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P9\_TA(2022)0041

**Human rights and democracy in the world — annual report 2021****European Parliament resolution of 17 February 2022 on human rights and democracy in the world and the European Union's policy on the matter — annual report 2021 (2021/2181(INI))**

(2022/C 342/15)

*The European Parliament,*

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention on Human Rights,
- having regard to Articles 2, 3, 8, 21 and 23 of the Treaty on European Union (TEU),
- having regard to Articles 17 and 207 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Universal Declaration of Human Rights and other UN human rights treaties and instruments,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the UN Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and UN Human Rights Council Resolution 43/29 of 22 June 2020 on the prevention of genocide,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979,
- having regard to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, proclaimed by UN General Assembly Resolution 36/55 of 25 November 1981,
- having regard to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 18 December 1992,
- having regard to the UN Declaration on Human Rights Defenders, adopted by consensus on 10 December 1998,
- having regard to the UN Convention on the Rights of the Child of 20 November 1989 and the two Optional Protocols thereto, adopted on 25 May 2000,
- having regard to the UN Arms Trade Treaty on Export and Export Assessment and the EU Code of Conduct on Arms Exports,
- having regard to the Beijing Declaration of September 1995,
- having regard to the Council of Europe Conventions for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (CETS No 164), adopted on 4 April 1997, and the protocols thereto, on Action against Trafficking in Human Beings (CETS No 197), adopted on 16 May 2005, and on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No 201), adopted on 25 October 2007,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter 'the Istanbul Convention') of 11 May 2011, which not all Member States have ratified,

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- having regard to the Council of Europe Protocol No 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty,
- having regard to Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses <sup>(1)</sup>,
- having regard to Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items <sup>(2)</sup>,
- having regard to Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument — Global Europe <sup>(3)</sup>,
- having regard to the EU Action Plan on Human Rights and Democracy 2020-2024, adopted by the Council on 18 November 2020,
- having regard to the UN Secretary-General's Call to Action for Human Rights,
- having regard to the Council conclusions of 16 November 2015 on the EU's support to transitional justice,
- having regard to the Council conclusions of 17 February 2020 on EU priorities in UN human rights forums in 2020 and of 22 February 2021 on EU priorities in UN human rights forums in 2021,
- having regard to the Council conclusions of 13 July 2020 on EU priorities at the UN and the 75th UN General Assembly, September 2020-September 2021, and of 12 July 2021 on EU priorities at the UN during the 76th session of the UN General Assembly, September 2021-September 2022,
- having regard to the 2030 Agenda for Sustainable Development, adopted on 25 September 2015, in particular goals 1, 4, 5, 8 and 10 thereof,
- having regard to UN Security Council resolutions 1325, 1820, 1888, 1889, 1960, 2106, 2122 and 2242 on women, peace and security,
- having regard to the resolutions of the UN General Assembly of 28 May 2019 establishing the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief and of 19 December 2017 establishing the International Day of Remembrance of and Tribute to the Victims of Terrorism,
- having regard to the report of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association of 17 May 2019 on the exercise of those rights in the digital age,
- having regard to the info note of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association on strategic litigation against public participation and the rights to freedom of assembly and association,
- having regard to the report of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression of 28 May 2019 on the adverse effect of the surveillance industry on freedom of expression,
- having regard to the EU Action Plan on Gender Equality and Women's Empowerment in External Action 2021-2025 (GAP III),

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<sup>(1)</sup> OJ L 410 I, 7.12.2020, p. 1.

<sup>(2)</sup> OJ L 206, 11.6.2021, p. 1.

<sup>(3)</sup> OJ L 209, 14.6.2021, p. 1.

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- having regard to the EU Strategy on the Rights of the Child 2021-2024,
- having regard to the human rights comment of the Council of Europe Commissioner for Human Rights of 27 October 2020 entitled 'Time to take action against SLAPPs',
- having regard to the revised Council guidelines of 16 September 2019 on the EU's policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment,
- having regard to the EU guidelines on the promotion and protection of freedom of religion or belief of 24 June 2013,
- having regard to the Commission communication of 12 September 2012 entitled 'The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations' (COM(2012)0492),
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 8 April 2020 on the global EU response to COVID-19 (JOIN(2020)0011),
- having regard to the Commission communication of 23 September 2020 on a New Pact on Migration and Asylum (COM(2020)0609),
- having regard to the Commission communication of 12 November 2020 entitled 'Union of Equality: LGBTIQ Equality Strategy 2020-2025' (COM(2020)0698),
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 17 February 2021 on strengthening the EU's contribution to rules-based multilateralism (JOIN(2021)0003),
- having regard to the EU Annual Report on Human Rights and Democracy in the World 2020,
- having regard to its resolution of 3 July 2018 on violation of the rights of indigenous peoples in the world, including land grabbing <sup>(4)</sup>,
- having regard to its resolution of 15 January 2019 on EU Guidelines and the mandate of the EU Special Envoy on the promotion of freedom of religion or belief outside the EU <sup>(5)</sup>,
- having regard to its resolution of 23 October 2020 on Gender Equality in the EU's foreign and security policy <sup>(6)</sup>,
- having regard to its resolution of 20 January 2021 on human rights and democracy in the world and the European Union's policy on the matter — annual report 2019 <sup>(7)</sup>, and to its previous resolutions on earlier annual reports,
- having regard to its resolution of 10 March 2021 with recommendations to the Commission on corporate due diligence and corporate accountability <sup>(8)</sup>,
- having regard to its resolution of 19 May 2021 on the effects of climate change on human rights and the role of environmental defenders on this matter <sup>(9)</sup>,
- having regard to its resolution of 16 September 2021 with recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU <sup>(10)</sup>,

<sup>(4)</sup> OJ C 118, 8.4.2020, p. 15.

<sup>(5)</sup> OJ C 411, 27.11.2020, p. 30.

<sup>(6)</sup> OJ C 404, 6.10.2021, p. 202.

<sup>(7)</sup> OJ C 456, 10.11.2021, p. 94.

<sup>(8)</sup> OJ C 474, 24.11.2021, p. 11.

<sup>(9)</sup> OJ C 15, 12.1.2022, p. 111.

<sup>(10)</sup> Texts adopted, P9\_TA(2021)0388.

