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NÓTA

ó:	Ardrúnaíocht na Comhairle
chuig:	na toscaireachtaí
Ábhar:	Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024 - Conclúidí ón gComhairle - Plean Gníomhaíochta an Aontais Eorpaigh

Gheobhaidh na toscaireachtaí i gceangal leis seo na Conclúidí ón gComhairle i dtaca le Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024, agus Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024, mar a chomhaontaigh an Chomhairle iad an 17 Samhain 2020 trí nós imeachta i scríbhinn de bhun na chéad fhomhíre d'Airteagal 12(1) de Rialacha Nós Imeachta na Comhairle.

Conclúidí ón gComhairle

i dtaca le Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024

1. Mairimid i ré ina bhfuil dúshlán chearta an duine agus an daonlathais á thabhairt agus ina bhfuil amhras á chaitheamh orthu. Sa chomhthéacs sin, glacann an Chomhairle an plean gníomhaíochta dar teideal *EU Action Plan on Human Rights and Democracy* [Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024], mar a leagtar amach san iarscríbhinn é. Is díol sásaimh don Chomhairle an Teachtaireacht Chomhpháirteach dar teideal "Plean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024", agus tugann sí dá haire an Togra Comhpháirteach dar teideal *Recommendation of the Council to the European Council on the adoption of a decision identifying the strategic objectives of the Union to be pursued through the EU Action Plan on Human Rights and Democracy 2020-2024* [Moladh ón gComhairle chuig an gComhairle Eorpach maidir le cinneadh a ghlacadh lena sainiúítear cuspóirí straitéiseacha an Aontais atá le saothrú trí Phlean Gníomhaíochta an Aontais Eorpaigh maidir le Cearta an Duine agus leis an Daonlathas 2020-2024], a chuir Ardionadaí an Aontais Eorpaigh do Ghnóthaí Eachtracha agus don Bheartas Slándála agus an Coimisiún Eorpach i láthair an 25 Márta 2020.
2. Leis an bplean gníomhaíochta seo, athdhearbhaíonn an Chomhairle go bhfuil an tAontas Eorpach tiomanta go láidir do luachanna uilíocha do chách a chur chun cinn a thuilleadh. Leanfaidh an meas ar dhíon an duine, ar an tsaoirse, ar an daonlathas, ar an gcomhionannas, ar an smacht reachta agus an meas ar chearta an duine de bheith mar bhonn faoi gach gné de bheartais inmheánacha agus sheachtracha an Aontais Eorpaigh.
3. Ar an leibhéal domhanda, tá idir mhaith agus olc ag baint leis an staid ina bhfuil cearta an duine agus an daonlathas. In ainneoin go bhfuil céimeanna chun cinn déanta, ní mór aghaidh a thabhairt ar na bagairtí ar uilíocht agus dodhealaitheacht chearta an duine, ar theorannú spás na sochaí sibhialta, agus ar chúlú ar phrionsabail an daonlathais. Ina theannta sin, tá idir dheiseanna agus rioscaí ann nach bhfacthas riamh cheana, go háirithe maidir le forbairtí teicneolaíocha agus dúshlán dhomhanda chomhshaoil.

4. I ngeall ar chásanna géarchéime, cuirtear dúshlán faoi chur chun feidhme chearta an duine agus urraim do luachanna daonlathacha. Mar thoradh ar phaindéim COVID-19 atá ann i láthair na huaire, agus ar na hiarmhairtí socheacnamaíocha a bhaineann léi, tá méadú ag teacht ar an éifeacht dhiúltach atá ar chearta uile an duine, ar an daonlathas, agus ar an smacht reachta agus, dá mbarr, is i ndoimhne atá neamhionannais atá ann cheana féin ag dul agus tá brú níos mó ar dhaoine atá i staid leochaileach. Chun sochaithe níos cothroime, níos glaise, níos athléimní agus níos cuimsithí a bhaint amach, is den rithábacht é infheistíocht a dhéanamh i gcearta an duine, sa daonlathas agus sa smacht reachta. Cuireann an Chomhairle i dtreis go mbeidh cearta an duine, an daonlathas agus an smacht reachta, chomh maith le cur chuige atá inscne-fhreagrúil, ina ndlúthchuid d'fhreagairt an Aontais ar phaindéim COVID-19 agus den téarnamh uathí. Leis an bhfreagairt uainn, tugann an tAontas gealltanais go ndéanfar a áirithiú go seasfar le dínit agus cearta an duine do chách gan idirdhealú d'aon chineál. Níor cheart aon duine a fhágáil ar leataobh ná neamhaird a thabhairt ar chearta an duine.
5. Sa Phlean nua Gníomhaíochta maidir le Cearta an Duine agus leis an Daonlathas 2020-2024, leagtar amach uailmhianta agus tosaíochtaí an Aontais le haghaidh gníomhaíocht nithiúil do na 5 bliana atá amach romhainn i réimse an chaidrimh sheachtraigh.
6. Bainfidh an tAontas Eorpach agus a Bhallstáit úsáid as raon iomlán a gcuid ionstraimí, i ngach réimse den ghníomhaíocht sheachtrach, chun díriú ar cheannaireacht dhomhanda an Aontais, agus an cheannaireacht sin a neartú a thuilleadh, maidir leis na tosaíochtaí uileghabhálacha seo a leanas: daoine aonair a chosaint agus a chumhachtú; sochaithe athléimneacha, cuimsitheacha agus daonlathacha a chothú; córas domhanda le haghaidh chearta an duine agus an daonlathais a chur chun cinn; leas a bhaint as na deiseanna a eascraíonn as teicneolaíochtaí nua agus aghaidh a thabhairt ar na dúshláin a bhaineann leis na teicneolaíochtaí sin; beart a dhéanamh trí bheith ag obair le chéile. Tabharfaidh an tAontas agus na Ballstáit tosaíocht i ngach ceann dá réimsí gníomhaíochta chun gur féidir le mná agus cailíní tairbhiú go hiomlán de chearta an duine, den chomhionannas inscne agus de chumhachtú ban agus cailíní. Is gnéithe riachtanacha iad sochaí shibhialta neamhspleách, lena gcumasaítear spás sibhialta agus tacaíocht agus cosaint do chosantóirí chearta an duine, chun na tosaíochtaí sin a bhaint amach.

