disability in Tonga'' project, aimed at advancement of children's rights, contributed to understanding violence against children and children with disability in Tonga and to improving conditions for children. A study served as a baseline for the government, civil society and the community to develop and implement immediate and long term protection and prevention measures against violence on children.

Tonga is a focus country under the new regional Pacific Partnership to End Violence Against Women and Girls programme, launched in November 2018 and funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. The action is implemented in partnership with the Government, CSOs, communities and other partners towards transforming harmful social norms to prevent violence against women and girls, improving access to quality services for survivors of gender-based violence and monitoring and reporting on government's commitments to gender equality and elimination of violence against women and girls. The activities under the programme will support, inter alia, working with states bodies and faith leaders on the development of a national prevention strategy; supporting technical review of the National Policy on Gender and Development 2014-2018; supporting the Women and Children Crisis Centre, supporting awareness and further implementation of the Family Protection Act 2013.

**5. Multilateral context:** Tonga's human rights record was reviewed under the Universal Period Review (UPR) on 15 January 2018. So far Tonga has ratified only two of the core UN Human Rights Conventions - the International Convention on Elimination of All Forms of Racial Discrimination (ICERD) in 1972 and the Convention on the Rights of the Child (CRC) in 1955. Since these ratifications, the government of Tonga has submitted some national reports on ICERD. In 2018, Tonga submitted its first report on CRC implementation. Tonga

has also signed but not yet ratified the Convention on the Rights of Persons with Disabilities (CRPD).

UPR recommendations supported by Tonga include, inter alia, improving record of reporting to the UN bodies, establishment of a NHRI, prioritising gender equality and adopting legislative measures to combat discrimination against women. Tonga will examine recommendations to continue efforts to ratify core international human rights treaties, particularly CEDAW, the CRPD, the Convention Against Torture (CAT), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR), to introduce legislation to provide equal protection to vulnerable groups and on all grounds, including sexual orientation, and to formally abolish the death penalty.

## Tuvalu

**1. Overview of the human rights and democracy situation:** There have been no reports of systematic violation of human rights in Tuvalu in 2018. Gender-based violence is rooted in traditional behavioural norms of a patriarchal society and often remains unreported due to the "culture of silence". Tuvalu has ratified the Convention on the Elimination of All Forms of Discrimination against Women and criminalised domestic violence in 2014 under the Family Protection and Domestic Violence Act. Domestic Violence Unit has been established within the police. However, women's rights and gender equality continue to be areas which need further improvement, including, inter alia, employment discrimination, land inheritance aspects or local governance arrangements. Legislation does not prohibit discrimination based on gender or sexual orientation. Consensual same-sex relations between men remain criminalised under the Penal Code (with no reports of law enforcement). By law, parents and teachers may use corporal punishment. Discrimination against persons with disabilities is not expressly prohibited by law, and school attendance rate is lower among students with disabilities.

There are a number of policy documents in place, including National Strategy for Sustainable Development 2016-2020, which sets out action towards improving the quality of life, and National Human Rights Action Plan 2016-2020, capturing Tuvalu's commitments under the international Human Rights instruments and the Universal Periodic Review. It is essential that strategic policies are effectively implemented and measures are adopted to fully domesticate provisions of the Human Rights Conventions Tuvalu is a party to. The on-going Constitutional review, initiated by Tuvalu to address the pertaining issues and conducted through a participatory approach, has been facing challenges. The review provides an opportunity to strengthen the protection and enforcement of human rights and fundamental freedoms to ensure full alignment with international human rights standards, which is not to be missed. In 2017, National Human Rights Institution (NHRI) Act was adopted by the Parliament, aiming at providing a mechanism to ensure protection of human rights and fundamental freedoms. Tuvalu thus became the third Pacific Island State to establish a NHRI.

**2. EU action - key focus areas:** Tuvalu is one of the most environmentally fragile countries in the Pacific and an adverse impact of climate change on the ecosystem, sources of

livelihoods, infrastructure and, most importantly, the population, is affecting human rights such as, inter alia, the rights to life, development, food, health, housing, water and sanitation. Gender based and domestic violence was also among the key human rights' concerns.

**3. EU bilateral political engagement:** The EU followed up on the first enhanced EU-Tuvalu Political Dialogue under Article 8 of the Cotonou Agreement which was held in Funafuti on 31 May 2017. Progress and remaining human rights challenges in Tuvalu were discussed. Tuvalu's Human Rights National Action Plan 2016-2020, first in the Pacific, was developed with co-funding from the EU. Areas for engagement have been further discussed in the bilateral meetings at various levels, including in the margins of the PIF summit in Nauru in September 2018. The EU carried out demarches and outreach activities inviting Tuvalu to support human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential elements for the implementation of the regional roadmap for Civil Society Organisations (CSOs) in the Pacific. One of the focal areas for EU assistance to Tuvalu is environmental protection. Civil Society Support component of the programme provides for a specific financial allocation for CSOs and envisages measures to support to CSOs to actively engage in the programme and promote its sustainability. The programme addresses, inter alia, limited capacities of CSOs and weak linkages between CSOs and Government in development cooperation.

Tuvalu has become a focus country under the regional programme Pacific Partnership to End Violence Against Women and Girls, launched in November 2018 and bringing together governments, CSO, communities and other partners to promote gender equality, prevent violence against women and girls and increase access to quality response services for survivors. This regional programme is funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. Tuvalu, in particular, will benefit under the components focusing on enhancement of formal in-school and informal education on gender equality and prevention of violence against women and girls, and on empowering national and regional CSOs to advocate, monitor and report on regional institutions and government commitments to enhance gender equality and prevent violence.

**5. Multilateral context:** Tuvalu underwent its third Universal Periodic Review (UPR) in May 2018. Recommendations which are examined by Tuvalu, focused largely on ratification of the core Human Rights conventions, introducing into legislation, including at Constitutional level, of a prohibition against discrimination based on gender, disability and sexual orientation, the establishment of the national human rights institution, implementing policies aimed at mitigation of the effects of climate change, taking into consideration a focus on human rights, decriminalisation of homosexuality and full implementation of the national Human Rights Action Plan. Next UPR for Tuvalu is envisaged in May 2023.

## Vanuatu

**1. Overview of the human rights and democracy situation:** Discrimination and violence against women remained the most significant human rights concerns in Vanuatu during

2018. Despite some progress, and although legal frameworks are in place to implement most of the UN Conventions related to Human Rights, these instruments are not properly applied mainly due to a lack of technical, human and economic capacity of the public institutions, as well as weak enforcement mechanisms (especially at the outer lying remote islands). They include access to justice, in particular for vulnerable groups, as well as strengthening of constitutional and legislative guarantees.

Although no laws limit participation of women and/or members of minorities in the political process, traditional attitudes regarding male dominance and customary familial roles have hampered women's participation in political life. While the percentage of women in Pacific parliaments currently hovers at 7.2% as of November 2017, no women were serving in Vanuatu's 52-member parliament in 2018. Attempts for constitutional reforms allowing for greater participation of women in politics have not been successful as yet and to date. An amendment to the Municipalities Act has been enacted in Parliament to reserve some seats for women on Municipal Councils.

**2. EU action - key focus areas**: The EU's main priority was the establishment of a fully-fledged National Human Rights Institution in accordance with the Paris principles (to guarantee the equality of women and girls and persons with disabilities) and the signature and eventual ratification of the 'Optional Protocol to the Convention Against Torture'.

**3. EU bilateral political engagement:** During the 4th Enhanced Political dialogue, held in Brussels in 2017, PM Salwai presented the sustainable Development plan 2030 which supports inter alia the protection of human rights through legislation and institutions.

Following the closure of the EU Delegation in the Solomon Islands in August 2018, the EU Delegation in Fiji is responsible for the EU political and operational cooperation in Vanuatu. The EU Delegation in Fiji continued to actively promote climate change awareness, an in the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' Meeting in Apia in September 2017.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for Civil Society Organisations (CSOs) in the Pacific. To this purpose, the EU worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11th European Development Fund (EDF), a specific financial allocation has been set aside for CSOs (EUR 1 million).

In 2018, the EU continued to provide financial support to projects funded through the EDF, the focal sector of which is rural development. Agricultural activities can play an important role in stimulating growth, creating jobs and improving livelihoods in rural areas. They can help fight poverty in Vanuatu and limit urban drift and other undesirable consequences, such as urban unemployment, drugs use and violence.

**5. Multilateral context:** Although Vanuatu ratified the 'Convention on the Elimination of All forms of Discrimination against Women (CEDAW)' in 1995, the Convention has not yet been fully incorporated into domestic legislation. Vanuatu's next Universal Periodic Review (UPR) is scheduled for January 2019.

# The Americas

## Belize

**1. Overview of the human rights and democracy situation:** Belize is a stable democracy. Violence remains a major challenge. In a response to escalating criminal activities, the Government imposed a State of Emergency in two locations in the south side of Belize City early in September.

In 2018, Belize again received an unfavourable Tier 3 ranking in the US State Department's Trafficking in Persons report for 2018. Highlighted areas of weakness include investigating and prosecuting of suspected traffickers.

The long-standing border dispute between Belize and Guatemala remains a potential threat to the human rights environment in Belize, particularly because of the possibility of flare-up of violence and loss of lives on either side. In 2018, the government of Belize embarked on a public education campaign ahead of a planned referendum, scheduled for April 2019, in which Belizeans will decide whether to take the dispute to the International Court of Justice (ICJ). Guatemala has already voted in favour of doing so.

**2. EU action - key focus areas of EU support:**

- the Confidence-Building Measures in the Belize-Guatemala Adjacency Zone;
- strengthening the public health system in order to advance achievement of universal access;
- promoting the building of efficient, effective disaster resilient and environmentally friendly health facilities - given the county's vulnerability to hurricanes and the effects of climate change;
- ensuring access of people in remote, rural communities to renewable energy;
- supporting banana and sugar producing areas with a focus on investment in productive and social infrastructure to strengthen competiveness, to provide basic social services and substantial benefits to rural and vulnerable groups in terms of the enjoyment of basic human rights.

**3. EU bilateral political engagement:** Belize and the EU held their fourth Political Dialogue on 20 September 2018. Focus was placed on the human rights situation as well as social, political and economic developments in Belize and the EU. Special attention was given to the upcoming referendum to determine whether Belize will take its border dispute with Guatemala to the ICG.

**4. EU Financial engagement:** The EU continued to support Confidence-Building Measures in the Belize-Guatemala Adjacency Zone, including through support to the work of the OAS Office, aimed at bringing about a peaceful resolution to the border dispute, and advancing inclusion and non-discrimination to preserve human dignity and protect people especially vulnerable groups against all forms of discrimination and human rights abuses.

EU support for the health sector will have a concrete impact on improving the health and well-being of the Belizean people, while also building up energy and disaster management. The support also has a financial management component, which will contribute to ensure greater accountability and facilitate more efficient public finance management.

**5. Multilateral context:** The 31st session of the Universal Periodic Review (UPR) of Belize was held on 12 November 2018. States acknowledged progress made since the last UPR, in particular related to the mainstreaming of international human rights standards into national frameworks and important legislative amendments such as the decriminalisation of same-sex relationships. States highlighted remaining challenges relating to the rights of women and children, health and education, as well as civil and political rights such as the continued discrimination against LGBTI (lesbian, gay, bisexual, transgender, and intersexual) people and sexual and gender-based violence. Recommendations aimed at improvements of national human rights mechanisms and frameworks, notably the creation of a national human rights institution in line with the Paris Principles, ratification of remaining instruments including the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR OP2) to formalise the abolition of the death penalty, and improved human rights education and training especially for security forces.

## United States of America

**1. Overview of the human rights and democracy situation:** In 2018, the main human rights related issues in the US included the death penalty, the use of the detention facility in Guantanamo, the protection of the rights of migrants and refugees, freedom of the press, as well as women's rights and LGBTI rights. The US continued its disengagement from human rights multilateral fora.

The death penalty continued to be applied in a trend mirroring the remarkable lows of the last 4 years, with 25 executions in 2018 (up from 23 in 2017 and 20 in 2016) and 41 new death sentences (up from 39 last year). The number of executions and of new death sentences remained therefore historically low. The State of Washington became the 20th State to abolish the death penalty in October 2018, with its Supreme Court pointing to the racial and social disparities in its application. The New Hampshire legislature also passed a bill abolishing the death penalty, which the Governor unfortunately vetoed. Public support for the death penalty remains steady, at 56%, with for the first time fewer than half of Americans (49%) saying they believe it is fairly applied.

President Trump revoked in January 2018 the 2009 Executive Order on the closure of the detention facilities at US Naval Station Guantánamo Bay. One detainee was released in May 2018 and as of 18 December 2018, 40 inmates remained in detention, including 5 cleared for release and 26 not charged with a crime. The administration has also pledged to continue using the facility and transfer additional detainees when lawful and necessary to protect the nation.

The administration's "no tolerance" policy led to the separation from their parents and detention of hundreds of migrant children apprehended while illegally crossing the Southern border. Policy changes increased the length of the detention of unaccompanied children and led to the increased use of larger facilities with suboptimal conditions. A new historically-low

annual cap of 30,000 refugees was set (down from 45,000 last year) and is unlikely to be met given the delays in the admission process. In a context of a hardening of the immigration policy, the end of the Deferred Action for Childhood Arrivals policy, targeted restrictions to the asylum policy and to the temporary protected status have all been announced but remain challenged by several lawsuits currently limiting their impact.

Harassment and attacks against journalists increased in 2018, in an environment of increased polarisation and heightened rhetoric, often critical of the media. Several incidents were recorded. Strong protections however persist in the US Constitutional order regarding freedom of expression and freedom of the media.

On women's rights, the administration followed-up on its commitment to reinstate the so-called Mexico-City Policy prohibiting the funding of foreign NGOs involved in abortion counseling. The confirmation of an additional conservative Supreme Court Justice, Brett Kavanaugh, gave rise to concerns that the Supreme Court would question the existing jurisprudence on sexual and reproductive health and rights. The administration continued to play a very visible role in supporting freedom of religion and belief, hosting a Ministerial meeting on the issue in July 2018. However, efforts from the Justice Department to promote religious liberty could potentially impact negatively LGBTI access to healthcare and other services.

Criminal justice policy and prison reform have seen unexpected progress with the adoption by Congress in December 2018 of a bipartisan bill reducing minimum sentencing guidelines, giving prospects of early release for some federal inmates, in particular non-violent offenders convicted at the height of the “war on drugs”. The initiative reflects progress at State level, with efforts to reduce the rate of incarceration, on which the US continues to lead worldwide.

Last but not least, 2018 confirmed the US disengagement from human rights fora at the multilateral level as the US announced in June its decision to withdraw from the Human Rights Council.

**2. EU action - key focus areas:** The European Union remains the most engaged international actor on the abolition of the death penalty in the United States and is steadily supported by Member States Embassies and Consulates across the country. As lethal injection remains the most used execution method, the EU export ban on drugs for execution remains a very efficient instrument. However, legal challenges to the use of these drugs were unsuccessful in several states. Debates about reinstating old execution protocols are also resurfacing, as evidenced by the two executions by electric chair which took place this year in the State of Tennessee. The EU made 7 demarches in death penalty cases (up from 6 in 2017) as well as three interventions to Governors unrelated to individual cases. In one case, the Governor commuted the sentence to life imprisonment. For the first time, a group of 10 human rights counsellors from 7 Member States, the EU Delegation and Norway, visited Columbus, capital of the State of Ohio, in May 2018 to meet with local authorities, legislators, academia and NGOs on the issue of the death penalty. On the World and Europe Day Against the Death Penalty, the EU Delegation co-organised one event in Washington DC with the Embassy of Spain. EUDEL supported financially and logistically one event in Houston with a local organization, the German Consulate and the University of Houston Downtown, which could be replicated in 2019 across the country. EUDEL also joined several death penalty-related events with partner organisations and EU embassies.

On Guantanamo, the EU position remained unchanged and the EU continued to follow the developments, in the context of the US announcement that it would keep detention facilities open and explore the transfer of additional detainees. On women's rights, the EU continued to support the Equal Futures Partnership. On criminal justice reform and detention, police violence and the human rights of LGBTI persons, the EU monitored developments closely, and EU Delegation staff joined the Capital Pride.

The EU Special Representative for Human Rights Stavros Lambrinidis conducted his first working visit with the Trump administration in February 2018 and had a wide-ranging exchange with the White House, the State Department, the Justice Department, as well as with think-tanks and civil society. His visit was an opportunity to explore synergies while conveying EU concerns on some aspects of US policy. The resumption of regular exchanges on multilateral issues and on third countries of concern at working level between the State Department and the External Action Service has been a success; however, resuming the EU-US Human Rights Consultations upon the (still pending) confirmation of the US Assistant Secretary for Democracy, Human Rights and Labor would allow the EU to discuss all of its key areas of concern more directly with the Administration.

## Antigua and Barbuda

**1. Overview of the human rights and democracy situation:** Antigua and Barbuda is a stable democracy. The Antigua and Barbuda Labour Party (ABLP), led by Gaston Browne won the 2018 general elections, gaining a second 5-year mandate. At the invitation of the Government, the OAS Electoral Observation Mission (EOM) as well as the CARICOM Secretariat observed the general elections. The EOM noted that the election was conducted in a peaceful environment and in accordance with the laws of the country and the principles of credible, inclusive and transparent elections. The Senate now has the highest female representation ever, with 9 of the 17 members being women.

Antigua and Barbuda continues to face its main human rights challenges: domestic violence, discrimination and violence against LGBTI (lesbian, gay, bisexual, transgender, and intersex) citizens and child abuse, as well as the death penalty, prison overcrowding and judicial backlogs.

So-called serious indecency laws remain in force, and the illegal status of consensual same-sex activity continues to drive the LGBTI community underground. The possibility of repealing such laws is at least being discussed openly, as suggested in April by PM Browne.

According to World Prison Brief, the level of prison occupancy is at 234%, which puts Antigua and Barbuda on the third place in the Caribbean, just after Haiti and Grenada.

Antigua and Barbuda retains the death penalty although no executions have been carried out since 1991.

The Royal Antigua and Barbuda Police Force reported an overall decrease of the criminal activity in 2018.

**2. EU action – key focus areas:** Antigua and Barbuda, as part of the Eastern Caribbean sub-region, benefits from EU assistance under the EIDHR (European Instrument for Democracy

and Human Rights) and the Civil Society Organisations and Local Authorities (CSO-LA) programme. Specific projects under implementation in 2018 target:

- employment opportunities for at-risk & incarcerated youth in Antigua and Barbuda, and reducing recidivism
- fighting domestic violence
- fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly
- enhancing capacities of local actors and building a strong civil society movement
- the EU priorities also include abolition of the death penalty and other improvements in the area of the rule of law, in particular the need to address prison overcrowding and judicial backlogs.

**3. EU bilateral political engagement:** Human rights matters are brought up in formal as well as informal meetings with Antigua and Barbuda's public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts from the Caribbean to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values.

The EU Delegation carried out formal démarches on human rights in the context of the UN General Assembly (UNGA) 3rd Committee. Antigua and Barbuda abstained in respect to the Resolutions on the Moratorium on the use of death penalty, on Human rights in Syria, on Human rights in the Autonomous Republic of Crimea and the City of Sevastopol and voted in favour of the human rights resolutions on Iran and on Myanmar. Member States are involved in these démarches, where possible, despite logistical and geographical difficulties.

**4. EU financial engagement:** A project to increase employment opportunities for at-risk and incarcerated has an allocation of approximately EUR 350.000 and reduces recidivism through vocational training, job placements, diversion and re-entry programmes. A project (of approximately EUR 280.000 came to an end in February) to fight domestic violence carried out research, collected data, built capacities of CSOs and other key stakeholders in justice, health and other departments, and launched communication campaigns to address biases and promote behavioural changes.

Antigua and Barbuda benefits from two regional projects (each with a budget of EUR 400.000) which have started in February 2018: one under the CSO-LA Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly, and one under EIDHR which will enhance capacities of local actors and build a strong civil society movement for the abolition of the death penalty.

**5. Multilateral context:** Since the UPR (Universal Periodic Review) in 2016, the government has opened a Support and Referral Centre (SARC), under the auspices of the Directorate of Gender Affairs, to assist primarily women who are victims of violence. SARC offers a one-stop crisis service, where victims are seen by both medical personnel and the police, thereby facilitating the reporting of abuse and the protection of the victim.

To bring Antigua and Barbuda in line with international recommendations, the Child Justice Bill 2018 was passed in the Lower House to increase the age of criminal responsibility from 8 to 12 years. According to Samantha Marshall, Minister of Social Transformation,

notwithstanding the age of criminal responsibility being raised to 12, a child under 14 years cannot be prosecuted for an offence unless the Court first proves beyond reasonable doubt that the child has the capacity to withstand a criminal trial.

In June, Antigua and Barbuda became the first Caribbean country and the third nation in the Western Hemisphere to ratify the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. The Instrument of Ratification, which was signed by PM Gaston Browne, follows his open apology, one month prior to the Rastafarian community at the OAS.

Antigua and Barbuda will be subject to next UPR review in 2021.

