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DRAFT REPORT

on human rights and democracy in the world and the European Union's policy
on the matter – annual report 2023
(2023/2118(INI))

Committee on Foreign Affairs

Rapporteur: Nacho Sánchez Amor

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on human rights and democracy in the world and the European Union's policy on the matter – annual report 2023
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The European Parliament,

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention on Human Rights,
- having regard to Articles 2, 3, 8, 21 and 23 of the Treaty on European Union (TEU),
- having regard to Articles 17 and 207 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Universal Declaration of Human Rights and other United Nations human rights treaties and instruments,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and United Nations Human Rights Council resolution 43/29 of 22 June 2020 on the prevention of genocide,
- having regard to the United Nations Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979,
- having regard to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by United Nations General Assembly resolution 36/55 of 25 November 1981,
- having regard to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 18 December 1992,
- having regard to the United Nations Declaration on Human Rights Defenders, adopted by consensus by the United Nations General Assembly resolution 53/144 on 9 December 1998,
- having regard to the United Nations Convention on the Rights of the Child of 20 November 1989 and the two Optional Protocols thereto, adopted on 25 May 2000,
- having regard to the United Nations Arms Trade Treaty, which entered into force on 24 December 2014, and the EU Code of Conduct on Arms Exports of 5 June 1998,
- having regard to the United Nations Beijing Declaration of September 1995,
- having regard to the United Nations 2030 Agenda for Sustainable Development adopted

on 25 September 2015, in particular goals 1, 4, 5, 8 and 10 thereof,

- having regard to the Council of Europe Conventions of 4 April 1997 for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, and the Additional Protocols thereto, of 16 May 2005 on Action against Trafficking in Human Beings, and of 25 October 2007 on the Protection of Children against Sexual Exploitation and Sexual Abuse,
- having regard to the Council of Europe Convention of 11 May 2011 on preventing and combating violence against women and domestic violence (the Istanbul Convention), which not all Member States have ratified,
- having regard to Protocol No. 6 to the Council of Europe Convention of 28 April 1983 for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty,
- having regard to Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses¹,
- having regard to Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009²,
- having regard to the Council conclusions of 20 February 2023 on EU priorities in UN human rights fora 2023,
- having regard to the EU Action Plan on Human Rights and Democracy 2020-2024, adopted by the Council on 17 November 2020 and its Mid-term Review adopted on 9 June 2023,
- having regard to the EU Action Plan on Gender Equality and Women’s Empowerment in External Action 2021-2025 (GAP III),
- having regard to the EU Strategy on the Rights of the Child 2021-2024,
- having regard to the EU Guidelines on human rights defenders, adopted by the Council on 14 June 2004,
- having regard to the EU Guidelines on promoting compliance with international humanitarian law of 2005, as updated in 2009,
- having regard to the EU Guidelines on the death penalty, as updated by the Council on 12 April 2013,
- having regard to the EU Guidelines to promote and protect the enjoyment of all human

¹ OJ L 410 I, 7.12.2020, p. 1.

² OJ L 209, 14.6.2021, p. 1.

rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, adopted on 24 June 2013,

- having regard to the EU Human Rights Guidelines on freedom of expression online and offline, adopted by the Council on 12 May 2014,
- having regard to the EU Human Rights Guidelines on non-discrimination in external action, adopted by the Council on 18 March 2019,
- having regard to the EU Human Rights Guidelines on safe drinking water and sanitation, adopted by the Council on 17 June 2019,
- having regard to the revised Guidelines on the EU's policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, adopted by the Council on 16 September 2019,
- having regard to the revised EU Guidelines on human rights dialogues with partner/third countries, approved by the Council on 22 February 2021,
- having regard to the Commission communication of 12 September 2012 entitled 'The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations' (COM(2012)0492),
- having regard to the Council conclusions of 10 March 2023 on the role of the civic space in protecting and promoting fundamental rights in the EU,
- having regard to the Commission proposal for a directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937 (COM(2022)0071),
- having regard to the EU Annual Report on Human Rights and Democracy in the World 2022,
- having regard to its Sakharov Prize for Freedom of Thought,
- having regard to its resolution of 15 January 2019 on EU Guidelines and the mandate of the EU Special Envoy on the promotion of freedom of religion or belief outside the EU³,
- having regard to its resolution of 23 October 2020 on Gender Equality in EU's foreign and security policy⁴,
- having regard to its resolution of 19 May 2021 on human rights protection and the EU external migration policy⁵,
- having regard to its resolution of 19 May 2021 on the effects of climate change on

³ OJ C 411, 27.11.2020, p. 30.