7. Chun an plean gníomhaíochta a chur chun feidhme go héifeachtach, ní mór gníomhaíocht chomhordaithe na ngníomhaithe agus na ngeallsealbhóirí uile a bheith ann. Sa chomhthéacs sin, is díol sásaimh don Chomhairle ceannaireacht an Ardionadaí don Bheartas Eachtrach agus Slándála chun cur chun feidhme comhsheasmhach agus comhleanúnach bheartas an Aontais Eorpaigh maidir le cearta an duine agus leis an daonlathas a chur chun cinn. Admhaíonn an Chomhairle obair ríthábhachtach Ionadaí Speisialta an Aontais Eorpaigh um Chearta an Duine agus is díol sásaimh di an ról lárnach atá ag an Ionadaí Speisialta chun cur chun feidhme Phlean Gníomhaíochta 2020-2024 a threorú.
8. Beidh toscaireachtaí agus oifigí an Aontais, mar aon le ambasáidí na mBallstát, ar thús cadhnaíochta maidir le cuspóirí an phlean gníomhaíochta a bhaint amach. Oibreoidh an tAontas Eorpach i ndlúthchomhar le tíortha eile, le heagraíochtaí idirnáisiúnta agus réigiúnacha. Beidh eagraíochtaí na sochaí sibhialta ina gcomhpháirtithe tábhachtacha agus rachfar i gcomhairle leo agus an plean gníomhaíochta á chur chun feidhme. Áiritheoidh an Chomhairle go ndéanfar obair leantach éifeachtach agus go ndéanfar faireachán ar an dul chun cinn ar bhonn rialta. Iarrann an Chomhairle ar gach comhpháirtí páirt a ghlacadh sna hiarrachtaí chun rannchuidiú le rath an phlean gníomhaíochta seo agus cearta an duine agus an daonlathas a chur chun cinn ar fud an domhain.
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EU ACTION PLAN ON HUMAN RIGHTS AND DEMOCRACY 2020-2024

The EU action plan on human rights and democracy 2020 - 2024 sets the level of ambition and defines the priorities of the EU and its Member States in this field in relations with all third countries. Human rights and democracy will be promoted consistently and coherently in all areas of EU external action (e.g. trade, environment, development, counter-terrorism). It remains highly important to ensure the coherence of the EU's internal and external policies. The outbreak of the COVID-19 pandemic illustrates the importance of multilateralism, global cooperation and solidarity. Respect for human rights, democracy, and the rule of law, as well as a gender responsive approach must remain at the heart of responding to the pandemic and supporting the global recovery. The Action Plan will contribute to the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

Effective implementation of the action plan requires **coordinated action** by the EU and Member States, while respecting the distinct institutional roles and competences: the High Representative/Vice-President (HRVP), assisted by the European External Action Service, the European Commission, the Council and the Member States. The EU Special Representative for Human Rights (EUSR) will remain a key political actor and play a central role in guiding implementation of the action plan in order to deliver sustainable progress. The European Parliament has a distinct role and importance in contributing to the promotion of human rights and democracy.

The action plan sets out overarching priorities and objectives which will be translated and implemented in the next five years at all levels: country, regional and multilateral. In operational terms, the **five lines of action** will be implemented on the ground in partner countries. Gender mainstreaming will be applied to ensure that all measures of this Action Plan are gender responsive.

Over 140 **EU Delegations and Offices** around the world and **Member States Embassies** will be at the forefront of implementation, adapting the priorities and objectives to local circumstances and reporting on results. Within the framework set by the Action Plan, the EU Delegations will work with Member States to define concrete priorities in their countries of operation for a five year period; the work will be backed with **robust financial and political resources**. Programmes and projects at country, regional and global levels, and Common Security and Defence Policy (CSDP) missions and operations will contribute to achieving the objectives.

Achieving the objectives will require the systematic, and coordinated use of the **full range of instruments** at the EU's disposal including:

- **political, human rights and sectoral policy dialogues** with third countries and regional organisations;
- human rights and democracy country **strategies**;
- Council **Conclusions**;
- dialogue and monitoring missions to implement the EU's **generalised scheme of preferences (GSP)**;
- thematic and geographical programmes under the **2021-2027 multiannual financial framework**, in particular the new Neighbourhood, Development and International Cooperation Instrument (specific project and programme arrangements will depend on the context);
- actions in **multilateral and regional human rights fora**: EU-led thematic and geographical resolutions that address a wide range of human rights issues, support for other relevant resolutions, EU statements and interventions, participation in interactive dialogues, public debates and briefings, events in support of human rights and democracy;

- **speaking up** for human rights and democracy: **public diplomacy and strategic communication** activities, awareness-raising campaigns, public statements and *démarches* condemning human rights violations and abuses, and recognising steps taken to promote and protect human rights and democracy;
- **advocacy** for ratification and implementation of key international human rights treaties, including core labour rights conventions, main instruments of international humanitarian law, as well as relevant regional human rights instruments;
- observing **trials** of human rights defenders and direct support to human rights defenders;
- the 13 **EU human rights guidelines**¹ – instruments and tools for EU Delegations and Member States Embassies to advance EU human rights policies;
- **election missions** and their follow-up;
- regular **dialogue** with civil society, human rights defenders, national human rights institutions, the business sector and other relevant stakeholders;
- cooperation with **multilateral human rights institutions and United Nations (UN) human rights treaty bodies and Special Procedures**;
- **restrictive** measures;
- targeted **training** sessions for EU staff in Delegations.

¹ https://eeas.europa.eu/generic-warning-system-taxonomy/404_en/8441/Human%20Rights%20Guidelines.

