
The European Parliament,

– having regard to the preamble of the Treaty on European Union (‘EU Treaty’) and the relevant articles thereof,

– having regard to the Charter of Fundamental Rights of the European Union of 7 December 2000 (‘the Charter’), proclaimed on 12 December 2007 in Strasbourg, which entered into force with the Treaty of Lisbon in December 2009,

– having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the case law of the European Court of Human Rights,

– having regard to the United Nations conventions on the protection of human rights and fundamental freedoms and the related recommendations and decisions of the Council of Europe,

– having regard to the 2013 Commission Report on the Application of the EU Charter of Fundamental Rights (COM(2013)0271) and to the accompanying staff working documents,

– having regard to the ‘Stockholm Programme – an open and secure Europe serving and protecting citizens’¹, 

– having regard to Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law²,


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¹ OJ C 115, 4.5.2010.
principle of equal treatment between persons irrespective of racial or ethnic origin\(^1\), Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation\(^2\) and the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM(2008)0426),

- having regard to the Council conclusions of 6 and 7 June 2013 on fundamental rights and the rule of law,
- having regard to the activities, annual reports, studies and opinions of the European Union Agency for Fundamental Rights (FRA),
- having regard to its resolution of 16 January 2014 on respect for the fundamental right of free movement in the EU\(^3\),
- having regard to its resolutions on fundamental rights and human rights, the protection of minorities and anti-discrimination policies,
- having regard to Rule 48 of its Rules of Procedure,

A. whereas respect for and promotion of human rights, fundamental freedoms, democracy and the values and principles enshrined in the EU treaties and international human rights instruments (UDHR, ECHR, ICCPR, ICESCR, etc.) must be at the centre of European integration;

B. whereas, under Article 2 of the Treaty on European Union (TEU), the Union is founded on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities; whereas these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail;

C. whereas the European Union operates on the basis of the presumption and mutual trust that EU Member States conform with democracy, the rule of law and fundamental rights, as enshrined in the ECHR and the Charter of Fundamental Rights, notably in relation to the development of an Area of Freedom, Security and Justice and the mutual recognition principle;

D. whereas corruption causes social harm and violations of fundamental rights; whereas an efficient, independent and impartial judicial system is essential for the rule of law and to ensure the protection of the fundamental rights and civil liberties of citizens in Europe;

E. whereas children make up one third of the world’s population and one fifth of the population of the EU; whereas children’s rights form part of the human rights that the EU and its Member States must respect and promote; whereas the situation of children

\(^1\) OJ L 180, 19.7.2000, p. 22.
\(^3\) Texts adopted, P7_TA(2014)0037.
in Europe and around the world is far from satisfactory and these vulnerable citizens still face numerous restrictions on or violations of their rights;

F. whereas there are about 80 million European persons with disabilities; whereas persons with disabilities are still suffering from a lack of assistance and support as regards their inclusion; whereas the EU, as a party to the UN Convention on the Rights of Persons with Disabilities, has the obligation to promote, protect and respect the rights of persons with disabilities as enshrined in the Convention;

G. whereas women and girls are the main victims of gender-based violence; whereas hundreds of thousands of women living in Europe have been subjected to genital mutilation and thousands of girls are at risk;

H. whereas the obligations incumbent on candidate countries under the Copenhagen criteria are not only basic pre-accession requirements, but must also continue to apply after a country has joined the EU, by virtue of Article 2 TEU; whereas, in the light of this, all Member States should be assessed on an ongoing basis in order to verify their continued compliance with the EU’s fundamental values of democracy, the rule of law, respect for human rights and protection of minorities;

**General recommendations**

1. Stresses that, as a political, historical and ethical project, the European Union endeavours to bring together countries which share and together promote common European values, such as those laid down in Article 2 TEU and in the Charter of Fundamental Rights, as well as the ECHR, including respect for human dignity, democracy, the rule of law, fundamental rights, equality, freedom, non-discrimination and protection of minorities, which are closely linked and are mutual preconditions, and believes therefore that a fundamental pillar of the European identity is, and must be, the internal and external promotion of human rights, fundamental freedoms and democracy, which are European values;