## Canada

**1. Overview of the human rights and democracy situation:** Canada's human rights protection framework remains among the most robust worldwide, with solid legal, political and social bases. Overarching laws protecting human rights exist at federal, provincial and territorial levels and the Canadian Charter of Rights and Freedoms is entrenched in the Canadian Constitution. The Charter applies to governments while a different legislation, the Canadian Human Rights Act of 1977 provides protection from discrimination by the federal government or private companies. At the sub-federal level, Provincial and Territorial human rights laws share many similarities with the Canadian Human Rights Act, and apply many of the same principles.

The overall human rights priorities of Canada, as well as its feminist foreign policy, continue to focus on the promotion of diversity and pluralism, reworking the relationship with indigenous people domestically, continuing work on Freedom of Religion or Belief, and advancing gender equality and women's empowerment. At the same time many interest groups maintain that promises for change, despite being welcome, do not translate into tangible actions. Services (healthcare and education) for indigenous children remain constrained causing extreme over representation in foster care and hampering outcomes. The Government has not acted to comply with the terms of the 2016 Human Rights Tribunal ruling[16] despite a boost in the federal budget for indigenous services and renewed discussions between stakeholders, to address a lack of access to potable water on First Nations Reserves, still persists. The government has promised to end long-term drinking water advisories on First Nations reserves by March 2021.

While Canada consistently ranks as one of the world's top countries in which to live, according to the United Nations Human Development Index, when the same criteria is applied to Indigenous peoples in Canada their rank drops to sixtieth or below. For a variety of reasons, including historic mistreatment largely due to forced assimilation policies by the Government (Residential Schools), the Indigenous population in Canada still faces many social deficiencies including higher unemployment rates, lower levels of education and outcomes, and an overrepresentation in the incarceration system. Despite the persistent

[16]Tribunal ruled that the federal government discriminated against First Nation children

issues, the Government has been credited for having brought the Indigenous question to the centre of the social debate in Canada for the first time.

The Canadian Government is continuing with its Review of Laws and Policies Related to Indigenous Peoples by a Working Group of cabinet ministers. This work is to ensure that Canada "is meeting its constitutional obligations with respect to Aboriginal and treaty rights; adhering to international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and supporting the implementation of the Truth and Reconciliation Commission's Calls to Action." The Government has publicly supported Bill C-262 that would ensure Canada's laws conform with the UNDRIP; however, the Bill has yet to be adopted.

The independent inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) launched in 2016 continues to experience setbacks and under delivery, resulting in a delay of the outcome report. In October 2018 the Inquiry announced the closure of its public hearing procedures and it is expected that Commissioners will write a final report and submit recommendations to the Canadian government by 30 April, 2019. This report will also be presented to provincial governments and private sector interest groups, who will be expected to implement any recommendations.

The Prime Minister's Special Advisor on LGBTQ2[17] matters engages with LGBTQ2 organisations nationwide. Together with the ministers responsible for Global Affairs, the Special Advisor actively promotes LGBTI rights internationally including contributing to Canada's role as 2017-2019 Co-chair of the Equal Rights Coalition. In August 2018, Canada hosted the *Leaving No One Behind* conference, in Vancouver - the Equal Rights Coalition (ERC) Global Conference on LGBTI Human Rights and Inclusive Development.

Included in its Refugee policy, Canada has been resettling vulnerable individuals for years, including those who are part of the LGBTQ2 community. Canada relies on the UN High Commissioner, other referral organisations and private sponsors to identify individuals who are persecuted based on their sexual orientation, gender identity, gender expression or HIV status.

Business and Human Rights: the Minister of International Trade Champagne announced two new initiatives on 17 January 2018: i) the creation of a Canadian Ombudsperson for Responsible Enterprise (CORE) and, ii) a multi-stakeholder Advisory Body on Responsible business conduct (MSAB). The announced creation of the Ombudsperson would represent a meaningful step forward to create an accessible and cost effective non-binding mechanism that will reinforce internationally recognised principles and standards through promotional activities and the provision of advice to all stakeholders.

**2. EU action – key focus areas:** In the framework of the Universal Periodic Review (UPR), the EU Delegation, in cooperation with Amnesty International's Canada Chapter, organised a roundtable of human rights defenders in Canada with the EU Member States Embassies. The

[17] The Government of Canada uses LGBTQ2 (Lesbian, Gay, Bisexual, Transgender, Queer, Two-Spirit) as the acronym for the official title of the Special Advisor and Privy Council Office Secretariat.

key priorities and progress made since the last UPR in 2013 were discussed, and these discussions were useful to inform Member States' own submissions within the UPR exercise.

The HRVP Mogherini and the Canadian Foreign Minister Freeland co-chaired a meeting of foreign ministers in Montréal on 21 and 22 September to discuss innovative ways to address crucial foreign policy challenges and to enhance dialogue and cooperation in support of democracy, human rights and global peace and security. Women foreign ministers highlighted the benefits that come from integrating a gender perspective in approaches to foreign and security policies, and the need to promote the meaningful participation of women at all levels of decision making and leadership. Women foreign ministers pledged to expand the global commitment to gender equality and the empowerment of women and girls.

In November 2018, the European Parliament's DROI sub-committee completed a mission to Canada where discussions with parliamentary counterparts, civil society and human rights NGOs focused on the rights of indigenous peoples. The sub-committee also met the Chief Commissioner of the Canadian Human Rights Commission and with Parliamentary counterparts, where DROI highlighted the need for joint efforts in calling for the release of the jailed Saudi blogger, Raif Badawi, winner of the Sakharov Prize, and whose wife was granted Canadian citizenship.

## Commonwealth of Dominica

**1. Overview of the human rights and democracy situation:** Dominica is a stable democracy. The Labour Party has been in power for four consecutive mandates, since 2000, and the current is the 3rd term for Prime Minister Skerrit who was re-elected in December 2014.

Domestic violence, child abuse and discrimination as well as violence against LGBTI (lesbian, gay, bisexual, transgender, and intersex) individuals remain a concern in Dominica. Child abuse is a challenge to be solved, ranging from sexual and emotional exploitation to neglect and physical abuse. Only a limited percentage of sexual abuse cases against children make it to the courts. Corporal punishment is still legal but it has been restrained; a Status of Children Bill was published for review in October and it prohibits corporal punishment of children. Consensual same-sex sexual activity remains illegal for both sexes under the country's indecency statutes. Strong societal and employment discrimination against persons due to their real or perceived sexual orientation or gender identity is common. Many LGBTI youths are homeless and vulnerable.

In the aftermath of Hurricane Maria (September 2017), an estimated 5,000 families are still living under tarpaulins, damaged roofs or with relatives and friends.

The death penalty remains in place in Dominica and the latest execution occurred in 1986. Insufficient prosecutorial, police and magistrate staffing contribute to severe backlogs in the judicial system.

Kalinago people, the largest indigenous Carib population in the Eastern Caribbean, continue to experience some societal discrimination. During 2018, the Ministry of Kalinago Affairs

funded several programmes designed to provide financial assistance to the Kalinago territory affected by Hurricane Maria.

**2. EU action – key focus areas:** Dominica, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations – Local Authorities (CSO-LA) Programme, focussing on.

- marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly,
- capacities of local actors and build a strong civil society movement,
- domestic violence.

The UK implemented a project in the area of gender-based violence, with a toolkit being developed for replication in other OECS (Organisation of Eastern Caribbean States) countries.

**3. EU bilateral political engagement:** Human rights matters are brought up in formal as well as informal meetings with Antigua and Barbuda's public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts from the Caribbean to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values.

In 2018, the EU Delegation carried out formal démarches on human rights issues in the context of the UNGA 3rd Committee 73rd session. Dominica was the only Eastern Caribbean country that voted in favour of Resolution on the Moratorium on the use of death penalty. Dominica also voted in favour of the resolution on Human Rights in Iran and was absent during voting on the Resolution on Human Rights in Myanmar, in Syria and in the Autonomous Republic of Crimea and the City of Sevastopol.

**4. EU financial engagement:** Two projects have started in February 2018. One (worth 400.000 Euros) under the CSO-LA Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes. Another one, for a value of 400.000 Euros under the EIDHR will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty. The projects are targeting all countries that were eligible under the last respective calls for proposals (of 2017), and as such will also be implemented in Dominica. The country will also be a beneficiary of the EU's new (10 million Euros) multi-country criminal justice sector reform programme which was formulated and decided during the course of 2018.

**5. Multilateral context:** In 2019 Dominica will be screened for the Universal periodic Review (UPR) with the national report due in February and discussions following in April/May.

## The Bahamas

**1. Overview of the human rights and democracy situation:** The Bahamas is a stable multiparty democracy. However, gender inequality, ill-treatment of irregular migrants and

prison conditions are issues of concern. The impact of the unsuccessful 2016 constitutional referendum on gender equality is being felt. Women are still treated differently than men with respect to the transfer of nationality from parent to children and to awarding nationality to foreign born spouses of Bahamian citizens. This has implications for the separation of families and remains a challenge for the Bahamas since there is a constitutional requirement for a referendum to amend provisions of the Constitution which discriminate against women.

Migration remains a challenge in The Bahamas. The government's announcement in 2018 of its intention to apply the strict immigration policy first introduced in November 2014, reignited fears about police excesses and other human rights violations associated with its implementation. The policy mandates that every person living in The Bahamas has a passport of her/his nationality with proof to legally reside in the country. Children and other foreign persons enrolled in schools are required to have a student permit. There are growing concerns that Haitian migrants are specially targeted and will be affected by the tough stance on illegal migration.

The prison and detention centres failed to meet international standards. The conditions in the government's only prison remained harsh due to overcrowding, poor nutrition, and inadequate sanitation. There are also concerns about violence meted out to prisoners by security personnel.

The Bahamas has maintained its Tier 1[18] ranking as a country that fully meets the minimum standards for the elimination of trafficking in human beings and was commended for its serious and sustained efforts to convict and prosecute offenders and also efforts to support victims of trafficking.

Although same-sex relations between consenting adults has been legal since 1991, same-sex marriage remains illegal. The LGBTI community has also expressed concerns about institutional discrimination in The Bahamas.

In October 2018, the Bahamas became the first CARICOM country to be elected to serve on the UN Human Rights Council.

**2. EU action - key focus areas:** Through bilateral political engagements, the EU raised its voice about human rights concerns with the aim of promoting gender equality, respect in the treatment of migrants, improvements in the conditions in prisons and abolition of the death penalty.

**3. EU bilateral political engagement:** The planned 2018 Article 8 Dialogue between the EU and The Bahamas was rescheduled to the first half of 2019. However, in December 2018 the EU Delegation to the Bahamas (based in Kingston) met in Nassau with Bahamian officials and was assured of the Government's commitment to safeguarding the rights of the vulnerable. The EU continued to raise Human rights issues also in informal dialogues with the Bahamian officials.

**4. EU financial engagement:** As a high income country, there is no provision under the 11th European Development Fund (EDF) for EU bilateral funds. However, The Bahamas receives

[18]Trafficking in Persons (TIP) Report 2018, U.S. Department of State, Office to monitor and combat trafficking in persons.

support under the Caribbean Regional Indicative Programme which is funded by the European Development Fund. It covers regional economic cooperation and integration, climate change, environment, disaster management, sustainable energy, crime and security.

**5. Multilateral context:** The Universal Periodic Review (UPR) of The Bahamas was held on 17 January 2018. Participating States acknowledged progress made since the previous UPR and highlighted remaining challenges, including discrimination on the basis of gender and sexual orientation. Several participating states made recommendations aimed at improvements to national human rights mechanisms and frameworks, notably the creation of a national human rights institute in line with the Paris Principles and ratification of remaining instruments including the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR OP2) to formalise abolition of the death penalty.

## Barbados

**1. Overview of the human rights and democracy situation:** Barbados is a stable democracy. General elections were held on 24 May 2018, resulting in the then opposition Barbados Labour Party (BLP) winning all 30 seats. Mia Mottley became the first woman to hold a Prime Minister's post in the Eastern Caribbean.

The main human rights related challenges in Barbados during the year were in the areas of domestic violence, child abuse, homophobia, criminal justice (a high number of remand prisoners) and some incidences of police brutality.

Barbados retains the death penalty although no executions have been carried out since 1984. In June, the Caribbean Court of Justice (CCJ), Barbados' final appellate court, ruled that the mandatory death penalty was unconstitutional. However the subsequent legislative proposal to abolish the mandatory imposition of the death penalty for murder failed in the Senate. As of November 2018 there were eleven persons on the death row.

Acts of consensual same-sex activity remain an offence under the laws of Barbados and can lead to the harshest penalty for such an offence in the Western hemisphere. On the positive side, one of the country's first Gay Pride marches was held in July, without homophobic violence incidents and reportedly the new government is more open to discuss issues pertaining to the rights of LGBTI (lesbian, gay, bisexual, transgender, and intersex) people.

The backlog of judicial cases remains a major challenge, with more than 1.000 unsettled criminal matters dating back to 2004. The conditions at Her Majesty's Prison Dodds, the only facility on the island, meet international standards. The reported criminality incidence was below the 2017 level.

Violence against women and child abuse, especially cases of neglect and physical abuse remain problematic, but the legal use of corporal punishment in schools has been restrained.

**2. EU action – key focus areas**

- death penalty, domestic violence as well as marginalisation, discrimination and exclusion of LGBTI citizens;
- inclusion of persons with disabilities in the labour market;

- fostering sustainable rural livelihoods through climate smart agricultural practices;
- strengthening social protection programmes for the poor and vulnerable;
- promoting social enterprise methodologies among CSOs, enhancing their overall advocacy skills and using the media for effective communication.

The EU Delegation produced in 2018 two videos as part of the EU's collaboration with the UN to celebrate the 70th anniversary of the Universal Declaration of Human Rights. One video centres around LGBTI issues and the other on general Human Rights questions in relation to rights of individuals who face court proceedings.

**3. EU bilateral political engagement:** Human Rights matters are brought up in formal as well as informal meetings with Barbados' public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts from the Caribbean to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values. The EU Delegation carried out formal démarches on human rights in the context of the UNGA 3rd Committee. Barbados voted against the Resolution on the Moratorium on the use of death penalty, and in favour of the Resolution on the human rights in Myanmar, Iran, Syria, and in the Autonomous Republic of Crimea and the City of Sevastopol. Member States are involved in these démarches.

**4. EU financial engagement:** Barbados, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations and Local Authorities (CSO-LA) Programme, and most of the projects (each with a budget between approx. 280.000 Euros and 400.000 Euros) either have/had their 'centres of gravity' in Barbados (i.e. 5 projects), or were/are targeting the country with some of their activities or as part of a regional outreach aimed at all countries that were eligible under the respective calls for proposals (i.e. 4 projects).

The country will also be a beneficiary of the EU's new (10 million Euros) multi-country criminal justice sector reform programme which was formulated and decided during the course of 2018.

During 2018 the UK implemented two human rights related regional projects in the area of domestic violence and provided legal guidance to the newly appointed Attorney General on the constitutionality and legal operation of witness anonymity.

**5. Multilateral context:** Barbados' Universal Periodic Review (UPR) third cycle was held on 19 January 2018 and the next review is scheduled for 2023.

Although Barbados ratified the Convention on Rights of Persons with Disabilities (CPRD) in 2013, persons with disabilities continue to experience hiring discrimination, difficulty in achieving economic independence as well as lack of accessibility to transportation, thorough fares or buildings.

The Heads of Government of CARICOM adopted in December the St Ann's Declaration on the CARICOM Single Market Economy, providing inclusion of a number of skilled workers (agriculture, beauty service, barbers and security guards) to the agreed categories of nationals who are entitled to move freely and seek employment within the Community.

## Republic of Costa Rica

**1. Overview of the human rights and democracy situation:** Costa Rica is a stable democracy. As a leading advocate of multilateralism, Costa Rica remained remarkably aligned with the EU in international fora on the protection and promotion of human rights, international law, and democracy throughout 2018. While Costa Rica has a rather advanced regulatory framework for the protection and promotion of public policies in the field of human rights, further progress can be made in the implementation of the existing instruments. The draft Framework Law for the Prevention and Sanction of all Forms of Discrimination, Racism and Intolerance, a very important legislative initiative to improve the overall protection against discrimination, remains stuck in the Legislative Assembly. The creation of the Social and Economic Council (supported by the EU's programme EuroSociAL+) should enable a more structured dialogue between the government and representatives of civil society.

Human rights issues related to gender equality, same-sex marriage, therapeutic abortion, migration and sexual education in schools, took an unexpectedly prominent and controversial dimension during 2018, including throughout the electoral campaign. The Advisory Opinion issued by the Inter-American Court of Human Rights (IACHR) on gender identity and discrimination against same-sex couples stoked the political and media debate and marked the electoral campaign. While in the end the elections became a reconfirmation of Costa Rica's democratic and civic maturity, the underlying trends and divisions regarding human rights and so-called "cultural and identity" issues persist. Thanks to a vigorous regime of protection for civil liberties and workers' rights, the social unrest surrounding the long strike by the public sector unions in response to the draft bill on fiscal reform was managed with due respect to the rule of law.

In a political context marked by increasing fragmentation and a cross-party government alliance, human rights were not the subject of major legal reforms or legislative initiatives but the following developments should be noted: appointment of a gender parity government (the number of female MPs reached its historic record, including a female president of the Legislative Assembly); entering into force of the General Indigenous Peoples Consultation Mechanism; appointment of two Commissioners for LGBTI rights and Afro-descendent affairs; progress in the penitentiary area (inauguration of new prison spaces and support to new social reintegration programs curbed prison overcrowding by 9% in 2018, even though prison population exceeding the designed capacity remains at a high 35%); concrete actions (decrees and directives) in the follow up to the IACHR Advisory Opinion aimed at guaranteeing equal rights to the LGBTI (lesbian, gay, bisexual, transgender, and inter-sex) community. The major challenges for the country include inequality and Social Cohesion, Security and Justice, Anti-discrimination agenda (vulnerable groups), and Gender issues.

**2. EU action - key focus areas:** In 2018 the EU strengthened its engagement with Costa Rica as a partner in human rights bilaterally and in multilateral and regional fora. Key focus areas are:

- Gender equality/women empowerment;
- migration issues;

- promotion and protection of rights of vulnerable groups (LGBTI, children, migrants and refugees).

**3. EU bilateral political engagement**: Human rights were an important topic in the EU and Member State (MS) engagement with Costa Rica in 2018, including the dialogue with candidates and political parties ahead of the elections and within the II EU-Costa Rica Bilateral Consultations held in San José, which confirmed the mutual commitment to the promotion of human rights, democracy, international law and multilateralism. Human rights were an important subject in the dialogue with the new Legislative Assembly, the Office of the Ombudsperson and the Commissioner for LGBTI rights. Particular importance was given to migration, including regular contacts with Cancillería, the UN, UNHCR and IOM. The EU delegation organised a thematic "Migration and Human Rights" two-day working visit with EU member states to the province of Guanacaste and the northern border. The EU and MS continued to actively engage in the meetings of the "Donors Roundtable" and the "Human Rights Roundtable", coordinated by the UN in collaboration with the Ombudsperson.

Besides migration, the EU's public diplomacy was particularly active in: a) promoting gender equality, b) supporting (including financially) the 40$^{th}$ anniversary of the American Convention of Human Rights and the creation of the IACHR with the participation of the ECHR, and c) the commemoration of the 70$^{th}$ anniversary of the Universal Declaration of Human Rights, including a national event with the presence of CR's president – where the upcoming EU call for proposals in the field of human rights and strengthening of civil society was publicly announced – and a special event at the Assembly in partnership with the UN. The first edition of the Gender Equality Prize of the EU in Costa Rica was launched in November. It is aimed at recognising outstanding actions in the defence and promotion of gender equality in the country. Additionally, the LGBTI agenda was visible through the joint EU-UN rainbow flag raising event (EU and UN premises) with the participation of some MS to mark IDAHOT 2018 (International Day against Homophobia, Transphobia and Biphobia), through the participation together with other diplomatic representations in the Pride Parade, and with an EU-UK co-organized event with the UN Independent Expert on Sexual Orientation and Gender Identity, Victor Madrigal.

**4. EU financial engagement**: The EU continued to implement a number of cooperation projects with a strong human rights component. PROEDUCA, which supports educational capacities to fight against secondary school dropouts, will continue until 2020 after successfully contributing to a reduction of the rate of dropouts by one third. Two migration-related EU projects were implemented in 2018: the MIEUX-led revision of the Protocol on Special Migratory Situations and subsequent training of 60 border officials, and a project to combat smuggling and trafficking in human beings, implemented by the Paniamor Foundation, launched in July. 2018 also saw the launch of the programme "Win Win" on women in business (850 000 Euros for Costa Rica).

**5. Multilateral context**: Costa Rica remains a committed, active and constructive partner in the UN Human Rights Council and in all matters relating to human rights and international humanitarian law in the UN Third Committee and other multilateral fora. Both the IACHR and the Inter-American Institute of Human Rights' headquarters, as well as the UN University for Peace, are located in Costa Rica. Costa Rica has ratified all UN conventions (with the exception of the International Convention on the Protection of the Rights of All

Migrant Workers and Members of their Families). The next UN Universal Periodic Review (UPR) is due in May 2019.