1. PROTECTING AND EMPOWERING INDIVIDUALS

Protecting and empowering individuals means ensuring that everyone can fully enjoy civil, political, as well as economic, social and cultural rights. Empowering all people ('leaving no-one behind') involves enabling them to realise their full potential as equal and active members of society. Respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights are the cornerstone of societal cohesion, solidarity and trust, both between the state and citizens, and among citizens. The EU and its Member States will promote women's and girls' full enjoyment of human rights, gender equality and the empowerment of women and girls as a priority across all areas of action.

1.1 Protecting people, eliminating inequalities, discrimination and exclusion

- a. Work towards the worldwide abolition of the death penalty. In countries where the death penalty still exists, insist on the respect of minimum standards and work towards a moratorium on executions as a first step towards abolition.
- b. Strive to eradicate torture and cruel, inhumane or degrading treatment or punishment globally through prevention, prohibition, accountability and redress for victims, including by promoting the Global Alliance for Torture-Free Trade. Support the independent monitoring of prisons and other places of deprivation of liberty.

- c. Support and protect human rights defenders (HRDs) and their legal representatives, and address the impact of their work on their families. Ensure assistance via the EU human rights defenders protection mechanisms. Take into account the particular risk that certain human rights defenders face, including women HRDs and environmental HRDs. Work to ensure positive recognition of the important role played by human rights defenders at all levels, including by publicly expressing support for their work. Ensure visibility, support activities and raise individual cases related to *inter alia* legitimate land tenure rights, labour rights, natural resources, environmental issues, freedom of peaceful assembly and association, indigenous peoples' rights as set out in the UN Declaration on the Rights of Indigenous Peoples, climate change, and those resulting from corporate abuses.
- d. Enhance efforts to ensure the protection of civilians in armed conflicts, including civilian and humanitarian infrastructure, and work towards the implementation and further the dissemination of international humanitarian law, i.a. through cooperation with regional and national actors.
- e. Step up action to combat all forms of discrimination on any ground, with a specific attention to multiple and intersecting forms of discrimination including on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, property, birth, disability, age, sexual orientation and gender identity.
- f. Call on all states to respect, protect and fulfil the human rights of persons belonging to minorities, including national, ethnic, religious, and linguistic minorities in accordance with applicable international norms and standards.
- g. Promote the exchange of best practices and lessons learnt with partner countries on strategies and policies to combat racism, racial discrimination, xenophobia and related intolerance.
- h. Step up action to prevent and combat all forms of discrimination, intolerance, violence and persecution against people based on their exercise of the freedom to thought, conscience and religion or belief.

- i. Scale up action to achieve gender equality, and ensure the full recognition, and equal and full enjoyment of all human rights by all women and girls and their empowerment, free from all forms of discrimination, including multiple and intersecting forms of discrimination, while applying a gender responsive approach, and thus contributing to the implementation of all EU Gender Action Plans as endorsed by the Council.
- j. Advocate for the elimination, prevention and protection from all forms of sexual and gender-based violence, including social norms and harmful practices such as female genital mutilation, female infanticides, child, early and forced marriage, and discrimination. Partner up with key international actors, such as the Council of Europe to ensure universal respect for the obligations to prevent and address violence against women and girls arising from international instruments. The Council of Europe's Istanbul Convention, which has been ratified by 21 EU Member States, defines a set of standards for preventing violence, protecting victims and ensuring accountability for perpetrators, towards a life free from violence for all women and girls. Lead the Action Coalition on Gender-Based Violence for the Generation Equality Forum.
- k. Work towards the promotion, protection and fulfilment of all human rights and the full and effective implementation of the Beijing platform for action and the programme of action of the International Conference on Population and Development², and the outcomes of their review conferences, and remain committed to sexual and reproductive health and rights, in this context³. Continue reaffirming the commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. Further stress the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

² https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.177_20.pdf.

³ https://www.consilium.europa.eu/media/24004/european-consensus-on-development-2-june-2017-clean_final.pdf.

- l. Step up actions to prevent, denounce and combat all forms of discrimination and harassment against Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons, including LGBTI-phobic violence, hate speech and hate crimes. Actively condemn and combat discriminatory laws policies and practices, including the criminalisation of consenting same-sex relations.
- m. Further advocate for respect, protection and fulfilment of the rights of the child. Promote and implement measures to prevent, combat and respond to all forms of violence against children. Assist partner countries in building and strengthening child protection systems. Support the development of quality alternative care and the transition from institution-based to quality family- and community-based care for children without parental care.
- n. Advocate for the enjoyment of all human rights by older persons at all times, as well as for ensuring adequate and sustainable solutions for their needs.
- o. Advocate for a human rights-based approach that focuses on persons in vulnerable situations, including migrants, refugees, asylum seekers, internally displaced and stateless persons in line with international human rights obligations under international law and standards, and through existing policy and legislative frameworks. Strengthen the capacity of states, civil society and UN partners to implement this approach and support measures to improve integration, social cohesion and access to quality services, fully respecting EU and national competences.
- p. Support measures to address the high risk and serious impacts of climate change, environmental degradation and biodiversity loss on the exercise of human rights, such as rights to life, health, safe drinking water and sanitation, food, adequate housing and standard of living, including for climate-induced displaced people.

1.2 Empowering people

- a. Create conditions to empower women and girls and to ensure their full, effective and meaningful participation and equal representation in all spheres of life, including by eliminating gender stereotypes, and addressing structural inequalities, such as the digital gender divide. All measures of this Action Plan, including those aiming at improving integration, social cohesion and access to quality services, are gender responsive.
- b. Support state authorities in providing legal identity for all, in particular ensuring universal birth registration.
- c. Promote, support and ensure the meaningful inclusion and active participation of children and youth in decisions that affect them at all levels, including in EU policy-making and implementation.
- d. Advocate for third countries to ratify and implement the UN Convention on the Rights of Persons with Disabilities. Assist to prevent and remove attitudinal, institutional and environmental barriers. Ensure accessibility to infrastructure, transport, information and communication technologies (ICT), and ensure inclusive services, such as quality education, including distance learning, and healthcare, justice and employment.
- e. Support indigenous peoples by promoting their participation in relevant human rights and development processes and by upholding the principle to free, prior and informed consent in all decisions affecting them.

