



EUROPEAN PARLIAMENT THINK TANK – TOPICAL DIGEST

December 2019

The promotion and protection of human rights is a core and founding value of the EU. Awarded annually since 1988, the Sakharov Prize for Freedom of Thought is one of the actions through which the European Parliament supports human rights. The prize is awarded to individuals who have made an exceptional contribution to the fight for human rights across the globe, with the aim of drawing attention to human rights violations, as well as supporting the laureates and their causes. The 2019 Sakharov Prize laureate is awarded to Uyghur economics professor Ilham Tohti, a moderate advocate of the rights of the Uyghur minority, who in 2014 was sentenced to life in prison on separatism-related charges. [Born](#) in 1969, in China's north-western Xinjiang Uyghur Autonomous Region ([XUAR](#)), which is home to about 10 million Turkic-speaking [Uyghurs](#) (almost half the of the province's population), Ilham Tohti lectured at the Beijing-based Minzu University for ethnic minority studies and published [critical analyses](#) on the impact of the Chinese government's assimilation policies on the cultural, social, economic, political and religious life of Uyghurs. Tohti was opposed to radical separatist movements, instead standing for dialogue and reconciliation with the Han majority. The following European Parliamentary Research Service and Policy Department publications provide background information and analysis on the core principles of human rights.

Sakharov Prize:

[2019 Sakharov Prize laureate: Ilham Tohti](#)

'At a glance' note by Gisela Grieger, European Parliamentary Research Service, December 2019.

Space for freedom of thought is shrinking dramatically across the globe, as the geo-political and geo-economic clout of authoritarian regimes expands. The Sakharov Prize for Freedom of Thought is therefore more important than ever: it enables the European Parliament to draw attention to the plight of those who stand up against the repression of human rights and fundamental freedoms. The 2019 Sakharov Prize laureate is renowned Uyghur economics professor Ilham Tohti, a moderate advocate of the rights of the Uyghur minority and of dialogue with the Han majority. Ilham Tohti, who was already nominated in 2016, is the third Chinese and the first-ever Uyghur human-rights activist to receive the prize.

[Sakharov Prize: Voices of humanity](#)

'At a glance' note by Ionel Zamfir, European Parliamentary Research Service, May 2018

The EU is committed to protecting human rights through its external policy, in line with the Treaty on European Union. Supporting human rights defenders is an important part of this policy, as the EU recognises that they play a key role in standing up for fundamental rights, and protecting people whose human rights have been violated. The EU helps them through making political statements and diplomatic démarches, providing emergency aid and encouraging third countries to create a human rights-friendly environment.

[30 Years of the Sakharov Prize: The European Parliament upholding freedom of thought](#)

Study by Päivi Vaniomäki and Étienne Deschamps, Historical Archives Unit, EPRS, May 2018

This study, produced from archival material held by Parliament, looks first at the process by which the Sakharov Prize was instituted by the Parliament in the 1980s, at the decision to name it after Soviet dissident Andrei Sakharov, and at the conditions established for its award. It then looks at the shortlists and winners over each of the past 30 years, and features photos of the award ceremonies.

EU support for human rights:

[EU policies – Delivering for citizens: Human Rights](#)

Briefing by Ionel Zamfir, Martina Prpic and Rosamund Shreeves, EPRS, June 2019

Seventy years after the adoption of the Universal Declaration of Human Rights, the first international document to set common standards for all states, the pivotal role of human rights and their moral, legal and political significance in the international arena are indisputable. However, despite a lot of progress in many areas in terms of recognition, codification and implementation, human rights have more recently also come under increased attack from various angles. Illiberal forces aspiring to power and entrenched authoritarian regimes are attempting to undermine human rights and those who defend them. This briefing looks at the EU's approach to strengthening its role and image as a normative power that inspires others through its example

[EU support for human rights defenders around the world](#)

Briefing by Ionel Zamfir, European Parliamentary Research Service, November 2018

Human rights defenders (HRD) operate in an increasingly restrictive environment, and face a growing number of threats. The European Parliament has been a long-time advocate for a comprehensive EU policy on HRD and has actively contributed to its shaping. This briefing summarises EU policy on HRD and provides examples of EU action. It elaborates on the European Parliament's role, as well as its annual Sakharov Prize.