## Republic of Cuba

**1. Overview of the human rights and democracy situation:** In the context of the March 2018 general elections, Raul Castro stepped out as planned, a new President was elected and the top leadership of the country was renewed. No independent candidates were qualified as eligible for the Cuban National Assembly. The new National Assembly of Cuba, which includes a majority of women, approved the draft of a new Constitution, including noteworthy constitutional changes, such as the recognition of private property, certain limitations to the presidential political system, and provisions for decentralisation. The draft Constitution was submitted to a large consultation process with Cuban citizens being able to propose changes.

In 2018, freedom of expression, of association and assembly continued to be subject to important restrictions with reports of arbitrary arrests. In the sphere of freedom of expression, the approval of Decree 349/2018 'on the regulation of the provision of artistic services', has raised concerns amongst artists and cultural operators who considered that it could be used to restrict independent artistic expression.

Cuba maintained its positive track record on economic and social rights, with continued provision for free education and health care. Moreover, 3G internet service became operational in Cuba from December, thereby fostering citizens' access to information. While the current costs remain prohibitive for the majority of the population, these are likely to decrease in the coming years. Access to certain independent websites remained restricted.

A landmark report of the Committee on Freedom of Association of the International Labour Organisation (ILO), issued in June 2018, identified violations of the rights of an independent trade union in Cuba and included recommendations in the area of freedom of association, the independence of trade unions and on international standards of labour.

Traditionally Cuba has a strong policy focus on gender equality, but the existence of stereotypes still remains a challenge.

**2. EU action - key focus areas:**

- Support to human rights defenders;
- Monitoring and follow-up on cases of violation of freedom of association and freedom of expression, including artistic expression;
- Support for the promotion of economic rights, and in particular to the emergence of the private sector;
- Support to the promotion of women's rights and gender equality.

**3. EU bilateral political engagement:** On 9 October 2018 the EU and Cuba held the first formal high level human rights dialogue under the provisional application of the Political Dialogue and Cooperation Agreement (PDCA). The talks reconfirmed the wish of the EU and Cuba to deepen their dialogue and understanding in the area of human rights, with a view to developing cooperation to attain the objectives of the EU-Cuba partnership. Discussions concentrated on issues such as the legal guarantees in criminal proceedings, racism and xenophobia, protection and promotion of cultural rights, the Universal Periodic Reviews and their follow up, and the right to health and migration. The Dialogue was preceded by a civil society seminar on 8 October - the first of its kind - where representatives of Cuban and European NGOs exchanged views in particular on the topics of gender equality and LGBTI issues.

In 2018, the EU financed the drafting of an expert country analysis, in preparation for the work on a new Gender Action Plan for Cuba. The EU also organised a number of activities on 'Women and Integration' around the International Day for the Elimination of Violence against Women and the Human Rights Day, and took part in the '16 Days of Activism against Gender-Based Violence' campaign of UN Women. The EU and its Member States continued supporting independent journalism and alternative online media in the country.

**4. EU financial engagement:** A number of EU projects, promoting mainly economic, social and cultural rights, continued being implemented throughout 2018, including projects addressing food security, the promotion of cultural heritage, youth, people with disabilities, healthy aging and a gender approach for the care of the elderly and people with intellectual disabilities. The EU has also helped Cuba moving forward on the so-called 'Lineamientos' aimed at modernising the Cuban economy. This allowed for EU-Cuban exchanges in areas such as economic planning, taxation, foreign trade and investment, statistics, public registries and, lately, the judicial system, showing hints of progress towards open government. All cooperation in Cuba follows, as the European Consensus on Development mandates, a human-rights based approach.

**5. Multilateral context:** The 3rd Universal Periodic Review (UPR) of Cuba took place on 16 May 2018. The (hitherto lacking) ratification of the International Covenant for Civil and Political Rights and the International Covenant for Economic Social and Cultural Rights, as well as the guarantee of the right to freedom of expression, peaceful assembly and association, was the focus of many recommendations. Some delegations congratulated Cuba on its health care system, while others, including several EU Member states expressed their deep concern about reports of reprisals against human rights defenders. Of particular relevance will be Cuba's stance on the establishment of an independent national human rights institution, in line with the Paris Principles; on issuing a standing invitation to the UN Special Procedures; on reforming its electoral system, and on formalising the current de facto moratorium on death penalty.

Cuba continues to maintain a de facto moratorium on the death penalty, though there has been neither advance in formalising this, nor in abolishing capital punishment. Cuba did not support any recommendation regarding this issue.

Several Cuban activists were prevented from travelling to Geneva to participate in preparatory and UPR related meetings. Nevertheless, a number of Cuban independent civil

society organisations contributed through shadow reports, and there were many well-founded recommendations from a number of countries, including in Asia and Latin America, that normally do not pronounce themselves officially on the situation in Cuba.

## Dominican Republic

**1. Overview of the human rights and democracy situation:** The law providing fundamental freedoms and human rights are formally respected. However, in practice, there is room for improvement. Several positive developments concerning human rights protection are noteworthy, including the launching of Dominican Republic's (DR) first National Plan on Human Rights (NPHR) in December.

The nationality issue continues to be a challenge for the DR. The September 2013 ruling of the Constitutional Court retroactively deprived people of foreign descent (mostly of Haitian origin) born in the DR between 1929 and 2010 of their right to Dominican nationality. To redress this situation, the Government launched a naturalisation process under Law 169-14 to allow those affected by the ruling to regain their Dominican nationality. Progress has been made, and the government has been cooperative. But the situation continues to be fragile for those individuals Dominicans of Haitian descent that never held any ID documents and did not register in the naturalisation process enshrined in Law 169-14.

Chronic violence against women and gender equality remain a challenge. Violence against women remains high despite the efforts deployed by the state and a greater awareness and readiness to respond on the part of judges and police. The Government has taken measures to increase the resources allocated to protection against violence against women and assistance for victims. According to the Attorney General, there has been a decrease of 18% in 2018 following the adoption National Plan against domestic violence.

Sexual and reproductive health remains a challenge due to a very high teen pregnancy rate. The DR continues to be among the very few countries where abortion is criminalised in any circumstance. Statistics of the Ministry of Public Health show that unsafe abortions cause 10% of maternal deaths. Although limited, challenges to children's rights include child labour, and more severely, sexual exploitation of children, sexual abuses and violence against children, leading to the 2015-2018 national road map for the prevention and eradication of violence against children.

During 2018, corruption remained a serious problem and public grievance. According to civil society reports, the judiciary is perceived by the population as being politicised and rife with corruption. NGOs noted the key obstacle to effective investigations was the lack of political will to apply the law and prosecute individuals accused of corruption, particularly when those accused included well-connected individuals or high-level politicians. Extrajudicial killings remain a source of concern in the DR: there were numerous reports that the government or its agents committed arbitrary or unlawful killings. The NGO National Human Rights Commission reported more than 115 extrajudicial killings by police forces in 2018.

**2. EU action key focus areas:** During 2018, the priority areas included:

- strengthening HR protection institutions and contributing to tackling corruption;
- combating chronic violence against women and children and protecting the rights of vulnerable minorities, including the rights of migrants and their descendants born in the Dominican Republic;
- fighting trafficking in human beings;
- ending discrimination and upholding the rights of people with disabilities,
- child labour, labour conditions.

**3. EU political engagement:** In close contact with Dominican authorities, like minded partners and human rights defenders, the EU has continued to monitor and promote human rights and provided continuous support through its projects and political advocacy.

Within the framework of the Cotonou Agreement, in October, the EU and the Dominican Republic held a Political Dialogue meeting where human rights related issues were discussed. The EU Delegation has regular meetings with civil society organizations in the field of Human Rights, especially on the fight against corruption and impunity, migration and nationality issues as well as on women, children and LGTBI rights.

During 2018, the EU Delegation has constantly lobbied for the adoption of the NPHR and was invited, along with Spain and the UN, to address the audience during its launching. Dialogue on gender equality, women empowerment, violence prevention and sanction was regularly held in the framework of the budget support programmes and technical assistance initiatives.

In addition to traditional advocacy, the EU has deployed large efforts to support the naturalisation and regularisation processes through the European Instrument for Democracy and Human Rights (EIDHR) and, through the Instrument contributing to Stability and Peace (IcSP), the EU has actively enhanced protection of Dominicans of Haitian descent migrants allowing for increased HR protection.

**4. EU financial engagement:** With EU support, in October the Ministry of Education launched a wide consultation process on a comprehensive proposal for a strategy on sexual education. This unprecedented initiative should result in the approval by the National Council of Education of the introduction of sexual education in school curricula in 2019. Further, the EU EIDHR project (worth approx. 370.000 Euros) “Promoting the Dominican women legislative agenda” contributed to maintain the issue of sexual and reproductive health of Dominican women in the public and legislative agenda, and making heard the critical voice of women to be heard in the legislative debate.

In 2018, the EU supported the Ministry of Finance to improve public finance management and transparency in areas such as public procurement. There is room for improvement on the treatment of the LGTBI community. The adoption of a draft anti-discrimination law is now one of the objectives set out in the NPHR. The EU Delegation has co-financed a project (approx. 400.000 Euros) on access to health of the vulnerable groups including LGTBI.

With regard to prison conditions, although one third of the inmates enjoy better conditions under the new penitentiary model carried out with the support of the EU, there are still overcrowded and dangerously substandard prison conditions and lengthy pre-trial detention; the Attorney General announced measures to improve the situation such as the construction of new prisons. The EU Delegation carried out a diagnosis of the impact of the New Penitentiary Management Model, with particular attention to the training and the National Penitentiary School. In March, the EU Delegation launched the project (approx. 891.000 Euros) of child labour prevention in the cacao sector, implemented by Save the Children. The EU project "Banana Accompanying measures" supported banana farmers preserving natural resources, and providing good working conditions. The project bolstered the application at the national regularization plan for 15 800 Haitian workers, and supported 600 Haitian descendants born in the Dominican Republic to obtain Dominican documents.

Under the EIDHR cooperation during 2018, new HR grant contracts were signed relating to the strengthening of organizations representing people with disabilities (230.000 Euros), the investigation on children and adolescents not accompanied on movement between Haiti and the Dominican Republic (30.000 Euros), and the prevention of forced child marriages in the Dominican Republic DR (390.000 Euros).

**5. Multilateral context:** The Inter-American Commission on Human Rights (IACHR) has acknowledged progress in the development of democratic institutions and the protection of human rights in the Dominican Republic. It excluded the Dominican Republic from the blacklist in which it had included it in 2017. The IACHR announced the creation of the Working Group on Implementation of Human Rights Policies in the Dominican Republic for the monitoring of recommendations and commitments related to the acquisition of nationality, migration, policies to combat all forms of discrimination and policies on women's rights and gender equality. The Working Group met twice in 2018, in July and November.

The next Universal Periodic Review (UPR) for the Dominican Republic will take place in January 2019.

## El Salvador

**1. Overview of the human rights and democracy situation:** In 2018, El Salvador continued to struggle with long-standing human rights and security challenges. With 3.340 homicides reported, it has one of the highest homicide rates in the world of a country not at war (51/100.000 habitants). There were a high number of disappearances (3015 people) and forced internal displacements (235.700 people). Moreover, prison and police detention centres' conditions and overcrowding are considered inhumane and extraordinary security measures severely limit the rights of prisoners in maximum security facilities. Endemic impunity, for crimes such as homicides, extortion, corruption or war time crimes, remains a significant problem. Reports of torture and extrajudicial killings of civilians or alleged gang members by police and soldiers have also been on the rise, whilst attacks against public security and military officials have also intensified.

The sector-wide policy approach called "Plan El Salvador Seguro" (A Safe El Salvador), which is backed by the UN, the EU and its Member States, and the OAS, has been a contributing factor towards reducing lethal violence. Violence prevention and rehabilitation programmes in at-risk communities are producing results and it is estimated that close to 2000 youth dissociated from gangs in 2018.

The criminalisation of abortion and the still limited access to sexual and reproductive health for women is significant. Advocacy groups and some government institutions have stepped up their attention to women in this respect and limited, but important, progress has been achieved: two overturned convictions of women wrongly accused of abortion. Reform proposals to allow abortion in four circumstances were introduced before the National Assembly, but the initiatives stalled. Important challenges remain regarding gender-based killings of women and girls and hate crimes.

Almost one million Salvadoran children (roughly 15% of the population) are vulnerable and living in a situation of social exclusion, facing risks associated to youth, irregular migration, education, health, etc. The LGBTI (lesbian, gay, bisexual, transgender and intersex) community, and other minorities such as indigenous peoples and persons with disabilities, remain vulnerable groups. Migration and forced repatriation continue to challenge the government, particularly in light of changing immigration laws in third countries where many Salvadoran nationals live. In March 2018, General Elections were held for National Assembly members and Municipal Councils, which were well-organised despite changes to the electoral system and budget constraints. Reflecting the EU's long term-commitment to support credible, transparent and inclusive elections in El Salvador, the EU deployed an Electoral Observation Mission (EOM) to the legislative and municipal elections. The EOM assessed that elections were peaceful and conducted in an orderly manner despite the complexity of the electoral system and budgetary limitations.

**2. EU action – key focus areas:**

- Citizen security.
- Youth and social inclusion, as well as the development of the private sector: promoting gender equality, children rights, women's empowerment, the right to employment, universal access to basic services, and economic and social rights.
- Support to civil society and local governments in areas of democracy.
- Strengthening the protection and role of human rights defenders (HRDs) and civil society organisations (CSOs).

**3. EU bilateral political engagement:** Following the EU EOM to the 2018 General Elections, EU and Salvadoran authorities deepened their political dialogue and are working towards implementing several EU EOM recommendations. The results of the EU's political dialogue with Salvadoran stakeholders complement its policy and cooperation priorities and objectives.

The EU has successfully engaged with Salvadoran stakeholders on several key policy areas, such as elections, sexual and reproductive rights, migration, water and oceans, etc. Furthermore, the EU has stressed the importance of upholding human rights in all state action, particularly with regards to public security: the EU is an active partner in the National Council of Citizen Security and Coexistence and in the government's Internal Control

Monitoring Mechanism for Public Security Institutions in the framework of the "Plan El Salvador Seguro". Furthermore, special attention has been given to the issue of corruption and impunity, and to the follow-up of the objectives of the National Councils on Education and Environmental Sustainability. The EU has also recognised, in the margins of the Month of Europe, the work of civil society organisations in areas such as culture, labour standards and rights, inmates' rights, gender equality, and women and minorities' empowerment.

**4. EU financial engagement:** EU budget-support actions related to youth and social inclusion are:
1) A programme to support the "Plan Social", which is a single planning and monitoring instrument aimed at fighting exclusion and eradicating extreme poverty. The EU allocated a total budget of 50 million Euros to its programme "Apoyo al Plan Social de El Salvador" in support of the country's social protection policy. In December 2018, a disbursement of 9.75 million Euros was made to El Salvador' National Budget on the basis of achievements under pre-agreed targets for the deployment of social programmes. The EU expects to contribute to poverty reduction, youth employment, and to foster women's economic empowerment through the strengthening of the country's social protection and productive policy and programmes.

2) The EU contribution to the government's "Plan El Salvador Seguro" was signed by both parties in 2018. The EU's support to "Plan El Salvador Seguro" amounts to 54 million Euros with a first 14 million Euros disbursement in the first semester of 2018. The programme's primary objective is prevention of violence and the promotion of a culture of peace through recovery and transformation of public spaces, educational programmes, and technical and vocational training opportunities for Salvadoran youth.

In addition, there were 15 ongoing thematic line projects during 2018: 6 projects funded by the European Instrument of Democracy and Human Rights (EIDHR) for 2.5 million Euros, and 9 projects under the Civil Society Organisations and Local Authorities Programme for 5 million Euros. In addition, a country programme for El Salvador was developed under the Spotlight Initiative[19] and its implementation is expected to begin in 2019. El Salvador, along with five Latin American countries, benefits from the Spotlight Initiative, which focuses on the fight against femicide in the region.

**5. Multilateral context:** In 2018, El Salvador ratified the Treaty on the Prohibition of Nuclear Weapons, the OECD and Council of Europe's Convention on Mutual Administrative Assistance in Tax Matters, and the Constitutive Agreement of the EU-LAC Foundation. The last Universal Periodic Review (UPR) took place in 2014. The next UPR is due in 2019.

## Grenada

**1. Overview of the human rights and democracy situation:** Grenada is a stable democracy, with general elections every five years. The last general elections were held on 13 March

[19] The Spotlight Initiative is a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls (http://spotlightinitiative.org/)

2018 which resulted in the New National Party winning all 15 seats for the second consecutive general election.

The main human rights challenges in Grenada are domestic violence, homophobia, and child abuse. The justice system is affected by long delays and poor prison conditions.

Child abuse in Grenada primarily consists of neglect/abandonment, verbal and sexual abuse as well as family dysfunction. Against the background of increased incidence of sexual crimes, domestic violence and child abuse the police launched in September 2018 a special victims unit and hotline to deal specifically with victims of such offences. The government announced in September that it would allocate funds for the establishment of an emergency shelter for children that are victims of sexually related crimes, the first of its kind in Grenada. Corporal punishment remains legal in schools but it has been restrained.

Grenada still has the death penalty, although executions have not been carried out since 1978. Other challenges to the rule of law are prison overcrowding and delays in the judicial process. The occupancy level at the Richmond Hill prison is the second highest in the region after Haiti and ahead of all Eastern Caribbean countries.

Anti-sodomy laws and indecency statutes contribute to and provide licence for a climate of hostility towards the LGBTI community and create social stigma. The level of homophobia and unfamiliarity with the system of reporting abuse discourages persons who have experienced victimisation from coming forward to the police, but there has been some training of police officers to address discrimination issues. Like in other countries of the region, homelessness of evicted LGBTI youths remains an issue of concern.

**2. EU action - key focus areas:** Grenada, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations – Local Authorities (CSO-LA) Programme. Key focus areas are:

- domestic violence,
- sustainable livelihoods amongst (especially female) rural farmers,
- marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly,
- capacities of local actors and strong civil society.

**3. EU political engagement:** Human rights matters are brought up in formal as well as informal meetings with Antigua and Barbuda's public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts from the Caribbean to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values.

In 2018, the EU Delegation carried out formal démarches on human rights issues in the context of the UNGA 3rd Committee 73rd session. Grenada voted against the Resolution on the Moratorium on the use of death penalty. Member States are involved in these démarches, where possible, despite logistical and geographical difficulties.

**4. EU financial engagement:** Projects (with a budget of approximately 280.000 Euros and 400.000 Euros respectively) targeting domestic violence came to an end in February 2018. The project, which had local (co-) implementers from Grenada, addressed the problem through, inter alia, an innovative pro-social game to facilitate attitude and behaviour change, as well as through qualitative and quantitative research, data collection, guidelines for Domestic Violence Acts and/or Action Plans, harmonised protocols for reporting, and cultural exhibitions.

Another project under implementation (with a budget of approx. 390.000 Euros), which is targeting Grenada directly, is enhancing sustainable livelihoods amongst (especially female) rural farmers through training in climate-smart and cost-effective agricultural practices to foster economic empowerment and create social and ecological value.

Two projects (each of 400.000 Euros) started in February 2018. One under the CSO-LA Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes, and another one under the EIDHR-Programme which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty. The project targets all countries that were eligible under the last respective calls for proposals (of 2017) including Grenada.

UK provided assistance in the area of criminal justice reform, by reviewing Grenada's Protection of Witnesses Act.

**5. Multilateral context:** Grenada will be subject to the next Universal Periodic Review (UPR) in the second half of 2019.

## Guatemala

**1. Overview of the human rights and democracy situation:** In 2018, Guatemala suffered an erosion of the political and human rights situation, with a risk of increased instability and weakening of rule of law. Changes in the leadership of key ministries in the Executive (Ministries of Interior, Finance and Labour) had negative consequences in terms of the fight against corruption, accountability and transparency of public spending and civil society participation.

Attempts to undermine the work of the UN International Commission against Corruption and Impunity (CICIG) have intensified.

There was an increase of violence against human rights defenders (HRDs). 24 HRDs were reported to be killed in 2018. A misuse of criminal procedures and lack of due legal process were reported. The upcoming pre-electoral period (general elections will take place in June 2019) could lead to increased polarisation and instability.

A general absence of land tenure security resulted in numerous forced evictions of rural, indigenous and poor communities in violation of human rights standards. While indigenous peoples have increasingly become key actors in promoting positive reforms, their effective participation in political decision-making remains scarce or non-existent. There are continued human rights violations in relation to the extractive industries, energy

development projects and large-scale agricultural exports, especially in indigenous territories.

A number of transitional justice cases of human rights violations committed during the civil war continued in 2018. The forced disappearance of the child Marco Antonio Molina Theissen and the detention, rape and torture of his sister Emma Molina Theissen in 1981 resulted in four convictions in May. The trial against the former military José Rodríguez Sánchez was finalised in September 2018, resulting in his acquittal of charges of genocide and crimes against humanity committed against the Maya Ixil population during 1982-1983. This sentence was ambiguous as it recognised that genocide was committed, but did not identify the responsible individuals.

**2. EU action - key focus areas:**

- Fostering a comprehensive agenda to promote economic, social and cultural rights.
- Promote full implementation of international conventions and ratification of pending conventions to reinforce the equity and development of vulnerable groups.
- Support national efforts to prevent and sanction violence against women and children.
- Targeted support to the justice system including transitional justice.
- Provide support to Human Rights Defenders.

