



Pierre Vimont

Executive Secretary General, European External Action Service

Brussels, 10 November 2010

Our Ref.: B1010

Dear Mr Vimont,

Subject: A place for Human Rights in the EU's new External Action Service

With the European External Action Service (EEAS) set to launch on 1 December, its structure, staffing and priorities are gradually becoming clearer and we congratulate you on your new posting. We are looking forward to working with you in relation to the EEAS and human rights.

Amnesty International is concerned, however, that if current plans are implemented, the EU's capacity to work on human rights will be greatly diminished. The EEAS will have a critical role in increasing the effectiveness of efforts to promote universal human rights in the EU's external actions. As such, the EEAS needs to be established with an adequate structure to deliver a coherent and audible message in defense of human rights and international law. Indeed the spirit behind the Lisbon Treaty was to markedly improve the EU's coherence and impact on human rights. This can only be achieved, however, if human rights are ultimately moved from the margins of foreign policy to the centre, and furthermore encompass the full spectrum of the EU's actions with third countries and in international fora.

A key element is the way in which the EEAS is structured and staffed at its' Brussels headquarters and in EU delegations worldwide. Until now, discussions held on this structure have lacked any real transparency and have not included consultation with key stakeholders. Moreover, as current proposals stand they will achieve little in advancing the EU's capacity to address human rights. There is a significant risk that the EEAS - if adopted in the currently foreseen format - could in fact provoke a significant step backwards and a further marginalization of human rights.

A Directorate for Human Rights

As a priority we hope you will support our call for a strong and sizable human rights directorate. A structure that constitutes anything less than this will not have the ability to fulfill the EU's human rights ambitions and obligations. The directorate needs to be staffed and equipped in order to assess the external human rights impact of all EU policies and to ensure that mainstreaming is made a reality. It is clear that mainstreaming cannot truly function without the support of a strong, well-resourced body of expert staff; one which holds the mandate to take the initiative, coordinate and fuel EU strategy and action on thematic human rights issues.

This directorate would also ensure that human rights considerations are central to decision-making in other key areas such as climate change, poverty reduction, trade, energy, health, and Common Security and Defence Policy (CSDP). Having a dedicated structure would enable the Political and Security Committee (PSC) to engage with greater regularity in human rights discussions, would facilitate greater structured interaction with EU delegations, the European Parliament and civil society on human rights issues, and would assist the Working Party on Human Rights (COHOM) to function effectively and with influence. In order to further assist

with mainstreaming, each geographical directorate or unit in the EEAS should be assigned a human rights focal point that will guarantee communication with the expert staff in the human rights directorate.

We fear that the implications of the abolition of the rotating Presidency and the vast existing workload on human rights that this will bring to the new service have not been fully considered. Instead of increasing the EU's capacity to work on human rights in the future, there will be a shortfall of both resources and expertise that supports human rights work in the EU institutions, and the merging of human rights units may reduce the EU's capacity to less than one-third of current levels.

Human Rights focal points/officers in EU Delegations

Of equal concern to Amnesty International is how the current proposals deal with the need for expertise in EU Delegations; in particular the proposal that human rights focal points are only to be appointed in selected or critical Delegations. Such a proposal would abandon existing standards, and would represent a serious step backwards. Restricting the deployment of focal points only to delegations already considered "critical" would potentially diminish the EU's work in carrying out long-term capacity-building of local human rights defenders and organisations, and would significantly reduce its capacity to identify early warning signs and work on preventive measures. Delegations will play an indispensable role in coordinating action with Member State embassies in the field, particularly ensuring better implementation of the EU Human Rights Guidelines, as well as feeding back information to decision-makers in Brussels and elsewhere. To be able to carry out this work, every Delegation without exception needs to contain a human rights focal point and critical Delegations will need to employ full-time expert human rights officers.

High-level responsibility for Human Rights

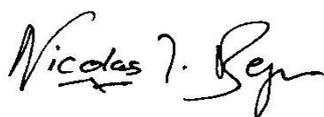
Finally, it is our firm belief that the existence of explicit human rights portfolios at all levels of the EEAS is necessary to ensure that human rights experts are fully integrated into its decision-making structures. In particular, proper consideration of human rights in EEAS decision-making is not likely to occur unless there is a high-level official, at a minimum at the deputy Secretary General level, holding specific responsibility for human rights in the EEAS management team.

Amnesty International has already addressed these concerns in multiple letters to Baroness Ashton, Member States and the European Parliament, including in a letter which was sent on behalf of all members of the Human Rights and Democracy Network (HRDN). However, with the EEAS launch imminent the situation is becoming critical. We understand that it is not only civil society organizations who share the above analysis, but that this has been discussed within the EU institutions and between Member States. These concerns were also echoed at the informal meeting of COHOM in Bruges on 28 October, held to initiate a review of the EU's human rights policy.

May I for this purpose ask you for a meeting at your earliest convenience to discuss these matters further before the EEAS is launched on 1 December, and becomes fully operational next year. We need to see an EEAS that is able to fulfill the ambitions of the Lisbon Treaty and ensures that global human rights protection and promotion becomes a primary goal of EU foreign policy.

We remain at your disposal for further discussions.

Yours sincerely,



Nicolas Beger
Director
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