2. Recommends that Parliament, the Commission and the Council recognise the existence of positive obligations to protect and promote human rights; emphasises that respect for fundamental rights and freedoms implies actions at various levels; highlights the role played in this area by regional and local authorities, NGOs and civil society, and asks the Commission and the Council to improve their cooperation with these actors;

3. Reminds the Union institutions and the Member States of the need to comply with their obligations to respect fundamental freedoms and rights; notes that participation in international treaties for the protection and promotion of human rights can only serve to strengthen the protection of fundamental rights within the EU;

**Institutional questions**

4. Underlines the fact that the European Union is under an obligation to adopt legislation that fully respects its competences as laid down by the Treaties, including the principle of subsidiarity;
5. Points out that it is essential for the European Union, its institutions and the Member States to guarantee respect for the common European values set out in Article 2 TEU, and that all the instruments currently provided for in the treaties in this regard urgently need to be applied and implemented;

6. Believes that in order to make full use of the potential of the treaties, there is a need to:

(a) complete and speed up the process of acceding to the ECHR and immediately put in place the necessary instruments to fully accomplish this obligation, which is enshrined in the treaties, as it will provide an additional mechanism for enforcing the human rights of its citizens, inter alia with a view to ensuring the application by the Member States of the judgments given by the European Court of Human Rights, particularly ‘pilot judgments’; and for Member States to accede to and ratify the human rights conventions of the Council of Europe, to implement the already existing instruments of the acquis communautaire and to reconsider the opt-outs, which might risk affecting the rights of their citizens;

(b) ensure that legislative proposals and policies comply with the Charter and respect fundamental rights, and that the impact on fundamental rights of EU legislation and its implementation by the Member States is systematically examined in the evaluation reports on the implementation of such legislation, as well as in the annual report on the monitoring of the application of EU law;

(c) ensure that the Commission – and the Council, where it initiates legislation – where appropriate, make use of the external independent expertise of the FRA;

(d) intensify the cooperation between the Commission and the Member States, as well as with the European Parliament and the national parliaments, in order to improve the implementation of existing EU human rights legislation;

(e) ensure that the drafting and transposition of EU law which affects and develops fundamental rights are strengthened and implemented effectively;

(f) ensure that the Commission makes full use of the existing mechanisms and that it launches objective evaluations and investigations and initiates infringement proceedings if a case is well grounded;

(g) cooperate more systematically with the Council of Europe and other international institutions, according to their specific expertise, in order to avoid any duplication;

Specific rights based on the Charter of Fundamental Rights

Dignity

7. Stresses that public authorities must comply with the absolute prohibition on torture and cruel, inhuman or degrading treatment, and prosecute those responsible;

8. Calls on those Member States which have not yet done so to fully transpose and
implement Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and to take appropriate measures to ensure that victims of trafficking in human beings are adequately assisted and protected, that traffickers are prosecuted and handed down effective, proportionate and dissuasive sanctions and that preventive measures are also put in place;

9. Calls on the Member States to fully transpose Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime, adopting appropriate measures to ensure adequate assistance and protection of victims of crime;

10. Recognises that the right to live in safety is also a fundamental right of European citizens and should be protected as such;

Freedoms

11. Stresses that any action or measure against terrorism or organised crime, and international cooperation with this aim, must not breach, but be in strict compliance with, European fundamental rights standards;

12. Calls on the Council to move forward with the Data Protection Directive and Regulation negotiations in order to have the Data Protection Package adopted before the end of this parliamentary term; reiterates that the right of self-determination as regards personal data and the right to privacy constitute fundamental elements of a person’s personality, human dignity and liberty;

13. Strongly condemns any discrimination on the basis of sexual orientation and gender identity, and deeply regrets that the fundamental rights of lesbian, gay, bisexual, transgender and intersex (LGTBI) people are not yet always fully upheld in the European Union; calls on the Commission, the Member States and the relevant agencies to work jointly on a comprehensive multiannual policy to protect the fundamental rights of LGTBI people; emphasises nevertheless that this comprehensive policy must respect the competences of the European Union, of its agencies, and of its Member States;

14. Calls on the Member States to ensure that the principles of equality and the fundamental right to freedom of movement are upheld in all Member States;