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- having regard to all its resolutions adopted in 2020 and 2021 on breaches of human rights, democracy and the rule of law (known as urgency resolutions) in accordance with Rule 144 of its Rules of Procedure,
  - having regard to its Sakharov Prize for Freedom of Thought, which in 2020 was awarded to the democratic opposition in Belarus and in 2021 was awarded to Alexei Navalny,
  - having regard to the definition of a civil society organisation in the glossary of summaries of EU legislation,
  - having regard to the EU's policy framework on support to transitional justice,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the opinion of the Committee on Women's Rights and Gender Equality,
  - having regard to the report of the Committee on Foreign Affairs (A9-0353/2021),
- A. whereas the European Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, as set out in Article 2 TEU; whereas no one may be persecuted or harassed in any way for their involvement in activities to protect and promote human rights or democracy; whereas silencing dissenting voices and curbing public participation and access to information has a direct impact on human rights and democracy;
- B. whereas the serious threats to multilateralism and international law witnessed at present are such as to require the EU to have an even more committed role in promoting and protecting human rights around the world; whereas the EU's policies and actions on human rights should lead to more assertive, decisive and effective actions, with the aid of all of the instruments at its disposal; whereas the EU should constantly explore the best ways to act effectively, employing the most suitable instruments to address violations and abuses of human rights worldwide, and should undertake a regular assessment of its human rights toolbox to this end;
- C. whereas the European Parliament has a crucial position as a vocal EU institution in defending human rights and fundamental freedoms and a fervent supporter of human rights defenders from all around the world;
- D. whereas the EU Action Plan on Human Rights and Democracy 2020-2024 is a roadmap of the EU's priorities concerning human rights, which should be at the centre of all EU external policies; whereas in order to effectively advance human rights in the world, the EU must ensure coherence between its various internal and external policies;

### ***General challenges and policy tools***

1. Is extremely concerned by the challenges to human rights and democracy, resulting in the weakening of the protection of democratic governance and institutions and of universal human rights, as well as the shrinking space for civil society, observed around the world; underlines the link between the rule of law, democracy and human rights violations; calls for the EU and its Member States to make more concerted efforts to address the challenges to human rights worldwide, both individually and in cooperation with like-minded international partners, including in the UN; calls for the EU and its Member States to lead by example and act as a truly global leader in the promotion and protection of human rights, gender equality and the rule of law, and to strongly stand up to attacks against the principles of the universality, inalienability, indivisibility, interdependence and interrelatedness of human rights;

2. Underlines the importance of both the new Neighbourhood, Development and International Cooperation Instrument (NDICI) — Global Europe and the EU Action Plan on Human Rights and Democracy 2020-2024 for this goal; recalls that the use of qualified majority voting in the Council on human rights issues would result in a more effective and proactive EU foreign and security policy, and would strengthen cooperation on matters of key strategic interest for the EU, while reflecting its fundamental values; stresses the need to arrive at common positions and consensus among the Member States; stresses the importance of Member States taking ownership of the EU action plan and publicly reporting on their action under this strategic document; encourages national and regional parliaments, national human rights institutions and local civil society organisations to engage with their authorities at Member State level on their contribution to the conduct of the EU's external human rights policy;

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3. Is deeply concerned by the increasing number of illiberal democracies and autocratic regimes, which are in the majority worldwide for the first time in 20 years, and which seek to suppress their own people and to weaken freedom, democratic governance and international norms; calls for the EU and the Member States to make full use of the tools at their disposal, including their economic leverage in mutual trade relations, to develop more ambitious support for freedom, good governance, the rule of law and democratic institutions, as well as to help to ensure space for civil society globally;

4. Calls on the EU to continue to intensify its cooperation with the United States and other like-minded democratic partners to support freedom and democracy worldwide and to push back against authoritarian and totalitarian regimes; calls for the adoption of new international tools and instruments to defend democracy; calls on the Commission to review, update and further develop EU state-building programmes, to increase their efficiency, and to improve the sustainability of the results achieved;

5. Underscores that the ambitious commitment and rhetoric of the EU's external human rights policy requires it to be consistent and to lead by example in order to avoid undermining its credibility when opposing the global democratic decline; calls for the EU, to this end, to take particular care to assess and prevent any violations linked to its own policies, projects and funding in third countries and to ensure their transparency in order to avoid inconsistent approaches to comparable human rights situations worldwide, and to set up a complaints mechanism for those whose rights may have been violated by EU activities;

6. Underlines the importance of the EU's support for mediation and electoral processes through its assistance to domestic observers and through the election observation missions, in which Parliament plays an active role; stresses the importance of providing the highest level of protection for domestic electoral observers and calls for further support in this respect; highlights the need for effective follow-up to the reports and recommendations of these missions in order to strengthen democratic standards and facilitate future peaceful democratic transitions and development in the countries concerned; recalls Parliament's political mediation tools, which could be developed further to assist with this overall approach; stresses the importance for the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) and the European External Action Service (EEAS) to continue to submit the reports drawn up by the exploratory missions to the European Parliament in due time and form as per agreed practice;

7. Calls for the EU to work closely together with domestic and international organisations such as the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe and the organisations that have endorsed the Declaration of Principles for International Election Observation in order to effectively identify obstacles to any candidate's electoral campaign, electoral fraud, voting irregularities and the persecution of free media for their reporting on election processes;

8. Stresses that the European Parliament should strive towards more effective communication on the protection of human rights, including by translating its urgency resolutions on human rights abuses into the local languages of the countries concerned and publishing and distributing them accordingly;

### ***Human rights and democracy thematic programme***

9. Recalls that respect for human rights, democracy and the rule of law is a cross-cutting objective throughout the whole NDICI — Global Europe Instrument as stipulated in Article 3 (objectives) of the regulation; underlines the importance of the human rights and democracy thematic programme adopted under the NDICI — Global Europe Instrument for the protection of human rights and promotion of freedom and democracy around the world;

10. Reiterates that the diversification and maximisation of the funding arrangements and mechanisms for civil society actors under the NDICI are essential elements and should be encouraged by taking account of the specificities of those actors and ensuring that neither their scope for action nor the number of potential interlocutors is restricted, in addition to continuing to work towards greater autonomy of civic space in accordance with the principle of policy coherence for development; calls for the level and flexibility of funding for civil society and human rights defenders under the NDICI thematic programme on human rights and democracy, including for ProtectDefenders.eu and the European Endowment for Democracy, to reflect the seriousness of today's illiberal backlash and the shrinking of civil society space worldwide;

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11. Calls for greater transparency regarding human rights provisions in financing agreements under the NDICI and a clarification of the mechanism and criteria for the suspension of such agreements in the event of a breach of human rights, democratic principles and the rule of law or of serious cases of corruption; calls on the Commission to strictly refrain from disbursing budget support to the governments of third countries as an operational modality for the provision of aid in countries witnessing widespread violations of human rights and the repression of human rights defenders;

12. Welcomes the strategic dialogue between the Commission and Parliament on all the components of the NDICI, and calls on the Commission to fully take into account Parliament's input concerning the human rights priorities, both in the thematic programme and in all the geographical programmes; stresses that the full impact of the instrument can only be achieved if the human rights agenda is streamlined into all of the EU's external policies and programmes, if it is coherent with its internal policies, and if the EU is perceived as a credible international actor committed to defending and advancing human rights;

13. Commends the work of the European Endowment for Democracy in supporting civil society and a free media across the EU's southern and eastern neighbourhoods, as well as the Western Balkans; calls on the Commission to increase re-granting mechanisms within the EU's democracy support programmes in order to bolster bottom-up approaches to democracy support and ensure that smaller initiatives at a regional or local level can also benefit from EU support;