[EU policies – Delivering for citizens: EU support for democracy and peace in the world](#)

Briefing by Ionel Zamfir, European Parliamentary Research Service, June 2019

From the outset, the European Union has been an integration project directed at preserving peace among its Member States – a fundamental objective that it has succeeded in achieving for over 60 years. As a community of like-minded states, the EU is also based on certain fundamental values, such as democracy and the rule of law, which the Union aspires to promote, both internally and externally, and which guide all its policies.

[The European Parliament's evolving soft power – From back-door diplomacy to agenda-setting: Democracy support and mediation](#)

Briefing by Naja Bentzen and Beatrix Immenkamp, European Parliamentary Research Service, September 2019

Over recent decades, the European Parliament has significantly raised its profile as a credible moral force with strong focus on strengthening human rights, supporting democracy and enhancing the rule of law worldwide. Perhaps less visible than the European Parliament's Sakharov Prize for freedom of thought, the European Parliament's democracy support activities are part of its 'soft-power' approach to international relations.

[Human rights in EU trade agreements: The human rights clause and its application](#)

Briefing by Ionel Zamfir, European Parliamentary Research Service, July 2019

The practice of linking human rights with trade liberalisation has gained ground among many trade partners. The main mechanism for incorporating human rights into the EU's bilateral agreements consists of an 'essential elements' human rights clause that enables one party to take appropriate measures in case of serious breaches by the other party. So far, the EU has clearly preferred a constructive engagement to more restrictive measures, and has not activated the clause to suspend trade preferences under any of its trade agreements. Civil society and the European Parliament have, on the other hand, encouraged the European Commission to use such clauses in a more robust way in order to respond to serious breaches of human rights and democratic principles.

Human rights in EU trade policy: Unilateral measures applied by the EU

Briefing by Ionel Zamfir, European Parliamentary Research Service, May 2018

One of the EU's main tools to promote human rights in third countries is the generalised system of preferences (GSP), granting certain developing countries preferential trade access to the EU market. Covering 90 third countries, the scheme includes explicit human rights conditionality, providing that preferences can be withdrawn in case of massive and systematic violations of core human rights or labour rights norms. Suspension of preferences under GSP has been applied in only a few cases and, when it was, did not have an immediate and clear impact on the human rights situation. In practice, the EU has privileged a strategy of incentivising gradual progress through dialogue and monitoring, rather than withdrawing preferences. The EU's unilateral trade measures to protect human rights are not limited to the GSP. The EU has taken steps to prohibit or limit trade in items that could cause human rights violations, such as torture and execution equipment, and dual use goods.

EU sanctions: A key foreign and security policy instrument

Briefing by Martin Russell, European Parliamentary Research Service, May 2018

Sanctions have become an increasingly central element of the EU's common and foreign security policy. The declared purpose of EU sanctions is to uphold the international security order as well as defending human rights and democracy standards, by encouraging targeted countries to change their behaviour. Measuring their effectiveness is difficult, as sanctions rarely achieve all their aims, and usually there are other causes to which changes can be attributed. However, even when this primary purpose is not achieved, sanctions may have useful secondary effects, for example by deterring other actors from similar behaviour.

Enhancing EU actions on economic, social and cultural rights within its human rights policy

Study by European Parliament's Policy Department for External Policies, February 2018

Article 21 of the Treaty on the European Union (TEU) affirms that the EU's external action should be guided by the principle of 'the universality and indivisibility of human rights'. However, economic, social and cultural rights (ESC rights) have received less attention than their civil and political counterparts within this sphere of EU activity. The study analyses the progress made by the EU in implementing its commitment to respect, protect and fulfil ESC rights in its external action, making specific reference to three such rights – namely the right to just and favourable conditions of work, the right to an adequate standard of living and the right to education.

