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Public Statement

EU Global Strategy must keep human rights at its centre

As the European External Action Service (EEAS) drafts a new European Union (EU) Global Strategy on foreign and security policy (the Global Strategy)¹, Amnesty International calls on the EU and its member states to ensure that human rights remain at the centre of this new strategy and of their foreign policy now and in future.

Amnesty International is deeply concerned that if the EU's obligations, commitments and ambitions on human rights do not occupy a central place in this strategy, it risks irrevocably undermining EU foreign policy on human rights to date. As a global actor, the EU has a key role to uphold the principles enshrined in international human rights law, in particular the principles of universality and indivisibility of human rights as enshrined in the Vienna Declaration on Human Rights. By explicitly and meaningfully integrating human rights into the new Global Strategy, the EU and its member states will seize the opportunity to drive an ambitious human rights foreign policy, building on their human rights commitments to date and working to transform policy into practice.

Defending international human rights law is in the EU's interests

The key to such an ambitious foreign policy will be to defend the universality of human rights and to acknowledge that international human rights law and norms - and the preservation of human dignity - do not fall into a false dichotomy of interests and values, but are ultimately in everyone's interest. Human rights are not 'notions' or simply 'values' but are legally codified obligations for states. The EU treaties place the consolidation and support of human rights and the principles of international law as foreign policy objectives and thereby firmly at the foundation of the EU's strategic interests. The new global strategy should therefore be built on these foundations.

By explicitly affirming its commitment to a rules-based international order framed by its human rights commitments, the EU will be strongly placed to protect and promote human rights at multilateral fora and in its bilateral relations. This is of particular relevance to the EU's work at the United Nations and to its role in peace talks, where the EU should implement its human rights foreign policy through keeping justice and accountability central to negotiations. Worldwide, resilience and stability in the long term are best obtained by ensuring that people's fundamental human rights are respected.

¹ "A Global Strategy for the European Union", <http://europa.eu/globalstrategy/en/global-strategy-foreign-and-security-policy-european-union>; cf. "The European Union in a changing Global Environment: A more connected, contested and complex world," 30 June 2015. http://eeas.europa.eu/docs/strategic_review/eu-strategic-review_strategic_review_en.pdf

Security cooperation must not undermine human rights

In the aftermath of the Paris attacks, concerns about upholding human rights in EU security policy, counter-terror cooperation and intelligence-sharing with third countries are as acute as ever. The EU must ensure that any sharing of intelligence or other security cooperation with third countries cannot be used to persecute, harass or arrest political opponents, human rights defenders (HRDs) and activists. Equally, the EU must take a strong stance affirming the absolute prohibition of torture and ill treatment, as well as against the death penalty in all security cooperation. This must include clear safeguards against the use of torture-tainted information to avoid any risk of EU or member state acquiescence in torture.

An opportunity to cement political will in support of human rights

The Global Strategy represents a crucial opportunity to address today's lack of systematic mainstreaming of the EU's existing human rights policy and the urgent need for the highest level political backing for the full implementation of the EU Strategic Framework, Human Rights Guidelines and the Action Plan on human rights and democracy. EU human rights engagement needs to be robust and consistent within and between Saudi Arabia and Burundi, between China and Azerbaijan—whatever the security, foreign policy, trade, energy, aid or other stakes.

Amnesty International calls on the EU and its member states to fully use the opportunity of the Global Strategy to:

- Reaffirm EU and member state commitments on human rights as a primary objective of foreign policy in accordance with the EU treaty and with their commitments under international human rights law and the Strategic Framework of 2012
- Express through the High Representative on Foreign Affairs and Security Policy (HR/VP) and at the highest levels of the EU and its member states, full political backing to the promotion and protection of human rights in EU foreign and security policy
- Ensure that this commitment to universal, indivisible human rights is placed explicitly at the centre of the Global Strategy, underlining support to the human rights mechanisms of the United Nations and to the International Criminal Court
- Address new foreign and security policy challenges by promoting a rules based order emphasizing the primacy of international human rights law commitments, both in policy and practice, and in bilateral and multilateral diplomacy
- Fully consult EU, member state and third country civil society on human rights policy and practice to enable the experience and expertise of practitioners and human rights defenders to inform and sharpen EU foreign and security policy
- Ensure EU foreign policy adopts a strategic approach on human rights, emphasizing concrete actions and outcomes and demonstrating coherence between EU engagement on human rights across different countries and regions (“external-external” coherence) as well as between EU and member state practice at home and human rights engagement abroad (“internal-external” coherence)
- Strongly reaffirm existing human rights policies and practices in EU foreign policy—including the Strategic Framework and Action Plan and the Human Rights Guidelines—and develop a more ambitious approach fully integrating human rights into EU foreign and security policy to address new global challenges in strategic and impactful action

Annex

Taking human rights from policy into practice: five steps for the EU Global Strategy

The Global Strategy will establish the overall approach to foreign and security policy while challenging the EU and its member states to affirm and reinforce action consistent with their existing legal commitments and policies. In line with international legal commitments and Treaty obligations, human rights must be explicitly integrated into all aspects of the Global Strategy, including work on security, resilience and stability of states and societies, integrated approaches to conflict and crises, regional strategies and global governance.