14. Reiterates its support for the work of European political foundations in supporting and empowering the next generation of political leaders in the EU's neighbourhood and beyond;

#### ***EU Special Representative for Human Rights***

15. Welcomes the contribution of the EU Special Representative for Human Rights (EUSR) to defending and advancing human rights in the world; underlines the EUSR's important role in enhancing the effectiveness of the EU's human rights policies through engagement with third countries, cooperation with like-minded partners to advance the human rights agenda, and increasing the internal and external coherence of the EU's policies in the field; reiterates that the appointment of the EUSR should be subject to a prior hearing in Parliament;

16. Notes that the mandate of the EUSR and the visibility of their role should be enhanced in order to have a meaningful impact on human rights; underlines that the EUSR has a flexible mandate which could be adapted to evolving circumstances; is of the opinion that the EUSR's position could be made more effective by enhancing communication activities and developing a more public profile through, inter alia, the publication of public statements in support of human rights defenders at risk, including Sakharov Prize laureates and finalists, and of human rights defenders imprisoned for long periods, thereby helping to protect their physical integrity and the essential work they do; stresses the importance for the EUSR to cooperate closely with other EU special representatives on countries and regions in order to streamline human rights into EU regional policies;

17. Recommends that the EUSR devote special attention to the countries and topics addressed in Parliament's monthly urgency resolutions on human rights abuses, and to any human rights violations, notably those committed under authoritarian regimes;

18. Calls on the Commission, the VP/HR and the Member States to ensure political backing and adequate human and financial resources for the EUSR and their team;

19. Encourages the EUSR to pursue diplomatic efforts to enhance the EU's support for international humanitarian law and international justice; reiterates its call for a dedicated EU special representative on this issue;

#### ***EU human rights dialogues***

20. Acknowledges that the EU human rights dialogues have the potential to promote human rights and democracy in bilateral relations with third countries, but underlines that in order to be effective, they need to be pursued in a results-oriented manner and based on clear benchmarks to evaluate their outcomes; regrets the fact that the revised EU guidelines on human rights dialogues with partner/third countries, while establishing specific objectives, fail to identify indicators which would allow a proper evaluation to be conducted; calls for the EEAS to carry out such evaluations for each

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dialogue, in line with the EU guidelines, including follow-up on individual cases raised both in the context of human rights dialogues and by Parliament; is of the opinion that the failure to achieve concrete results on human rights dialogues with third countries would require a further assessment on how to conduct bilateral relations;

21. Reiterates the commitment undertaken in the EU guidelines on human rights defenders to raise individual cases of human rights defenders at risk during EU human rights dialogues with partner/third countries, and stresses the need to be consistent in ensuring such cases are raised on these occasions; expects the EEAS to pay particular attention to the individual cases raised by Parliament, notably in its urgency resolutions, as well as to the Sakharov Prize laureates and finalists at risk, and to report back on action taken;

22. Underlines that the dialogues should be one of the tools in the EU's comprehensive engagement in human rights and that they should not be seen as a replacement for human rights-related discussions at high-level forums with all relevant actors and, in particular, with the EU's strategic partners; calls on the EEAS to share the information about envisaged dialogues — both bilateral and within international forums — sufficiently in advance with Parliament's Committee on Foreign Affairs and Subcommittee on Human Rights and with civil society organisations;

23. Stresses that all civil society actors, including independent civil society organisations, faith-based organisations, trade unions, community-led organisations and human rights defenders, have a vital role to play in the dialogues in providing input both to the dialogues themselves and to the evaluation of their outcomes; underlines that the EU and its Member States should ensure genuine, accessible and inclusive consultation and participation of such organisations within the framework of official and informal dialogues, where possible and appropriate, as well as exploratory talks; calls on the EEAS and the Commission to improve communication and transparency with regard to civil society; calls, to this end, on the EEAS and the Commission to reinforce and increase the visibility of human rights focal points at the geographical divisions of their headquarters and to strengthen support for civil society, including technical support, particularly in countries where oppressive regimes seek to prevent the work of civil society;

24. Highlights that human rights dialogues are intended to be a central part of the EU's foreign policy toolbox and cannot therefore be an end in themselves; reiterates that pursuant to Article 21 TEU, the values on which the Union was founded must guide all aspects of its external policies; calls on the EEAS and the Council, therefore, to strike a better balance between diplomacy, interests and values that is more in line with the human rights objectives underpinning the EU's external action, with a greater focus on the long-term perspective; reiterates, therefore, that respect for human rights must be an underlining condition of the EU's support to third countries;

### ***Multilateralism and international justice***

25. Notes that 2020 marked the 75th anniversary of the United Nations, an essential universal forum for international consensus-building on peace and security, sustainable development and respect for human rights and international law; calls for the EU and its Member States to maintain their vital support to the UN and to continue their efforts to speak with one voice in the UN and other multilateral forums; draws attention to the challenges to the universal enjoyment of human rights and highlights the need for more inclusive and effective multilateralism and international cooperation; highlights the vital role of UN bodies as the forum for advancing peace, conflict resolution and the protection of human rights, and calls for enhanced action and resources in this regard; welcomes the UN Secretary-General's Call to Action on Human Rights;

26. Regrets the continued practice of double standards by certain countries in the treatment of human rights situations worldwide; condemns the increasing number of attempts to undermine the functioning of UN bodies, in particular the Human Rights Council, by questioning the universality of human rights, and to obstruct the rules-based international order; regrets the fact that countries that have been home to autocratic regimes and repeated human rights violations have become part of the Human Rights Council and deplores their blatant disregard for their human rights obligations and deplorable track records in cooperating with the UN mechanisms established through the Human Rights Council; calls, in this regard, for a fundamental reform of the Human Rights Council, including setting clear criteria for its members; calls on the EEAS, in particular, to initiate and spearhead efforts towards a coordinated EU and Member State position on membership of the Human Rights Council, which would promote greater transparency in the election process, notably by making the Member

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States' votes public and providing the rationale for their votes; highlights the need, furthermore, for a genuinely competitive process by ensuring that the three regional blocks in which the Member States are present offer more candidates than seats and improving the accountability of the candidates by scrutinising their voluntary pledges and track records in cooperating with the Human Rights Council and the UN treaty bodies and special procedures;

27. Strongly condemns all attacks against the mandate holders of UN special procedures and the independence and impartiality of their mandates; stresses that state sovereignty cannot be used as a pretext to avoid human rights monitoring by the international community since, according to the UN Charter and UN General Assembly Resolution 60/251, all states — regardless of their political, economic and cultural systems — have the duty and responsibility to promote and protect all human rights and fundamental freedoms for all, and the Human Rights Council should address situations of violations of human rights;

28. Calls on the Member States and the EU's democratic partners to decisively counter these attempts and to strengthen their response to serious violations of international human rights; calls on the Council and the Member States to work to reform multilateral institutions to make them more resilient and capable of making decisions that are more consistent and adaptable;