**3. EU bilateral political engagement:** Respect for human rights and democracy remained high on the EU agenda in Guatemala in 2018 through regular political dialogues with all stakeholders, including the Executive, Legislative and Judiciary powers, civil society, private sector and social partners.

The EU remained firm in its support to CICIG. The institution was not able to carry out its mandate due to pressure and lack of cooperation from public authorities, with the exception of the Attorney General, especially during the last trimester of 2018.

The EU continued to provide specific support to HRDs through the group called "*Grupo Filtro*" (Filter Group) chaired by the EU and integrated by EU Member States present in Guatemala, the UN ´s High Commissioner for Human Rights Office, the Embassies of Switzerland, Canada and the United States of America. The Group meets to discuss the most problematic cases of threats against HRDs (27 high impact cases monitored), alert the authorities at the highest level and implement protective measures (such as *in situ* visits to remote areas, attend to judicial hearings, press releases, financial support among others).

With regard to indigenous peoples, the EU has a regular dialogue with indigenous leaders and authorities, and supports organisations, carries out constant monitoring of the various socio-environmental conflicts in the country, providing financial support to projects that foster inclusive dialogue, leadership training and mitigation of the negative effects of socio-environmental conflicts.

**4. EU financial engagement:** Under the Development Cooperation Instrument (DCI) and the bilateral development cooperation programme with Guatemala, the EU renewed its financial support to fight against impunity and corruption through the strengthening of the Attorney

General´s Office and CICIG. Also in 2018 the EU, together with the UN General Assembly, launched the *Spotlight Initiative*[20], focused on the prevention of violence against women. Guatemala is among the beneficiary countries and interventions will focus on prevention and sanction of "femicide".

Through the new "Supporting the Primary Health System to Fight Chronic Malnutrition in Guatemala" programme, the EU will support the implementation of the Ministry of Health's renewed and comprehensive model of primary health care. It focuses on individual, family and community health and nutrition services and is based on the principles of the right to health with due regard to cultural norms and practices, gender equality, and respect for the environment.

In addition, the EU continued to fund 27 projects under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organizations-Local Authorities (CSO-LA) programme. These projects support local NGOs on topics related to indigenous peoples' rights, protection of HRDs, human rights and business, prevention of violence against women and children, follow-up of the Universal Periodic Review (UPR) recommendations, conflict prevention, land governance, environment and climate change, among others.

The EU Delegation has also financially supported the formulation of a new policy for the protection of Human Rights Defenders by the Presidential Commission for Human Rights (COPREDEH), which will resume once the political situation normalises.

**5. Multilateral context:** The complaint procedure concerning non-observance by Guatemala of the ILO Convention on Freedom of Association and Protection of the Right to Organise[21] was terminated by the ILO Governing Body in its Session from 25 October - 8 November 2018. Nevertheless, it also called on the Government, together with Guatemalan social partners, to elaborate and adopt pending legislative reforms and to continue to devote all efforts and resources necessary to achieve a sustained and comprehensive implementation of all aspects of the agreed road map. Moreover, it requested the national ILO Office to implement a comprehensive technical assistance programme to ensure the sustainability of the current social dialogue process as well as further progress in the implementation of the road map. The EU will support the implementation of this technical assistance programme through the "Programme to support decent employment in Guatemala".

The last Universal Periodic Review of Guatemala took place in 2017.

## Co-operative Republic of Guyana

**1. Overview of the human rights and democracy situation:** Guyana is a democracy that features regular national and local elections, a lively and free press, and a vibrant civil society sector. Local Government Elections were held on 12 November 2018 in a free and

[20] The Spotlight Initiative is a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls (http://spotlightinitiative.org/)

[21] ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

transparent electoral process. The democratic process however faced a challenge towards the end of the year when the Government contested the outcome of a no-confidence vote by the Opposition, on the basis of legal arguments, after initially accepting the vote had passed and announcing that the constitutional process would be followed and early elections held.

The year 2018 saw some improvements in the human rights situation in the areas of juvenile justice and children's rights through the adoption of the Juvenile Justice Act 2018 in June. This increases the age of criminal responsibility from 10 to 14; encourages legal aid for all children; prohibits the use of corporal punishment in detention centres and encourages the use of alternatives to sentencing. A Children's Court was commissioned at the Georgetown Magistrates' Court.

However, overall, the key challenges remained. Domestic violence continues to be a major issue with some studies showing its acceptance in some parts of the country. Other matters of serious concern include child abuse and corporal punishment, harsh prison conditions; lengthy pre-trial detention and judicial backlogs; discrimination against women and minorities including LGBTI (lesbian, gay, bisexual, transgender, bisexual), with adult same sex between males still a criminal offence, rights of indigenous communities; early and forced marriage; trafficking in human beings; government corruption including amongst police officials.

Guyana retains the death penalty and more death sentences were issued throughout 2018. There are currently 17 prisoners on death row. However, there is a de facto moratorium since 1997. President Granger publicly announced in 2016 that he would not approve any executions during his mandate.

In a significant development concerning LGBTI rights, the Caribbean Court of Justice (CCJ) ruled in November 2018 that a law in Guyana, which makes it a criminal offence for a man or a woman to appear in a public place while dressed in clothing of the opposite sex for an "improper purpose", is unconstitutional. The Government will now have to follow-up with appropriate legislative action to implement the verdict.

Concerning indigenous peoples, after a period of inaction regarding land titles, in July 2018, the National Toshaos Council (NTC) Conference ended with the Minister of Indigenous Peoples' Affairs handing over land titles to 5 communities and a total of GY$25 million in presidential grants to several indigenous communities. In November 2018, the NTC finally received a lease for a plot of land at Sophia, Greater Georgetown, for the construction of its secretariat.

Guyana continues to perform badly on the Corruption Perception Index, although it moved up 17 places to 91 in the latest index. Public procurement, as well as day-to-day business, continues to be marred by perceptions of corruption. In 2014 Guyana was rated as having the highest suicide rate in the world. Today the country is ranked fourth in the world.

**2. EU action - key focus areas**

- the death penalty,

- Discrimination, including LGBTI issues,
- Women's rights,
- Children's rights.

**3. EU bilateral political engagement:** The EU engaged in discussions on human rights and democracy with Guyana in various settings, including during the sixth round of the EU-Guyana political dialogue in the framework of Article 8 of the ACP-EU Cotonou Agreement held in Georgetown in October. Discussions were held on the death penalty, the prison and detention conditions, LGBTI issues, indigenous peoples' rights, children's rights, women's rights/gender equality and gender-based violence. The EU Delegation, in cooperation with the British High Commission, organized a mission to Guyana of high level experts from the UK and the US as well as Members of the National Assembly of Suriname, themed "Towards the Abolition of the Death Penalty in Guyana".

Locally, the EU carried out public diplomacy activities on human rights, including public events on issues as the death penalty and violence against women. At a public human rights concert a human rights award was handed over to Mr. Peter Persaud, from The Amerindian Action Movement in Guyana (Taamog) in recognition of his efforts towards the development of indigenous peoples' rights in Guyana. The EU Delegation held a panel discussion themed "Towards the Elimination of Violence against Women and Femicide in Guyana" to commemorate the International Day for the Elimination of Violence against Women (VAW). The purpose of the event was to raise awareness about the current critical status of gender-based violence, and in particular violence against women and girls, in Guyana, to understand the root and structural causes for the cycle of violence and to stimulate a discussion on possible preventive measures to end this pandemic practice.

**4. EU financial engagement:** The EU continued to provide financial support to projects funded through the EIDHR: The Helpline (394.000 Euros) – to strengthen NGOs to provide and sustain protective services for persons at risk of suicide; Child Link (333.000 Euros) – strengthen national collaboration for the prevention of violence and abuse against children; Forest Peoples Programme (410.000 Euros): Promotion and protection of Indigenous peoples' rights in Guyana; Recovery, Safeguarding and Reintegration (351.000 Euros) - the adoption of international guidelines and policy for children's reintegration in line with the UNCRC for children living in institutions**.**

**5. Multilateral context:** This year Guyana moved to an abstention in the UN General Assembly vote on the resolution in favour of a legal moratorium on the death penalty.

## Haiti

**1. Overview of the human rights and democracy situation:** In 2018, the economic and social rights of the majority of the population continued to deteriorate, without adequate policies being put in place. The decline of living standards was accompanied by a worsening of prison conditions with about 100 deaths recorded during the year, due to lack of adequate

treatment of prisoners. The question of human rights remained relegated among government priorities.

The most important human rights issues remain mainly preventive detention, prison conditions, violence against women, exploitation of children, intolerance towards LGBTI (lesbian, gay, bisexual, transgender, intersex) persons and rights violation of persons with disabilities. Moreover, forced labour and persons trafficking are present in the border towns with the Dominican Republic. Violence perpetrated by gangs resulted in a high number of deaths, particularly during the repression of opposition demonstrations. The killings occurred at the Port-au-Price neighbourhood "La Saline" have left up to several dozen victims.

**2. EU action - key focus areas:**

- The protection of persons with disabilities,
- the protection of children in conflict with the law,
- transitional justice (case of trial for crimes committed under Duvalier's regime),
- the fight against homophobia and
- the protection of children.

**3. EU bilateral political engagement:** In 2018, the EU has put the issue of human rights among the key points of the political dialogue with the government. Issues relating to the need for justice reform, prolonged pre-trial detention, the establishment of a focal point on human rights issues, Haiti's respect of its international commitments, for example, with regard to the Universal Periodic Review (UPR), to corruption, have been discussed openly with the government.

An EU Election Follow-up Mission[22] (EFM) was deployed in Haiti from the 19 to 23 November 2018 to measure the progresses in implementing electoral reforms recommended by the EU Election Observation Mission (EOM) in 2015. The EFM, led by MEP Elena Valenciano, met all key stakeholders in the country and concluded that the draft electoral laws were integrating the recommendations of the election observation missions. She stressed the existence of technical and financial challenges ahead of the 2019 elections and recalled the importance to respect the electoral cycle.

The EU, its Member States and other members of the international community pled for the reactivation of the post of Minister for Human Rights, which was finally adopted by the new government. In an indirect way, such as through the co-financing, with a Member State Embassy, of human rights training for Haitian judges, the EU continued to advocate for a reform of the judicial sector in the country.

**4. EU financial engagement:** The EU continued to mobilise funds via its cooperation programmes for the benefit of the human rights sector in Haiti. In the field of transitional justice, 375 000 Euros were used to support victims of the Duvalier's regime to obtain justice. Until 2019, around 755 000 Euros will be spent on projects to fight against

[22] https://eeas.europa.eu/headquarters/headquarters-homepage/27570/beyond-election-day-best-practices-follow-eu-election-observation-missions_en

homophobia and respect for the rights of LGBTI people. New projects, covering the period of 2018-2021, totalling 1.994,351 Euros, will finance initiatives in the areas of child victims of exploitation, strengthening of juvenile justice and support to the fight against forced labour.

**5. Multilateral context:** Haiti underwent its UPR in November 2016, accepting finally 188 out of 213 recommendations. However, it did not take any significant steps in 2017 to implementing any of these recommendations. In a further negative signal, Haiti decided to not renew the mandate of the Independent Expert on Human Rights, declaring that it would ensure that national institutions and structures would take on this role. On a more positive note at the end of 2018 the new government headed by PM Céant finally nominated a Minister in charge for Human Rights and Extreme poverty; but the action plan on implementation of UPR recommendations is still awaited.

## Honduras

**1. Overview of the human rights and democracy situation:** Honduras faces a range of challenges in human rights and democracy, ranging from high poverty rates and inequality to impunity and corruption. Despite decreases in the official homicide rate, insecurity remains a major issue. Violence and crime persist at high levels and are linked to gangs and drug trafficking. In the absence of effective participation and consultation mechanisms, socio-environmental conflicts related to land tenure and the use of resources affect rural populations and indigenous peoples. Human Rights Defenders (HRDs), notably of the rights of women, LGBTI (lesbian, gay, bisexual, transgender and intersexual) persons, indigenous peoples, journalists and justice operators are at risk. HRDs face intimidation, harassment, criminalisation, persecution, smear campaigns, and threats to their physical integrity. Overall, these factors contribute to high levels of internal displacement and drive migration to other countries.

**2. EU action - key focus areas:**

- the protection of HRDs via the strengthening of their organisations, national protection mechanisms and high-level dialogue with the Government;
- supporting rule of law and access to justice;
- promoting gender equality, with Honduras being a beneficiary country of the EU-UN Spotlight Initiative;
- accompanying efforts to address corruption and impunity in Honduras inter alia by creating synergies with and supporting the amongst others.

**3. EU bilateral political engagement:** Political dialogue with the Honduran government on the core issues mentioned above is maintained across all levels and includes a wide range of stakeholders. Through institutionalised trimestral meetings with civil society, HRDs, the EU and EU Member States discuss the human rights situation and particular cases of HRDs. The EU has an open door policy for HRDs and human rights organisations and provided emergency funding in cases where individuals were at serious risk. The EU further contributed to drawing attention to human rights in Honduras through a public statement on the post-electoral situation and a Spokesperson's statement on the trial of those accused of the murder of Honduran Human Rights Defender Berta Cáceres.

In 2018, the EU dispatched a long term Technical Assistance (TA) mission in response to the Government's request to assist with the Civil Registry reform process. The EU and EU Member States also offered strong political backing to an UN-facilitated dialogue between the three main political forces of the 2017 general election. While falling short of a formal agreement, the dialogue led to agreements on key issues of the political scenario.

In 2018, the EU and the President of Honduras jointly launched the first Voluntary Partnership Agreement on Forest Law Enforcement Governance and Trade (VPA FLEGT) in Latin America. VPA FLEGT is expected to contribute positively to the country´s climate agenda (NDCs) through the restoration of 1 million hectares of forests, while enhancing human rights, rule of law and governance in the forestry sector.

**4. EU financial engagement:** Through the flagship programme EuroJusticia (29.3 million Euros), the EU, in collaboration with the Spanish Agency for International Development Cooperation (AECID), provides targeted support for capacity-building of the judiciary, increased transparency, effectiveness and accountability of the security and judicial sector, with projects on access to justice for indigenous people, LGBTI people and women who have suffered violence. In 2018, EuroJusticia made progress in improving access to justice for vulnerable groups, particularly women and girls, including through creating of centres for access to justice in three cities, strengthening the Public Defence, and encouraging civil society engagement with the judiciary.

As part of its Project Against Corruption and for Transparency in Honduras, EuroAct (9.9 million Euros), the EU launched HondurACTion (3.7 million Euros) to give training and support to journalists working in high-risk context and strengthen civil society monitoring and capacity in the fight against corruption; and ProDemos (1.7 million Euros) to support a civic culture of democratic values, working with political parties for gender equality and political participation of young people, women, LGBTI people, indigenous and Afro-Hondurans as well as disabled people.

Moreover, the EU (3.7 million Euros), Sweden, Germany, Spain, Italy, as well as Non-EU countries support the Organization of American States' (OAS) mission to fight corruption and impunity in Honduras ('MACCIH'). The EU's support focuses on specialised training for justice operators on anti-corruption laws and improving the criminal and administrative prosecution of corruption. Jointly with the Special Prosecutor's Office Against Corruption and Impunity, the MACCIH has been instrumental in prosecuting high level public officials and politicians for corruption offenses.

Through 9 projects (8.2 million Euros) funded under the thematic programme for Civil Society and Local Authorities, the EU supported inclusive local development and governance processes, with a particular focus on women, Afro-descendant, and indigenous communities. Moreover, the EU financed 7 projects (3.2 million Euros) in 2018 under the European Instrument for Human Rights and Democracy (EIDHR). These projects target in particular HRDs, women, young people, indigenous peoples, the LGBTI community and their organisations. One EIDHR project (1.2 million Euros) focused in particular on environmental and land rights defenders, offering effective support with legal defense for criminalised land

rights defenders, training for self-protection, political advocacy for land rights, the installation of a local emergency fund that supported approximately 200 HRDs, and the creation of a HRD prize.

The EU in Honduras is also working jointly with the UNHCR to protect children affected by forced displacement, including internally displaced children and returnee child migrants as part of a European parliament pilot project for the Northern Triangle (1.5 million Euros). The project has reinforced child protection mechanisms including effective psycho-social support, and supports the strengthening of legal and policy frameworks for child protection.

**5. Multilateral context:** A mission from the Inter-American Commission for Human Rights (IACHR) visited Honduras in 2018 re-calling the State's obligation to fully implement the Inter-American Human Rights Court's rulings. The UN Special Representative on the situation of HRDs conducted a mission to Honduras, identifying a lack of a safe and enabling environment for HRDs.

## Republic of Argentina

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Argentina is positive. The preservation of high human rights standards is deeply enshrined in the Argentine society since the end of the military dictatorship. The main legislation is in place and in some cases, such as the anti-discrimination laws, very advanced. However, implementation of the laws, regulations and norms sometimes lacks efficiency, mainly as a consequence of institutional weaknesses at federal but also provincial levels and insufficient interaction between government agencies and civil society. Main human rights concerns are linked to: inequality of income distribution and resulting high levels of poverty, gender-based violence and impunity of violence by members of the security institutions arising from inefficiencies in the judicial system and corruption in security forces.

**2. EU action - key focus areas**

- Strengthening of human rights relevant State institutions.
- Working on the improvement of the objectivity of information divulged on human rights issues.
- Supporting the struggle against gender violence.

Moreover, the EU is paying close attention to the situation of indigenous communities and promotes the active participation of civil society in political decision-making and the organisation and coordination of NGOs.
Gender was a main focus of action in 2018. Argentina was selected as a recipient country within the joint EU/UN Spotlight Initiative on violence against women in Latin America.

**3. EU bilateral political engagement:** On International Women's Day, the EU Delegation in Argentina together with the UN launched the Alliance against Femicide with representatives of Argentina's National Congress, the prosecutor's office, the National Institute of Women and the Avón Foundation for Women. At the occasion of the International Day for the Elimination of Violence against Women the EU Delegation organised a musical and theatrical

event called “Princesses and Witches and other daily affairs” that highlighted the theme, together with an art exhibition.

To commemorate the 70th anniversary of the Universal Declaration of Human Rights in Argentina the EU Delegation joined forces with important actors from the UN, the city of Buenos Aires and the Recoleta Cultural Center to design a two-month campaign of cultural programming related to human rights. Through the social networks the attention of especially young people was attracted.

**4. EU financial engagement:** The EU is currently financing projects with civil society addressing the three priority areas mentioned above.

Strengthening Human Rights State Institutions: Together with one of the most renowned Human Rights NGOs in Argentina (Centro de Estudios Legales y Sociales – CELS), the EU is supporting a 30-month initiative looking to "Improve conditions in detention centres while promoting policies of prevention, accountability and victims’ recovery in Argentina". This Project was selected under the Brussels managed 2016 Global Human Rights Call for Proposals and aims at reducing the risk of torture and bad practices for detainees and provide for an effective rehabilitation of victims. Activities include assistance to victims of torture; promotion of means for his/her recovery; support to local networks of monitoring; workshops; public policies for the prevention and implementation mechanism design recommendations; creation of data bases, systematization of information, elaboration of statistics, comparative analysis and preparation and diffusion of reports; and actions to promote and strengthen systems of internal and external control. The project is scheduled to end in April 2020 and benefits from a 1.100.000 Euros EU grant.

Working on the improvement of the objectivity of information divulged on human rights issues: On the last local EIDHR Call for Proposals (2018) the EU selected a project with “Foro de Periodismo Argentino” aiming to enhance democracy through the improvement of capacities of ethical concepts by the media, mostly digital, in order to generate availability of reliable and plural information in Argentina. This project will last for 30 months and will benefit from a 500.000 Euros grant.

Supporting the struggle against gender violence: Together with “Enlace Latinoamericano de Violencia y Género” the EU is supporting the project "Closing gaps: joining State and non-State actors to improve public policies of prevention of violence against women". The Latin American Team of Justice and Gender (ELA) coordinated the initiative jointly with MEI-Fundación Mujeres en Igualdad; Asociación CAREF (Comisión Argentina para los Refugiados); Fundación Siglo XXI; the municipality of Fontana in the Province of Chaco; the municipality of San Pedro de Jujuy in the Province of Jujuy. The project was also implemented in several municipalities of the Province of Buenos Aires. The output of the project were: (1) gathering information about violence against women; (2) greater social awareness about violence against women; (3) improvement of health and justice public instrument at the service of the victims of violence against women and more efficient reaction to demands coming from women in situation of vulnerability; (4) creation and consolidation of spaces of dialogue between civil society organizations and public servants; (5) increased capacity of the civil society in its incidence on public policies countering violence against women; (6) increased

capacity of local authorities to provide access to public services to victims. The first phase of the project benefited from an EU grant of 503.655 Euros and the recently contracted second phase will benefit from a similar amount.

**5. Multilateral context**: Argentina's firm commitment to human rights is also reflected internationally. The EU and Argentina share very close positions when it comes to global fora. An example is the joint initiative – together with Mongolia – to draw up an Alliance for Torture-Free Trade. Launched in 2017 it aims to end the trade in goods used for capital punishment and torture. In September 2018 at a Ministerial meeting in New York the members – now 60 countries - agreed to step up the pace and work towards a binding international instrument. Argentina was also one of thirteen countries, next to the EU, launching the new global initiative to promote "Good Human Rights Stories" in the margins of the 73rd UN General Assembly in New York in September.

