



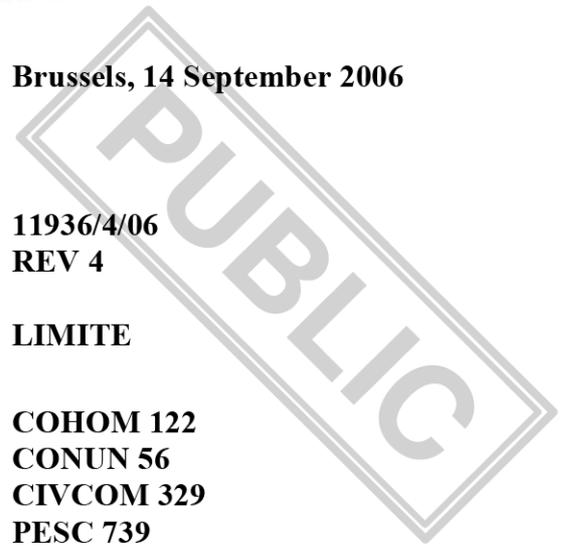
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 September 2006

**11936/4/06
REV 4**

LIMITE

**COHOM 122
CONUN 56
CIVCOM 329
PESC 739
RELEX 510
COSDP 623**



NOTE

from : General Secretariat
to : Political and Security Committee
Subject : Mainstreaming of Human Rights into ESDP

- On the basis of a non-paper by the Personal Representative of the Secretary General/High Representative on Human Rights, PMG had a discussion on the issue on 27 July and 7 September 2006.
- Delegations will find at annex the draft paper on Mainstreaming of Human Rights into ESDP as revised by PMG on 7 September.
- PSC is invited to task EUMC and CIVCOM to prepare an advice on this document.

The Political and Security Committee endorsed, at its meeting on 1st June 2006, doc. 10076/06 concerning the mainstreaming of Human Rights across CFSP and other EU policies. This document, in its section on ESDP missions and operations and in its section on EUSRS, stated that:

"7. ESDP MISSIONS AND OPERATIONS

The protection of human rights should be systematically addressed in all phases of ESDP operations, both during the planning and implementation phase, including by measures ensuring that the necessary human rights expertise is available to operations at headquarter level and in theatre; training of staff; and by including human rights reporting in the operational duties of ESDP missions:

COUNCIL SECRETARIAT AND PRESIDENCY TO

(29) integrate human rights provisions in guiding documents and reviews of ESDP missions and operations where relevant, inter alia by making use of the human rights fact sheet and seeking advise of relevant UN agencies and NGOs;

(30) implement human rights policy in the context of ESDP missions and operations where relevant, in particular as regards women and children, including by monitoring and reporting on human rights related issues;

(31) include human rights experts in ESDP missions and operations where appropriate.

MEMBER STATES, COMMISSION AND COUNCIL SECRETARIAT TO

(32) provide human rights training to personnel serving in ESDP missions and operations;

(33) integrate human rights aspects as part of flanking measures or technical assistance provided in the context of ESDP missions and operations where appropriate.

II. 2. PR/HR AND EUSRS

(...)

(43) including relevant human rights aspects in the mandates of EUSRS; considering the possibility of appointing human rights focal points/human rights advisors in the staff of EUSRS."

Concrete steps for implementation

Based on the above, a number of practical and concrete steps should be taken in order to ensure **mainstreaming of human rights into ESDP**. These steps will be initiated during the Finnish Presidency. Steps identified so far are:

- develop a **consolidated list** of relevant human rights related documents and concepts in the context of ESDP to assist the planners of ESDP missions and operations (living document). Human rights elements should be incorporated into the full range of planning documents for ESDP missions, including CONOPS, OPLAN and rules of engagement. These documents should incorporate elements related to both respect for human rights by ESDP missions and the way in which the mission should promote respect for human rights in the mission area.
- develop a **model/template** for generic key human rights elements which can be inserted in planning documents and reviews of ESDP missions and operations
- develop a **standard field manual** concerning human rights for ESDP missions and operations, drawing also on relevant manuals from UN DPKO, UN OHCHR, UNICEF and other relevant international organisations.
- organise a **workshop** for ESDP-planners with the participation of personnel from UN DPKO, UN OHCHR and UNICEF.
- develop **standard training guidelines** for general ESDP courses (e.g. ESDC, CEPOL, EDP and EGT) as well as for induction training for personnel serving in ESDP missions and operations.

- ensure inclusion of human rights aspects into ESDP **exercises**.
- ensure **necessary expertise** to missions and operations both at headquarter level and in theatre:
 - as a general rule, human rights expertise should be included in preparatory activities such as **fact finding missions and planning teams**, either a full-time human rights advisor, when necessary, or a staff member appointed as focal point for human rights.
 - **ESDP-missions and operations** should have a human rights advisor close to the Operation/Force Commander or Head of Mission (e.g. as is the case in Aceh Monitoring Mission and EUFOR RD Congo); in certain cases, when the mandate of the mission/operation and its area of operation so justify, a staff member close to the Commander or HoM (POLAD or LEGAD) could instead be appointed as focal point for human rights in the mission/operation and this should clearly be indicated in the organigramme.
 - In areas where the EU has ESDP activities (so far BiH, Great Lakes, Middle East, Sudan), the **EUSRs** should have a human rights advisor. In certain cases, when the mandate of the EUSR and local situation so justify, a staff member close to the EUSR (POLAD or LEGAD) could instead be appointed as focal point for human rights in the office of the EUSR and this should clearly be indicated in the organigramme; currently, the EUSR in Afghanistan has a human rights advisor.
 - develop generic **job descriptions** for such human rights advisors.
- ensure appropriate mission-specific **reporting** procedures on human rights aspects in ESDP missions and operations.

- ensure that **lessons learned** from ESDP missions and operations, including from the Aceh Monitoring Mission and EUFOR RD Congo, cover experience gained in the field of human rights and that these lessons learned are given due consideration in future ESDP missions and operations.
- ensure that human rights aspects of the **European Community activities** in areas where there are ESDP activities, are duly taken into account.