15. Recognises freedom of thought, conscience, religion, belief and non-belief, and the freedom to practise the religion of one’s choice; condemns, in this connection, any form of discrimination or intolerance;

16. Recalls that freedom of expression, information and the media are fundamental with a view to ensuring democracy and the rule of law; calls on the Union institutions and the Member States to respect, guarantee, protect and promote the fundamental right to freedom of expression and information, and hence to refrain from exerting or developing mechanisms to impede those freedoms;

17. Stresses the importance of respecting and protecting the rights of refugees and migrants,
while special attention should be paid to women and children migrants; stresses the obligation to comply with international human rights conventions, particularly the Geneva Convention on the status of refugees and the principle of non-refoulement; calls on the Commission to review Council Directive 2002/90/EC defining the sanctions in case of facilitation of unauthorised entry, transit and residence in order to clarify that providing humanitarian assistance to migrants at sea who are in distress is to be welcomed and not an action which should ever lead to any form of sanctions;

18. Welcomes the completion of the Common European Asylum System (CEAS) and calls on the Member States to make the necessary legislative and administrative reforms to effectively implement it; stresses the vulnerability of persons crossing Europe’s southern sea borders; calls for a viable solution of the overall issue of immigration in the Mediterranean; welcomes, in this context, the introduction by the CEAS of strong safeguards and assistance with particular focus on minors; deplores, however, that these safeguards have not yet been fully implemented; reiterates its call for the Commission to draw up strategic guidelines based on best practices to establish common minimum standards for the reception and protection of unaccompanied children;

**Equality**

19. Considers that the Union and the Member States should step up their measures to promote equality, combat discrimination and protect cultural, religious and linguistic diversity, and their measures relating to gender equality, the rights of the child, the rights of older persons, the rights of persons with disabilities, the rights of LGBT persons and the rights of persons belonging to national minorities;

20. Expresses its concern at the fact that persons with disabilities continue to face discrimination and exclusion, which hinders their ability to enjoy their fundamental rights on an equal basis with others; calls on the EU institutions and EU Member States to continue implementing the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in their respective fields of competence; fully supports the ongoing initiatives to set up a cross-committee task force in Parliament on the implementation of the CRPD in order to ensure that Parliament’s actions in monitoring and supporting the implementation of the Convention are comprehensive and consistent;

21. Calls on the Member States and the Commission to protect, promote and enforce children’s rights in all internal and external actions and policies having an impact on them; calls on the Member States to complete the transposition of Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography; calls on the Member States, the Commission and the FRA to continue their efforts to assess the way in which children are treated during judicial proceedings;

22. Expresses its concern about the situation of Roma in the EU and the numerous instances of persecution, violence, stigmatisation, discrimination, relocations and unlawful forced evictions, unlawful registration and ethnic profiling by law enforcement authorities, which are contrary to fundamental rights and European Union law; reiterates its position stated in its resolution of 12 December 2013 on the progress made in the
implementation of the National Roma Integration Strategies\textsuperscript{1}; calls once more for the effective implementation of strategies to foster real inclusion and for pertinent action to promote integration, particularly in the field of fundamental rights, education, employment, housing and healthcare, and to combat violence, hate speech and discrimination of Roma;

23. Stresses that it is essential that the fundamental rights and freedoms of persons belonging to national, ethnic or linguistic minorities are respected; calls on the Member States to ensure that their legal systems guarantee non-discrimination against persons belonging to a recognised national minority, and to adopt adequate measures to promote equality, based on the relevant international norms and good practice, \textit{inter alia} the Council of Europe Framework Convention for the Protection of National Minorities; stresses the need for a comprehensive EU protection system for traditional national minorities, accompanied by a functioning monitoring mechanism, following the example of the EU Framework for National Roma Integration Strategies;

24. Calls on the Member States to implement Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, to address discrimination, to ensure that hate speech and hate crimes are investigated, to adopt criminal legislation prohibiting incitement to hatred on any grounds including sexual orientation, and to ensure that there is effective protection against racism, antisemitism, anti-gypsyism, religious intolerance, xenophobia and homophobia and that victims are offered assistance;