## Plurinational State of Bolivia

**1. Overview of the human rights and democracy situation:** Bolivia has adopted several new legislative acts to improve the human rights situation, in particular for women, and to implement its international human rights commitments, but the challenge remains to ensure that the legislation is implemented systematically and effectively. International human rights organisations continue to report concerns regarding the environment for human rights defenders, threats to judicial independence, violence against women and child labour. Women and girls in Bolivia remain at high risk for gender-based violence, despite a 2013 law that sets forth comprehensive measures to prevent and prosecute violence against women.

Bolivia's Constitutional Court paved the way for the incumbent President to run for a fourth consecutive term in 2019, annulling the result of the 2016 referendum, in which a majority of Bolivians rejected a proposal from the governing party MAS (Movement Toward Socialism) to change the Constitution to this effect. This Court decision has been generating some political and social turmoil. According to the opposition the ruling was an attack on democracy. A split vote in the Supreme Electoral Tribunal (TSE) over the issue triggered a legal demand from MAS representatives in Congress against those members of the TSE who opposed an extension of the mandate. This situation has raised concerns regarding the political independence and technical capabilities of the electoral authorities that will organise the 2019 general elections.

Since 2018, as a result of an evaluation of its institutional activities, the Office of the United Nations High Commissioner for Human Rights (OHCHR) is no longer authorised by the Government to maintain a representation in Bolivia.

**2. EU action - key focus areas:**

- Rule of law and access to justice.
- Indigenous peoples' rights.
- Elimination of violence against women, girls and boys.

Specific attention was paid to the work of human rights defenders and the promotion of an enabling environment for civil society, against the background of an increasingly shrinking

space for civil society. The Country Roadmap for EU Engagement with Civil Society is under revision.

In terms of democracy support, the partnership with the electoral authorities was reinforced through an initiative aimed at improving the national registry of young and indigenous people.

**3. EU bilateral political engagement:** At political level, the EU priorities were addressed in regular dialogues with the Bolivian authorities. The EU-Bolivia High Level Dialogue, held in November, was successful in conveying messages on the human rights situation. These messages included the need to further advance the justice sector reform, the need to improve the human rights situation of children, and the importance of implementing the 27 international conventions in the context of the EU's preferential trade scheme (GSP+), inter alia on child labour.
During its mission to La Paz in September, the European Parliament Development Committee's (DEVE) passed messages on human rights and democratic values, including on independence of justice, minority rights and gender equality.

**4. EU financial engagement:** In 2018, a first cooperation project of 3 million Euros for the justice sector was approved. The project has been conceived as a 'pilot' exercise of joint programming within the European Joint Strategy in Bolivia and will be implemented by a consortium of EU Member States, Switzerland and the United Nations Office on Drugs and Crime (UNODC).
The EU continued to provide financial support through the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR): Four still ongoing EIDHR contracts (amounting to approx. 2.1 million Euros) focused on the fight against gender-based violence, parity democracy, human rights defenders and support to the electoral registration of youth, while five EIDHR actions completed in 2018 focused on supporting LGBTI (lesbian, gay, bisexual, transgender, and intersex) rights, justice, the fight against trafficking in human beings and capacity building of the Legislative Assembly. Within the DCI funding, five civil society initiatives concentrated on CSO (civil society organisations) participation and the promotion of an enabling environment, justice and gender-based budgeting (7.158.000 Euros).

**5. Multilateral context:** The last Universal Periodic Review (UPR) took place in 2015, underlining a range of concerns, including restrictions on the work of human rights defenders, impunity for human rights violations, excessive pre-trial detention, and limitations to children's and women's rights. The Government accepted several UPR recommendations concerning the need to strengthen the capacity and the independence of the judiciary, as well as to review the legal grounds and practice of pre-trial detention. Several HR organisations reported that the implementation of these recommendations was lagging behind.
In April 2018 the UN Human Rights Committee found that Bolivia violated the human rights of two former members of the Bolivian parliament by denying them their right to stand for election in the 2015 subnational elections. Following the closure of the OHCHR Office in December 2017, two visits were carried out in 2018. In March 2018, the acting regional representative of OHCHR-South America, Mr. Guillermo Fernández Maldonado, undertook a first official mission to the country. In July, South America Regional Representative, Birgit

Gerstenberg, met with authorities and agreed on a new working relationship and cooperation agenda.

In the scope of one of the EIDHR initiatives, a coalition of Bolivian CSOs participated in a hearing on the independence of the Bolivian judicial system within the 169th Period of Session of the IACHR (Inter-American Commission on Human Rights). In November the same coalition initiated and coordinated a visit by IACHR to Bolivia, headed by Commissioner Francisco Eguiguren, who highlighted advances concerning labour rights. 2019 will be the first time ever for the IACHR to have its sessions in Bolivia.

## Federative Republic of Brazil

**1. Overview of the human rights and democracy situation:** Brazil is a consolidated democracy with well-established and functioning institutions, which has successfully held general elections in October 2018 when 147 million citizens were called to vote. Although there have been some unacceptable incidents such as the stabbing of presidential candidate Jair Bolsonaro during the campaign, the elections were overall credible, inclusive and transparent. The corruption scandals of the last years have taken an important toll on traditional parties and politicians, and this was reflected in the final electoral results. Having ratified nearly all major international human rights conventions, Brazil has achieved considerable progress in the protection of human rights, but challenges remain. In 2018, several governmental institutions and programs dealing with human rights were affected by budget cuts, mainly as a result of budgetary restrictions that applied across the board. Some policy pronouncements by representatives of the incoming administration could, if implemented, weaken the protection of certain human rights in Brazil.

**2. EU action - key focus areas:**

- freedom of expression and of association,
- human rights defenders including indigenous leaders,
- non-discrimination,
- business and human rights,
- rule of law and good governance.

**3. EU bilateral political engagement:** The EU continued to engage with Brazil on human rights through political dialogue with the authorities both at federal and state level, organising visits and meetings with civil society representatives, as well as awareness raising activities and public campaigns.

The seventh high-level Human Rights Dialogue took place in June 2018 in Brasilia and was preceded by a seminar with civil society. The discussions helped to consolidate consensual positions on human rights topics at multilateral level and exchange on areas where differences exist. The occasion was also used to review ongoing bilateral cooperation on gender, indigenous peoples' rights, LGBTI (lesbian, gay, bisexual, transgender, and intersex) non-discrimination, human rights defenders, people with disabilities and the homeless.

The EU organised the second edition of a seminar on domestic violence in December 2018 and launched an EU Human Right Prize in partnership with EU Member States and the UN on

the occasion of the celebration of the 70th anniversary of the Universal Declaration of Human Rights of 1948. The prize was awarded to Association Vagalume for "Programme Expedition", which brings reading material and libraries to rural communities and children in the legal Amazon region, and to the Pastoral Commission for Land for its programme “Legal, Organisational, and Pastoral counselling programme for poor communities and human rights defenders fighting for land rights and justice in the state of Pará”.
The EU also continued its support on corporate social responsibility and business and human rights. In November 2019, Brazil adopted a legislative Decree (No. 9571/2018) establishing National Guidelines for Businesses and Human Rights for medium and large companies including multinational companies operating in Brazil.

**4. EU financial engagement:** In 2018, 6 new grants totalling 7.8 million Euros were signed with CSOs covering Freedom of Expression. Overall, there are 53 ongoing projects worth 38.4 million Euros covering the five focus areas listed above: (1) Freedom of association (strengthening the capacity of CSOs); (2) Human Rights Defenders (to support indigenous peoples' rights); (3) Non-Discrimination (to support afro-descendants rights; gender equality; LGBTI's rights; support social inclusion and poverty reduction); (4) Rule of Law (to support Children and Adolescents rights; support human rights in detention centres); and (5) Good Governance (to strengthen Local Authorities capacities).

Brazil also participates in EU-funded regional programmes such as EUROSOsociAL+ (social policies towards minors and youth, gender) and EL PACcTO (prisons management and rule of law). The EU funded DCI-MIGR project "Global Action against Human Trafficking and Smuggling of Migrants – Glo-ACT", is implementing an estimative of 0.7 million Euros on issues related to victims of trafficking in human beings, including human rights mainstreaming and capacity building actions for Brazilian public officials. The EU launched a project (2.5 million Euros) funded under the Instrument contributing to Stability and Peace (IcSP) in the context of the migration crisis from Venezuela, to support Brazil's efforts in accommodating Venezuelan migrants and returning nationals. Activities under the EU-Brazil Sector Dialogues Support Facility, funded by the Partnership Instrument, allocated 0,4 million Euros to support to human rights, more specifically on domestic violence, public policies regarding the trans-population, protection program for human rights defenders, internet and human rights, disinformation in the context of elections and disability. A regional project on Women and Economic Empowerment and Corporate Social Responsibility/Business and Human rights (18 million Euros) is ongoing.

**5. Multilateral context:** The EU and Brazil have good cooperation on human rights topics in multilateral fora, on issues such as the death penalty, racism, sexual and reproductive health and country resolutions. Brazil has remained active in the Human Rights Council, and during sessions HRC 38 and HRC 39, its priorities have included: human rights and internet; racism and democracy; AIDS/HIV and human rights; the safety of journalists; education on human rights; enhancement of capacity-building on human rights.

In March, the Inter-American Court of Human Rights condemned Brazil for not respecting the right to a collective property of the Xucuru indigenous people (State of Pernambuco). This is the first time an indigenous people's group took Brazil to court for its treatment of indigenous peoples. This case is resulting from a delay of more than 16 years in the administrative process of recognition, titling, demarcation and delimitation of their territory

and ancestral lands and territories. The Inter-American Commission on Human Rights visited in November eight Brazilian states following an invitation of the Federal Government. The visit highlighted violence suffered by indigenous people, the growing exclusion of those living on the streets, threats against freedom of expression, the vulnerability of minorities, and a culture of impunity among police.

## Republic of Chile

**1. Overview of the human rights and democracy situation:** The situation of human rights in Chile can be generally considered as satisfactory. Chile has ratified the main international and regional human rights conventions. There is however broad consensus (political and social) that further progress needs to be made in a number of areas, where the government has already proposed some changes. These include the situation of indigenous populations with a particular focus on the situation in the Araucania region, the situation of children particularly those in state custody, gender equality and violence against women and ensuring sustainable and inclusive development.

**2. EU action - key focus areas**

- Strengthening the institutional set-up and public policies in the field of human rights and democracy, inclusion and non-discrimination, gender and economic, social, cultural rights and business.
- Organising an annual local human rights dialogue with the government covering all areas mentioned above.
- Maintaining strong and continuous dialogue contacts with civil society organisations (CSOs) in the field of human rights.

**3. EU bilateral political engagement:** Since 2009, the EU and Chile hold a yearly dialogue on human rights to address areas of joint interest. The latest 9$^{th}$ dialogue focused on the coordination in the context of the UN and the Council for Human Rights, on business and human rights and, on inclusion and non-discrimination, including LGBTI and indigenous peoples, women rights and gender. The modernised Association Agreement will further confirm the holding of regular and meaningful dialogues on human rights.

Under the European Instrument for Democracy and Human Rights (EIDHR), the EU provides support to civil society in order to ensure promotion and protection of human rights, more specifically in the area of inclusion and non-discrimination and strengthening of economic, social, cultural and business enterprise rights. The EU supports civil society to ensure its full participation in the discussions on Agenda 2030 in a programme involving the three main NGO platforms in Chile. On gender issues the EU finances programmes on economic empowerment of women and violence against women.

**4. EU financial engagement:** CSO-Local Authorities budget line: currently the EU is supporting 7 projects of Civil society organisations covering the following areas: SDGs (ASOCIA 2030), Gender (Instituto de la Mujer; World Vision Chile; Universidad Alberto Hurtado, and Climate Change/empower local authorities (Municipalidad de Independencia and red de Municipios Chilenos ante el Cambio Climatico/ADAPT Chile; Gobierno Regional de

Biobío; Municipalidades de Viña del Mar y Valparaíso; Asociación de Municipios Ciudad Sur). The EU supports the 'Plataforma de incidencia y acción para el avance de los derechos de las mujeres en Chile', aimed at creating a national wide platform of women organisations in Chile generating a coordinated impact on the legislative reform agenda for the prevention and punishment of gender-based violence, and in favour of the promotion of autonomy, economic and political empowerment.

European Instrument for Democracy and Human Rights (EIDHR): the EU has 3 ongoing projects in the area of economic, social and cultural rights (indigenous people (Observatorio Ciudadano); Inclusion and No Discrimination (Casa de la Paz) and education for migrants (Educacion 2020)

EUROsociAL+ Programme EU-LAC: the EU continues to promote and enhance the human rights, rule of law, good governance and democracy institutional framework and public policies in Chile through EUROsociAL +. This regional programme acts at national level by mobilising EU experts to provide technical assistance and by promoting the exchange of experience and knowledge between European and Chilean institutions (duration: 2016-2021 - Budget: 32 million Euros). In 2018, the focus of the programme was to promote and disseminate the benefits of the programme to the new authorities. Meetings and events with the Minister of Justice and the offices of the Public Defender and of the Prosecutor where held. The Ministries of Justice, Labour, Gender, social development and the Offices of the national prosecutor and of the public defender office as well as Gendarmeria (prison system) and the Consejo para la Transparencia benefited from the programme activities in Chile.

EUROSociAL+ has continued to support Chile in its commitment to creating an Anticorruption Legal Assistance Centre (ALAC). EUROsociAL+ continued to strengthen the capacity of public institutions to incorporate a gender perspective in different sectorial policies, the establishment of legal frameworks favourable to gender equality, improvements in the use of gender indicators and data, monitoring gender related public expenditure, and to support the fight against all forms of violence and discrimination faced by women and girls.

Partnership Instrument (Business and Human Rights + gender). The EU started with the implementation of the Partnership Instrument regional programme for 'Responsible business conduct in Latin America and the Caribbean' in order to reinforce cooperation between EU and Latin American & Caribbean governments and businesses in the area of Corporate Social Responsibility/Responsible Business Conduct. At the regional level, the Partnership Instrument 9 million Euros programme "Win-Win: gender equality is good business", implemented by UN women, was signed and launched this year. This programme aims to work with local private companies in 7 Latin-American countries to achieve gender equality and the economic empowerment of women.

**5. Multilateral context:** Chile is a like-minded partner of the EU concerning human rights issues and there has traditionally been good cooperation in multilateral fora. Chile is a Member of the UN General Assembly (UNGA) 3rd Committee (Social, Humanitarian and Cultural issues) from 2018-2020 and its voting patterns are generally fully aligned with the EU. Chile is an important player in the Inter-regional task force on the death penalty moratorium resolution. Chile took part in the UNGA 73 event on "Good Human Rights

Stories". Chile is also an active member of the UN LGBTI (lesbian, gay, bisexual, transgender, and intersex) Core Group.

The next Universal Periodic Review (UPR) of Chile will take place in January 2019.

## Republic Of Colombia

**1. Overview of the human rights and democracy situation:** Both positive and negative elements converge as implementation of the peace agreement enters its third year. A major development in 2018 was the start of the transitional justice system: the Truth Commission, the Unit for the Search of Missing persons and the Special Jurisdiction for Peace. Stabilisation of conflict affected regions remains a challenge with lack of state presence and a boom of illegal economies as main factors leading to violence in rural areas. This continues to gravely affect human rights defenders with 423 defenders and social leaders killed since 1 January 2016 according to the Ombudsman's Office. The situation of human rights defenders (HRDs) was described as "dramatic" by UN Special Rapporteur on the situation of human rights defenders, Michel Forst, who visited Colombia in 2018, and has become one of the main priorities of government policies on human rights. Other human rights issues like inequality and violence against women and children are also high on the agenda of the new Colombian government. Legislative and presidential elections were held in 2018. They were the least violent in Colombian history, and were carried out in accordance with international standards and for the first time FARC participated as a political party.

**2. EU action - key focus areas**

- Democracy
- Human rights defenders (HRD)
- Women's rights
- Rights of the child
- Victims/transitional justice
- Venezuelan migrant crisis

**3. EU bilateral political engagement:** The next EU-Colombia human rights dialogue is scheduled for late March 2019 in Bogotá. The local EU human rights group continued to be active with field visits to Rio Atrato and Guapi, follow up of individual cases, and dialogue with government officials, CSOs and control bodies.

The EU continued its strong engagement on the Colombian peace process, particularly on reintegration of combatants and rural development centred on vulnerable communities and victims. Example: EU supported a group of victims, ex-combatants and police officers to receive medical training in Cuba as part of their reincorporation process. The EU Special Envoy visited Colombia six times in 2018. In his first visit after the presidential elections he travelled with President Duque to a FARC reincorporation zone to build confidence and foster dialogue on implementation of the peace agreement.

The EU is also committed to support HRDs in Colombia and was part of the "Pacto por la Vida" held in Apartadó in August 2018. This meeting led by the General Inspector marked a consensus between government, control bodies, CSOs and the international community to put an end to attacks and killings of HRDs. The EU is now working with all actors involved to implement effective measures to prevent and punish attacks and threats against HRDs.

**4. EU financial engagement:** At the invitation of Colombia, EU deployed two election expert missions for the legislative and presidential elections in 2018. The EU has started a dialogue with the Colombian authorities on recommendations made by these missions. On Anti-corruption, a 6-years project for 9 million Euros was completed in 2018, supporting four government institutions to set up a corruption observatory, transparency and integrity strategies, facilitate external stakeholders to monitor government anti-corruption policies and support detection of corruption cases by the national investigation and control bodies.

The EU engaged with both outgoing and incoming governments as well as with control bodies in order to find viable ways to put an end to attacks and killings of HRDs. Under the European Instrument for Human Rights and Democracy (EIDHR), 6 human rights defenders projects were implemented, strengthening protection measures benefitting over 2000 social leaders and human rights defenders. Support was also provided to communication strategies for legitimizing the work of social leaders and human rights defenders, particularly in the context of the 70$^{th}$ anniversary of the Universal Declaration of Human Rights.

Violence against women continued to be an EU priority with media outreach, cooperation programs and political dialogue. Under the EIDHR the EU started a project aimed at victims of sexual exploitation. Strengthening women's organizations continued to be an important EU line of work on implementation of the peace agreement. In the area of the Right of the child the EU continued implementation of six projects under the Instrument for Peace and Stability (IcSP) and the EIDHR aimed at reintegration of child combatants and prevention of recruitment by armed groups in Norte de Santander, Cauca, Chocó, Nariño, Valle del Cauca and Putumayo.

Victims/transitional justice: the EU engaged with victims through Civil Society Organisation (CSO) support, reincorporation and rural development projects and political dialogue. EU showed support to the three institutions which are part of the transitional justice system and devised projects to support the Truth Commission and the Unit for the Search of Missing Persons. As regards the Venezuelan migrant crisis, the EU engaged both at humanitarian and political level to support Colombian efforts to assist migrants fleeing from Venezuela. On 25 September HR/VP attended a high level event organised by Colombia on the margins of the UN General Assembly. The EU provided a 35 million Euros package for the Venezuelan crisis, from which around 4.5 million Euros were allocated to Colombia, to support in the areas of health, conflict prevention, resilience, registration, education and food safety of Venezuelan migrants.

Support was provided to the Ombudsman's Office and the Office of the High Commissioner for Human Rights (OHCHR) worth 2.2 million Euros from the Instrument contributing to Stability and Peace (IcSP), enabling eight additional regional officials and deployment of a mobile attention unit for the Ombudsman. Further opening of three and strengthening of

five regional OHCHR offices and 191 field missions to identify and monitor cases of human rights violations.

**5. Multilateral context:** Colombia underwent Universal Periodic Review (UPR) at the UN Human Rights Council on 10 May 2018. Colombia received a set of 211 recommendations and accepted 87% of them. Mid-term implementation report will be due in November 2020. The new Colombian government has shown openness to international scrutiny on human rights. After 8 years without any visits by UN Special rapporteurs (SR), the SR on HRDs Michel Forst carried out an official visit to Colombia in November 2018. The SR of the Inter-American Commission on Human Rights Francisco Eguiguren also visited Colombia in November2018.

The International Criminal Court (ICC) Deputy Prosecutor visited Colombia in late October and stressed the need to support the Special Jurisdiction for Peace in order for complementarity to work. The possibility of eventually closing the preliminary examination on Colombia open since 2004 was mentioned, but he also warned that any attempt to undermine impartial and effective justice could have serious consequences, namely admissibility of future communications before the ICC.

On 25 May the OECD invited Colombia to become one of its members. OECD membership is expected to have a positive impact on human rights standards particularly labour rights and economic, social and cultural rights.

## Republic of Ecuador

**1. Overview of the human rights and democracy situation:** In 2018, Ecuador has continued the positive developments initiated after President Lenín Moreno took office in May 2017. This includes improvements in relation to civil society and the media inter alia through reforms to the controversial Communication Law. Attacks on the press decreased by 52% during 2018, according to annual report from the local civil society organisation Fundamedios.