1.3 Promoting fundamental freedoms and strengthening civic and political space

- a. Encourage recognition of and support for the essential role that civil society plays in the delivery of the Sustainable Development Goals and in promoting human rights.
- b. Promote a safe and an enabling environment for civil society as actors in their own right, including long-term strategic and flexible support to capacity building and meaningful participation of civil society at country, regional and global level. Condemn and take appropriate actions against legislation that unduly restricts the work of human rights defenders, journalists, media workers, and civil society, including arbitrary procedures or restrictions, in particular regarding foreign funding.
- c. Develop tools to detect and respond to early signs of closing civic space and democratic backsliding, including the use of digital technologies and counter-terrorism measures as well as disproportionate measures imposed under state of emergency. Build on best practice and support efforts to prevent and counter the closing of space and democratic backsliding, and develop tools to monitor and anticipate challenges or opportunities for civic and democratic space.
- d. Protect and promote freedom of expression, media freedom and pluralism, online and offline, and access to information. Take action to counter disinformation, including by raising public awareness, and stimulating public debate around actions to counter disinformation.
- e. Contribute to the safety and protection of journalists and media workers, including by working on an enabling environment for freedom of expression and by condemning attacks and other forms of harassment and intimidation both online and offline, and address specific threats faced by women journalists. Ensure that those harassed, intimidated or threatened receive assistance via the EU human rights defenders protection mechanisms. Support media initiatives and appeal to state authorities to prevent and condemn such violence, and take effective measures to end impunity.

- f. Prevent and take action against violations of the freedom of peaceful assembly and association, including where civil society organisations as well as workers and employers are affected.
- g. Encourage inclusive dialogue and the peaceful resolution of political crises and mass protests in compliance with human rights standards. Build the capacity of civil society and political actors to respond to the grievances expressed by spontaneous civic movements in compliance with human rights standards. Condemn intimidation, threats and violence against peaceful protesters.
- h. Promote and support the right for all individuals to have a religion, to hold a belief, or not to believe. Protect the rights of individuals to manifest, to change or leave one's religion or belief without fear of violence, persecution, or discrimination. Condemn and take appropriate action against disproportionate restrictions on freedom of thought, conscience and religion.
- i. Support interfaith dialogues and reach out to religious and faith-based actors and assess how they can be involved in the protection and promotion of human rights, in delivering the sustainable development goals, and in peace-making, conflict prevention, reconciliation and mediation, and find synergies with ongoing UN initiatives.
- j. Support action to protect academic freedom, the autonomy of education institutions, as well as their capacity to provide online and distance learning. Promote the implementation of human rights education on the basis of the World Programme for Human Rights Education.

1.4. Reinforcing economic, social, cultural and labour rights

- a. Strengthen the linkage between human rights and the environment, including climate change in EU external action. Support activities to raise awareness of the human rights impact and implications of climate change and environmental degradation.
- b. Effectively integrate economic, social, cultural and labour rights in EU human rights dialogues with partner countries, while ensuring synergies with other consultations and GSP+/EBA monitoring missions.
- c. Promote a zero-tolerance policy on child labour, and the eradication of forced labour. Support partnerships at all levels, labour rights in EU trade relations, promotion of due diligence in global supply chains and efforts to promote ratification of the ILO Forced Labour Protocol.
- d. Support the role of public authorities in adopting and ensuring compliance with environmental regulations aimed at securing a safe, clean, healthy and sustainable environment, including by promoting good governance and community-based natural resources management and the rule of law, access to information, public and inclusive participation in decision-making and access to justice on environmental and climate matters.
- e. Assist state authorities in developing and implementing laws, regulations, policies and programmes on water, food, land, natural resources, housing and property that uphold human rights.
- f. Support universal access to safe, sufficient and affordable drinking water, sanitation and hygiene, and emphasise the human rights dimension in those areas.
- g. Curb inequalities by combating poverty and social exclusion, and by promoting non-discriminatory access to social services, including quality and affordable health services and inclusive and equitable quality education, including distance learning. Build practitioners' capacity to respond to the specific care needs of all persons in vulnerable situations with no exception of any kind.

- h. Foster health promotion and equal access to preventive health services and the right of everyone to the enjoyment of the highest attainable standard of health, especially in times of crisis with special attention to persons affected by discrimination and marginalisation.
- i. Promote decent work and a human-centred future of work through an updated EU approach ensuring the respect of fundamental principles and rights at work, the right to safe and healthy working conditions for all, and a world of work free of violence and harassment. Promote social dialogue as well as the ratification and effective implementation of relevant ILO conventions and protocols. Strengthen responsible management in global supply chains and access to social protection.
- j. Improve the working conditions of migrant workers, including by eradicating all forms of forced labour and exploitation. Support migrant workers in third countries, especially women and their communities, to defend their rights, report, seek justice and organise for advocacy.
- k. Promote the respect for cultural rights, ensuring the expression of diversity and cultural identity as well as promoting the preservation of cultural heritage.

1.5 Supporting the rule of law and the fair administration of justice

- a. Advance the rule of law, support the strengthening of independent and impartial judiciary, oppose external pressure against judges and national justice systems, and promote the right to a fair trial to ensure respect for human rights in the administration of justice.
- b. Promote rights-based and gender responsive justice, access to justice and legal assistance, including by legal aid and digital innovation, focusing on people living in the most vulnerable situations.

- c. Support the establishment or strengthening of human rights-compliant alternative dispute resolution mechanisms as a way to foster restorative justice and to reduce legal, practical and other barriers to justice for victims of human rights violations.
- d. Support the development of child-friendly justice systems for all children in contact with the law and deprived of liberty.
- e. Support the improvement, in line with international standards, of the detention conditions and treatment of persons deprived of liberty.