25. Calls on the Commission and the Member States to launch a coordinated and comprehensive action to combat and prevent hate crime systematically in the EU; condemns hate speech stigmatising groups of people on account of their social, cultural, religious or foreign origins and incitement to racial hatred;

26. Welcomes the Commission’s action on zero tolerance of violence against women; urges Member States to ensure equality between women and men and to prevent, combat and prosecute all forms of violence against women as a fundamental rights violation, while ensuring support and protection for victims; insists that Member States sign and ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and apply a zero tolerance policy to female genital mutilation; encourages Member States to step up their efforts to achieve the objectives of the European Pact for Equality between women and men (2011-2020), and to take adequate measures to tackle all forms of direct and indirect discrimination against women, in particular the gender pay gap, occupational segregation, stereotyping, and all forms of violence against women, including elderly women, since women continue to suffer multiple discrimination in various areas of everyday life in spite of the legislation in force on combating discrimination;

27. Welcomes the decision to declare 2014 as the European Year of Work and Family Life Balance, and to take measures and launch projects for better reconciliation of family and working life for all generations of women;

\textsuperscript{1} Texts adopted, P7\_TA(2013)0594.
Solidarity

28. Stresses that the financial and economic crisis and the measures taken to tackle it have had a greater impact on the poorest and most deprived sections of the population, often affecting them very seriously; calls for particular attention to be paid and appropriate measures to be taken to remedy this situation and fight inequalities and poverty;

29. Underlines the fact that social rights are fundamental rights, as recognised by international treaties, the ECHR, the EU Charter of Fundamental Rights and the European Social Charter, and must therefore be protected accordingly;

30. Emphasises that discrimination based on nationality is one of the major obstacles preventing European citizens from enjoying fundamental rights; stresses that EU citizens residing permanently in another Member State enjoy the right to equal treatment regarding social security pursuant to Regulation (EC) No 883/2004;

31. Calls on the Commission and the Member States to recognise that the right of workers to safe and healthy working conditions is essential for workers to have the opportunity to live a decent life and to ensure that their fundamental rights are respected;

Citizenship

32. Emphasises that the right to good administration also entails a duty on the authorities to inform citizens of their fundamental rights; draws attention to the need to promote the values and objectives of the Union among citizens; welcomes the decision declaring 2013 as the European Year of Citizens; calls, however, on the Commission, together with the Member States, to continue to inform EU citizens about their rights, so that they can fully enjoy their EU citizenship;

33. Calls on the Member States to launch information campaigns to inform EU citizens about their right to vote and stand for election; calls for the necessary reforms of European election procedures to be carried out in all Member States in order to promote active EU citizenship; calls on the Member States to encourage the active participation of citizens through citizens’ initiatives and the exercise of the right of petition and the right to submit complaints to the European Ombudsman;

34. Stresses that the right to freedom of movement and residence of European citizens and their families, as well as the freedom to choose an occupation and the right to engage in work, laid down in the Treaties and guaranteed by the directive on freedom of movement, is one of the fundamental rights of European citizens and represents an important economic benefit for host countries, contributing to addressing skill and job mismatch and helping to compensate for the European Union’s demographic deficit; underlines the fact that this directive already provides for exceptions and restrictions to the right to free movement; condemns any attempt to review this acquis;

Justice

35. Acknowledges the importance of non-judicial and quasi-judicial institutions for access to justice, such as national human rights institutions, equality bodies, ombudsman
institutions, and data protection authorities as well as other such institutions with a human rights remit;

36. Calls on the Members States to ensure that EU citizens resident in a Member State other than their own are effectively informed of their rights and obligations, and to improve their information systems, particularly with regard to access to justice and the right to legal representation; calls on the Member States, in this connection, to address the remaining barriers, such as time limits, legal standing, length of proceedings, legal costs and the lack of effective remedies; stresses, in this context, the rulings of the ECtHR and the CJEU;

37. Welcomes the FRA report on access to justice in cases of discrimination in the EU and stresses that accessing justice is often complicated and cumbersome; believes that access to justice must be enhanced and that improvements could include more accessible and effective channels and enhanced support to those seeking justice;

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38. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the candidate countries, the Council of Europe and the Organisation for Security and Cooperation in Europe.

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