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Reference: TG EUR 21/2021.2475

**Mr Jean Castex**  
Prime Minister of the French Republic

2 December 2021

Dear Prime Minister Castex,

### **AMNESTY INTERNATIONAL RECOMMENDATIONS TO THE FRENCH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION**

As the French government prepares to assume the Presidency of the Council of the European Union (EU), Amnesty International calls on you to ensure that human rights are at the forefront of your mandate. The French presidency comes at a time of increased challenges in Europe, including the backsliding on the rule of law, the growing anti-gender movement, the continuing lack of solidarity and adequate protection of asylum seekers and the lack of adequate regulation of the cyber-surveillance industry.

As the next Trio Presidency of the EU starts in January 2022, France will be in a unique position during the Presidency and beyond to take a firm stand and show leadership on human rights, as well as champion its feminist foreign policy at EU level. At this important moment, we welcome the opportunity to meet with you and your government to discuss our recommendations in person.

Amnesty International urges you to:

1. **Ensure concrete progress on protecting and promoting human rights and the rule of law within the EU**, in particular regarding the ongoing Article 7 TEU proceedings, protecting civic space and Human Rights Defenders (HRDs) also within the EU as well as accession to the European Convention on Human Rights and the Istanbul Convention on preventing and combatting violence against women and domestic violence.
  2. **Put human rights at the centre of EU foreign policy and ensuring its prioritization** in relations with third countries including China, India, Afghanistan, Russia, Turkey and Egypt, **stepping up collaboration in defence of key human rights gains in multilateral fora** and **strengthening EU and member state support to Human Rights Defenders (HRDs)** through the adoption of annual Foreign Affairs Council Conclusions on HRDs. and using its Presidency to lead the EU toward a foreign policy that engages more robustly on women's rights and indeed on human rights.
  3. **Lead on asylum and migration policies centred on solidarity and human rights**, by ensuring that measures being negotiated under the new EU Pact on Migration and Asylum promote a common European asylum and migration system based on responsibility-sharing, within the EU and globally; a commitment to improve and invest in adequate reception and human rights protection; and accountability for human rights abuses and violations committed by authorities against migrants, refugees and asylum-seekers.
  4. **Lead on a robust EU response to combat unlawful targeted surveillance and ensure greater regulation of the cyber-surveillance industry**: EU member states must immediately put in place a moratorium on the sale, transfer, and use of cyber-surveillance technologies. Given the breadth and scale of the findings which emerged from the Pegasus
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Project, there is an urgent need to halt surveillance technology enabled activities of all states and companies, until there is a human rights-compliant regulatory framework in place.<sup>1</sup>

5. **Put human rights at the centre of the negotiations on the Digital Services Act Package**, by ensuring accountability of providers of online services, increasing transparency of platforms' practices, addressing surveillance-based business models and algorithmic recommender systems, introducing clearer rules for content moderation and by addressing the dominant role of gatekeepers over the online environment.
6. **Prioritize access to justice for victims of human rights and environmental harm by corporate actors** by steering the negotiations on the forthcoming legislative initiative on Sustainable Corporate Governance towards due diligence requirements in alignment with the United Nations (UN) Guiding Principles on Business and Human Rights and establishing civil liability of the parent or controlling company; as well as within the negotiation of the **new EU regulatory framework on sustainable batteries**.

Please find enclosed with this letter an annex providing further analysis and recommendations to the French Presidency.

We look forward to working closely with you and with our French counterparts during the Presidency and beyond. We stand ready to provide any further information required and would welcome the opportunity to meet you to discuss how the French Presidency can act upon the above recommendations.

Thank you in advance for your action to deliver on the EU's human rights commitments at this crucial time.

Yours sincerely,



Eve Geddie  
Head of Office and Advocacy Director  
European Institutions Office  
Amnesty International



Cécile Coudriou,  
Présidente  
Amnesty International France

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<sup>1</sup> See Amnesty International, Briefing on Recommendations to the European Union to end unlawful targeted surveillance, <https://www.amnesty.org/en/documents/eur01/4850/2021/en/>