1.6 Closing the accountability gap, fighting impunity and supporting transitional justice

- a. Establish a new horizontal EU global human rights sanctions regime to tackle serious human rights violations and abuses worldwide.
- b. Develop comprehensive EU approaches to ensuring accountability, in particular for the most serious crimes and human rights violations and abuses, and to supporting victims in seeking remedy by linking national and international efforts, building on EU policies, e.g. on the International Criminal Court, children and armed conflict, Women, Peace and Security, survivors of conflict-related sexual and gender-based violence, transitional justice, the fight against torture and other ill-treatment.
- c. Promote the national implementation of the Rome Statute and its principle of complementarity, in particular by strengthening national criminal justice systems.
- d. Engage with international and hybrid criminal tribunals and with UN mechanisms mandated to support the collection, consolidation, preservation and analysis of violations of international humanitarian and human rights law.
- e. Support in-country initiatives to combat impunity for human rights violations and abuses and transitional justice processes, including by strengthening links with the UN.

- f. Actively promote measures to prevent enforced disappearances and extrajudicial killings.
- g. Promote continued political commitment to and operationalisation of the Responsibility to Protect (R2P) by facilitating dialogue and engagement in the UN context and by applying the concept as an analytical tool to specific country situations. Prioritise EU's early action to prevent mass atrocities.
- h. Promote measures to prevent and fully eradicate trafficking in human beings, including by countering impunity for all perpetrators involved. Promote measures to assist and protect all victims, in particular women and children, according to their respective needs, including through the provision of mental health and psycho-social support, gender responsive and child sensitive approach.

2. BUILDING RESILIENT, INCLUSIVE AND DEMOCRATIC SOCIETIES

Respect for human rights is an essential element of resilient, inclusive and democratic societies. Such societies are built on transparent and accountable institutions, representative parliaments and engaged citizens, and provide a safe and enabling environment for civil society, and independent media to voice concerns, influence policies, monitor decision-makers and hold them to account. Human rights and democracy are interdependent and mutually reinforcing.

2.1 Enhancing democratic, accountable and transparent institutions

- a. Support the separation of powers, independence and impartiality of the judiciary, the efficiency, quality and accountability of the justice system and constitutional safeguards in partner countries.

- b. Support parliamentary institutions to increase their capacity to exercise their oversight, legislative, representative and budgetary functions, including through peer-to-peer exchanges to ensure that fair democratic procedures are observed and, if necessary, improved in the time between elections.
- c. Improve the integrity and inclusive participation of electoral processes by supporting independent domestic electoral observation and their regional and international networks, and by strengthening the capacity of election management bodies and public administrations and by promoting inclusive legislative frameworks and their effective enforcement.
- d. Ensure a systematic follow-up on the recommendations of EU and Organisation for Security and Cooperation in Europe (OSCE) electoral observation missions, using both political and cooperation tools. Foster a common approach to follow-up in the international observer community, in particular with the African Union (AU), Organisation of American States (OAS) and the UN.
- e. Enhance the role of EU election observation in the wider EU support for human rights and democracy to reinforce other key EU foreign policy objectives.
- f. Develop and refine electoral observation methodology to monitor and assess the use of social media and other digital technologies during election campaigns against international standards, in order to prepare for and pre-empt attempts to distort elections.
- g. Support the development of policy frameworks that apply offline rules on elections and democratic processes to the online context, and assist to build capacities to implement them. Build on the EU's efforts in this regard, including the action plan against disinformation⁴, the Commission's electoral package⁵, the code of practice on disinformation⁶ and the upcoming European Democracy Action Plan and Digital Service Act.

⁴ https://eeas.europa.eu/sites/eeas/files/action_plan_against_disinformation.pdf.

⁵ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights_en#electionsnetwork.

⁶ <https://ec.europa.eu/digital-single-market/en/news/code-practice-disinformation>.

- h. Step up actions in support of democratic institutions at the local level, including by supporting decentralisation and transparent, inclusive, participatory and accountable local governance.
- i. Provide comprehensive assistance to prevent and fight against corruption by supporting public administration reform, effective anti-corruption strategies and legal frameworks, including whistle-blowers and witness protection, specialised bodies, parliaments, independent media and civil society, and developing anti-corruption guidelines. Support the ratification and implementation of the UN Convention against Corruption.
- j. Support civil society organisations to monitor and contribute to the effective, equitable, transparent and accountable domestic resource mobilisation and to ensure that tax policy and implementation combats inequality, illicit financial flows and drives inclusion.
- k. Support e-governance initiatives to make the public sector more transparent and accountable, thereby enhancing public trust in governments.
- l. Support the development of research and practice-based knowledge on human rights and democracy to inform and enable a more effective action.

2.2 Promoting responsive, inclusive, participatory and representative decision-making

- a. Work towards women's and youth's equal, full, effective and meaningful participation, in all their diversity, in all spheres and levels of public and political life, including by advocating for their inclusion on political parties' lists for winnable seats and building candidates' capacity.

- b. Support pluralist party systems and political parties' capacities in a non-partisan manner, including through assisting in the application of international standards on transparent party financing, internal democracy and inclusivity in the selection of candidates and office-holders. Promote and support the adoption of electoral and political party laws for these purposes and promote a level playing field in electoral processes. Support the development of cross-party codes of conduct aimed at preventing electoral fraud and electoral violence and parliaments' capacity to promote and to protect human rights and fundamental freedoms.
- c. Increase the capacity of political parties and oversight agencies, especially in conflict-affected and transitional settings. Support cross-party alliances and multi-party dialogue on policy issues of common concern.
- d. Foster the role of civil society in oversight and accountability in both the public and the private sector, promoting the use of online technologies in accordance with human rights standards, rule of law and democratic principles.
- e. Promote greater transparency of democratic processes, particularly of the financing of political and issue-based campaigning by different actors.
- f. Promote active citizenship and full participation of all, without discrimination, in public and political life. Civic education, including via distance learning and online media literacy action, should particularly target women, children, youth, persons with disabilities, persons belonging to minorities, indigenous peoples, and other persons in vulnerable situations.