29. Highlights the need for adequate funding for all UN human rights bodies, notably the treaty bodies and special procedures; calls on the UN Secretary-General, to this end, to provide appropriate resources from the UN budget and urges the EU Member States to increase their voluntary contributions;

30. Underlines the need to carry out an impartial, fair and transparent review of the applications for consultative status on the UN Economic and Social Council by non-governmental organisations (NGOs); supports the EU's call for the approval of heavily delayed applications from certain reputable NGOs;

31. Denounces the reprisals and acts of intimidation against some 240 individual members of civil society, human rights defenders and journalists in 45 countries for cooperating with the UN over the past year, as reported by the UN Secretary-General; calls on the EU and its Member States to take robust action against such reprisals, including through a global demarche towards the countries concerned, and to take all possible measures to help provide safe and open spaces for interaction by individuals and civil society organisations with the UN and its representatives and mechanisms;

32. Reiterates its strong support for the International Criminal Court (ICC) as the only international institution able to prosecute some of the world's most heinous crimes and deliver justice for their victims; highlights the independence and impartiality of the ICC; calls on the EU and the Member States to provide adequate financial support to enable the ICC to carry out its tasks; supports the universality of the Rome Statute and calls for the EU to include a specific clause on its ratification and access in agreements to be concluded with third countries; requests that the EU step up its engagement with the countries which have not yet acceded to the Rome Statute; strongly condemns any attacks on the staff or independence of the ICC; is of the opinion that attempts to undermine the credibility and essential role of the ICC constitute attacks on multilateralism and should be contested as such by the EU and its Member States, including when they originate from close partner countries; stresses that the ICC needs full access to the countries it investigates to be able to perform its tasks; underlines the potential of other innovative tools to bring the perpetrators of international crimes to account, including universal jurisdiction at national-level judiciaries; underlines, in this context, the current discussions at the UN International Law Commission on the immunity of state officials and calls for follow-up to these; calls for the EU to continue to strengthen capacity-building at national level in third countries, while supporting international criminal tribunals and mechanisms, as well as platforms and organisations dedicated to the fight against impunity such as the Coalition for the ICC;

33. Reiterates its call for action to combat impunity and promote accountability in regions and countries affected by conflicts; notes the adoption by Parliament and the Council of the pilot project on the European Observatory on the Fight against Impunity; calls, in this regard, on the Commission and the EEAS to implement similar tools to empower and support the victims through access to remedy and reparations, including those related to corruption;



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**Specific human rights challenges**

## COVID-19

34. Underlines that COVID-19 has significantly strengthened the recent trends of illiberal democracies and autocratic regimes weakening democracy; deplores the abuse of the epidemiological crisis by these regimes to further constrain the freedoms of expression, assembly and religion and belief by restricting the functioning of democratic institutions and repressing dissent, including limiting media freedom both online and offline and targeting critics and whistleblowers with defamation campaigns; equally deplores the fact that these regimes have also pursued discrimination against marginalised populations, notably indigenous populations and other minorities, the mass use of surveillance tools, disinformation campaigns, restrictions on access to information, in particular from pluralistic and independent media through blanket internet shutdowns, bandwidth throttling and content blocking, the implementation of emergency measures without clear criteria for their revocation, restrictions on the democratic exercise of elections, and the use of selective access to healthcare as a means of discriminating against certain segments of the population;

35. Recognises the important role played by human rights defenders in responding to COVID-19 by taking on a multitude of new roles in addition to their everyday human rights work, notwithstanding the significant and disproportionate risks they face; notes with concern that governments around the world have used the pandemic as an opportunity to specifically target human rights defenders by refusing to release them from prison, prolonging their incommunicado detention, restricting prison visits, and sentencing them on trumped-up charges in closed-door hearings;

36. Stresses that the COVID-19 pandemic has had a negative impact on economic and social rights in most countries worldwide, while the health and subsequent economic crisis has triggered the growth of inequality within and between countries; denounces the continued attempts by authorities to withhold vital information from international investigators about the origins and spread of COVID-19; highlights that the highly negative consequences of COVID-19 have disproportionately affected groups in vulnerable situations, including women, LGBTIQ persons, impoverished people, children, persons with disabilities, migrants, refugees, asylum seekers, minorities of religion, belief and others, informal workers and persons in prison or detention, among others; stresses that groups in vulnerable situations are also more affected by the negative economic and social consequences of the pandemic, as well as the restrictions on access to healthcare and education; notes with concern the increase in intolerance, discrimination and hate speech against certain groups in vulnerable situations, in particular minority groups, as well as restrictions on fundamental freedoms;

37. Stresses that the EU should increase its support to tackle the negative consequences of COVID-19, particularly for groups in vulnerable situations; calls, to this end, for the EU to urgently strengthen its efforts to eliminate the alarming imbalance in the global distribution of vaccines, thereby fulfilling its previous commitment to support the COVID-19 vaccine as a global public good through, among other things, technological transfer and the ramping up of local production, including through the COVID-19 Technology Access Pool (C-TAP), in order to ensure that the vaccines are available, accessible and affordable for the maximum number of people; stresses the importance of supporting the reinforcement of education and healthcare systems to make them resilient to future threats; urges the EU and its Member States to increase financing for the provision of basic public health services; underlines, in this context, the importance of social protection; calls for greater support for innovative technologies to that end and welcomes the response of Team Europe; acknowledges the right to physical and mental health, which in many countries is still subject to stigma and discrimination, and underlines how the COVID-19 pandemic has revealed enormous neglect in the provision of mental health care;

*Human rights defenders*

38. Praises the important work undertaken by all human rights defenders around the world, sometimes at the most severe of costs, and takes this opportunity to acknowledge the contribution of all human rights defenders to the human rights movement; reiterates that human rights defenders are often the only interlocutors able to conduct on-site monitoring and human rights protection in territories such as those under occupation or annexation, especially in certain frozen conflict areas, where there are limited engagement capacities for both the international community and the EU;

39. Is seriously concerned at the precarious situation of human rights defenders and deplores the fact that they are the victims of increasing violence, including targeted killings; points out that some countries have a particularly worrying track record when it comes to the persecution, harassment, intimidation, kidnapping and extrajudicial killing of human rights defenders; underlines the particularly severe situation for female, labour, environmental and indigenous human rights defenders, which has been further aggravated by COVID-19; deplores the increased use of techniques such as harassment,

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criminalisation and defamation campaigns, arbitrary arrests and unlimited detention in inhumane conditions to silence human rights defenders, often on the basis of ill-defined terrorism charges; reiterates its call on EU Delegations and Member States' embassies in third countries to study developments and challenges on the right to promote and protect human rights, to seek, receive and respond to information on the situation of human rights defenders, to visit them regularly in prison, to monitor their trials, and to advocate for their access to justice and protection; further calls on the EU and its Member States to develop a strategy for ambitious EU action to address the rising number of attacks against human rights defenders;

