

German Bundestag

19th electoral term

Decision

At its 134th sitting, held on 12 December 2019, the Bundestag, acting on the basis of Bundestag printed paper 19/15882, adopted the following decision:

(a) on the Draft EU Annual Report on Human Rights and Democracy in the World in 2016, Council document 12714/17

– Printed paper 19/910 A. 114 –

(b) on the Draft EU Annual Report on Human Rights and Democracy in the World in 2017, Council document 8987/18

– Printed paper 19/2773 A. 18 –

(c) on the Draft EU Annual Report on Human Rights and Democracy in the World in 2018, Council document 8592/19

– Printed paper 19/10784 A. 15 –

The Bundestag regards each of the EU Annual Reports on Human Rights and Democracy in the World for 2016, 2017 and 2018 as a comprehensive overview of the diverse internal and external activities of the European Union (EU) in the realm of human rights policy. Throughout the reference periods, the EU forged ahead with the worldwide implementation of its 2015-2019 Action Plan on Human Rights and Democracy. In 2018, which marked the 70th anniversary of the Universal Declaration of Human Rights, the EU pressed vigorously for promotion and protection of human rights as the core element of its multilateralist approach. In view of the serious setbacks to human rights and democracy that have been experienced throughout the world, this commitment is more imperative than ever.

The Bundestag recognises the intensive multilateral efforts that the EU continued to make during the reference periods in all bodies of the United Nations, particularly the UN Human Rights Council, for the universal promotion and protection of human rights as well as its close cooperation with the Office of the UN High Commissioner for Human Rights (OHCHR), the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE), which played a major part in its ardent advocacy of European values and their worldwide application.

The instruments available to the EU in the field of human rights include the human rights guidelines, the country strategies, the human rights dialogue and the EIDHR –

the European Instrument for Democracy and Human Rights. The aim is systematic and coordinated recourse to the entire range of EU instruments.

The eleven sets of human rights guidelines which had been adopted by 2018 and which are regularly updated serve EU players as a practical tool to guide them in the local implementation of EU human rights priorities. The EU Annual Report for 2018 provides information on the development of three more guideline packages that were being prepared for adoption in 2019. Two of these sets of guidelines have now been adopted, namely the EU human rights guidelines on non-discrimination in external action and the EU human rights guidelines on safe drinking water and sanitation.

The Bundestag attaches great importance to the 125 country strategies, which have been comprehensively updated for the period from 2016 to 2020; on the basis of political and operational analyses of the human rights situation in each country, these strategies set key strategic priorities for EU action and specify concrete measures for the promotion of democracy and human rights.

The number of countries with which the EU conducts formal human rights dialogues grew steadily during the reference periods. While there were 34 such countries in 2015, by 2018 the EU was engaged in human rights dialogues and consultations with 46 partner countries and regional organisations; in these discussions, human rights violations and specific issues are addressed with a view to making improvements. In 2018, the EU made systematic use of these dialogues to raise matters concerning free speech and freedom of the press. Since attacks on freedom of religion and ideology continued to occur throughout the world in 2018, the promotion and protection of that fundamental human right remained one of the main priorities of the EU. In 20 human rights dialogues and consultations, especially with countries in the Middle East and North Africa as well as in South, Central and South-east Asia, the EU has expressed concerns on this score. The Bundestag emphatically welcomes the systematic consultation of civil society that takes place ahead of these human rights dialogues for the purpose of obtaining information on serious human rights violations.

The EIDHR is a unique funding instrument for the promotion and support of democracy and human rights worldwide. It can even be activated without the consent of the government of the country concerned and so permits direct cooperation with isolated and marginalised organisations within civil society. The EIDHR provides a great deal of support for multilateralism and for the main institutional structures of the international human rights architecture. The Bundestag values the commitment of the EIDHR to supporting democracy, reflected in nine Election Observation Missions and nine Election Expert Missions in 2018. In the 2018 reference period, the EIDHR was used to introduce projects and programmes with a total value of more than 100 million euros.

The Bundestag acknowledges the commitment of Stavros Lambrinidis, who was appointed as the EU Special Representative for Human Rights in 2012 and who worked throughout the reference periods to increase the effectiveness, cohesion and visibility of efforts to promote and protect human rights in the context of the Union's foreign policy. Through his top-level human rights dialogues in Myanmar/Burma and South Africa in 2018, the EU Special Representative built on his bilateral and multilateral engagement of previous years; in all of his visits, which included a visit to the United States of America, and in his talks with representatives of Mexico, Iran, the African Union (AU), the Association of South East Asian States (ASEAN) and the Organization of the Islamic Conference (OIC), he has raised important human rights issues and sought the best ways to achieve real progress. One of the main priorities of his work in 2018 was the creation and encouragement of a new discussion tone and

of enhanced supranational alliances with a view to focusing attention on the positive transformative power of human rights. This initiative was pursued under the leadership of Commission Vice-President and High Commissioner Federica Mogherini and in close consultation with the EU Member States, the UN and the governments and civil societies of non-EU countries, its purpose being to step up cooperation with 13 countries to repel attacks on the universal validity of human rights and to make clear that the human rights framework is indispensable, both as a value in itself and as a means of addressing major internal and international political challenges.