2.3 Supporting independent and pluralistic media, access to information and the fight against disinformation

- a. Support legislative initiatives strengthening access to information, media freedom, the right to privacy and personal data protection in line with European and international standards, and their effective implementation.
- b. Promote media freedom and pluralism online and offline by supporting the capacity and sustainability of independent media outlets and promoting access to reliable information, in particular during elections. Support investigative journalism and civil society in monitoring governments' performance on governance and compliance with human rights obligations. Counter attempts to influence and exert pressure on independent and pluralistic media.
- c. Promote efforts to counter disinformation, hate speech, violent extremist and terrorist content, including by fostering online media literacy and digital skills while safeguarding all fundamental freedoms. Strengthen civil society organisations' and independent media's capacity to detect, expose and raise public awareness on disinformation and information manipulation. Support independent and credible fact-checking and research, investigative reporting and journalism, including at local level. Support civil society initiatives promoting reliable information and a free media.
- d. Promote the principle of open, safe, affordable, equally accessible and non-discriminatory internet access for all. Combat internet shutdowns, especially in the context of elections and where human rights violations occur.

2.4 Reinforcing a human rights and participative approach to conflict prevention and crisis resolution.

- a. Support the meaningful inclusion of young people, in particular young women, and faith-based actors and their full, effective and meaningful participation in all efforts to prevent atrocities and resolve conflict, build and sustain lasting peace.

- b. Build the capacities of grassroots civil society organisations, human rights defenders and civic movements to conduct regular monitoring and documentation of human rights violations and abuses, including in conflict situations.
- c. Continue to strengthen the links between human rights, including gender equality, security, environmental degradation and climate change - the latter being an important threat multiplier - in policy dialogues, conflict prevention, development and humanitarian actions, as well as disaster risk reduction strategies.
- d. Ensure complementarity and effectively implement the EU Action Plan on Women, Peace and Security 2019 – 2024.
- e. Intensify efforts to prevent and end grave violations against children affected by armed conflict and support demobilisation, long-term rehabilitation and reintegration also by building on and strengthen coordination with existing UN mechanisms.
- f. Further strengthen policy coherence between EU human rights and crisis response policies and actions, including in the human rights and democracy country strategies, and ensure centrality of human rights in all aspects of crisis response and conflict prevention, such as CSDP missions and operations, security sector reforms and mediation, with particular attention to protection of civilians, gender equality and children and armed conflict.
- g. Develop EU human rights due diligence policy to ensure that EU security sector support, including in the context of CSDP missions and operations, is in compliance with human rights law and international humanitarian law, where applicable.
- h. Continue to provide dedicated IHL modules in training third countries' armed forces through EU military training missions and include dedicated child protection modules where relevant.

3. PROMOTING A GLOBAL SYSTEM FOR HUMAN RIGHTS AND DEMOCRACY

Promoting a global system for human rights and democracy is at the core of the EU's commitment to strengthening multilateralism. The EU's strategic response to the changing international environment is to strengthen its coherence and unity in multilateral fora, to widen and deepen bilateral partnerships, and to build new cross-regional coalitions.

3.1. Multilateral cooperation

- a. Participate in and create a more flexible and stronger network of partners, including through selective issues-based engagement in promoting human rights and democracy. Reach out to new partners, prioritise coalition-building with regional and cross-regional groups on selected human rights resolutions, and strengthen links with like-minded countries.
- b. Engage at an early stage with all members of the UN Human Rights Council on country and thematic resolutions, particularly with those that hold a different view than the EU on specific resolutions.
- c. Enhance strategic cooperation with the Office of the High Commissioner for Human Rights, both at central level and with field offices. Support the independence of the Office in promoting and monitoring human rights and mainstreaming human rights throughout the UN system.
- d. Strengthen the role of the Human Rights Council in upholding universal respect for human rights, including by addressing situations of violations of human rights. Support the efficiency and effectiveness of the UN Human Rights Council, and ensure better links with the work of the UNGA Third Committee and synergies with other multilateral and regional human rights fora.

- e. Support civil society organisations' meaningful participation in multilateral and regional human rights fora and take actions, both public and bilateral, against any reprisals related to engagement with the UN, whether on the ground or in multilateral fora.
- f. Support the effective implementation of the UN Secretary-General's *Call to Action for Human Rights*.
- g. Promote human rights as a cross cutting priority in the continued implementation of UN reforms, and enhance strategic cooperation with UN Agencies. Enhance UN peace operations' work and ability to ensure the protection and promotion of human rights.
- h. Collaborate with the International Monetary Fund, the World Bank, and other multilateral and regional development banks and institutions to promote good governance, accountability, and transparency, thus strengthening the framework for effectively promoting human rights and democracy.

3.2 Regional partnerships

- a. Strengthen the partnership with the Council of Europe (including the Venice Commission and the Commissioner for Human Rights) and the Organisation for Security and Co-operation in Europe (OSCE), to enhance coherence and complementarity through selected and diversified cooperation.
- b. Strengthen regional cooperation with the African Union, the Organisation of American States, the Association of Southeast Asian Nations, the Asia-Europe Meeting, the League of Arab States and the Organisation of Islamic Cooperation.
- c. Support and encourage peer-learning for regional human rights institutions, including human rights courts and independent networks of human rights institutions.

