



**ANNUAL REPORT ON**

---

**HUMAN RIGHTS AND DEMOCRACY**  
**IN THE WORLD IN 2016**

---



## 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 demarches<sup>4</sup> 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, i.e. to use 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 are 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<sup>5</sup>. The guidelines are not legally binding, but because they have been adopted at ministerial level, they represent a strong political signal that they are priorities for the Union. The guidelines are updated regularly, and serve as a practical tool to guide EU actors around the world when implementing EU human rights priorities at local level.

**Human Rights and Democracy Country Strategies:** These strategies are prepared to a large extent at local level by EU Delegations and are based on an analysis of the human rights situation in a given country. They identify the top priorities for EU action on human rights and democracy, define long- and short-term key objectives, and set out concrete actions to achieve these objectives in a specific country. The strategies have been fully updated for 2016-2020, and now incorporate a focused democracy analysis. These strategies are an essential tool in ensuring policy consistency and in preparing high level visits and political dialogues.

**Human rights dialogues:** Over the years, human rights dialogues have been established with an increasing number of countries. Their objectives include: discussing questions of mutual interest and enhancing cooperation on human rights in multilateral fora such as the United Nations (UN); enabling the EU to share its concerns on human rights violations with partner countries; information-gathering; and endeavouring to improve the human rights situation in the partner country concerned. These dialogues are key instruments for the EU to engage bilaterally on human rights, including on specific themes such as torture and ill treatment, the death penalty, freedom of religion or belief, freedom of expression online and offline, disabilities, women's and children's rights, gender equality, fundamental rights and principles at work, and cooperation in multilateral fora.

---

4. A demarche is a type of diplomatic representation. It is a formal approach made to the representative of a third country or international organisation to persuade, inform or gather the formal views of a government on a specific issue. It can take written or oral form.

5. Guidelines to EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment - An up-date of the Guidelines (2012), EU Guidelines on the promotion and protection of freedom of religion or belief (2013), Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) (2013), EU Guidelines on Death Penalty: revised and updated version (2013), EU guidelines on human rights dialogues with third countries - Update (2008), EU Guidelines on Children and Armed Conflict (2008), Ensuring protection - European Union Guidelines on Human Rights Defenders (2008), EU guidelines on violence against women and girls and combating all forms of discrimination against them (2008), EU Guidelines on promoting compliance with International Humanitarian Law (IHL) (2009), EU Human Rights Guidelines on Freedom of Expression Online and Offline (2014), EU Guidelines for the Promotion and Protection of the Rights of the Child (2007)

## 3. Addressing the Main Human Rights and Democracy Challenges

### **PROMOTING A FREE SPACE FOR CIVIL SOCIETY AND SUPPORTING HUMAN RIGHTS DEFENDERS (HRDS)**

Over the last decade, human rights organisations, pro-democracy actors and wider civil society movements have faced increased restrictions when trying to carry out their work. In 2016, while an increasing number of non-governmental organisations, social movements and individual activists have been detected, the shrinking space phenomenon has spread to around one hundred countries. Restrictions on civil society and repression of human rights defenders have taken multiple forms, ranging from administrative and judicial harassment to smear campaigns, travel bans, criminalisation, stigmatisation, arbitrary arrest and detention, extrajudicial executions, and blocking of access to funding, especially from external sources. Both state and non-state actors, including armed and fundamentalist groups, pose offline and online threats to freedoms for civil society. The fight against terrorism and anti-terrorism legislation in several instances has provided a pretext to manipulate, monitor and restrict online information and to implement censorship and surveillance.

In the Global Strategy for the European Union's Foreign and Security Policy the HR reaffirmed the conviction that societal resilience will be strengthened by deepening relations with civil society, and expressed strong commitment to speak out against the shrinking space for civil society. In 2016, the EU continued to firmly express concern at multiple levels, including during bilateral human rights dialogues and in multilateral fora, at unjustified restrictions on fundamental freedoms in partner countries.