The Bundestag also recognises the intensified efforts on the part of Ján Figel', Special Envoy for the Promotion of Freedom of Religion or Belief outside the European Union, to make freedom of religion and belief a priority in the realm of human rights. Following the call he made in 2017 for the submission of proposals designed to promote intercultural dialogue, three regional projects dedicated to this aim were launched in 2018 in the wider Middle East and in Africa, covering the period up to 2022 and backed with funding of more than five million euros. Six more projects dedicated to combating various forms of discrimination and violence based on religion or belief are being assisted with total funding of 5.18 million euros. These projects focus particular attention on victims who are punished or endangered because they have freely chosen to embrace, change or abandon their religion. In this context, the Bundestag notes with gratification that the Commission considerably increased its allocation of funding to freedom of religion and belief following the adoption of the corresponding EU guidelines. The Bundestag is greatly concerned to note that the period covered by the 2016, 2017 and 2018 reports marked a further increase in the number of countries stifling the freedom of their civil societies, particularly their non-governmental organisations and human rights defenders, by means of increasingly restrictive legislation and other measures. The Members of the Bundestag explicitly welcome the fact that support for human rights defenders is a foremost aim of foreign policy in the field of human rights and that the EU Special Representative for Human Rights has therefore continued to devote particular attention to the aim of strengthening and extending the potential influence and the freedom of action of human rights defenders and of other players in civil society. The implementation of the relevant guidelines was boosted in 2018 by the inclusion of a separate section on human rights defenders in EU country strategies. This means that all new human rights strategies for specific countries must assess the situation of human rights defenders in the country in question and, where appropriate, identify options for action on the part of the EU to assist them.

Throughout the reference periods, the EU continued and intensified its commitment to the abolition of the death penalty, to the elimination of torture and mistreatment, to equality and non-discrimination, to economic, social and cultural rights and to respect for human rights in the world of business. With regard to this last-named issue, the EU called on all states and all multinational and national business enterprises to implement and comply with the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed by the UN Human Rights Council in 2011. By the end of the 2018 reporting year, 21 countries in the world, including Germany and 15 other EU Member States, had adopted action plans on business and human rights with a view to implementing the three pillars of the UN Guiding Principles, namely the state duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy. In its dialogues on human rights, the EU has been discussing the issue of business and human rights with a growing number of third countries, particularly in Latin America and Asia, and with organisations such as ASEAN and the AU, since it affects one of their key activities, and has been supporting the activity of human rights defenders on this issue.

Besides these matters, the EU focused its efforts on the inclusion of human rights in conflict prevention, crisis management and transitional justice in view of the continued emergence and proliferation of conflicts in the world. Throughout the reference periods it remained an important objective and core commitment of the EU to strive to ensure protection of human rights and accountability for violations of international human rights law and international humanitarian law in all phases of conflict.

To implement the Global Strategy for the EU Foreign and Security Policy, adopted in 2016, the EU stepped up its efforts in 2018 to bring together the Member States, the relevant EU institutions and other actors. In addition, the EU sought to harmonise those efforts with the various pertinent documents that had been adopted; besides the Global Strategy, these included the Joint Communication on Resilience of 2017, the EU Consensus on Development and the EU Strategic Approach to Women, Peace and Security. In this context, the Bundestag commends the continuously deepening commitment of the EU to the protection of children in armed conflict. The EU is supporting numerous projects providing help for children in conflict situations, particularly those designed to prevent the deployment of child soldiers and to promote their long-term reintegration. One of the main focal points of these efforts in 2018 was the peace process in Colombia. The Members of the Bundestag emphatically welcome the continued unwavering support of the EU for the International Criminal Court (ICC) and its resolve to renew its efforts to promote the universality of the Rome Statute. The EU continued to assist the ICC through a direct EIDHR grant of one million euros. The judges assigned to the ICC by Member States can discharge their duties more effectively if they already possess extensive experience of criminal prosecution. Not least, however, the effectiveness of the ICC also depends on the number of countries acceding to the Rome Statute. The Bundestag regrets that three of the permanent members of the UN Security Council – the United States, Russia and China – have not yet acceded to the Rome Statute.

In all of the reference periods the EU vigorously promoted respect for international humanitarian law, supported its development by contributing to the work of the International Law Commission and reaffirmed its resolute commitment to the protection of the civilian population in armed conflicts. To this end the EU provided funding and assistance for the work of the International Committee of the Red Cross (ICRC), one of the most trusted partners of the EU and one of the key players in the effort to uphold respect for international humanitarian law and humanitarian principles. In 2018, the ICRC received 136 million euros from the humanitarian aid budget of the EU.

Conflicts, violence, environmental and natural disasters and climate change continued to drive people to flee their homes in the years from 2016 to 2018. In 2018, more than 70 million people fled their homes. One of the greatest man-made crises of that year was the conflict in Syria, which had entered its seventh year; the EU and its Member States provided a total of 16,954 million euros to help people in Syria and to assist Syrians who had fled to neighbouring countries. The Rohingya crisis in Bangladesh and Myanmar/Burma and the Venezuelan refugee and migration crisis were among other horrific events of the last three reference periods in which the EU helped to cushion the impact on the affected population by means of emergency financial aid.

Throughout the reporting periods the EU stressed the need to cooperate with its Member States, the international community and all its partners worldwide to save lives, provide protection and fight migrant smuggling but also to create safe and legal pathways to Europe and to address the factors that drive people to flee their homes. In view of the prevailing challenges, ensuring that human rights are protected and

respected has been at the heart of EU asylum and migration policy and remains a core task.

Human rights are steadily growing in importance in the political and public forums in the European Union. The Bundestag renews its call to the European Union to continue monitoring the human rights situation in all actual and potential candidate countries with the utmost attention, to take account of the situation systematically and to press vigorously for observance of human rights.