3.3 Bilateral cooperation

- a. Ensure linkages and synergies between the EU's bilateral relations (including political, human rights and sectoral policy dialogues, election missions, monitoring of human rights and labour rights under the GSP, and work on labour rights under FTAs) and its actions at multilateral level. Maintain focus on follow-up.
- b. Identify and follow up on concrete action points for each round of human rights dialogue and consultations with partner countries, taking particular account of GSP+/EBA monitoring objectives in dialogues with GSP beneficiary countries.
- c. Strengthen the implementation of human rights provisions in EU trade policy, including through the GSP, and by promoting labour rights in the context of FTAs. Use the full potential of monitoring mechanisms and further promote transparency, awareness and engagement with stakeholders.
- d. Make full use of synergies between political and sectoral policy dialogues, including on budget support, to promote human rights, democracy and the rule of law in partner countries.
- e. Apply human rights principles and standards in EU bilateral and regional cooperation; by updating the methodology in the toolbox: a rights-based approach, encompassing all human rights for EU development cooperation⁷.

3.4 Civil society and National Human Rights Institutions

- a. Deepen engagement with and enhance support for independent and pluralistic civil society, including grassroots civil society organisations, human rights defenders, social partners including trade unions, independent media associations and journalists, academics, legal professionals, faith-based actors, and humanitarian aid organisations, in order to defend their right to exercise their roles free from any form of intimidation, discrimination or violence.

⁷ <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209489%202014%20INIT>.

- b. Support independent national human rights institutions and commissions, ombudspersons and equality bodies, in line with the Paris and Venice principles, and engage with them including in the context of human rights dialogues.
- c. Promote structured and regular dialogues between state actors, civil society (including social partners) and the international community and maintain focus on follow-up.
- d. Support and strengthen long-term partnerships and cooperation with civil society actors, human rights defenders and social movements, also by making full use of the opportunities to fund grassroots organisations, including through the European Endowment for Democracy.

3.5 Business sector

- a. Strengthen engagement in international fora and with partner countries to actively promote and support global efforts to implement the UN Guiding Principles on Business and Human Rights, including through fostering the development and implementation of national action plans in Member States and partner countries, advancing relevant due diligence standards and working on a comprehensive EU framework for the implementation of the Guiding Principles in order to enhance coordination and coherence of actions at EU level.
- b. Engage with the business sector on upholding and promoting human rights, anti-corruption measures and best practices on responsible business conduct, corporate social responsibility, due diligence, accountability and access to remedies in a participative manner (e.g. supply chains, zero tolerance for child labour).
- c. Support multi-stakeholder processes to develop, implement and strengthen standards on business and human rights and due diligence, and engage with development banks and international financial institutions. Promote regional projects, peer learning, exchanges of good practice and internationally recognised guidelines and mechanisms, such as those in the UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises and the ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy.

- d. Support advocacy work and enabling spaces for business engagement with civil society and human rights defenders in decent job creation, sustainable development, and women's entrepreneurship and economic empowerment along the supply chain.
- e. Develop tools and training material on business and human rights, responsible business conduct, private/public-sector dialogue and due diligence to enable EU Delegations to step up their engagement on business and human rights.

3.6 Compliance with international human rights and international humanitarian law

- a. Strengthen the effectiveness and efficiency of the UN human rights treaty body system and the ILO standard supervisory mechanism.
- b. Support the effective implementation of international and regional mechanisms to promote and protect human rights, including Universal Periodic Review recommendations and concluding observations of the UN treaty bodies.
- c. Continue to advocate for and support initiatives to strengthen compliance with international humanitarian law and safeguard humanitarian space. Ensure the implementation of the EU's positions, as defined by the Council, on international humanitarian law and international criminal justice and strengthen the visibility and coherence of EU action in this regard, including through strategic outreach and knowledge transfer.
- d. Support the International Criminal Court as a cornerstone in fighting impunity for the most serious crimes of concern to the international community as a whole and build networks to promote the universality and integrity of the Rome Statute.

4. NEW TECHNOLOGIES: HARNESSING OPPORTUNITIES AND ADDRESSING CHALLENGES

Human rights apply equally online and offline. Digital technologies must be human-centred and human rights compliant. New technologies can contribute significantly to the protection and promotion of human rights and democracy, including by making public participation easier and more effective, increasing access to public services, facilitating the documentation of violations and abuses, and supporting online activism. However, these technologies can also have a negative impact, such as spreading disinformation and hate speech, enabling new forms of violence, violations and abuses of the right to privacy, facilitating access to specific illegal content including child exploitation, widespread surveillance limiting freedom of expression and reducing civil society space, reinforcing discrimination and structural inequalities. This possible negative impact must be prevented and countered.

4.1 Capacity-building and effective monitoring

- a. Engage with governments, multilateral institutions, including UN agencies, civil society, business and experts to share analysis and best practices and agree actions where appropriate on how to enforce human rights frameworks and support democracy in the digital age.
- b. Provide capacity building and other support to enable national authorities to effectively develop and implement relevant international standards effectively in the online space (e.g. protection of children, countering hate speech) and engage data scientists and other relevant experts for that purpose. To avoid gaps in protection, national laws and regulations on digital issues should reflect international human rights law.
- c. Promote discussions and actions to maximise the opportunities of new technologies, including artificial intelligence (AI), while remaining vigilant on the risks that they may pose to human rights and democracies, at international and country level.

- d. Exchange best practices and lessons learnt on countering disinformation, hate speech, extremist and terrorist content, including through online media literacy and digital skills while safeguarding human rights standards. Liaise with online platforms including social media, and digital media on the importance of developing self-regulatory approaches to and being more proactive on combatting online disinformation by developing accountability and transparency standards that fully respects human rights.
- e. Examine regulatory and non-regulatory approaches to ICT in third countries as regards promotion of human rights and democracy. Foster international best practice exchanges on human rights compliant tech regulation.
- f. Reinforce exchanges and develop training for EU staff on the existing and future use of digital technologies and AI, their impact on human rights and democratic processes in third countries, and how the EU can mitigate the risks and benefit from the opportunities.

4.2 Promoting human rights and democracy in the use of digital technologies, including Artificial Intelligence

- a. Contribute to the development, evaluation and implementation of the relevant frameworks and international standards that safeguard human rights and democracy in the digital environment, consult and cooperate broadly including with tech companies, platform providers, academia and civil society. Promote adequate due diligence (including mitigation plans) and effective human rights impact assessment.
- b. Engage in multi-stakeholder processes that focus on the human rights dimension of online frameworks including by seeking a more active promotion of human rights and democracy by tech companies in their services and operations.