As regards freedom of expression online and offline, in 2016 the EU expressed strong concerns about the continued increase in acts of intimidation, pressure and violence against journalists that took place across the world. In this context, the implementation of the 2014 EU Guidelines on Freedom of Expression online and offline remains a key priority.

The EU has raised freedom of expression at different levels of political dialogue, including in its human rights dialogues and consultations with partner countries. Numerous public statements and demarches have also been made to promote freedom of expression and to call for greater protection of journalists' rights and media freedom.

The EU continued to work to ensure that freedom of expression remains a prominent issue on the UN agenda, participating actively in all relevant multilateral fora and supporting the work of the Special Rapporteurs with related mandates from the UN and regional organisations.

EU political commitment is also coupled with financial support for NHRIs under the EIDHR. In 2015, a three-year targeted programme focusing on building the capacity of National Human Rights Institutions began, with an EU contribution of EUR 5 million. The aim of the programme is not only to support the capacity of NHRIs, but also to support their cooperation with regional and international networks. The programme focuses on four thematic areas: economic, social and cultural rights, business and human rights, human rights education, and strengthening of core NHRI mandates.

Additionally, the EU supported the NHRI resolution at the 33<sup>rd</sup> session of the Human Rights Council. This welcomed the valuable participation of independent NHRIs and their contributions to all relevant UN mechanisms and processes, in accordance with their respective mandates. It also encouraged NHRIs to continue to participate in the work of the HRC, including its universal periodic review mechanism, as well as engaging with the special procedures and treaty bodies.

During 2016, **human rights defenders** (HRDs) continued to face reprisals because of their legitimate work in every region of the world. The EU Delegations in third countries continued their efforts to further strengthen EU actions in support of HRDs. In line with the 2004 EU Guidelines on HRDs, EU officials took action in 2016 through, for example, condemnation of threats and attacks against HRDs, demarches and public statements, trial monitoring and prison visits. Moreover, the EU has systematically raised the cases of individual HRDs in human rights dialogues, subcommittee meetings and consultations with the authorities from third countries, with HRDs being on the agenda of 80% of EU human rights dialogues held in 2016.

On 10 December 2016, the EU and its Member States joined the United Nations in calling upon people to 'stand up for someone's rights' on the occasion of Human Rights Day. EU Delegations around the world marked the occasion with a variety of events, and a Declaration by HRVP Federica Mogherini drew attention to the importance of protecting HRDs.

During 2016, over 250 HRDs and their families received EU support through the EIDHR Emergency Fund for HRDs at risk. The direct grants have been used mainly to pay for legal fees, medical care, the installation of security equipment, emergency relocation, and a range of other practical actions.

In late 2016, implementation began on six global projects, with a total budget of EUR 5.5 million, which were selected under the 2015 EIDHR global call for proposals. These projects aim to provide support to HRD organisations working at grassroots level, and focus on the most difficult situations and remote areas.

## **FREEDOM OF RELIGION OR BELIEF**

The fundamental right to freedom of religion or belief remains under threat in many parts of the world. The implementation of the EU Guidelines on Freedom of Religion or Belief (FoRB) remained a key priority for EU action in protecting and promoting FoRB during 2016.

The EU raised FoRB in its human rights dialogues and consultations with partner countries. Public statements and private demarches were made to promote FoRB, condemn violence against persons belonging to religious minorities, and call for non-discrimination on grounds of religion or belief.

More than 140 countries have now abolished the death penalty by law or by practice, which represents more than two thirds of all countries worldwide. 2016 saw some further positive developments: three countries abolished the death penalty completely (Nauru, Guinea and Mongolia), whilst the US saw its lowest number of executions since 1991, with 20 people executed compared with 28 in 2015. The triennial World Congress for the Abolition of the Death Penalty took place in Oslo, with more than a thousand participants from around the world. The EU demonstrated support for this important event both through its financial assistance and its active participation. The EU Special Representative (SR) for Human Rights, Stavros Lambrinidis, made strong arguments for universal abolition alongside other high-level representatives from EU Member States at the event.