The administration has shown signs of openness to work on the improvement of the human rights situation, including with international partners (e.g. through UN resolutions), as well as good will gestures towards indigenous populations. After her visit, UN Special Rapporteur on the rights of indigenous peoples, Tauli-Corpuz welcomed the new Government's commitments and its initiative to establish a continuing dialogue with indigenous peoples, albeit underlining that concrete actions are required. However, the extractive activities and exploitation of natural resources, had led to infringement of the rights of indigenous peoples. UN Special Rapporteur for Freedom of Expression, David Kaye, and his par from the Inter-American Human Rights Commission, Edison Lanza, also visited Ecuador. Another positive development was the adoption in January 2018 of a new law aimed at reducing the high number of femicides in the country.

Negative repercussions of the peace process in Colombia (i.e. clashes with armed groups at the Northern border, influx of Venezuelan migrants) are additional factors complicating the

human rights situation. Remaining challenges for the country include the situation of discrimination and violence against women and children, which has yet to significantly improve since the new legislation, as well as conditions in detention.

**2. EU action - key focus areas:**

- Promoting the legitimacy of the work of human rights defenders;
- encouraging and giving visibility to the civil society's participation in public policies;
- safeguarding freedom of expression;
- ensuring better protection of minorities and vulnerable groups, including indigenous peoples, migrants, women and children;
- access to an independent and effective justice/Justice and Rule of Law.

**3. EU bilateral political engagement:** There are ongoing discussions between the EU and Ecuador on establishing a regular bilateral dialogue addressing issues related to human rights, democracy and the rule of law, as proposed by the EU in November 2017.

The EU-Ecuador Trade Agreement which entered into provisional application on 1 January 2017 contains an essential clause on the respect for human rights and fundamental freedoms, as well as a chapter on sustainable development and labour and environmental rights.

The EU Delegation in Ecuador continuously monitors the national human rights situation. Ad hoc meetings are held with government counterparts, human rights defenders and civil society organisations.
The EU Roadmap for engagement with Civil Society, adopted in 2014, was updated in 2017 with three new priorities for the period of 2018-2020. It continues to attract considerable interest from civil society organisations, which are actively participating in its implementation. The roadmap and the work done by the EU and civil society organisations in Ecuador have been held as a good example to inspire the EU's work on civil society worldwide.

**4. EU financial engagement:** The EU Delegation in Ecuador is currently managing 28 contracts funded by 4 EU development cooperation thematic lines, including support to local authorities, civil society organizations and human rights defenders, totalling almost 20 million Euros. The EU Delegation is also managing 9 contracts funded by the European Instrument for Democracy and Human Rights (EIDHR), totalling almost 4 million Euros.

**5. Multilateral context:** Ecuador was a member of the Human Rights Council (HRC) for the period of 2016-2018, and underwent a Universal Periodic Review (UPR) in 2017. Out of the 182 recommendations, Ecuador accepted 159.

Ecuador has been at the forefront of the HRC's initiative to establish an Intergovernmental Working Group to elaborate an international legally binding instrument on human rights and transnational corporations and other business enterprises.

Ecuador also signed the Escazu Agreement, which contains legally binding norms for the protection of environment-related human rights defenders.

In 2018 the Ecuadorian government was involved in work on UN resolutions on human rights issues, including voting in favour of some EU sponsored and supported resolutions.

## Republic of Paraguay

**1. Overview of the human rights and democracy situation:** Paraguay generally has a good formal basis for the protection of human rights. In recent years, the legal framework for access to information and transparency in the management of public affairs has been improved. However, the implementation of the national plan for human rights is lagging behind, thereby limiting the necessary institutional strengthening. This concerns, for instance, the right to education**,** where reforms never reach public schools or universities. Human rights concerns include, in particular, child and forced labour, violence and discrimination against women (despite new legislation), against indigenous persons, persons with disabilities, and lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; as well as trafficking in persons. There is a worrying increase of influence of some conservative and religious movements, which goes against the defence of human rights of some of the most vulnerable groups. Widespread corruption and the weak functioning of the justice system, including poor conditions in prisons and pre-trial detention, continue to be a concern. The protection of the rights of the indigenous minority also needs to be strengthened. Another growing concern is the inadequate management of land affecting the small farmers, indigenous communities and individuals, schools, environment and public health.
In April, Paraguayans voted in six elections to elect the president and vice-president, the Congress, governors, members of departmental assemblies and representatives to Parlasur. An EU Election Observation Mission (EOM) was deployed following the invitation of Paraguay, which underlined that the elections were well-administered by the Superior Tribunal of Electoral Justice in a country that however, is pending profound institutional reforms.

**2. EU action - key focus areas:**

- consolidating democracy, including through improved electoral processes, transparency, fight against corruption and organised crime;
- promotion and protection of vulnerable groups (children, indigenous and persons with disabilities), gender equality and prevention of discrimination;
- promoting institutionalisation of human rights, judicial reform, preventing torture, improving the penitentiary system.

**3. EU bilateral political engagement:** With the ending of the GSP+ preferential trade scheme at the end of 2018, Paraguay will no longer provide systematic information about its fulfilment of human rights conventions and international labour standards. It remains to be seen what kind of dialogue arrangement can replace this exercise.

**4. EU financial engagement:** The EU continued to provide financial support through the Development Cooperation Instrument (DCI), notably on electoral reform and promoting

transparency and the European Instrument for Democracy and Human Rights (EIDHR). A total of four contracts under the EIDHR worth approx. 1.2 million Euros are ongoing in several fields. A new Call for proposals, in the framework of the EIDHR 2018-2019 was launched in December 2018 with the overall objective of supporting and strengthening civil society organisations, democracy activists and Human rights defenders working on Human rights and democracy in Paraguay. With a total indicative amount of 1 million Euros allocated to this Call, new contracts will be likely signed and implemented as from September 2019.

EU good stories: the rainbow flag was raised for the first time in 2018 on international day and the national day of relevance to LGBTI. A bilingual Spanish-Guarani version of the Universal Human Rights Declaration was launched on its 70th anniversary, made possible with EU support.

**5. Multilateral context:** In the multilateral context, Paraguay has ratified all core international and regional human rights conventions. The country cooperated closely with the January 2016 Universal Periodic Review (UPR) and accepted almost all 140 recommendations.

The UN Human Rights Council also made a number of recommendations. Paraguay will undergo the next UPR in January 2021. The midterm review was due in July 2018. The outgoing government in August 2018 decided to delay its candidacy for its third Human Rights Council membership to 2022-24 (from 2020-2022), largely due to the perceived loss of support among Muslim countries after the (now reversed) decision of Paraguay to move its embassy in Israel from Tel Aviv to Jerusalem.

In November 2018 the UN Special Rapporteur on independence of judges and lawyers, Diego García-Sayán made a statement calling Paraguay to drop the prosecution of Supreme Court judges who had acquitted 11 peasant farmers jailed over the deaths of police officers during a violent eviction in the so-called Curuguaty Massacre of 2012. He also underlined the need for the government of Paraguay to develop and ensure adequate means against unjustified or improper intrusions in the judicial process.

Paraguay approved in 2018 a new law to protect women against gender-based violence. The law criminalises femicide, as well as other forms of violence, and will provide much-needed services to survivors, such as shelter and legal assistance. UN women supported the law and called on Paraguay to take the necessary measures to implement the law so that women's empowerment, rights and physical autonomy are guaranteed.

## Republic of Peru

**1. Overview of the human rights and democracy situation:** Institutional reforms and the fight against corruption have been priority issues in Peru, in the wake of the Odebrecht scandal and a wider trafficking of influence scandal involving the judiciary. President Vizcarra made political reform the core of his policy agenda. The referendum held on 9 December allowed for the adoption of a comprehensive reform package, which implies amending a

number of Constitutional provisions. Former President Alberto Fujimori's pardon in late December 2017 was regarded as a major setback by the human rights community. However, in a surprising turnaround, the Peruvian Supreme Court decided in October to annul the humanitarian pardon on grounds that it constituted a breach of Peru's Constitution and international commitments, and ordered Fujimori's imprisonment. The EU issued a statement.

Women's rights and gender-based violence remains a pressing issue in Peru's human rights agenda. The rates of sexual violence against women are among the highest in the region. The Peruvian government is making important efforts, but much remains to be done, including ensuring full respect and protection of women's reproductive rights. As far as indigenous people's rights are concerned, the implementation of the 2013 Prior Consultation Law still offers room for improvement. Although lesbian, gay, bisexual, transgender, and intersex (LGBTI) rights are increasingly gaining attention and there is more societal awareness, there is nonetheless still a long way ahead to substantial progress in these matters. The protection for Human Rights Defenders (HRD), especially those involved in social conflicts, is a matter of concern. There are allegations of judicial harassment and of excessive use of force by the police. An important issue in the country's human rights agenda remains addressing the causes and consequences of the years of internal violence that took place between 1980 and 2000. In terms of social and economic rights, the country has made significant progress over the past two decades, with a significant and steady downward trend in the rates of poverty. However, inequalities persist, especially in the Andean regions. With regard to environmental and labour rights, within the framework of the implementation of the Trade Agreement with the EU, the country has made significant progress but more efforts are needed, especially on the Trade and Sustainable Development chapter (i.e. provisions on prior environmental impact assessments and on prior consultation of indigenous and peasant communities, inclusive civil society consultation mechanisms, workers' rights, etc.).

Peru adopted in February 2018 its National Plan for Human Rights for the period 2018-2021, focusing on vulnerable groups (the afro-descendent population, children, the elderly, population with AIDS and TBC, indigenous people, women, the disabled, the LGBTI community, migrants, the victims of the violence between 1980 and 2000, as well as HRDs).

**2. EU action - key focus areas:**

- Democratic governance and electoral reform;
- Protection and empowerment of vulnerable groups (indigenous people, women, LGTBI and prisoners);
- Access to justice and the functioning of the judiciary, including reparations for victims of human rights violations;
- Prevention of social conflicts and protection of human rights defenders;
- Support to the design and implementation of Peru´s human rights legal and policy framework.

**3. EU bilateral political engagement:**

The EU holds a regular sectorial dialogue with Peru on Human rights. The fourth meeting took place in January 2018 and focused on the implementation of the EU Election

Observation Mission (EOM) recommendations relating to the electoral process, corporate social responsibility, the fight against corruption, gender-based violence, migration and refugees the EU Action Plan on Human Rights and the multilateral agenda.

The EU, together with other donors, promoted a wide and inclusive national consultation process (called "25 by 25") aimed at identifying a list of 25 commitments to fight gender-based violence. This set of validated commitments, announced on 25 November, will serve as a road map for the future actions in the prevention of violence against women and girls.

On the occasion of the 70th anniversary of the Universal Human Rights Declaration, the EU Delegation, in cooperation with the Peruvian Ministry of Justice, the Institute for Democracy and Human Rights of the Catholic University of Peru, the French and the German Embassies, set up an academic event on Human Rights to mark the International day of Human Rights on 10 December. The EU Delegation joined the United Nations in an initiative reaching out to youngsters and aiming to raise awareness on the state of play of human rights in Peru.

**4. EU financial engagement:** The EU currently allocates more than 8 million Euros to finance human rights projects in Peru. The projects aim at strengthening human rights defenders and human rights (1.8 million Euros including a regional project), protecting indigenous rights (1.2 million Euros), fighting gender-based violence (1 million Euros), fighting torture, extrajudicial killings and forced disappearances (2 million Euros, including a regional project) and promoting policies on business and human rights (1 million Euros through a regional project).

Past and ongoing projects supported by the EU have had a positive impact. Human rights defenders have a solid relation with the EU, while the channels of communication continue to be strengthened. EU support has been instrumental for integrating the guidelines on business and HR into the national human rights policy. The EU also contributed to put gender violence high up in the political agenda of the country and, to strengthen indigenous organisations in their capacities and in their access to economic opportunities.

**5. Multilateral context:** Peru has ratified all the relevant human rights conventions and has been proactive and collaborative in the revision processes developed by the United Nations and its relevant bodies. Peru refers to the Universal Periodic Review (UPR) mechanism in a very positive manner and has accepted the majority of the recommendations made during its UPR cycles, including the 2017 exercise. Peru has adhered to the International Criminal Court but Congress is still working on the necessary adjustments of the Peruvian legislation. Nonetheless, the challenge for full implementation of human rights legislation remains. Peru presented its Good Human Rights Story in the UN General Assembly side-event on 27 September 2018 in New York, in which it underscored its campaign to address racism through a video detailing its nation-wide campaign. Peru is an interesting example, as a member of both the UN Security Council and the UN Human Rights Council.

## The Oriental Republic of Uruguay

**1. Overview of the human rights and democracy situation:** Uruguay is an established and effective democracy. It enjoys considerable political and economic stability, with a robust

rule of law. It is considered one of the most transparent and least corrupt countries of the world. The overall human rights situation in Uruguay remains positive and stable, with fundamental freedoms and human rights respected overall. Noteworthy legislative advances have been made in 2018[23]. Nonetheless, lack of financial and human resources hinder somewhat their effective implementation. In spite of gender-related legislative progress, an important surge of gender-based violence could be observed recently. Deficiencies remain in terms of addressing discrimination against Afro-descendants and the LGBTI (lesbian, gay, bisexual, transgender, and intersex) community and improvements are needed in the anti-discrimination policy. The use of extended pre-trial detention is resulting in prison overcrowding and the related negative consequences. A similar situation can be observed in juvenile detention centres.

**2. EU action - key focus areas**

- eradicating all forms of violence and discrimination against women,
- promoting gender equality and cultivating an overall environment of non-discrimination, with special attention to the LGBTI community, persons with disabilities, elderly and Afro-descendants.

To this effect the EU Delegation in Uruguay engages proactively with the Uruguayan civil society, in particular through the annual structured dialogue, and carried out several major public events.

**3. EU bilateral political engagement:** In 2018, the EU Delegation launched an EU Human Rights Award to mark the 70th anniversary of the Universal Declaration of Human Rights. It provided well-deserved visibility to the Uruguayan civil society and was on occasion to strengthen the already positive relations between the EU and key Uruguayan human rights institutions and civil society organisations. The participation of the Head of the Human Rights Secretariat of the Presidency of Uruguay contributed to increase visibility and impact of the event. .

The EU Delegation carried out awareness activities promoting gender equality both in Montevideo and in the interior of the country. In addition, three discussion panels entitled "Gender equality, commitment for all" were organised, as well as a panel on "Women in Science". In partnership with UN Women, International Labour Organisation (ILO), and the Uruguayan Presidency, the EU Delegation launched a regional project to promote gender equality in the private sector ("Ganar Ganar"). In order to give further visibility and enhance the impact of the project Ganar Ganar, the EU Delegation ensured the direct involvement of President Vázquez, who participated in the official launch of the project, providing greater media coverage and a wider outreach.

Addressing non-discrimination, the Delegation organised a volunteering activity to support the "Teletón", a foundation assisting children with disabilities. Additional activities were carried out in partnership with EU-financed projects "Vejez + Activa" (supporting the elderly) and "Horizonte de Libertades" (facilitating integration of discriminated adolescents).

**4. EU financial engagement:** The EU is financing the following projects in Uruguay:

[23] Comprehensive Law against Exploitation and Human Trafficking; Law 19653 modifying the Code of Criminal Procedure; Comprehensive Law on Transvestite, Transsexual and Transgender People; Law on Labour Inclusion of Persons with Disabilities in the Private Sector; Law on the Recognition and Protection of Stateless Persons.

- "Uruguay mira la trata" (total cost: 511.000 Euros) studies trafficking in human beings in Uruguay, implements capacity building activities and promotes public policies. The analysis of the situation has started and contributions have been provided during the consultations for the Comprehensive Law against Exploitation and Human Trafficking.

- "Cooperación con equidad" (total cost: 467.172 Euros) empowers the political participation and the socio-economic rights of women working in the cooperative sector.

- "Horizonte de libertades" (total cost: 530.249 Euros) contributes to the social, economic, cultural and political integration of discriminated adolescents. The project raised awareness and enhanced citizen participation in the law-making process of the 2018 Comprehensive Law on Transvestite, Transsexual and Transgender People.

- "Más Conocimiento, Más Participación, Más Derechos" (total cost: 520.000 Euros) promotes the full exercise of children and adolescents' rights. The project established a monitoring system for the implementation of the Convention on the Rights of the Child, as well as raised awareness and strengthened engagement of the youth.

- "Vejez + Activa" (total cost: 742.948 Euros) contributes to the development of the national care system and to the quality of the provided care services.

- "Red Calle" (total cost: 473.817 Euros) seeks to improve the living conditions of the homeless by strengthening national policies and sharing experiences with Brazil, Chile, Colombia, Costa Rica and Paraguay.

- "Ganar Ganar" (total cost: 1 million Euros) promotes gender equality in the private sector. So far 30 Uruguayan enterprises committed to apply Women Empowerment Principles.

**5. Multilateral context:** Uruguay is a founding member of the United Nations and is strongly committed to multilateralism. It is a reliable and trustworthy partner for the EU across a wide range of issues, including human rights. Uruguay was elected for a seat at the UN Human Rights Council for the 2019-2021 period, following a successful campaign based on its achievements.

In 2019, Uruguay will be scrutinised by the 32$^{nd}$ session of the UN Universal Periodic Review (UPR) mechanism. It is strongly committed to the process and to civil society participation. Uruguay has set up a permanent voluntary dialogue with civil society with the objective to define the country's response to the UPR issued recommendations.

Uruguay was one of thirteen countries, alongside the EU, launching the new global initiative to promote “Good Human Rights Stories” in the margins of the 73rd UN General Assembly in New York in September. Uruguay also joined the EU-led “Alliance for Torture-Free Trade” at the second Ministerial meeting in New York in September.

## Republic of Venezuela

**1. Overview of the human rights and democracy situation:** The human rights situation in Venezuela has significantly deteriorated in 2018, as reported by the UN High Commissioner for Human Rights and national and international civil society organisations, largely as a consequence of the political, social and economic crisis affecting the country.

The government has further restricted fundamental freedoms, such as the freedom of expression and assembly, and numerous human rights violations were reported, including arbitrary detentions, torture, extrajudicial killings, and use of excessive force. Political detentions continued to be a concern. At the end of the year, NGO Foro Penal reported that there were 232 political prisoners and over 200 low-ranking military personnel incarcerated. One municipal counsellor died while in custody early October under questionable circumstances.

In the aftermath on an attempted drone attack against Venezuelan officials, further detentions took place and measures were adopted against opposition politicians. One sitting member of the National Assembly, Jun Requesens, was jailed in violation of his parliamentary immunity; he remains in custody to date.

Democratic principles and rule of law have not been respected either. Three electoral events were held (presidential, regional councils and municipal councils election), overshadowed by many reported irregularities such as unreasonable deadlines for candidate registration, last-minute re-locations of voting centres, or an outdated electoral register, and vote buying. It was difficult in particular for opposition parties to comply with the criteria imposed by the electoral authority, which led to non-participation of the major opposition parties. Moreover, several opposition leaders are banned from running for public office, while the most important opposition parties with representation at the National Assembly are no longer allowed to participate in elections. The government obtained large victories in all three elections, which were considered as not credible, transparent and inclusive by the European Union, leading to an unprecedented monopoly of the ruling-party PSUV accumulating over 90% of the total eligible representatives of Venezuela.

The political and human rights context in Venezuela led the Public prosecutor of the International Criminal Court (ICC) to open, in February, a preliminary investigation into alleged crimes against humanity committed in Venezuela during 2014 and 2017 street protests. By the end of September, six American states (Argentina, Chile, Colombia, Paraguay, Peru and Canada) submitted to the ICC a report by a panel of experts at the request of the OAS SG Almagro on human rights violations in Venezuela since 2014.

As a result of the economic crisis, the shortage of government revenue, and foreign exchange controls for the private sector, malnutrition, famine, and considerable shortages of food and medicines, continued to hit most of the population. According to ENCOVI, an independent annual survey on living conditions, the complex crisis has caused 80% of households to be food insecure; 9.6 million Venezuelans eat only two or one meals a day, 87% of households live in poverty, 61% of households live in extreme poverty (2017 figures). Figures for 2018 point to an increase in poverty (92% of the population, with 48% of households considered structurally poor) and in the dependence on the Government's food distribution (16.3 million citizens out of 32 million. According to the latest National Hospital Survey, 96% of hospitals reported not being able to provide (or being only partly able to provide) nutrition services, up from 85% in 2017. The findings are reflected in a UN Human Rights Council resolution of 27 September which invites the government to open doors to humanitarian assistance to address scarcity of food and medicine, the rise of malnutrition, and the outbreak of epidemics. It also asks the UN High Commissioner for Human Rights to present a report on the situation in Venezuela.

**2. EU action - key focus areas:**

- defending democracy,
- protecting civil society space and Human Rights Defenders (HRDs), as well as
- promoting gender equality.

**3. EU bilateral political engagement:** In spite of a difficult context, the EU has not spared its efforts to maintain a dialogue with the authorities, in particular to voice its concerns with regard to the human rights situation and the democratic challenges with which the country is currently faced and encourage them to take concrete steps to address these challenges.

The EU has also maintained an open dialogue with other political forces and civil society organisations (CSOs), as it believes that Venezuela's problems, including in the area of human rights, can only be overcome if all stakeholders decide to unite their efforts. The EU's main priorities are to support the strengthening of democracy, rule of law and fundamental freedoms, protection of civil society space and human rights defenders (HRDs).