40. Urgently calls for the creation of an EU-wide scheme for issuing short-term visas for the temporary relocation of human rights defenders, in particular through the inclusion of instructions in the EU Visa Handbook and amending the legal instruments on visas, in particular the Visa Code; deplores the lack of progress on this issue over the past year and urges for the revisiting, in a meaningful way, of a more coordinated EU policy on the issuance of emergency visas for human rights defenders by the Member States;

41. Calls for the European Parliament to be given greater oversight of the actions of EU Delegations towards human rights violations and abuses in third countries and to take concrete and vigorous measures if they are unable to fulfil those responsibilities; underlines the need to ensure that the EU Delegations can count on all the necessary and appropriate resources and capabilities to act effectively in the event of human rights issues in third countries;

42. Strongly condemns the killing of human rights defenders around the world and demands justice and accountability for those attacks at the highest level of decision-making; stresses that most of these human rights defenders were engaged in the protection of their land and the environment and the defence of the rights of indigenous peoples; reiterates its call to ensure that the principle of free, prior and informed consent is fully respected, in line with International Labour Organization (ILO) Convention No 169 on Indigenous and Tribal Peoples; stresses the need to improve access to justice throughout the world with a view to combating the widespread impunity for such killings; notes, however, that greater efforts are needed not only on reparation and redress, but also in prevention through the strengthening of national plans for the protection of human rights defenders in third countries, among other measures;

#### *The freedoms of expression, peaceful assembly and association*

43. Stresses that recent revelations such as the NSO Pegasus scandal confirm that spying against human rights defenders and journalists, among others, is an extremely alarming matter and appear to confirm the dangers of the misuse of surveillance technology to undermine human rights; calls for the promotion of a safe and open space and greater capacity for civil society organisations, human rights defenders, journalists and other individuals concerned in order to protect them from cyber surveillance and interference; underlines the need for more robust national and international regulation in this area;

44. Expresses its serious concern about the particular restrictions on the freedoms of expression, peaceful assembly and association and underscores the need to guarantee and respect them; reiterates the specific challenges to freedom of opinion and expression and their link to freedom of information, including access to independent and reliable information both online and offline;

45. Notes that independent journalism and the existence of reliable media channels have never been as vital in maintaining safe, healthy and properly functioning societies as they are today and stresses the need for more public support to independent journalism all around the world; condemns the rise of legal harassment and restrictive legislation as a means of silencing critical voices such as through strategic lawsuits against public participation and the criminalisation of defamation online and offline, which is used to scare journalists, whistleblowers and human rights defenders into ceasing their investigations into and exposing corruption and other matters of public interest in many countries; recalls the need to ensure transparency of media ownership, including shareholders, given its role in guaranteeing media pluralism;

46. Reiterates the specific challenges to freedom of association posed by restrictive legislation such as anti-terrorism, anti-extremist and anti-corruption legislation against civil society organisations, and the subsequent risks of burdensome registration, funding and reporting requirements as forms of state control, as well as other measures such as the suppression of demonstrations through the use of force, harassment and arbitrary detention; condemns such a misuse of

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legislative and police power or security measures to restrict the right to protest; underlines that dozens of demonstrations were suppressed in 2020 and 2021, including the assassination of protesters and the arbitrary detention of hundreds of peaceful protesters, many of whom were subjected to torture and ill-treatment and forced to pay large fines in trials with no guarantee of minimum procedural standards; denounces the violations of the right to collective bargaining, consultation and the participation of workers and trade unions;

47. Expresses its serious concern about the restriction of academic freedom and the increase in the censorship and imprisonment of scholars worldwide, which has significant consequences for the right to education; urges the EU and its Member States to step up their diplomatic efforts through bilateral and multilateral engagement in relation to threats or attacks on academic freedom by state and non-state actors; calls on the EEAS and the Commission to revisit existing support and protection mechanisms for human rights defenders in order to develop the capacity to identify and provide assistance, including emergency protection and support, in cases involving attacks on academic freedom; calls on the Commission to ensure continued high-level support to the European Inter-University Centre for Human Rights and Democratisation and the Global Campus of Human Rights, as a flagship of the EU's support to human rights education worldwide;

48. Denounces the increasing practice by authoritarian states of hosting mega sports or cultural events in order to boost their international legitimacy while further restricting domestic dissent; calls on the EU and its Member States to engage with national sports federations, corporate actors and civil society organisations on the arrangements for their participation in such events, including the 2022 Winter Olympics in Beijing; calls for the development of an EU policy framework on sports and human rights;

#### *The right to a safe and healthy environment*

49. Acknowledges that climate change is one of the greatest threats facing the human rights of our generation and those to come, posing particularly serious risks to the fundamental rights to life, health, food, housing and an adequate standard of living for individuals and communities; stresses that governments have obligations regarding human rights and sustainable development; is aware of the close relationship between human rights, a healthy environment, biodiversity and the fight against climate change and welcomes the UN's call for global recognition of the right to a safe, clean, healthy and sustainable environment; underlines the vital role played by environmental human rights defenders and local and indigenous populations in preserving such an environment, despite the threats of violence that they often face from those responsible for, and profiting from, environmentally harmful practices; encourages the EU and its Member States to promote the recognition of ecocide as an international crime under the Rome Statute of the ICC, and requests that the Commission study the relevance of ecocide to EU law and EU diplomacy; calls on the EU and the Member States to take bold initiatives to fight the impunity of environmental crimes at a global level;

50. Highlights the obligations and responsibilities of states and other duty bearers, including businesses, to mitigate the effects of climate change, prevent its negative impacts on human rights and the degradation and loss of biodiversity, and promote appropriate policies that are sufficiently ambitious and non-discriminatory and that provide for the participation of citizens and access to effective remedies and are commensurate with human rights obligations; urges the EU to seek to counter the effects of the global climate crisis, inter alia by introducing effective and sustainable policy actions, and to comply with the goals of the Paris Agreement; reiterates its call on the EU and its Member States to strengthen the relationship between human rights and the environment throughout their external action and to provide effective protection for human and environmental rights defenders;

51. Draws particular attention to the link between the exploitation of resources and the financing of conflicts, wars and violence and recognises that the environmental consequences of climate change can exacerbate migration and forced displacement;

52. Stresses that indigenous peoples have often been the first victims of deforestation, which endangers their rights to land, among other rights, and access to vital resources; underlines, in this regard, the right to determine and establish priorities and strategies for their self-development and for the use of their lands, territories and other resources; recalls that impunity for violations of the rights of indigenous peoples is a driving force in deforestation and deems it essential, therefore, that there is accountability for these violations;

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*Women's rights, women's empowerment and gender equality*

53. Underlines the crucial importance of advancing women's rights and welcomes the EU Action Plan on Gender Equality and Women's Empowerment in External Action 2021-2025 (GAP III) as a sign of the EU's commitment in this field; commends the important role played by female political leaders and civic activists in political, social and environmental movements, and deplores the fact that women often become targets of violence as a result of both their gender and their activities, even paying for them with their lives;

54. Recalls that the Istanbul Convention, as the first universally binding treaty designed to combat violence against women and girls and domestic violence, sets the benchmark for international standards that need to be further ratified and implemented;

