



## HUMAN RIGHTS

The European Union is committed to supporting democracy and human rights in its external relations, in accordance with its founding principles of liberty, democracy and respect for human rights, fundamental freedoms and the rule of law. The EU seeks to mainstream human rights concerns into all its policies and programmes, and has different human rights policy instruments for specific actions — including financing specific projects through its financing instruments.

### LEGAL BASIS

- Article 2 of the Treaty on European Union (TEU): EU values. The EU's founding values are 'human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities';
- Article 3 of the TEU: EU objectives. In 'its relations with the wider world', the EU contributes to the 'eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter';
- Article 6 of the TEU: the Charter of Fundamental Rights and the European Convention on Human Rights. Although the Charter of Fundamental Rights of the European Union (Article 6(1)) only explicitly refers to the implementation of Union law, the EU's institutions and bodies and its Member States must also respect the Charter in the EU's external relations. Countries joining the EU must also comply with the Charter. Article 6(2) requires the EU to accede to the European Convention on Human Rights (4.1.2);
- Article 21 of the TEU: principles inspiring the Union's external action. These principles are democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity, and respect for the principles of the United Nations Charter of 1945 and international law. In Article 21, the EU endorses the principle of the 'indivisibility of human rights and fundamental freedoms', committing itself to considering economic and social rights to be as important as civil and political rights;
- Article 205 of the Treaty on the Functioning of the European Union (TFEU): general provisions on the Union's external action. This article determines that the EU's international actions are to be guided by the principles laid down in Article 21 of the TEU.



## EU HUMAN RIGHTS POLICY

In 2012, the Council adopted a [Strategic Framework on Human Rights and Democracy](#), accompanied by an action plan to implement the framework. The framework defines the principles, objectives and priorities for improving the effectiveness and consistency of EU policy over the next 10 years. These principles include mainstreaming human rights into all EU policies (as a 'silver thread'), including when internal and external policies overlap, and adopting a more tailored approach. Following a proposal from the European Commission and the Vice-President / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), in November 2020 the Council adopted the third [EU Action Plan on Human Rights and Democracy](#). It sets out the EU's ambitions and priorities for the period 2020-2024, structured around five main areas of action:

- Protecting and empowering individuals;
- Building resilient, inclusive and democratic societies;
- Promoting a global system for human rights and democracy;
- New technologies: harnessing opportunities and addressing challenges;
- Delivering by working together.

The Council has adopted a series of thematic [guidelines on human rights](#). They provide practical instructions for EU representations around the world on:

- Action against the death penalty
- Dialogues on human rights
- The rights of the child
- Action against torture and other cruel treatment
- Protecting children in armed conflicts
- Protecting human rights defenders
- Complying with international humanitarian law
- Combating violence against women and girls
- Promoting freedom of religion and belief
- Protecting the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people
- Promoting freedom of expression both online and offline
- Non-discrimination in external action
- Safe drinking water and sanitation.

The EU's human rights and democracy country strategies follow a bottom-up approach aimed at integrating EU human rights guidelines and priorities into a single, coherent policy document. They are adapted to each country and establish goals for a period of three years.



The EU regularly includes human rights in political dialogues with third countries or regional organisations. It also holds dialogues and consultations specifically dedicated to human rights with some 60 countries.

Bilateral trade agreements and the various association and cooperation agreements between the EU and third countries or regional organisations include a human rights clause defining respect for human rights as an ‘essential element’. This clause serves as an access point for engagement and dialogue, but also as a basis for imposing appropriate measures, such as reducing or suspending cooperation, in the event of grave violations of human rights and democratic principles. Incentives for ratifying and implementing human rights and labour rights conventions are provided for in the preferential EU trade schemes for developing countries ([5.2.3](#)).

A strong conditionality mechanism has been established for enlargement countries ([5.5.1](#)). Before joining the EU these countries have to develop stable institutions guaranteeing democracy, the rule of law, human rights and respect for and the protection of minorities, a process actively supported by the EU. The European Neighbourhood Policy ([5.5.5](#)) is also based on common values of democracy, the rule of law and respect for human rights. The EU supports partner countries in implementing reforms and applies a ‘more-for-more’ approach (more integration and money to reward progress).

EU election observation missions also aim to improve human rights by discouraging intimidation and violence during elections and strengthening democratic institutions.

The EU promotes human rights through its participation in multilateral forums such as the UN General Assembly’s Third Committee, the UN Human Rights Council, the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe. The EU also actively promotes international justice, for example through the International Criminal Court.

With a budget of EUR 1.511 billion allocated for the period 2021-2027, the thematic programme on human rights and democracy under the [Neighbourhood, Development and International Cooperation Instrument – Global Europe](#) mainly supports and protects civil society actors that promote human rights and democracy. An important feature of this instrument is that the consent of the government of the partner country is not necessary. In addition, the EU has committed to progressively integrating a rights-based approach into all its development programmes, based on a toolbox developed by the Commission in 2014, and [updated in 2021](#).

In December 2020, the Council adopted a [regulation](#) establishing a global human rights sanction regime. It allows the EU to target individuals, entities and bodies – including state and non-state actors – responsible for, involved in or associated with serious human rights violations and abuses worldwide. As of October 2023, the Council has imposed [restrictive measures](#) (asset freezes and, where relevant, travel bans) on 67 individuals and 20 entities.