As a sign of its preoccupation in the light of recent developments, and in addition to its continued political and diplomatic efforts in support of a peaceful negotiated way out of the political crisis the EU decided that the existing restrictive measures would be renewed for a further 12 month period, until 14 November 2019.

**4. EU financial engagement:** In 2018, the EU extended its support package, providing humanitarian aid and financial support to projects through the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and other thematic lines. Currently there are three EIDHR projects ongoing, worth around 1 million Euro. EU cooperation activities focused on the reinforcement of the capacity of NGOs and HRDs, the promotion of gender equality, women empowerment, youth professional training, or the support to democratic institutions' capacity. Moreover, the EU Delegation is keeping close contact with CSOs and HRDs.

Particularly beneficial to the advancement of human right was the project "Feminizando la Defensa de los Derechos: Programa para el fortalecimiento de Defensoras y Promotoras de Derechos Humanos en las Zonas de Frontera con Colombia", especially considering the difficult context it is embedded in.

**5. Multilateral context**: At the multilateral level, the UN Human Rights Council adopted a resolution on Venezuela on September 27, 2018, signalling the growing concern by governments worldwide about the country’s human rights and humanitarian crisis. Argentina, Canada, Chile, Colombia, Paraguay, and Peru referred the situation in Venezuela to the ICC. In November, UN High Commissioner for Human Rights Michelle Bachelet was invited to visit Venezuela. There is no fixed date yet for this visit. The EU is working towards setting up an International Contact Group with the aim to establish the conditions which are necessary for a political process to facilitate a peaceful way out of the crisis.

## Jamaica

**1. Overview of the human rights and democracy situation:** In 2018, Jamaica continued to face important human rights challenges including unlawful killings by the security forces, gender violence, discrimination and corruption. Notable positive developments included a significant reduction in the country's murder rate (22% compared to 2017), the conviction of

a police constable involved in an apparent police death squad, tabling of a Parliamentary report reviewing the Sexual Offences Act and other related Acts, and the announcement of plans to establish the first state-run national shelter to assist women victims of gender violence. In October, the Government announced to set up a National Human Rights Institution which will complement existing institutions mandated to protect the rights of citizens.

The first of three States of Emergency was introduced in January 2018. The parliamentary opposition questioned the constitutionality of the repeated extensions. A report of the Office of the Public Defender criticised the conditions of persons detained under the State of Emergency. Despite appeals for continuation of the measure, the State of Emergency will end on 31 January 2019. The report and the opposition's position fostered a debate on human rights and equality across the country. The government committed to safeguarding human rights for all and to ensuring that the rights of persons taken into custody are not violated.

The levels of gender based and sexual violence remain a concern. In line with the 10-year National Strategic Action Plan to Eliminate Gender-based violence (December 2017), the government announced in November 2018 plans to establish the first state-run national shelter for women who need to leave abusive situations. The shelter should be operational within the first quarter of 2019. The Parliamentary Committee which was set up to review four key pieces of legislation (the Sexual Offences Act, the Offences against the Person Act, the Domestic Violence Act and the Child Care and Protection) tabled its report in December, which included positive but also some controversial recommendations. The report i.a. recommended amending legislation to ensure protection of women from rape irrespective of their marital status. The LGBTI (lesbian, gay, bisexual, transgender and intersexual) community still faces discrimination but is becoming more vocal in its efforts to advance LGBTI rights.

Corruption remains a major challenge for Jamaica; the country is ranked 70$^{th}$ on the 2018 Corruption Perception Index, compared to 68$^{th}$ in 2017. In 2018, the Integrity Commission, Jamaica's single anti-corruption body responsible for investigating and prosecuting acts of corruption, came into effect. It is currently investigating a major scandal relating to allegations of nepotism, waste of public funds and mismanagement at the state-owned oil refinery, Petrojam.

**2. EU action- key focus areas:**

- justice, health and education; non-discrimination and inclusion with an emphasis on vulnerable groups;
- advancing gender equality, citizen security, and
- increasing awareness about human rights.

**3. EU bilateral political engagement:** The 4$^{th}$ Jamaica-EU Political Dialogue took place on 21 February 2018. Both sides committed to further deepen cooperation with a view to building a more effective partnership for growth and development. The agenda included human rights issues, as well as social, political and economic developments in Jamaica and the EU.

On the occasion of the 70th anniversary of the Universal Declaration of Human Rights, the EU partnered with the United Nations, the Government of Jamaica and the Edna Manley College of the Visual and Performing Arts to host an event under the theme: Art for Human Rights. The initiative included an art competition among students, live painting of a 70th anniversary commemorative mural and a lecture and an Art Exhibition.

**4. EU financial engagement:** Support to Jamaica continued under the 11th European Development Fund (EDF) through the budget support programme which contributes to the justice sector reform. 24 million Euros was provided for the period 2016-2020 to support improvements to the justice sector including increased access to justice for all Jamaicans.

Jamaica received an additional grant of 20 million Euros from the EU to fight against crime and support citizens' security. Moreover, under the European Instrument for Democracy and Human Rights (EIDHR) support was offered to facilitate education of an increasing number of prisoners as well as employment and livelihood skills for young people from the deaf community. In addition, the EU provided assistance to a Jamaican human rights defender (HRD) at risk. In November, the Delegation launched a call for proposals under the EIDHR with special emphasis on support to human rights of LGBTI persons, civil society efforts to counter the death penalty and promoting civic activism and participation through digital technologies.

A joint Government of Jamaica-EU funded Poverty Reduction Programme (PRP) continues to support the education and employment needs of persons in volatile communities. Since 2001, over 18,000 persons from the early childhood level upwards have benefitted from educational and employment support under the PRP.

Maternal healthcare received a significant boost in 2018 with the start of construction work to build five High Dependency Units (HDUs) that will facilitate emergency obstetric care. The infrastructure work now underway complements other investments made, including provision of other equipment, medical supplies, ambulances and training to health care workers. The EU provided support under the Programme for Reduction of Maternal and Child Mortality (PROMAC).

Fifteen women benefited from support to undertake business ventures. They are among 30 women trained under a 200,000 Euros Jamaica AIDS Support for Life (JASL) project on "Reducing Domestic Sexual and Gender-based violence Against Women". Support to human rights protection continued through the Pan-Caribbean Partnership against HIV and AIDS (PANCAP) Justice for All Programme (JFAP). The EU-funded programme of approx. 400,000 Euros (in October 2017 - April 2019), supports advocacy efforts undertaken by PANCAP-JFAP.

The Independent Commission of Investigations (INDECOM), the oversight body for the security forces, continued to benefit from the EU supported Justice, Security, Accountability, and Transparency –JSAT – Project. The Jamaica leg of the Spotlight Initiative[24], 'Win-Win: Gender Equality means Good Business' programme was launched in September. Win-Win is a strategic partnership between UN Women, the European Union and the ILO for the

[24] The Spotlight Initiative is a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls (http://spotlightinitiative.org/)

promotion of gender equality in the private sector and women's economic empowerment and leadership.

**5. Multilateral context:** The next Universal Periodic Review (UPR) for Jamaica will take place in May 2020.

## Mexico

**1. Overview of the human rights and democracy situation:** In 2018, Mexico undertook the biggest and most complex electoral process in its modern history. Electoral participation was historically high on 1 July, reaching approx. 63% of eligible voters who chose candidates for more than 18.000 posts. The run-up to the vote was marked by increased violence but the elections day was generally well managed, as recognised by the observers. Following a landslide victory, the new President Andrés Manuel López Obrador assumed office on 1 December 2018, relying on a comfortable majority in both chambers of the Congress.

Mexico continues to face considerable challenges in the area of citizen security and human rights. Against the backdrop of high levels of violence in the country, Mexico battles with very serious and widespread human rights violations such as enforced disappearances, torture, threats and attacks against human rights defenders and journalists or feminicides. With impunity widely estimated at 98-99%, most cases of human rights violations remain unresolved.

The new administration has pledged to end corruption and impunity, and address inequality and violence. Its decision to create a Truth Commission for the investigation of the disappearance of 43 students in Iguala in 2014 has been welcomed by relatives of victims and civil society. The role of military in public security continues to be subject of national debate. In November 2018, the Supreme Court considered unconstitutional the Interior Security Law providing legal framework for militarisation of public security, affirming that in times of peace, the role of armed forces in public security must always be extraordinary, exceptional and subsidiary. For the same reasons, the President's proposal to entrust police functions to a National Guard composed of military, naval and federal police, has received mixed reactions.

**2. EU action – key focus areas:** In 2018, the EU continued working together with Mexican authorities, civil society organisations and other relevant stakeholders to promote human rights in the country. Particular attention was paid to:

- the protection of human rights defenders and journalists,
- combatting of torture and enforced disappearances,
- tackling impunity,
- promotion of women's rights and the rights of vulnerable groups, as well as
- economic, social, cultural and environmental agenda.

The EU human rights engagement with Mexico counts on robust civil society involvement, thus contributing to a strengthened role of civil society in addressing national human rights challenges.

**3. EU bilateral political engagement:** On 26 October, the EU and Mexico held the 8th bilateral high level dialogue on human rights in Brussels, which reviewed cooperation on key multilateral and domestic human rights issues, such as the rule of law, including torture and disappearances, fight against impunity, use of force, the situation of human rights defenders and journalists. As customary, the Dialogue was preceded by the 6th Civil Society Seminar on 25 October, which focused on the situation of human rights defenders and journalists and closing civil society space.

Amid high incidence of violent attacks, twelve local EU statements were released in 2018, condemning the murders of eleven journalists and five human rights defenders and calling on authorities to make sure that these crimes do not go unpunished. In a joint press release following the Human Rights Dialogue, the EU and Mexico underlined their commitment to address the threats faced by human rights defenders and journalists and to ensure they can fulfil their work with full independence.

Within the framework of the 70th anniversary of the Universal Declaration for Human Rights, the EU Delegation in Mexico partnered with the Office of the UN High Commissioner for Human Rights in Mexico, and mobilised well-known Mexican celebrities and Human Rights Defenders for an awareness-raising campaign featuring short video messages on human rights, reaching over one million hundred thousand people during one month. On the occasion of 20th anniversary of the UN Declaration on Human Rights Defenders, the EU Delegation also participated in a campaign featuring personal stories of Mexican human rights defenders.

**4. EU financial engagement:** Under the European Instrument for Democracy and Human Rights (EIDHR), the EU continued to support the strengthening of the Mexican civil society, the movement of victims of human rights violations as well as human rights defenders and journalists. Eighteen projects were ongoing in 2018 for the overall amount of EUR 4.6 million in the areas of migrants' rights, prevention of torture, protection of human rights defenders and journalists, impunity and disappearances. The Instrument has also been used to provide emergency financial aid to several defenders.

In 2018, the EU and Mexico took concrete steps towards increasing cooperation on combatting torture and feminicides. The jointly funded programme Social Cohesion Laboratory II also supported human rights focused activities with authorities and civil society, such as a forum on the implementation of the General Laws against Torture and Enforced Disappearances organised in July. A new project aimed at training independent experts on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the Istanbul Protocol, has been set up and will be implemented in 2019. Similarly, in 2018 Mexico decided to participate in the EU-UN Spotlight Initiative and a national programme will be launched in 2019.

**5. Multilateral context:** In 2018, Mexico served as a member of the Human Rights Council, a seat it will occupy until 2020. The third Universal Periodic Review (UPR) of Mexico took place on 7 November. 102 States, including 22 EU Member States, made a total of 264 recommendations. Considering that the UPR took place weeks before the inauguration of the new President, Mexico undertook to examine the recommendations and provide responses no later than the 40th session scheduled for March 2019.

## Nicaragua

**1. Overview of the human rights and democracy situation:** 2018 was marked by a severe breach of democratic and governance standards in Nicaragua since mid-April, with the human rights situation deteriorating alarmingly. The weak response by the government to extinguish a wild-fire in an iconic natural reserve, and the announcement by President Ortega of controversial reforms to the national social security system INSS triggered strong protests which where harshly repressed leading to widespread political turmoil. The announcement of the withdrawal of the social security reforms by President Ortega only a few days after its adoption did not prevent citizens from taking to the streets to demand deep political changes.

Different phases can be identified throughout the ongoing crisis according to the Inter-American Commission on Human Rights (IACHR). The first phase ran from April to June 2018 and was that of "traditional repression with the excessive use of police force directly against demonstrators". The second one was between June and July and coincided with the so-called *Operación Limpieza*, aiming at lifting barricades in the roads, but which according to the IACHR turned into attacks by para-police (hooded armed civilians) and police against the civilian population. The third phase started in August and is still ongoing, which, the IACHR refers to as "a process of bureaucratic repression, using the institutionality itself, the justice system to detain people, promote actions and legal proceedings against them". Lately, a fourth phase has started with additional pressure against NGOs and independent media and journalists, some of whom have been imprisoned. The authorities maintain that protests were orchestrated by foreign powers as part of a violent coup attempt.

According to the final report by the OAS' Justice and Peace Group of International Interdisciplinary Experts (GIEI), which was in the country gathering and contrasting evidence for 6 months, throughout the crisis there was disproportionate use of force by the Police to repress civic protests, including the use of weapons of war exclusively for the use of the army, resulting in many civilian deaths and injuries. They suggested that crimes against humanity could have been committed in Nicaragua and that authorities should be investigated to the highest level. The Parliament has set up a Truth Commission which attributed most deaths to violent protests.

**2. EU action - key focus areas:**

EU programmes covering human rights and civil society organisations were duly adapted and topped up in order to respond to the ongoing crisis. They cover, among others, areas like:

- protection of human rights defenders;
- support to victims of violence and human rights organisations;
- peace culture;
- economic reactivation & employment.

**3. EU bilateral political engagement:** From the onset of the crisis, the EU helped the Nicaraguan civil society to continue to play a role in the face of the emergency. This role included assistance to victims, the main objective of which was to safeguard the lives and well-being of people affected by the emergency, in particular through access to medical services, physical rehabilitation, and financial support to the families of deceased victims. Support was also offered to provide legal assistance to victims of violence, accompanying the process of preparation and documentation of evidences and petitions. Technical accompaniment was also made available to apply professional journalistic tools to the treatment of information.

The EU provided support to the mechanisms created by the IACHR to facilitate justice and dialogue: the GIEI, on the one hand, and the Special Mechanism for Monitoring and Follow-up (MESENI, by its Spanish acronym), on the other. GIEI's mandate was to provide support to the investigation of the acts of violence that occurred from 18 April to 30 May in Nicaragua as well as to issue recommendations to strengthen the institutional capacities of the State in criminal investigations, justice and care for the victims and their families. MESENI, for its part, systematically monitored and compiled data on victims and monitored compliance with the recommendations issued by the IACHR, protected the human rights of victims of conflict, violence and insecurity, and strengthened the capacities of local actors and civil society in the use of international mechanisms for the protection of human rights.

**4. EU financial engagement:** Other than the above mentioned EU programmes, the EU was among the main donors of MESENI and GIEI, the mandate of which was unilaterally suspended by the Government of Nicaragua in December. Despite the total lack of cooperation by Nicaraguan authorities, the presence of these two independent and professional missions allowed to compile and contrast information from witnesses and various sources regarding human rights violations in the context of the current crisis. The EU has called on the Government of Nicaragua for the return of these international missions and the office of the UNHCHR, expelled in August 2018, which play a crucial role in crises where human rights are systematically violated.

**5. Multilateral context:** The IACHR visited the country in May and was able to have its preliminary report´s conclusions endorsed by the government, including the installation of a monitoring mechanism (MESENI) and the arrival of a group of experts to support national institutions with investigative lines of occurred acts of violence (GIEI). Both missions reported to have been refused cooperation from the Government throughout their stay in Nicaragua, which was finally suspended unilaterally in late December by the government.

A mission of the regional office of the Office of the UN High Commissioner for Human Rights (OHCHR) was established in the country on 24 June until government´s withdrawal of the invitation on 30 August.

During 2018 the OAS Permanent Council raised the issue in different sessions and agreed on the creation of a Working Group on Nicaragua, contrary to the government's position, which refuses to let the group enter the country.

On 30 September, some GRULAC members who coordinate on Nicaragua (aka the "Brussels Group") delivered a joint statement on Nicaragua at the UN Human Rights Council. Nicaragua will go through a Universal Periodic Review (UPR) in 2019.

## Republic of Panama

**1. Overview of the human rights and democracy situation:** Human rights are generally respected in Panama. Panama is a fully fledged and solid democracy with a rather active civil society. Elections are held regularly and are considered free and credible (the next general elections will take place in May 2019). The constitutional and legislative framework regarding human rights protection is generally adequate. However some important challenges remain, including concerning the rights of women and girls, vulnerable groups, socio-economic rights, corruption, judicial delays and prison conditions.

Women and girls are frequently targets of violence and sexual exploitation. One in seven women between 15 and 49 years suffered physical or sexual violence from their partners at some point in their lives (Pan-American Health Organization[25]). The Public Ministry of Panama reported 18 cases of femicide in 2018[26]. Violence against women and girls was object of recent developments in Panamanian legislation. Significant improvements are needed in the area of gender equality. The upcoming elections will represent a challenge for women to improve their participation and representation. New legislation could allow for better conditions in this regard.

Prison and detention conditions continue to pose a serious challenge, including overcrowding, medical assistance, hygiene, reintegration, working conditions of prison officials and the extensive use of pre-trial detention. According to the UN Office on Drugs and Crime (UNODC), 70% of persons deprived of liberty in Panama have not been sentenced.

Child labour is a persisting problem in Panama. According to estimates, 23,855 children work more than the allowed hours. Panama aspires to become in 2025 the first country in Latin America, together with Chile, to eradicate child labour. National strategies are being implemented to reach this objective. Recent development in the legislation gives workers in the public sector the right to create unions. Approximately 10% of Panamanians belong to indigenous communities. Although there are policies and legislation protecting these communities, there is still much work to be done to improve their living standards, their access to public services and equal treatment, especially in the health sector and on land tenure.

[25] https://news.un.org/es/story/2018/11/1446721
[26] http://ministeriopublico.gob.pa/wp-content/multimedia/2018/12/Informe-Estad%C3%ADstico-Victimas-de-Femicidio-de-Enero-a-Noviembre-2018.pdf

The Economist's "Democracy Index 2018" placed Panama on the 5th place in Latin America and the Caribbean, but also highlights certain gaps including related to corruption and organised crime.

**2. EU action - key focus areas:**

- improving citizen security;
- improvement of prison and detention conditions with a specific focus on pre-trial detention; human rights of minors in breach of the law, rehabilitation and reinsertion;
- gender equality, fight against violence and discrimination, including vulnerable groups;
- international labour standards at state level and in the private sector (CSR);

**3. EU bilateral political engagement:** A shared commitment to human rights and democracy are at the core of the EU's engagement with Panama. The EU-Panama Memorandum of Understanding on International Cooperation and Development, signed in 2018, refers to the respect and promotion of human rights and democratic principle as a principle on which international cooperation in third countries should be based. The Association Agreement between the EU and the Central American countries is also based on this principle. The opening of a fully-fledged EU Delegation in Panama provides a solid basis to deepen future bilateral engagement on human rights.

**4. EU financial engagement**: The EU supports a number of human rights projects in Panama. Together with NGO Terre des Hommes, the EU is contributing to strengthen the rehabilitation and reintegration of indigenous children in conflict with the law, by recovering ancestral practices from indigenous justice. The EU is also working to help eradicate violence on women and girls in Panama. In 2018, the EU contributed to the creation of a dedicated space which provides psychological, legal and social assistance to women victims of gender violence in Panama- National Women's Institute (INAMU). There are already 14 centres of attention for women victims of violence, all around the country.

In the area of citizen security, the EU is supporting the national police of Panama in the field of infrastructure construction and personnel training. The project "Oportunia", implemented by NGO Jesús Luz de Oportunidades, support minors in detention centres; minors victims of youth violence; minors subject to precautionary measures; and minors at social risk. The EU finances a major Security Programme in Panama, the EUR 28 million EU-funded project "Security cooperation in Panama (SECOPA)", along with other regional security programmes. Through SECOPA, the EU seeks to improve the situation in prisons and enhance capacities to provide rehabilitation and reintegration, improve the training and career development for prison staff. An innovative centre for rehabilitation of minors in conflict with the law is under construction, addressing their needs in a holistic way. The EU is supporting the development of a modern penitentiary census, and has contributed to build capacities in state institutions on citizen security and violence prevention.
Through the EUROsociAL Programme, the EU contributed in 2018 to the creation of the National Plan for the Elderly and provided technical assistance to the Ministry of Social Development.

**5. Multilateral context:** Panama was the first country in Central America to host in 2018 the 19th American Regional Meeting of the International Labour Organisation (ILO). Panama is signatory to most international agreements on human rights. Last Universal Periodic Review (UPR) dates to May 2015. Next Universal Periodic Review Working Session is foreseen for April-May 2020.

## Saint Kitts and Nevis

**1. Overview of the human rights and democracy situation:** Saint Kitts and Nevis is a stable democracy. A three-party coalition government, 'Team Unity', is in office since the February 2015 elections. Timothy Harris became the third politician to assume the Prime Minister post since country's independence (1983).

Overall, the main human rights challenges remain domestic violence, discrimination and violence against LGBTI persons, child abuse, backlogs in the judiciary, death penalty and poor prison conditions.