However, 2016 was also marked by calls for the reintroduction of the death penalty from some national leaders, notably with reference to the fight against terrorism, organised crime, or drugs. Some countries also broke their longstanding moratoria. The EU voiced its opposition to such statements, seeking a dialogue to highlight alternative and more efficient measures to control crime.

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 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 demarches carried out in many other countries. The EU has put considerable emphasis on the violation of these 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. In relation to the Special Session of the General Assembly (UNGASS 2016), the EU stressed its strong opposition to the death penalty on several occasions.

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. The EU actively promoted the adoption of the UNGA 71 Resolution on a moratorium on the use of the death penalty, which was passed with the same high number of countries in support as in 2014. New elements in the resolution include, for example, the recognition of the role of national human rights institutions, an emphasis on the need to treat persons facing the death penalty with humanity and dignity, clemency and pardon procedures, and the need for transparency. The EU SR for Human Rights further raised the profile of the EU's work against the death penalty when speaking at the UNGA high-level event organised in New York in September focusing on the Death Penalty and the Victims.

To mark the European Day against the Death Penalty and the World Day against the Death Penalty on 10 October 2016, 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, theatre productions and film screenings, publishing op-eds, and conducting other public awareness activities.

The EU actively engaged with the Belarusian authorities on this issue and acted to raise public awareness. Belarus is the only country in Europe that still applies the death penalty. During

In line with Council Conclusions on the World Humanitarian Summit of 12 May 2016<sup>42</sup>, the EU also signed up to the Charter on Inclusion of Persons with Disabilities in Humanitarian Action. The Charter affirms a collective will to place persons with disabilities at the centre of humanitarian responses.

The EU took part in the 16th Informal ASEM Seminar on the Human Rights of Persons with Disabilities, held in Beijing on 8-11 November 2016. This was an opportunity to discuss mainstreaming in relation to the human rights of persons with disabilities with a wide range of stakeholders, including persons with disabilities themselves.

In 2016, the EU and the Office of the High Commissioner for Human Rights (OHCHR) launched the implementation of a joint four-year project entitled 'Bridging the Gap I: Human Rights indicators for the CRPD in support of a disability-inclusive 2030 Agenda for Sustainable Development'. The project will provide crucial tools and guidance for framing the implementation, monitoring and reporting of the CRPD in the context of the Sustainable Development Goals (SDGs). In December 2016, the EU signed a new grant contract entitled 'Bridging the Gap II: Inclusive policies and services for equal rights of persons with disabilities', which will be implemented by EU Member State agencies from Austria, Italy and Spain, in partnership with the European Disability Forum and the International Disability and Development Consortium. This project will increase the technical capacity of development partners to include persons with disabilities in mainstream development cooperation, ensuring that work towards achieving the SDGs is consistent with the CRPD. It will also enhance the capacity of five partner governments in low and middle income countries to develop and implement disability-inclusive policies and services.

In addition, in 2015-2016, the EU funded over 80 projects focusing on the promotion of rights and social inclusion of persons with disabilities in partner countries, with a budget of over EUR 56 million.

### **Rights of indigenous peoples and of persons belonging to minorities**

Regrettably, the events of 2016 provided ample proof of the continuing need for the EU to promote the rights of indigenous peoples in the context of environment, climate and land tenure. During 2016, the EU issued statements and demarches calling for justice following the killings of indigenous human rights defenders, as well as providing urgent assistance to indigenous human rights defenders whose safety was threatened.

The EU also continued to receive reports of violations of indigenous peoples' rights, owing to land grabbing in the context of extractive industries and other business- and development-related activities. EU Delegations help verify such reports and develop appropriate responses.

Through the EIDHR, the EU renewed its support the Indigenous Peoples' Center for Documentation, Research and Information (DoCip), a foundation acting as the Technical Secretariat of the Indigenous Peoples representatives for the UN organs, bodies and sessions in relation with Human Rights.

---

42. Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the World Humanitarian Summit, 8850/16, 12 May 2016