- c. Protect the individual's right to privacy and data protection, including in the context of digital space and with respect to disproportionate government access and control. Promote convergence towards a high level of protection taking into account positive examples, such as the General Data Protection Regulation. Promote accession to the Council of Europe Convention on Data Protection.
- d. Promote EU action, and support global and regional efforts to ensure respect for human rights, including right to an effective remedy, and democratic principles in the research, design, development, deployment, evaluation and use of new technologies including artificial intelligence, building on the EU's own developing approach to ethical artificial intelligence⁸.
- e. Promote an open, free and secure internet, including by monitoring internet shutdowns, online censorship and digital practices such as those leading to mass arbitrary surveillance while supporting efforts to protect freedom of expression, media freedom and pluralism in the online environment. Intensify efforts to reap the benefits of new technologies for civil society as well as with a particular focus on mitigating risks for human rights defenders and journalists.
- f. Promote the accessibility of technologies for everyone, including persons with disabilities and other persons in vulnerable situations, already at the design stage of new technologies covering all sectors including education.
- g. Ensure transparency and accountability in the use of technology in judicial processes including through lawful access to electronic material constituting evidence, robust data security mechanisms and effective public scrutiny of e-justice institutions.

⁸ See the Commission's White Paper on "Artificial Intelligence – A European approach to excellence and trust", COM(2020) 65 final of 19.2.2020

5. DELIVERING BY WORKING TOGETHER

This action plan enables the EU to respond to emerging challenges through focused action and coordinated efforts and its implementation and monitoring should be subject to a broad stakeholder dialogue. The EU institutions and Member States will work together to implement it in a joined-up approach each according to their competences under the Treaties, and with exchange of good practices and knowledge. The EU Special Representative for Human Rights (EUSR) is a key political actor and will play a central role in guiding implementation of the action plan in order to deliver sustainable progress. The European Parliament has a distinct role and importance in contributing to the promotion of human rights and supporting democracy. The EU Delegations and Offices, CSDP Missions and Operations and Member States Embassies will play a leading role in promoting and protecting human rights and supporting democracy, and implementing the action plan at country level. Global, EU-based and national civil society organisations are also key partners.

5.1 Public diplomacy and strategic communication

- a. Build effective social media networks for deeper engagement and content-sharing in order to raise awareness and drive opinion change.
- b. Communicate on relevant policies and initiatives, taking account of public perceptions and local languages, taking a campaign-style thematic approach.
- c. Identify means to measure the effectiveness of public diplomacy and campaigns, and develop the most successful content and channels for interaction with the public.
- d. Identify and further promote initiatives such as 'Good human rights stories' and harness their potential for facilitating further positive human rights and democracy changes on the ground.

5.2. Implementation, monitoring and evaluation

The following means will be used to implement the actions contained in the present Action Plan:

political dialogues; human rights dialogues; sectoral policy dialogues; GSP+/'everything but arms' (EBA) monitoring missions; election missions and their follow-up; common security and defence policy (CSDP) civilian and military missions and operations; use of the relevant EU human rights guidelines with specific tools to achieve thematic objectives; Council conclusions; resolutions in the UN Human Rights Council and the UN General Assembly (UNGA) Third Committee; thematic and geographical financial instruments (relevant programmes and projects); flexible human rights and democracy support; direct support for human rights defenders; monitoring of trials; advocacy for ratification and implementation of key UN human rights treaties, core ILO conventions, main instruments of international humanitarian law, and other relevant conventions and optional protocols; statements on human rights abuses and violations; targeted training sessions for EU staff in Delegations; public diplomacy and targeted campaigns, conferences and other events; dialogue with civil society and other relevant stakeholders; restrictive measures.

EU Annual Report on Human rights and democracy in the world

Timing: Every year, starting June 2021

- a. Track progress of the implementation of this action plan, and the timely implementation of the measures contained therein, in full consideration of the sustainable development goals, in particular through the thematic part of the EU Annual Report on Human rights and democracy in the world. Adjust the structure of the report to reflect the implementation of priority actions and to provide a framework for monitoring.

Mid-term review

Timing: June 2023

- b. Conduct a mid-term review of the implementation of the action plan involving Member States and civil society, and use the results as an input for the future action plan on human rights and democracy.

End-term evaluation

Timing: June 2025

- c. Conduct an end-term evaluation of the implementation of the action plan, involving Member States and civil society.

Implementation and Monitoring with EU Member States

Timing: Throughout implementation

- d. Organise regular exchanges of views in the Council on best practices as well as annual discussions of EU institutions' and Member States' progress, plans and priorities in implementing the action plan, *inter alia*, in the context of discussions on the implementation of the EU human rights guidelines. The outcomes of these discussions will be used as inputs for the future EU action plan on human rights and democracy.

EU Human Rights Guidelines

Timing: As required

- e. Review the EU human rights guidelines, if and when necessary, in particular the EU Guidelines on Human Rights Dialogues with third countries.

Human Rights and Democracy Country Strategies

Timing: Beginning 2021

- f. Ensure that the human rights and democracy country strategies, developed locally by the EU Delegations and EU Member States embassies, reflect the priority actions of the action plan, taking into account the country specific context.

European Parliament

Timing: Throughout implementation

- g. Follow up on European Parliament resolutions and debates that are relevant for the implementation of the action plan.

Consultation with Civil Society

Timing: Every year, starting June 2021

- h. Regularly engage with civil society on the overall implementation of the action plan and organise dedicated annual consultations.

Rights-Based approach methodology

Timing: 2024

- i. Broaden the scope of the updated toolbox: a rights-based approach, encompassing all human rights for EU development cooperation, by applying it to all EU external action programmes and further developing joint rights-based approach initiatives with Member States, including through joint programming.