⁴ OJ C 404, 6.10.2021, p. 202.

⁵ OJ C 15, 12.1.2022, p. 70.

- human rights and the role of environmental defenders on this matter⁶,
- having regard to its resolution of 8 July 2021 on the EU Global Human Rights Sanctions Regime (EU Magnitsky Act)⁷,
 - having regard to its resolution of 16 September 2021 with recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU⁸,
 - having regard to its recommendation of 17 February 2022 to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy concerning corruption and human rights⁹,
 - having regard to its resolution of 18 January 2023 on human rights and democracy in the world and the European Union’s policy on the matter – annual report 2022¹⁰, and to its previous resolutions on earlier annual reports,
 - having regard to its resolutions on breaches of human rights, democracy and the rule of law (known as urgency resolutions), adopted in accordance with Rule 144 of its Rules of Procedure since 2019, in particular those adopted in 2022 and 2023,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A9-0000/2023),
- A. whereas the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, as set out in Article 2 TEU; whereas the Union’s action worldwide is guided by the universality and indivisibility of human rights;
- B. whereas, according to the Treaties, the effective protection and defence of human rights and democracy is at the core of the EU’s external action;
- C. whereas consistency and coherence among the EU’s internal and external policies are key for achieving an effective EU human rights policy;
- D. whereas the countries that have guaranteed every person the ability to enjoy their human rights are democracies; whereas rules-based multilateralism is the best organisational system to defend democracies;
- E. whereas the number of autocracies has increased, with 70 % of the world’s population now living under authoritarian rule according to the University of Gothenburg¹¹; whereas this rise in authoritarianism, illiberalism and populism threatens the global

⁶ OJ C 15, 12.1.2022, p. 111.

⁷ OJ C 99, 1.3.2022, p. 152.

⁸ OJ C 117, 11.3.2022, p. 88.

⁹ OJ C 342, 6.9.2022, p. 295.

¹⁰ Texts adopted, P9_TA(2023)0011.

¹¹ University of Gothenburg, ‘The world is becoming increasingly authoritarian - but there is hope’, 2 March 2023 <https://www.gu.se/en/news/the-world-is-becoming-increasingly-authoritarian-but-there-is-hope>.

rules-based order, the protection and promotion of human rights in the world, as well as the values and principles on which the Union is founded;

- F. whereas this year's mid-term review of the EU Action Plan on Human Rights and Democracy 2020-2024 has shown that, despite the progress achieved so far, more needs to be done, especially in the context of the unprecedented challenges the world has experienced since its adoption;

Addressing global trends and major challenges

1. Reasserts the universality and indivisibility of human rights and the inherent dignity of every human being; reaffirms the duty of the EU and its Member States to promote and protect democracy and the universality of human rights around the world;
2. Stresses that the EU must be fully prepared to counter the rise of authoritarianism, illiberalism and populism as well as the increasing attacks on the universality of human rights, democracy and international humanitarian law;
3. Condemns the increasing trend of violations of human rights and democratic values across the world, such as executions, torture, arbitrary arrests and detentions, clampdowns on civil society and political opponents, excessive use of violence by public authorities, censorship and threats to independent media, among others; deplores the weakening of the protection of democratic institutions and the shrinking space for civil societies around the world;
4. Points to the increased toolkit used by authoritarian and illiberal regimes to build a framework to erode human rights via legislative and non-legislative provisions which are used to silence and threaten civil society, control the judiciary and persecute human rights defenders among others, limiting the enjoyment of fundamental rights which is a blatant violation of their international human rights obligations;
5. Notes with satisfaction that there are also 'human rights bright spots' within this context of major challenges to human rights worldwide; underlines the need for a more strategic communication on human rights and democracy by spreading news about positive results, policies and best practices; supports the Good Human Rights Stories initiative¹² as a way of promoting positive stories about human rights;

Responding to universal human rights and democracy challenges

Upholding international human rights and humanitarian law

6. Underlines the need to uphold international humanitarian law; calls to effectively guarantee the rapid and unimpeded passage of humanitarian aid during armed conflicts and for the systematic creation of humanitarian corridors when and where needed in situations of armed conflicts and war; condemns the disastrous humanitarian consequences and human rights violations caused by modern warfare and conflicts worldwide; points to the gendered impacts of armed conflict as well as its

