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**COHOM 65
CFSP/PESC 463
DEVGEN 73
FREMP 79
INF 81
JAI 444
RELEX 429
CSDP/PSDC 265
COJUR 9**

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

On: 28 May 2018

To: Delegations

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Subject: EU Annual Report on Human Rights and Democracy in the World 2017

Delegations will find in the annex the EU Annual Report on Human Rights and Democracy in the World 2017, adopted by the Council at its meeting held on 28 May 2018.

6. Freedom of Expression

Freedom of expression and freedom of the press are under increasing attack around the world, including in Europe. The last decade has seen a significant increase in different forms of violence and abuse against journalists and other media actors. Tactics to silence critical voices range from physical attacks, intimidation and harassment to targeted surveillance and cyberbullying. In 2014, the Council of the European Union adopted the EU Human Rights Guidelines on Freedom of Expression Online and Offline which spell out how the basic principles should be incorporated in EU external action in partner countries around the world.

As in previous years, the EU has continued to raise its voice by condemning threats and violations against journalists and media professionals offline and in cyberspace. Numerous public statements and démarches have been made to promote freedom of expression and call for greater protection of journalists' rights and media freedom. The HR/VP Mogherini made a declaration on World Press Freedom Day (3 May 2017) opposing "any legislation, regulation or political pressure that limits freedom of expression", and on the International Day to End Impunity for Crimes against Journalists (2 November 2017), called on "state authorities to uphold their international obligations by protecting journalists against intimidation, threats and violence, irrespective of their source". On several occasions, HR/VP Mogherini has participated in urgent debates in the European Parliament to defend the rights of individual journalists facing serious threats in the exercise of their profession.

The EU has systematically raised the issue of freedom of expression at different levels of political dialogue, including in its human rights dialogues and consultations with partner countries. The EU Special Representative (EUSR) for Human Rights raises issues related to freedom of expression and freedom of the media during official visits to partner countries and in human rights dialogues.

7. Freedom of Conscience, Religion or Belief

The EU is determined to continue promoting freedom of religion or belief (FoRB) as a right to be exercised by everyone everywhere, based on the principles of equality, non-discrimination and universality.

In 2017, the EU continued strengthening the implementation of the Guidelines on the Promotion and Protection of Freedom of Religion or Belief and carrying out the commitments under action the EU Action Plan on Human Rights and Democracy 2015-2019. Their implementation remained a key priority for EU action, which was strengthened through the EU Action Plan on Human Rights and Democracy 2015-2019.

During 2017 the EU regularly raised FoRB at different levels of political dialogue, including in 15 of its human rights dialogues and in consultations with partner countries. The EU also reacted with public statements condemning restrictions to freedom of religion in Russia and Indonesia, but also used private démarches to raise restrictions of FoRB in several partner countries.

The EUSR Stavros Lambrinidis continued to be actively engaged in the issue of FoRB and the promotion of EU Guidelines in his official visits, in his meetings with government officials in third countries, and at the UN. He has also placed special emphasis on the implementation of the UN Rabat Plan of Action that includes positive elements for addressing 'hate speech' and for countering violence perpetrated in the name of religion, most recently in 2017 during the Madrid Conference on ethnic and religious violence in the Middle East in May 2017, and the High-Level Forum on Combating Anti-Muslim Discrimination and Hatred, held in New York on 17 January. This forum mobilised a broad spectrum of faith-based civil society to discuss concrete and innovative ways of combating anti-muslim discrimination. He also continued engaging with the UN Special Rapporteur on FoRB and met with international organisations, and with a number of representatives of religious or belief groups.

9. The Death Penalty

In 2017, working for global abolition of the death penalty remained at the very heart of the EU's human rights priorities. Throughout the year, the EU continued to voice its strong opposition to the death penalty as a cruel, inhuman and degrading punishment, violating the right to life, while not deterring crime more effectively than imprisonment. Moreover, execution is irreversible while errors are inevitable in any legal system.

More than half a century after the adoption of the Universal Declaration of Human Rights, the trend towards worldwide abolition of the death penalty is evident. Almost three quarters of the world's countries (142 at the end of 2017) have abolished the death penalty in law or in practice, and this number continues to increase.

The issue of capital punishment was consistently raised with retentionist countries and featured on the EU agendas of political dialogues or dedicated human rights dialogues. Based on the minimum standards defined by international law and the EU guidelines on the death penalty, the EU issued a number of public statements deploring the use of the death penalty, and called on the remaining retentionist countries to consider a moratorium. This was notably the case for Belarus, Indonesia, Iran, Japan, Malaysia, Pakistan, Saudi Arabia, Singapore, and the USA, with additional statements being issued and démarches carried out in other countries. The EU has put considerable emphasis on condemning the violation of minimum standards, stressing the inadmissibility of the use of death penalty for minors, for persons with intellectual disabilities, and for crimes which are not among the 'most serious', such as drug offences.

The EU continued to raise its opposition to the death penalty in all relevant multilateral fora, in particular at the UN, the OSCE and the Council of Europe.

To mark the European Day against the Death Penalty and the World Day against the Death Penalty on 10 October 2017, the EU and the Council of Europe issued a joint statement reaffirming their opposition to the use of capital punishment in all circumstances, and their commitment to the abolition of the death penalty worldwide. Numerous EU Delegations marked this significant date by organising debates, publishing op-eds, and conducting other public awareness activities.

The EU and its Member States promote inclusion and participation, non-discrimination, equality and equity, transparency and accountability, and address the multiple discriminations faced by vulnerable and marginalised people.

Recognising the role of civil society organisations as promoters of democracy, defenders of human rights and the rule of law, the EU and its Member States promote civil society space and support building its capacities. Recognising also that good governance, democracy, the rule of law and human rights are preconditions for sustainable development and stability, the EU and its Member States uses the full range of partnerships and instruments, including development cooperation, to promote accountable and transparent institutions, independent and impartial courts through capacity building, and support the provision of fair justice, access to legal assistance and initiatives to tackle corruption.

15. EU Instruments

The EU has a broad range of policies, tools and external financing instruments at its disposal to promote and defend human rights. These include public diplomacy, such as EU statements and declarations, more discreet diplomacy tools including démarches and political dialogues, but also human rights guidelines and human rights country strategies, regular human rights dialogues, and financial cooperation projects, including support for civil society. The EU strives to ensure the best interplay of these instruments, using them most effectively and in conjunction with each other, in order to achieve the best results. Human rights issues should not be confined to human rights dialogues, for instance, but included in the agenda of other meetings, including political or other dialogues, for example visa liberalisation, and summits.

Human Rights Guidelines

The EU has adopted 11 sets of guidelines, which set out priority areas for external action. The guidelines represent a strong political signal about priorities for the Union. The guidelines are updated regularly, and serve as a practical tool to guide EU actors throughout the world when implementing EU human rights priorities at local level. In 2017, the EU updated the guidelines on the Rights of the Child.