International human rights instruments:

The Universal Declaration of Human Rights and its relevance for the European Union

'At a glance' note by Ionel Zamfir, European Parliamentary Research Service, November 2018

Seventy years after its adoption, the Universal Declaration of Human Rights has achieved all the significance its drafters had hoped for. It has served as the foundation for the legal codification of human rights, whether at global, regional or national levels. Even though non-binding in nature, it has significantly shaped many national constitutions, and many of its provisions have been incorporated into customary international law. This note shows the important role of the UDHR in guiding EU external policies and its use as a reference for EU legislation.

Towards a binding international treaty on business and human rights

Briefing by Ionel Zamfir, European Parliamentary Research Service, November 2018

To prevent human rights abuses by transnational corporations, the UN established an intergovernmental working group in 2014 to draft a binding treaty on human rights and business. After warning at the outset of the risk of undermining the UN Guiding Principles, the EU is now a strong advocate for a treaty encompassing all businesses, not only transnational ones. However, the treaty remains controversial. This briefing provides an overview of the debate and discusses the treaty proposal and stakeholders' positions.

International Criminal Court: Achievements and challenges 20 years after the adoption of the Rome Statute

Briefing by Ionel Zamfir, European Parliamentary Research Service, July 2018

The International Criminal Court (ICC) has conducted investigations and trials in connection with some of the world's most brutal conflicts, and has not shied away from investigating even at the highest levels of power. However, the Court has encountered difficulties and inherent limitations: atrocities committed by groups such as

ISIL/Da'esh have been out of its reach, and the unwillingness of some states to join or cooperate have put strains on its authority. This briefing outlines the Court's structure, its main challenges and the EU's support.

[United Nations Human Rights Council \(UNHRC\)](#)

'At a glance' note by Joanna Apap, European Parliamentary Research Service, March 2018

In the twelve years of its existence, the United Nations Human Rights Council (UNHRC) has actively defended human rights worldwide. Its robust mandate and unique set of mechanisms, such as universal periodic review and special procedures, provide a system for prevention, technical assistance and capacity-building, as well as a mechanism to respond to cases of grave violations of human rights. This note outlines the UNHRC's mandate, structure and functioning.

[Expansion of the concept of human rights: Impact on rights promotion and protection](#)

Study by the European Parliament Policy Department for External Policies, March 2018

The report summarises the proceedings of a workshop organised by the European Parliament's Subcommittee on Human Rights (DROI). Academics, representatives of non-governmental organisations (NGOs) and the European External Action Service (EEAS) discussed the potential positive and negative impacts of the expansion of the human rights concept on the lives of individuals.

Further reading:

[Major sporting events versus human rights: Parliament's position on the 1978 FIFA World Cup in Argentina and the 1980 Moscow Olympics](#)

Briefing by Christian Salm, Historical Archives Unit, European Parliamentary Research Service, June 2018

[Freedom of conscience around the world](#)

Briefing by Philippe Perchoc, European Parliamentary Research Service, April 2018

[Religion and human rights](#)

Briefing by Martina Prpic, European Parliamentary Research Service, November 2018

[Democracy support in EU external policy](#)

Briefing by Ionel Zamfir, European Parliamentary Research Service, February 2018

[Indivisibility of Human Rights: Unifying the two Covenants on Human Rights?](#)

'At a glance' note by Joanna Apap, European Parliamentary Research Service, November 2018

[Arbitrary detention of women and children for immigration-related purposes](#)

Briefing by Joanna Apap, European Parliamentary Research Service, March 2016

[Towards a comprehensive EU protection system for minorities](#)

Study by European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs, August 2017

[The European Parliament's Sakharov Prize for Freedom of Thought, 1988-2013 – A Quarter Century's Engagement in Human Rights](#)

Study by the European Parliament Policy Department for External Policies, December 2013

You can access this Topical Digest at

http://www.europarl.europa.eu/EPRS/TD_Sakharov_Prize_Dec_2019_final.pdf & <https://epthinktank.eu/high-level-conferences/>

or by scanning the QR code.

More information on the Europarl website:

<https://www.europarl.europa.eu/sakharovprize/en/home/the-prize.html>