55. Acknowledges the disproportionate impact that the pandemic has had on women, notably the increase in gender-based violence as a result of lockdown measures; deplores the fact that women, including in the EU, continue to make up the majority of victims of gender-based violence, such as domestic violence and sexual violence and abuse, including female genital mutilation, and face discrimination in political and professional life, as well as in access to education and healthcare; stresses that the provision of care, protection and access to justice for the victims of gender-based violence and trafficking has significantly decreased as a result of the pandemic; calls for the EU to promote the development of emergency assistance plans and protocols both at the UN and in partner countries with the aim of adapting assistance programmes to the circumstances of the pandemic, its aftermath and future crises; welcomes the joint efforts and investments of the EU, together with the UN, in launching the Spotlight Initiative aimed at eliminating all forms of violence against women and girls;

56. Regrets the fact that the overall progress in women's rights is far below the UN countries' commitments included in the 1995 Beijing Convention and is concerned at the trend of backsliding in the progress achieved; is extremely concerned about the deterioration of the right of every individual to have full control over matters related to their sexuality, as well as sexual and reproductive health and rights (SRHR), without coercion and discrimination, particularly with regard to safe and free access to legal abortion; condemns all attempts to roll back existing entitlements and protections in the area of SRHR, as well as legislation, policies and practices that continue to deny or restrict these rights in many countries worldwide; underlines that access to SRHR and the right to education, information, family planning, modern contraceptive methods, safe and legal abortion, and maternal, prenatal and postnatal healthcare must be guaranteed for all people; calls for the EU and its Member States to reaffirm the inalienable rights of women to bodily integrity, dignity and autonomous decision-making, to uphold the universality and indivisibility of all human rights in all contexts, and to promote SRHR as part of their international commitments and in line with the UN Sustainable Development Goals;

57. Expresses grave concerns over the use of sexual and gender-based violence as a weapon of war; stresses that sexual crimes and gender-based violence are considered by the Rome Statute as war crimes, crimes against humanity or constitutive elements of genocide or torture; calls for concerted action to put an end to the use of sexual violence as a weapon of war; calls for the EU to combat impunity for sexual and reproductive rights violations in conflict settings and supports the rights of women and girls to truth, effective remedies and reparations for violations of these rights;

58. Stresses that estimates published by the World Health Organization indicate that approximately 1 in 3 women (30 %) worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime; underlines that most of this violence is intimate partner violence; stresses the fact that 137 women are killed every day by a member of their family; calls for the EU and global actors to strongly condemn intimate partner violence and to use all instruments available to prevent intimate partner violence, protect victims and prosecute perpetrators; condemns the crimes committed against girls and women within the family in relation to perceived inappropriate conduct in order to restore the supposed reputation of the family;

59. Notes that 2020 saw a considerable deterioration in the situation of the victims of trafficking, the majority of whom are women, as they were left in an even more vulnerable position by the COVID-19 pandemic; welcomes the launch of the EU's Strategy on Combating Trafficking in Human Beings (2021-2025); highlights the particular need to increase the fight against trafficking in human beings and the organised crime groups involved in it; underlines that identifying the victims of

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trafficking has become even more complicated during the COVID-19 pandemic; calls for the EU and its Member States, therefore, to intensify their efforts in international judicial and law enforcement cooperation to prevent trafficking and identify victims, while avoiding their criminalisation, and to provide them with the necessary health and psychological support in close cooperation with the UN Office on Drugs and Crime, NGOs and civil society organisations dedicated to the protection of victims;

60. Condemns the commercial practice of surrogacy, a global phenomenon that exposes women worldwide to exploitation and human trafficking while targeting financially and socially vulnerable women in particular; highlights its severe impact on women, women's rights, women's health and gender equality, and underlines its cross-border implications; calls for a European legal framework to address the negative consequences of commercial surrogacy;

#### *The rights of the child*

61. Recalls that there are no boundaries to the rights of the child and calls for a systematic and coherent approach to promoting and defending children's rights in Europe and beyond in line with the UN Convention on the Rights of the Child and the 2030 Agenda;

62. Reiterates its call for the EU and its Member States to step up their efforts to eliminate all forms of abuse against children; welcomes the newly adopted EU Strategy on the Rights of the Child (2021-2024); stresses, however, that children continue to be the victims of violence, early and forced marriage, forced conversion, prostitution, child pornography and paedophilia, sexual abuse, including genital mutilation, trafficking, forced separation from their parents, child labour and recruitment as child soldiers, and continue to suffer from a lack of access to education and healthcare and from malnutrition and poverty, particularly during humanitarian crises and armed conflicts; stresses that 2021 is the International Year for the Elimination of Child Labour; calls for children's rights and the UN Agenda on Children and Armed Conflict to be streamlined into all of the EU's external policies; urges the EU to ensure that its trade and development policies are fully coherent in order to eradicate child labour; highlights, in this regard, the multi-stakeholder pilot dialogue on sustainable cocoa; calls on the Member States to uphold their responsibilities with regard to the protection of foreign fighters' children who are EU citizens;

63. Calls on the EU to mainstream children's rights and child protection in all EU external policies, including in the context of human rights dialogues, international and trade agreements, the Instrument for Pre-Accession Assistance and the NDICI — Global Europe; highlights the need to track all EU interventions relevant to children and to ensure that a do-no-harm approach to children's rights is implemented in full;

#### *People trafficking and forced labour*

64. Condemns all forms of people trafficking, forced labour and modern slavery among a wide range of groups including women, children, immigrants and skilled workers, among others; reminds the Member States of the need to prosecute and convict those involved in these activities both in their countries of origin and when they traffic groups internationally; stresses the need for comprehensive monitoring and auditing of respect for human and employment rights when contributions are made to cover the cost of essential services in third countries that require them, in order to prevent those services from being provided under poor conditions that violate human rights; urges the EU and its Member States to lead action in multinational forums to eradicate all forms of people trafficking, forced labour and modern slavery, which in addition to being abominable crimes, are the source of migration under poor conditions that give rise to situations of extreme vulnerability and suffering; asks, given the gravity of these violations, that the EU include a specific clause condemning and expressing the irreconcilability of any form of people trafficking, forced labour and modern slavery among a wide range of groups including women, immigrants and skilled workers, among others, both in current agreements and in those made with third countries;

#### *Intolerance and discrimination*

65. Reiterates its strong condemnation of discrimination, xenophobia, intolerance, persecution and killings linked to race, ethnicity, nationality, social class, disability, caste, religion, belief, age, sexual orientation and gender identity, which continue to be a major problem in many countries; stresses the profoundly disproportionate impact of the COVID-19 pandemic on racial and ethnic discrimination, xenophobia and related intolerance; welcomes the launch of the EU's Anti-Racism Action Plan 2020-2025, which recognises not only the individual and social dimensions, but also the