St Kitts & Nevis retains the death penalty in its legislation although no executions have taken place since 2008. Conditions at the prison in Basseterre remain dire. The security situation in St Kitts and Nevis has been difficult with a high number of burglaries and homicides throughout the year. The country has one of the highest murder rates per capita in the world. Against the background of the rising number of homicides and increased criminality, the Governor General extended in August police powers to the Defence Forces for a period of six months and in October, the Government announced the deployment of the Barbados-based Regional Security System (RSS) to assist in cracking down on crime.

Gender concerns mainly relate to the high incidence of domestic violence. The government continues to provide assistance to the victims and tries to raise awareness as domestic violence is underreported. In November 2018, the Complaint and Response Protocol on Domestic and Sexual Violence was officially launched.

Discrimination against LGBTI persons remains a matter of significant concern. LGBTI people feel isolated and fear harassment and violence. LGBTI awareness training was conducted for law enforcement officers during the year. However, while there is buy-in from senior officials, there is also resistance from the lower ranks that makes members of the LGBTI community feel unsafe to come forward.

St. Kitts and Nevis continued its efforts to strengthen child protection through the implementation of a Child Protection Protocol. There is a Special Victims Unit of the Royal Police Force which works with social services to address the needs of abused children. Youth offenders are housed at the New Horizons Co-ed Juvenile Rehabilitation Centre which was financed through the EU's Accompanying Measures of the Sugar Protocol. Corporal punishment remains legal in the country as a disciplinary measure in schools, but has been restrained recently.

In May 2018, the National Assembly (the Parliament) passed the Freedom of Information Bill, which had its first reading in 2015. The bill provides for disclosure of information in the public interest and recognises certain exceptions. The opposition criticized the bill, claiming it has serious glitches.

**2. EU action - key focus areas**

- marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes;
- capacities of local actors and build a strong civil society;
- domestic violence;
- death penalty.

The country has also benefitted indirectly from regional outreach and best practices developed by projects implemented across the region in the past, especially in the area of domestic violence.

**3. EU bilateral political engagement:** Human rights matters are brought up in formal as well as informal meetings with Saint Kitts and Nevis' public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts of the Caribbean states to address human rights challenges, including gender, children and minorities related, as well as the rule of law, good governance and democratic values.

The EU Delegation carried out formal démarches on HR issues in the context of the UNGA 3rd Committee 73rd session. Saint Kitts and Nevis voted against the Resolution on the Moratorium on the use of death penalty and voted in favour of the Resolutions on the Human Rights in Myanmar, in Iran and in Syria.

**4. EU financial engagement:** Of the EU projects funded under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations Programme – Local Authorities (CSO-LA), none have a local (co-)implementer from Saint Kitts and Nevis. Two projects which started in February 2018 will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes (under the CSO-LA Programme) and enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty (EIDHR). The project targets all countries that were eligible under the last respective calls for proposals (2017) and as such will also be implemented in Saint Kitts and Nevis.

The country has also benefitted indirectly from regional outreach and best practices developed by projects implemented in other countries in the past, especially in the area of domestic violence.

The Magistrate's Code of Procedure Bill 2018 was developed under a UK-US financed project and was adopted this year. This is expected to have a remarkable impact on the judicial backlog experienced in St Kitts and Nevis.

The country will also be a beneficiary of the EU's new (10 million Euros) multi-country criminal justice sector reform programme which was formulated and decided during the course of 2018.

**5. Multilateral context:** On 4 October Saint Kitts and Nevis signed the Declaration on the Establishment of the Regional Initiative Latin America and the Caribbean Free of Child Labour at the 19$^{th}$ ILO American Regional Meeting.

Saint Kitts and Nevis will be subject to the Human Rights Council UPR (Universal Periodic Review) in 2020.

## St Vincent and the Grenadines

**1. Overview of the human rights and democracy situation:** Saint Vincent and the Grenadines is a stable democracy. A court case that challenged the 2015 election results in two constituencies continued into a third year.

Discrimination and violence against LGBTI citizens, domestic and sexual violence, including child abuse, and the functioning of the justice system, including the right to a fair trial and poor prison conditions remained the main human rights challenges in 2018. Members of the local LGBTI community continue to experience discrimination and stigma in a variety of settings. The illegal status of consensual same-sex activity for both sexes continues to drive the LGBTI community underground. Violence against women remains widespread with victims often hesitating to report. In November 2018, the St. Vincent and the Grenadines' Police Force launched a sexual offences unit. The country experienced another year of high criminality with 34 reported homicides in 2018 as compared to 39 in 2017 and 40 homicides in 2016.

The death penalty remains in force, although the last execution was carried out in 1995 and the last person has been sentenced to death in 2008.

Child abuse continues to be a major problem and the government continues to encourage prevention and awareness rising. Cases of sexual violence against children are often difficult to prosecute, since witnesses are reluctant to testify, and discussion of these types of abuse could be considered taboo. Corporal punishment remains still legal at schools, but it has been restrained. A Child Justice bill is currently before the House of Assembly (the Parliament). The bill aims at establishing a judicial process for children accused of committing crimes while at the same time protecting their rights.

As regards trafficking in human beings (THB), the country has made some progress, notably in the areas of institutional consolidation and cooperation between government agencies. With EU assistance, the police created a new survey tool that enabled new data collection on trafficking in the country.

Prison conditions are difficult, including endemic violence, gang activity, contraband, and lack of hygiene. Conditions are inadequate for juvenile offenders. Conditions in the newer Belle Isle facility represent an improvement.

**2. EU action – key focus areas**

- enhancing sustainable livelihoods amongst rural farmers;
- marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly;
- capacities of local actors and build a strong civil society movement;
- domestic violence;
- death penalty.

**3. EU bilateral political engagement:** Human Rights matters are brought up in formal as well as informal meetings with Saint Vincent and the Grenadine's public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts of the Caribbean states to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values.

The EU Delegation carried out formal démarches on human rights in the context of the UNGA 3rd Committee. Saint Vincent and the Grenadines voted against the Resolution on the Moratorium on the use of death penalty, and abstained in respect to the Resolutions on the Human Rights in Myanmar, in Iran, in Syria and the Autonomous Republic of Crimea and the City of Sevastopol.

**4. EU financial engagement:** St. Vincent and the Grenadines, as part of the Eastern Caribbean sub-region, benefits from EU assistance under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations – Local Authorities (CSO-LA) programme.

One project under implementation is targeting St. Vincent and the Grenadines sustainable livelihoods amongst (especially female) rural farmers through training in climate-smart and cost-effective agricultural practices to foster economic empowerment and create social and ecological value.

Two projects which started in February 2018 (one under the CSO-LA Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes and one under the EIDHR which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty) are targeting all countries that were eligible under the last respective calls for proposals (of 2017), and as such will also be implemented in St Vincent and the Grenadines.

St. Vincent and the Grenadines benefits indirectly from regional outreach and best practices developed by projects that are being implemented in neighbouring countries, especially in the area of domestic violence.

**5. Multilateral context:** In October, the UN Human Rights Committee announced its decision to review a number of countries including Saint Vincent and the Grenadines, but it has later postponed the review in respect to Saint Vincent and the Grenadines to its March 2019 session.

Saint Vincent and the Grenadines will be subject to next UPR (Universal Periodic Review) in 2021.

## St Lucia

**1. Overview of the human rights and democracy situation:** St. Lucia is a stable democracy, with general elections every five years. The last general election was held on 7 June 2016 which resulted in a victory of the United Workers' Party, which secured 11 seats out of 17.

The main human rights challenges in St Lucia are high incidence of crime, domestic violence, homophobia and instances of child abuse. The death penalty remains in force although there have been no executions since 1995. The legal system is plagued by judicial backlogs and the prison is overcrowded.

In 2018, St. Lucia recorded 43 murders. Although this is a marked reduction from 2017 record number of 60 murders, the number is still very high considering the size of country's population. Investigation of the allegations of unlawful police killings in 2011 did not progress during the reporting period. The Leahy Law restrictions (The “Leahy law” prohibits the U.S. Government from using funds for assistance to units of foreign security forces where there is credible information connecting that unit to gross violations of human rights) remain in place against the Royal Saint Lucia Police Force, which is facing constraints following the withdrawal of the US assistance.

Although the law is not strictly enforced, consensual same-sex sexual activity is illegal in St Lucia. The legal provisions entrench discrimination and foster widespread stigmatisation of and prejudice against LGBTI people throughout society. Like in other countries of the region, homelessness of evicted LGBTI youths and the lack of shelters for them remains an issue of concern. Hate crimes, including violent murders, continue to occur and police investigations into such crimes are described as very slow and inadequate by civil society activists.

Domestic violence and children abuse are still a concern in St Lucia. Children are still legally subject to corporal punishment, although schools are trying to move away from this in practice. In November the Parliament unanimously passed a new Child Care, Protection, and Adoption Bill. Often victims of domestic violence are reluctant to report for fear of reprisal and perpetrators commonly make payoffs in exchange for victims not pressing charges. The government-supported Women’s Support Centre, the only residential facility for victims of domestic abuse, provides shelter, counselling and assistance to the victims.

**2. EU action – key focus areas**

- domestic violence
- LGBTI,
- marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly,
- enhance capacities of local actors and build a strong civil society movement.

**3. EU bilateral political engagement:** Human rights matters are brought up in formal as well as informal meetings with Barbados' public authorities and civil society. Formal political dialogues are held in the context of CARIFORUM. An EU-CARIFORUM Political Dialogue at the level of Senior Officials took place in Castries (St Lucia) on 21 November 2018. The EU encouraged further efforts from the Caribbean to address human rights challenges, including gender, children and minorities related, as well as rule of law, good governance and democratic values.

The EU Delegation carried out formal démarches on human rights issues in the context of the UNGA 3rd Committee73rd session. St Lucia voted against the Resolution on the Moratorium on the use of death penalty, in favour of the HR resolutions on Myanmar, Iran and Syria and abstained as regards the Resolution on the Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol. Member States are involved in these démarches, where possible, despite logistical and geographical difficulties.

**4. EU financial engagement:** Saint Lucia, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations- Local Authorities (CSO-LA) Programme.

Of the projects that were/are under full implementation, two had/have their 'centres of gravity' in the country as well as local (co-)implementers from Saint Lucia.

One of these projects (worth approx. 280.000 Euros) came to an end in February 2018 and was specifically targeting domestic violence, inter alia, through qualitative and quantitative research, data collection, guidelines for Domestic Violence Acts and/or Action Plans, harmonised protocols for reporting etc.

Another project (worth approx. 360.000 Euros) has started in February 2018 and will significantly benefit LGBTI citizens of Saint Lucia through a combination of a weekly serial drama broadcast, talk shows and community mobilisation to tackle the sensitive subject in a non-threatening manner that stimulates discussion in communities and promotes attitude and behaviour change.

Two other projects (worth each 400.000 Euros) which have started in February 2018 are targeting all countries that were eligible under the last respective calls for proposals (2017), and as such will also be implemented in Saint Lucia. One, funded under the CSO-LA Programme, will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes, and the other, funded under EIDHR, will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty..

In the area of criminal justice reform the UK provided guidance on proposed legislation related to child pornography in St Lucia; the legislation was subsequently passed by the parliament. Sentencing guidelines in serious offences were developed under a two-year regional project by the Eastern Caribbean Supreme Court and the US and UK co-funded Criminal Justice Advisor.

The country will also be a beneficiary of the EU's new (10 million Euros) multi-country criminal justice sector reform programme which was formulated and decided during the course of 2018**.**

**5. Multilateral context:** Saint Lucia will be subject to the next UPR (Universal Periodic Review) in 2020.

## Republic of Suriname

**1. Overview of the human rights and democracy situation:** Suriname is a stable democracy. The latest general elections in Suriname took place on 25 May 2015 and brought a victory of the incumbent President Bouterse's National Democratic Party. They are considered to almost certain win the elections in 2020 because of his considerable tactical political skills and the weakness of the ethnically fragmented opposition.

In a relatively favourable human rights situation continued challenges in Suriname include the retention of the death penalty in the Military Penal Code; the failure to ratify the Second

Optional Protocol to the International Covenant on Civil and Political Rights and to sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; poor conditions in detention centres; self-censorship by media organisations and journalists; widespread government corruption; violence and abuse against women and children; trafficking in human beings; continued lack of recognition of land rights for indigenous and tribal peoples; discrimination against LGBTI persons and other minorities; and child labour in the informal sector.

Domestic violence against women and children remains widespread in Suriname. Indecent assault of children is up 29.5% in the first quarter of 2018 as compared to the same period in 2017. A study commissioned by the police in Suriname indicates that forms of sexual abuse have worsened in 2018.

The government demonstrated some efforts in the fight against human trafficking by increasing investigations and victim identification, and implementing two laws to regulate labour recruiters and prevent trafficking, passed in 2017, related to criminal or fraudulent recruitment. These have not yet resulted in major improvements. The number of convictions and victims identified in fact decreased, courts imposed weak sentences on convicted traffickers, and no victim referral and protection protocols were developed. Therefore Suriname remained on Tier 2 Watch List[27] for the second consecutive year.

In the field of rule of law**,** the trial of former military dictator and current President Bouterse and 18 co-defendants for the 1982 extrajudicial killing of 15 political opponents continued to run its course, although slower than expected. The fact that proceeding continue demonstrates, however, some independence of the judiciary. The verdict is now expected towards mid-2019 (although it could be delayed again).

**2. EU action - key focus areas**

- Women and Children's' rights, including domestic violence
- Non-discrimination of vulnerable groups
- Strengthening the role of civil society

**3. EU bilateral political engagement**: The EU continued to engage in human rights and democracy discussions with Suriname in various settings. At the EU-Suriname Article 8 Political Dialogue in March 2018 the EU called on Suriname to take action on a list of human rights' priorities such as Indigenous Peoples' land rights, high levels of domestic violence and abuse against women and children, child labour in the informal economic sector, trafficking in human beings, and child prostitution and LGBTI's rights.

The EU Delegation also engaged with the opposition and NGOs. It organised a discussion with the Surinamese NGO community on HR and wider societal issues in February in preparation of the art.8 Political Dialogue. The EU Delegation made a series of public diplomacy and outreach events including a Human Rights Concert on 5 December to celebrate the international Human Rights day, and a Human Rights Seminar on domestic

[27] Trafficking in Persons Report 2018, U.S. Department of State, Office to monitor and combat trafficking in persons.

violence on 6 December where the EU Delegation's annual Human Rights award was presented. It went to Mrs. Cederboom Ritfeld in recognition of her efforts over the years in combatting gender based violence in Suriname.

**4. EU financial engagement:** The EU provides financial support to three programmes funded under CSO-LA (Civil Society Organisations and Local Authorities) and the EIDHR (European Instrument for Democracy and Human Rights): the Projekta-led intervention 'Hear us Now: Bringing the Voices of Local Communities into the National Dialogue against Domestic and Sexual Violence' with an EU contribution of 100.000 Euros: it intends to increase the visibility of vulnerable groups in national-level awareness and advocacy; 'I-Grow', with an EU funding of 424.981 Euros has the objective to promote sexual reproductive health and rights and prevent domestic and gender-based violence against and among vulnerable adolescents; 'Gender Plus', with an EU contribution of 423.000 Euros, which aims at strengthening the role of civil society in Suriname in promoting women and girls' rights.

**5. Multilateral context:** As confirmed by its second Universal Periodic Review (UPR) in May 2016, Suriname benefits from a relatively favourable human rights situation. Notwithstanding the remaining challenges, fundamental human rights are generally respected.

The country is in 21st place on the '2018 World Press Freedom Index' of the organisation Journalists without Borders (RSF), dropping one place compared to the previous year. Suriname and Jamaica (6th place) are the only CARICOM countries in the Top 30. RSF states that with "a few attacks on journalists" and a varied media landscape Suriname now scores relatively well on respecting press freedom.

Suriname has yet to implement legal recognition of the land and collective rights of indigenous peoples in the Marowijne region, as it was ordered to do in the Kali'na (Caraib) and Lokono (Arawak) verdict of the Inter-American Court of Human Rights of November 2015. The State was given two years to legally regulate the collective legal personality of indigenous and tribal peoples and three years to issue collective land titles on the traditional territories. A Presidential Commission on the Rights of the Indigenous Peoples was established in December 2016 and worked on a "roadmap" in 2017. This includes a work plan for the legal recognition of indigenous and tribal peoples' land and other rights, which is yet to be approved by the President of Suriname before implementation can start.

## Trinidad and Tobago

**1. Overview of the human rights and democracy situation:** Trinidad and Tobago is a stable democracy. 2018 has seen a continued active engagement from civil society on LGBTI rights, women's rights, the fight against gender-based violence and domestic violence. A symbolic victory was reached with the repealing of the two clauses of the Sexual Offences Act criminalising consensual sexual acts between same-sex adults by the High Court, and the first pride parade celebrated in the country in July 2018. Refugee's rights become increasingly of concern with growing numbers of asylum seekers and limited access to legal employment and education for persons of concern.

T&T's government institutions remain stable, although concerns about transparency and corruption persist. While criminality remains high, the appointment of a new Commissioner of Police in August and his will for reform have given cause for optimism.

**2. EU action – key focus areas:**

- promoting women's rights and tackling gender-based violence (GBV);
- safeguarding children's rights;
- the abolition of the death penalty;
- improving prison conditions and respect for prisoners' rights;
- combatting discrimination against LGBTI persons.

**3. EU bilateral political engagement:** On the political level a number of demarches delivered throughout the year permitted the EU Delegation to address certain issues connected to human rights, namely a local demarche promoting the abolition of the death penalty as well as a demarche encouraging Trinidad and Tobago to vote on a number of resolutions dealing with human rights presented before the 73rd General Assembly of the UN.

Additionally, in order to further promote its human rights priorities, the EU Delegation organised a number of public diplomacy activities. In honour of the 16 Days of Activism, the EU Delegation notably continued its *Let's Talk TT* campaign on GBV and gender inequalities together with the British High Commission, focussing on the male perspective on gender stereotypes and toxic masculinities via diverse media segments (radio shows, TV morning shows, an interview and a number of op-eds) and engaging a number of well-known local gender activists.

Together with the Australian High Commission, the EU Delegation organised a panel discussion in honour of International Day against the Death Penalty, on "A Dialogue on the Death Penalty in Trinidad and Tobago and the Caribbean - Moving towards Abolition", which provided an opportunity to Professor Rose-Marie Belle Antoine, Dean of the Faculty of Law of the UWI (University of the West Indies), to present her research on the abolition of the death penalty in Trinidad and Tobago from the EU-funded project: Elevating Human Rights to International Standards.

For the observation of the 70th anniversary of the Universal Declaration of Human Rights, the EU Delegation partnered with the Alliance Française to host an event focussing on the theme *Empowerment of Women and Girls*, screening the documentary "I am a Girl", picturing the reality of what it means to be a girl in the 21st century, followed by a Q&A with a panel of experts.

To further address the issue of prisoners' rights and prison conditions, the EU Delegation will be holding a panel discussion in cooperation with the Canadian High Commission in the second half of January 2019, focusing on restorative justice.

**4. EU financial engagement**: In order to implement these priorities, the EU Delegation continued to provide support to Trinidad and Tobago's Civil Society Organisations (CSOs) through the European Instrument for Democracy and Human Rights (EIDHR) thematic

budget allocations. The EIDHR has notably financed a project elevating human rights to international standards, undertaken by the University of the West Indies. In addition to training and public awareness, a number of targeted research and publication outputs have been achieved. Specifically, Shadow Reports on Gender and LGBTI rights containing law reform proposals and judicial precedents were produced. A book on the Death Penalty is still in production. These contain rich, substantive information in the respective areas, policy questions and proposals for future usage by policymakers, CSOs and other relevant institutions.

Another project, which sought to research, assess and highlight the outcomes of custody battles in T&T and provide support to single fathers and their families to manage conflicts and address the trauma resulting from the involuntary separation from their children, was able to use the research findings to successfully present its case before the Joint Select Committee on Human Rights, Equality and Diversity of the Parliament of Trinidad and Tobago, which recommended that a change is essential to level the playing field between fathers and mothers in the court system.

Two new projects were launched in 2017 and ongoing in 2018 to support civil society in their efforts to promote human rights and gender equality: a collaboration led by UWI and other leading LGBTI groups seeking to advance LGBTI rights and protection and forge strategies to end all forms of gender-based violence by mitigating violence, legal discrimination, bullying and homelessness related to sexual orientation. The other project focuses on promoting cultural changes in society and enhancing the capacity of CSOs with regards to GBV and LGBTI discrimination.

Regarding prisoners' rights and rehabilitation, the EU Delegation also signed a contract with the Vision on Mission to expand its Prisoner Pre-release and Resettlement Programme. It will include entrepreneurial training of pre-release clients and support the establishment of micro businesses, so as to reduce the level of recidivism. Another project supports the work of Brown Cotton Outreach, an organisation working with prisoners to develop emotional intelligence and life skills by using Carnival Theatre as a creative outlet.

**5. Multilateral context:** In the UN context, Trinidad and Tobago's voting pattern is similar to the EU Member states, except regarding country-specific resolutions which Trinidad and Tobago prefers not to support. In most of these cases, Trinidad and Tobago favours abstention.