¹² <https://goodhumanrightsstories.net/>.

environmental consequences;

Right to life: towards the universal abolition of the death penalty

7. Notes that despite the trend in some non-EU countries to take steps towards abolishing the death penalty, significant challenges in this regard still exist; deplores the fact that in other non-EU countries the number of death sentences that have been carried out has reached its highest level in the last five years; reiterates its call for all countries to completely abolish the death penalty or establish an immediate moratorium as a first step towards its abolition;

Right to freedom of expression, media freedom and the right to information

8. Is deeply concerned by the increasing setbacks to freedom of expression and media freedom around the world, particularly for journalists; condemns the censorship of journalists, human rights defenders and civil society organisations through the application of so-called 'foreign agents' laws, as well as other legislative and non-legislative measures adopted by authoritarian and illiberal regimes; recalls its deep concern over the use of strategic lawsuits against public participation to silence them;

Right to freedom of thought, conscience, religion and belief

9. Reiterates its concern regarding violations of the right to freedom of thought, conscience, religion and belief; deplores the instrumentalisation of religion or belief identities for political purposes and the exclusion of religious and belief minorities and religious communities in certain non-EU countries; recommends that the special envoy work closely and in a complementary manner with the EU Special Representative (EUSR) for Human Rights and the Council Working Party on Human Rights and, to this end, considers that the Special Envoy for the promotion of freedom of religion and belief outside the EU should be integrated into the European External Action Service in a similar way to the other special envoys and EU special representatives;

Right to equality and non-discrimination

10. Reiterates its condemnation of all forms of racism, intolerance, xenophobia and discrimination on the basis of race, ethnicity, nationality, social class, disability, caste, religion, belief, age, sexual orientation or gender identity; condemns the growing international threat of hate speech, including online; reiterates the crucial role of education and dialogue in promoting tolerance, understanding and diversity;

Right to freedom from torture and inhuman or degrading treatment

11. Condemns any action or attempt to legalise, instigate, authorise, or consent or acquiesce to torture and other cruel, inhuman or degrading treatment or punishment methods under any circumstances;

Right to public participation

12. Notes that the right to participate in free and fair elections is not respected in authoritarian and illiberal regimes; highlights that these regimes conduct fake elections

with the aim of entrenching their power, as they lack real political contestation and pluralism; reiterates its calls for the EU to explore the introduction of a standing invitation for election observation within the democratic clause in EU agreements, the Generalised Scheme of Preferences and equivalent mechanisms;

Rights of women and gender equality

13. Stresses that women's rights and gender equality are indispensable and indivisible human rights, as well as a basis for the rule of law and resilient democracies; deplores the fact that millions of women and girls continue to experience discrimination and violence, especially in the context of conflicts, and are denied of their dignity, autonomy and even life; calls for the EU, its Member States and like-minded partners to step up their efforts to ensure the full enjoyment and protection of their human rights; calls for an EU charter of women's rights; condemns in the strongest terms the increasing attacks on sexual and reproductive health and rights around the world, as well as gender-based violence; welcomes the accession of the EU to the Istanbul Convention;

Rights of migrants and refugees

14. Denounces the erosion of the human rights and the safety of migrants, refugees and forcibly displaced persons; reaffirms their inalienable human rights and recalls the obligation of states to protect them in accordance with pertinent international law; calls for the EU and its Member States to effectively uphold their rights in the EU's migration policy and its cooperation with partner countries in this regard; is extremely concerned by the unprecedented number of forcibly displaced people as a result of human rights violations (122 million by the end of 2022), which has doubled in the past 10 years;

Human rights, business and trade

15. Stresses the role of trade as a major instrument to promote and improve the human rights situation in the EU's partner countries; notes, however, that there has been little to no improvement in some of the countries concerned; deplores the detrimental effects of excessive and exploitative business activities on human rights and democracy; calls for a swift and ambitious final agreement on the directive on corporate sustainability due diligence with binding EU rules on responsible corporate behaviour with regard to human, labour and environmental rights and a timely finalisation of the forced labour product ban to ensure that products made with forced labour are prohibited on the Union market;

Rights of LGBTIQ+ people

16. Deplores the human rights violations, including discrimination, persecution, violence and killings against lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ+) people around the world; is extremely concerned by the spreading of hatred and anti-LGBTIQ+ narratives and legislation, targeting LGBTIQ+ people and human rights defenders; reiterates its calls for the full implementation of the LGBTIQ Equality Strategy 2020-2025 as the EU's tool for improving the situation of LGBTIQ+ people around the world;