Below, we list five key practical steps to ensure human rights are placed at the centre of EU and member state external action as the Global Strategy moves forward:

1. Put the human rights of all individuals at the centre of EU and member state action

- Step up all forms of diplomacy in a strategic, coherent manner on individuals detained or at risk in third countries, ensuring consistency in EU and member state engagement both toward each country and across all countries including at the highest level
- Raise individual cases with a view to achieve positive outcomes for the person(s) affected, to provide visible support to civil society and to highlight wider systemic human rights issues in third countries
- Monitor concrete steps taken and their impact to develop and promulgate a body of best practice and boost strategies on human rights work

2. Mainstream human rights within the operational work of the European External Action Service (EEAS) and EU delegations (EUDEL)

- Set explicit human rights objectives in every staff member's job description and in individual and team work plans within the EEAS and EUDELs in third countries
- Include a requirement to report on fulfillment of human rights objectives in each staff member's personal evaluation in the EEAS and EUDELs in third countries
- Ensure that action on human rights is recognised as a positive criterion in career progression within the EEAS
- Enable an internal culture positive towards human rights which is affirmed pro-actively by the High Representative on Foreign and Security Policy (HRVP), with concrete expectations and actions made clear and explicit to all EEAS and EUDEL staff
- Put this affirmation into action by introducing compulsory training on human rights for all EEAS and EUDEL staff, including at managerial level, based on concrete case studies and documented best practices of EUDELs. Training should be developed and where possible delivered by practitioners.

3. Mainstream human rights within the Council of the European Union

- To make existing EU human rights policy real, practical, operational and meaningful on the ground, every country situation discussed at the Foreign Affairs Council (FAC) must include a specific discussion and agreement on how to address human rights violations
- Proactively place country situations involving human rights crises on the FAC agenda and agree on EU strategies to address these violations

- Task all Council Working Group chairs to 'establish a more systematic exchange with international non-governmental organisations (NGOs) and human rights defenders (HRDs) in order to discuss specific country issues' in line with existing guidance on mainstreaming of human rights across CFSP²

4. Ensure greater coherence across EU external action

- Develop concrete strategies and working methods for the European institutions to align their engagement on human rights across foreign and security policy, migration, trade, energy, development aid and other work consistently and coherently in practice
- Establish a monitoring calendar under the responsibility of the HR/VP to identify systematically all key opportunities where human rights can be raised with third countries and regions across these different sectors of work by EEAS and European Commission
- Ensure human rights are consistently and coherently at the centre of this engagement by tasking EEAS geographical teams to provide human rights briefings to other Commission services in advance of all such opportunities
- To put into action the EU' stated commitment to universality of human rights in practice, develop holistic, coherent strategies for engagement with all EU strategic partners and other key third countries/regions, which include human rights, using these strategies to set the example for the wider credibility and legitimacy of the EEAS and the European Commission as human rights actors globally

5. Actively seek more strategic and effective public diplomacy

- Ensure that public statements explicitly describe human rights violations as such wherever they have occurred and that human rights defenders (HRDs) are explicitly designated as HRDs in public and private communications
- Carry out a 'human rights law and policy check' on all statements to ensure that they fully, accurately and explicitly reflect agreed EU human rights policy, the Universal Declaration on Human Rights (UDHR) and all other obligations under international human rights and humanitarian law, and specific recommendations made by UN human rights mechanisms such as treaty bodies and special procedures.
- Include a call to action in every EU statement laying out concrete steps that a country should take to address human rights violations, to hold those responsible accountable and to ensure that violations are redressed and not repeated
- Enable the EU Special Representative (EUSR) on human rights to be a strong voice in defence of universal human rights, both outspoken towards the outside world and a catalyst for action within the EU

² "Mainstreaming human rights across CFSP and other EU policies," 7 June 2006.
https://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news66.pdf

"Mainstreaming human rights and gender into European Security and Defence Policy," 2008.
http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news144.pdf