In light of increasing evidence and awareness of human rights violations occurring in global value chains, in February 2022 the Commission presented a [proposal](#) for a directive on corporate sustainability due diligence. This directive would legally require



companies to identify and, where necessary, prevent, end or mitigate adverse impacts of their activities on human rights and the environment. In June 2023, Parliament adopted amendments to the Commission's proposal in plenary, while inter-institutional negotiations are ongoing.

On 14 September 2022, the Commission published a complementary [proposal](#) for a regulation which would provide for a marketing ban on the EU market for goods made using forced labour. Parliament-led committees adopted their position on [16 October 2023](#).

An [annual report on human rights and democracy in the world](#), prepared by the VP/HR and adopted by the Council, provides an overview of the human rights situation in the world, as well as of the EU's actions during the year.

## ACTORS

The European Council defines the EU's strategic interests and the general guidelines of the common foreign and security policy (CFSP) ([5.1.1](#)).

The Foreign Affairs Council generally deals with human rights issues related to the CFSP or the EU's trade or development policies. The Council's Human Rights Working Group (COHOM), which carries out preparatory work for high-level discussions and decisions on human rights issues, is composed of human rights experts from the Member States and representatives from the European External Action Service (EEAS) and the Commission.

Every EU delegation has a human rights 'focal point'. The EU delegations have a key role in developing and implementing the human rights and democracy strategies for each country, preparing human rights dialogues, engaging with human rights defenders and civil society, and identifying priorities for EU financial assistance.

The Commission negotiates international agreements, oversees the enlargement process and neighbourhood policy, and manages development programmes and financing instruments (in close cooperation with the EEAS).

The role of the EU Special Representative for Human Rights is to enhance the effectiveness and visibility of EU human rights policy. The Special Representative has a broad, flexible mandate and works closely with the EEAS. The position is currently held by Eamon Gilmore, who took up his duties on 1 March 2019.

Parliament contributes to the development of the EU's policies and monitors the work of the other EU institutions.

Under Articles 207 and 218 of the TFEU, most international agreements need Parliament's consent to enter into force. For example, in 2011, Parliament blocked the textile protocol to the Partnership and Cooperation Agreement (PCA) between the EU and Uzbekistan, mainly on the grounds of child labour issues. It only gave its consent in 2016 following significant improvements in the use of child and forced labour.

Article 36 of the TEU obliges the VP/HR to consult Parliament on the main aspects and basic choices of the CFSP, and to inform it on the evolution of those policies. Parliament may ask questions or make recommendations to the Council or the VP/HR.



Parliament's resolutions aim to raise awareness of human rights abuses, support human rights defenders and shape the EU's human rights policy through concrete policy proposals. Resolutions may be a part of the legislative process, an outcome of parliamentary committees' own-initiative reports, or the result of the [urgency debates](#) that usually take place on the Wednesday of each Strasbourg plenary session to highlight flagrant violations of human rights across the world. Parliament's annual resolution on [human rights and democracy in the world and the European Union's policy on the matter](#) analyses the achievements of the EU's policy and the challenges facing it.

Parliament's [Subcommittee on Human Rights \(DROI\)](#), attached to the Committee on Foreign Affairs (AFET), is responsible for issues concerning democracy, the rule of law, human rights — including the rights of minorities — in third countries and the principles of international law, and for ensuring coherence between all the EU's external policies and its human rights policy. The Subcommittee also handles the day-to-day management of human rights dossiers, while its delegations regularly visit relevant countries and institutions. The Subcommittee monitors the follow-up to the Parliament's urgency resolutions and holds frequent exchanges with the EEAS about the EU's human rights dialogues.

Human rights issues in the EU's external relations are also dealt with by the following committees: the Committee on Foreign Affairs (AFET), the Committee on International Trade (INTA), the Committee on Development (DEVE) and the Committee on Women's Rights and Gender Equality (FEMM). Human rights are equally an essential element of the work of Parliament's standing delegations, which interact with non-EU parliaments bilaterally and in the context of parliamentary assemblies.

Thanks to its budgetary powers (under Article 14 of the TEU and Article 310(1) of the TFEU), Parliament has a say in the allocation of funds to Global Europe and other financing instruments used for the promotion of human rights. Furthermore, Parliament is co-legislator for the external financing instruments.

Every year, Parliament awards the [Sakharov Prize for Freedom of Thought](#) to human rights activists around the world. On 19 October 2023 Jina Mahsa Amini and the Woman, Life, Freedom Movement in Iran won the Sakharov Prize for 2023. The 2022 laureates were the brave people of Ukraine, represented by their president, elected leaders and civil society. Ukrainian President Volodymyr Zelenskyy spoke via video link at the award ceremony on 14 December 2022 in Strasbourg. In 2021, the Sakharov Prize was awarded to Alexei Navalny, Russia's most prominent opposition figure, known for his fight against corruption and human rights abuses and, in 2020, it was awarded to the democratic opposition in Belarus. Previous laureates include Nelson Mandela, Malala Yousafzai and Raif Badawi. Parliament has created the Sakharov Prize Network to support Sakharov laureates, develop contacts between them and encourage joint activities.

Parliament promotes human rights as part of its broader democracy support activities, which include election observation, pre- and post-election actions, parliamentary capacity building, mediation and dialogue on promoting democracy ([5.4.2](#)).



The President of Parliament actively supports human rights through statements and letters and by discussing human rights issues when meeting important actors.

RASMA KASKINA  
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