Rights of the child

17. Condemns the decline in the respect for the rights of the child and the increasing violations of these rights, including through violence, early and forced marriage, sexual abuse including genital mutilation, trafficking, child labour, recruitment of child soldiers, the lack of access to education and healthcare, malnutrition and extreme poverty; reiterates its call for a systematic and consistent approach to promoting and defending children's rights through all EU external policies;

Rights of persons with disabilities

18. Is concerned by the challenges to the full enjoyment of the rights of persons with disabilities, such as access to education, healthcare and employment, and participation in political life; reiterates its calls for the EU to assist partner countries in the development of policies in support of carers for persons with disabilities;

Rights of elderly people

19. Reiterates its call for the EU and its Member States to develop new avenues to strengthen the rights of elderly people taking into account the multiple challenges they face, such as age-based discrimination, poverty, violence and a lack of social protection, among others;

Right to food

20. Recalls that the right to food, including having physical and economic access to adequate food or the means to its procurement, is a human right; is extremely concerned about the challenges to the right to food worldwide, especially in situations of war and conflicts; calls for the EU and its Member States to promote mandatory guidelines on the right to food within the UN system;

Right to a clean, healthy and sustainable environment

21. Highlights that climate change and its impact on the environment has direct effects on the effective enjoyment of all human rights; recognises the important work of civil society organisations, environmental human rights defenders and indigenous activists for the protection of a clean, healthy and sustainable environment; deplores the risk that environmental human rights defenders and indigenous activists face and calls to guarantee their effective protection;

Human rights and digital technologies

22. Is concerned by the threat that artificial intelligence (AI) can pose to democracies and human rights, especially if it is not duly regulated; welcomes the Council conclusions of 26 June 2023 to strengthen the EU's role and leadership in global digital governance, in particular its position as a shaper of the global digital rulebook, and in this sense welcomes the proposal for a regulation to harmonise the rules on AI which need to protect human rights and the advantages that AI can offer for human well-being;

Strengthening the EU's toolbox for the promotion and protection of human rights and

democracy around the world

EU action plan on human rights and democracy

23. Observes that the implementation so far of the EU action plan on human rights and democracy by the EU and its Member States, although substantial, is still lagging, in particular, as stated at its mid-term review, due to the unprecedented challenges the world has experienced since its adoption, welcomes, in this sense, the reinforcement of the action plan for its remaining period, with a view to maximising the synergies and complementarity between human rights and democracy at local, national and global levels;

EU Special Representative for Human Rights

24. Fully supports the work of the EUSR for Human Rights in contributing to the visibility and coherence of the EU's human rights actions in the EU's external relations; upholds his central role in the EU's promotion and protection of human rights by engaging with third countries and like-minded partners;

Neighbourhood, Development and International Cooperation Instrument – Global Europe and the human rights and democracy thematic programme

25. Recalls the fundamental role Neighbourhood, Development and International Cooperation Instrument – Global Europe, including its thematic programme on human rights and democracy, plays as an EU flagship instrument in promoting and protecting human rights and democracy around the world; highlights the need to engage with civil society in all the EU's relevant external activities; reiterates the importance of streamlining a human-rights based approach in the EU's external action instruments;

EU international agreements

26. Stresses that human rights clauses should apply to all EU international agreements as an 'essential element', including sectoral and investment agreements; notes that until 2014 the EU formally activated the human rights clauses on two dozen occasions and since then it has only adopted 'appropriate measures' under these clauses on one occasion; reiterates that in the face of persistent breaches of human rights clauses by its partner countries the EU should react swiftly and decisively, including by suspending the relevant agreements if other options prove ineffective;

EU human rights dialogues

27. Stresses the important role of human rights dialogues within the EU's human rights toolbox and as a key vehicle for the implementation of the EU action plan on human rights and democracy; highlights that these dialogues should address the situation of all human rights and democracy with the relevant countries; notes that human rights dialogues should be seen as a key element of sustained EU engagement and not as a free-standing instrument; recalls that these dialogues need to be used in conjunction and synergy with other instruments; reiterates the need to raise individual cases and ensure an adequate follow-up; calls to increase the visibility of these dialogues and their outcomes including through the publication of a joint press statement;

EU Global Human Rights Sanctions Regime (GHRSR)