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structural nature of this phenomenon; stresses that in spite of 20 years of work since the adoption of the Durban Declaration and Programme of Action in 2001, racism, discrimination, xenophobia and related intolerance continue to be a scourge in many countries around the world, and calls for a zero-tolerance approach to these phenomena; calls on governments, regional organisations, civil society and other stakeholders to redouble their efforts to implement the declaration effectively and to develop and implement action plans to combat racism, racial discrimination, xenophobia and related intolerance; calls for the EU to organise a global anti-racism summit on combating racism and discrimination worldwide in collaboration with like-minded partners and international organisations such as the OSCE, the UN, the African Union, the Organization of American States and the Council of Europe;

66. Regrets the fact that indigenous peoples continue to face widespread and systematic discrimination and persecution worldwide, including forced displacement, arbitrary arrests and the killing of human rights and land defenders; reiterates its call for the EU, its Member States and their partners in the international community to adopt all the necessary measures for the recognition, protection and promotion of the rights of indigenous peoples, including their language, lands, territories and resources, and the creation of a grievance mechanism to lodge complaints over violations and abuses; welcomes the work that civil society and NGOs are doing on these issues; refers to its appointment of a standing rapporteur on indigenous peoples within Parliament with the objective of monitoring the human rights situation of indigenous peoples; encourages countries to ratify the provisions of ILO Convention No 169 on Indigenous and Tribal Peoples; recommends that the EU and its Member States include references to indigenous peoples and the rights contained in the UN Declaration on the Rights of Indigenous Peoples in the relevant and emerging frameworks for due diligence;

67. Notes with great concern the scale and consequences of caste hierarchies, caste-based discrimination and the perpetuation of caste-based human rights violations, including the denial of access to the legal system or employment, continued segregation, poverty and stigmatisation, and caste-related barriers to the exercise of basic human rights and the facilitation of human development; reiterates its call for the EU and its Member States to intensify efforts and support initiatives at the UN and in the relevant third countries to eliminate caste discrimination;

#### *LGBTIQ rights*

68. Strongly condemns human rights breaches, discrimination, persecution and threats to life against and the killings of lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ) people around the world, which has been exacerbated by the use of COVID-19 as an excuse to crack down on LGBTIQ defenders and engage in homophobic and transphobic defamation; calls on the EU to play a leading role in defending the rights of LGBTIQ people in international forums, including working towards the decriminalisation of sexual orientation, gender identity, gender expression and sex characteristics and the elimination of intersex genital mutilation, so-called 'conversion therapy' and the forced sterilisation of trans people; welcomes the fact that the LGBTIQ Equality Strategy 2020-2025 includes the EU's commitment to include LGBTIQ issues in its external policy, including support under the NDICI — Global Europe Instrument and Instrument for Pre-Accession funds; calls on the EU and the Member States to thoroughly and consistently apply the EU guidelines on the promotion and protection of the human rights of LGBTIQ persons across its external policies;

#### *The right to freedom of thought, conscience, religion or belief*

69. Fully supports the right to freedom of thought, conscience and religion, to hold a belief, or not to believe, and the right to manifest and to change or leave one's religion or belief without fear of violence, persecution or discrimination; stresses the importance of addressing persecution on the grounds of religion or belief and condemns the persecution suffered by minorities on these grounds in many places around the world; calls on the Member States and the EEAS to take special note of these cases and to respond to them accordingly; condemns the abuse of blasphemy laws to perpetuate discrimination and deplores the use of religion and religious institutions to the detriment of human rights through the persecution, including by legal means, of belief or religious minorities and communities, women, LGBTIQ persons, and others in vulnerable situations; reiterates its condemnation of any attempt by authorities or governments to deny or interfere in the choice of religious or belief leaders; stresses that states have a responsibility to promote and safeguard the human rights of persons belonging to belief or religious minorities; underlines the importance of civil society initiatives in this regard;

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70. Calls on the Commission and the Council to implement ambitious programmes to defend freedom of religion or belief worldwide, including encouraging and supporting international efforts to collect evidence of crimes of atrocity, bringing the perpetrators to court, rendering criminal sentences effective, and compensating the victims; calls on the Council, the Commission, the EEAS and the Member States to work with third countries to adopt measures to prevent and fight hate crime;

71. Notes that the post of the EU Special Envoy for the promotion of freedom of religion or belief outside the EU has remained vacant for more than a year in total; reiterates its call on the Council and the Commission to carry out a transparent and comprehensive assessment as soon as possible into the effectiveness and added value of the position of the Special Envoy, to provide the Special Envoy with adequate resources, and to adequately support their institutional mandate, capacity and duties;

#### *National, ethnic and linguistic minorities*

72. Recalls the obligations of states to protect the rights of their national, ethnic, cultural, religious and linguistic minorities within their respective territories; calls on the Commission to support the protection of the rights of persons belonging to minorities worldwide, including within its human rights and democracy thematic programme;

73. Calls on the governments of the EU's partner countries to respect the fundamental human rights of national, ethnic and linguistic minorities, including their culture, language, religion, traditions and history, in order to preserve their cultures and diversity; reiterates the need for those governments to fulfil the obligations and commitments they have assumed under international treaties and agreements; deplores any attempts to disregard the fundamental and human rights of ethnic and linguistic minorities through their forced assimilation;

#### *The right to participate in free and fair elections*

74. Underlines that the right to participate in the conduct of public affairs, particularly through elections, in addition to being a human right in itself, is intrinsically linked to a number of other human rights, the enjoyment of which are crucial to a meaningful electoral process, and are at the core of democratic governments;

75. Strongly condemns the erosion of democratic values in a number of third countries and challenges to electoral integrity, electoral violence, the misuse of administrative resources by governing parties, clampdowns on political opponents, the censorship of and threats to independent media, and the rise of disinformation; urges the EU to target and counter this extremely worrisome situation and come forward with concrete and effective proposals, reaffirming its willingness to take a leading role in promoting democratic values and free and fair elections in third countries;

76. Deplores the fact that authoritarian and illiberal regimes are moving away from the path of mature democracies, universal human rights and democratic standards, creating a false impression of legitimacy through fake electoral processes that are neither free nor fair nor transparent; calls on the EU and its Member States to strengthen the Union's promotion of democratic resilience in third countries using all the instruments at their disposal;

77. Calls for the establishment of the protection of democratic and electoral processes as a primary global concern and for the development of an effective framework for responses to all kinds of interference in electoral processes, collaborating closely with international organisations such as the OSCE;

#### *Corruption and human rights*

78. Considers that corruption facilitates, perpetuates and institutionalises violations of human rights and disproportionately affects the most vulnerable and marginalised individuals and groups in society; insists that the EU and its Member States must tackle corruption as such in their external action by applying the highest transparency standards to their funding to third countries, as well as by supporting anti-corruption civil society organisations, journalists and whistleblowers, while promoting the establishment of effective anti-corruption institutions and the adoption of robust regulatory frameworks and addressing secrecy jurisdictions and tax havens;

79. Calls on the EU to adopt tools against authoritarian leaders and their financial enablers, including those involved in electoral fraud, to uncover and freeze illicit assets, and to promote the application of universal jurisdiction in cases of gross human rights violations;