28. Welcomes the increasing use of the EU GHRSR as a key political tool in the EU's defence of human rights and democracy across the world; notes, however, the challenges that the requirement of unanimity poses in their adoption and reiterates its call for the introduction of qualified majority voting for decisions on the GHRSR; fully supports the possibility of imposing targeted anti-corruption sanctions within the EU framework in this regard, which has been a long-standing priority of Parliament, whether through its inclusion in the GHRSR or with a different regime; highlights the need for the complete enforcement of sanctions and calls for circumventions to be tackled;

Democracy support activities

29. Reiterates its concern regarding the increasing attacks by authoritarian and illiberal regimes on democracy and democratic standards; stresses that the defence and support of democracy around the world is increasingly becoming of geopolitical and strategic interest; reiterates the importance of EU election observation missions and Parliament's contribution to developing and enhancing their methodology; calls for the resources of the European Parliament's Democracy Support and Election Coordination Group to be strengthened;

EU support to human rights defenders

30. Is extremely concerned by the attacks on and harassment of human rights defenders, as well as their families, communities and lawyers, and finds the increasingly sophisticated means used to persecute them particularly concerning; supports wholeheartedly the work of human rights defenders and EU action to ensure their protection worldwide; calls for the complete and consistent application of the EU Guidelines on human rights defenders by the EU and its Member States; calls for efforts to strengthen the visibility of EU actions and channels for the protection and support of human right defenders; reiterates its call for the Commission to take a proactive role in the establishment of an EU-wide multi-entry visa scheme for human rights defenders at risk;

Combating impunity and corruption

31. Underlines that both impunity and corruption enable and aggravate human rights abuses and democratic decline; welcomes the anti-corruption actions in EU external policies in the joint communication of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 3 May 2023 on the fight against corruption (JOIN(20203)0012); supports the anti-corruption provisions included in the EU trade agreements with non-EU countries; stresses the important role of civil society in non-EU countries in the oversight of the fight against impunity and corruption;

EU actions at multilateral level

32. Reiterates the need for the EU and its Member States to speak with one voice at the UN and in other multilateral forums; calls for the EU and its Member States to guarantee a separate and permanent seat for the Union in multilateral forums, including the UN Security Council; calls for EU delegations to play a stronger role in multilateral forums,

for which they should have appropriate resources available;

33. Welcomes the political and financial support the EU has given to the International Criminal Court (ICC), including the office of the Prosecutor of the ICC; asks the EU and its Member States to keep supporting the ICC with the necessary means and resources and to use all instruments at its disposal to strengthen the fight against impunity worldwide;

Team Europe approach

34. Regrets the cases of different approaches to human rights protection and promotion in non-EU countries seen in Member States' embassies and EU delegations; underlines that Member States' embassies should make playing an increasing role in promoting and protecting human rights a priority, while also supporting civil society in non-EU countries: notes that this responsibility should not fall entirely on the EU Delegations; urges the EU and its Member States to intensify their efforts to promote and protect human rights and democracy worldwide;

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35. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European Union Special Representative for Human Rights, the governments and parliaments of the Member States, the United Nations Security Council, the United Nations Secretary-General, the President of the 77th session of the United Nations General Assembly, the President of the United Nations Human Rights Council, the United Nations High Commissioner for Human Rights and the European Union Heads of Delegation.

EXPLANATORY STATEMENT

Each year, the European Parliament adopts three annual reports on the EU's foreign, security and defence, and human rights policies.

The three reports are on:

- the implementation of the Common Foreign and Security Policy - annual report 2023 (based on the report of the High Representative of the Union for Foreign Policy to the European Parliament on the Common Foreign and Security Policy) - competence of the AFET Committee,
- Human Rights and Democracy in the world and the European Union's policy on the matter - annual report 2023 (based on the EU Annual report on Human Rights and Democracy in the World 2022) - competence of the DROI Subcommittee, and
- the implementation of the Common Security and Defence Policy - annual report 2023 (based on the report of the High Representative of the Union for Foreign Policy to the European Parliament on the Common Foreign and Security Policy) - competence of the SEDE Subcommittee.

These reports monitor and assess the implementation of the Common Foreign and Security Policy, including the EU policy on Human Rights and the Common Security and Defence Policy. They are a key component of the European Parliament's contribution to EU foreign policy making, most notably in regard to the strengthened right of scrutiny conferred to the European Parliament by the Treaty of Lisbon. It is essential that the European Parliament responds to the annual reports issued by other institutions as soon as they are published.