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80. Is conscious of the fact that the EU cannot serve as a good example in the fight against corruption as long as some of its Member States and some EU-based actors have unfavourable track records in this area; expects the Commission and the Member States to step up with concrete action against malpractice in these fields; recommends that Parliament, the Commission and the Member States provide significant support to anti-corruption civil society organisations, journalists and whistleblowers;

81. Underlines the need to develop principles on and work towards an internationally recognised legal definition of grand corruption, including its systemic nature, as a crime in national and international law;

82. Calls for the ongoing cases of impunity for grand corruption to be tackled by stronger enforcement of anti-corruption laws in order to ensure accountability for the perpetrators of grand corruption schemes; calls for comprehensive approaches to be explored including reforms to international justice institutions, such as extending the jurisdiction of the ICC;

#### *EU Global Human Rights Sanctions Regime (EU GHRSR — ‘EU Magnitsky Act’)*

83. Welcomes the adoption of the EU Global Human Rights Sanctions Regime (EU GHRSR — ‘EU Magnitsky Act’) as an essential addition to the EU’s human rights and foreign policy toolbox, which strengthens the EU’s role as a global human rights actor by allowing it to take restrictive measures against legal and natural persons involved in grave human rights violations around the world; commends the Council for adopting the first targeted sanctions under the regime and calls on the Council to adopt additional measures if necessary; considers that the application of the EU GHRSR does not prevent or exclude the adoption of other EU instruments on the protection of human rights, which can be combined and complementary; condemns any arbitrary or unjustified restrictive measures against the EU or other entities in retaliation to the EU’s decisions under the EU GHRSR; regrets the fact that the Council has decided to apply unanimity voting and reiterates its call for the introduction of qualified majority voting when adopting sanctions on human rights issues;

84. Reiterates its request to extend the scope of the EU GHRSR to include acts of corruption in order to ensure that the economic and financial enablers of human rights abusers are targeted effectively; highlights the alternative possibility for the Commission to come forward with a legislative proposal to adopt a new thematic sanctions regime to address serious acts of corruption defined on the basis of the UN Convention against Corruption; stresses the need for an effective strategy to implement the EU GHRSR consistently, both with the EU’s other external policies, in particular on human rights, and the existing international sanctions frameworks; emphasises that the EU GHRSR must respect the principle of not adversely affecting the general population of the country targeted in line with international criminal law and international humanitarian law; recalls that the consistent and uniform application of restrictive measures in all Member States is a precondition for the credibility and effectiveness of the EU’s external action; welcomes the Commission’s announcement that it would conduct a review by the end of 2021 of the practices undermining sanctions and of the existing reporting obligations for Member States on their implementation and enforcement; urges the Commission, in its role as guardian of the Treaties, and the VP/HR, as the person responsible for the unity, coherence and effectiveness of the EU’s foreign policy, to ensure that national responses to non-compliance with the restrictive measures adopted by the EU are effective, proportionate and dissuasive;

#### *Migration and asylum*

85. Reaffirms the inalienable human rights of migrants, refugees and forcibly displaced persons, and calls for the EU and its Member States to fully uphold them and include them in their cooperation with third countries, both in terms of the establishment of high legal standards and, equally importantly, their operationalisation in order to ensure the effective protection of these rights in practice; recalls that in their external and extraterritorial actions, agreements and cooperation in the field of migration, borders and asylum, the EU and its Member States must respect and protect human rights, notably those enshrined in the Charter of Fundamental Rights, including the right to life, liberty and asylum, particularly the individual assessment of asylum applications;

86. Reiterates its call on the Commission to carry out a review of the human rights impact of cooperation on migration with third countries, including both pre-assessment and an evaluation of monitoring mechanisms, and to conduct transparent *ex ante* risk assessments on the impact on the rights of migrants, refugees, and forcibly displaced persons of any formal, informal or financial EU cooperation with third countries; calls, moreover, for greater transparency and for an adequate level of parliamentary scrutiny and democratic oversight over its activity in this area; underlines the risks related to informal arrangements on return and readmission, which are not subject to judicial scrutiny and therefore do not allow for effective redress for human rights violations suffered by migrants and asylum seekers; reiterates, therefore, its call on the EU



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to ensure that all migration cooperation and readmission agreements with non-EU states strictly comply with international human rights, refugee and maritime law, in particular the Convention Relating to the Status of Refugees; insists that human rights need to be mainstreamed and monitored in all activities carried out by Frontex and the European Asylum Support Office;

87. Calls on the EU and its Member States to address the root causes of migration and to support and promote development, invest in education and provide direct assistance to improve life opportunities, which could contribute to more stable and sustainable societies; calls on the Commission, in this regard, to study the best methods of engagement with third countries; requests that the EU and its Member States support the right of refugees and asylum seekers to return to their homeland once the persecution or violence that caused their displacement has ended, while respecting the principle of non-refoulement;

88. Calls on the Commission to prepare legislative proposals in order to provide the Member States with the necessary safeguards to respond effectively to the instrumentalisation of migration by third countries; calls on partner countries and international organisations to ensure the implementation of legal frameworks and to redouble their efforts for cooperation on the issue of migrant smuggling, ensuring the protection of migrants and preventing their exploitation;

89. Denounces the number of deaths occurring along migration routes and reiterates its call for the establishment of a coordinated European approach in order to support and ensure a prompt and effective identification process of those who died on their way to the EU; regrets the fact that some potential asylum seekers were returned to the border or deported to places where their lives were in danger, in violation of international law and, in particular, the right to asylum; denounces the attacks on NGOs that help migrants; calls on the EU and its Member States to be fully transparent regarding the allocation of funds to third countries for cooperation on migration, and to ensure that such cooperation does not benefit — either directly or indirectly — state entities involved in human rights violations; insists on the need to define frameworks for the protection of migrants, in particular by opening safe and legal pathways for migrants and improving access to humanitarian visas, and to improve their application; calls for the European Parliament to monitor agreements on migration;

#### *International humanitarian law*

90. Underlines that universal respect for international humanitarian law and international human rights law is of the utmost importance, and calls for the parties to the world's armed conflicts to ensure the full, timely and unhindered access of humanitarian aid agencies to vulnerable populations and areas, and to protect these civilian populations, particularly women and children, as well as humanitarian and medical workers, as guaranteed by the Geneva Conventions and additional protocols thereto; underlines the importance of contributing to the creation of humanitarian corridors for emergency situations, including those involving a risk or imminent risk of escalating into widespread and major human rights abuses;

91. Reiterates that the EU and its Member States should actively support the UN Secretary-General's and UN Security Council's appeal for a global ceasefire, including through effective measures against illicit arms trade and by enhancing the transparency and accountability of Member States' arms exports; deplores the fact that the COVID-19 pandemic and its effects have increased political violence, intensified competition between armed groups and exacerbated long-simmering tensions, while leaving victims more unprotected; expresses grave concern about the increase in conflict-related sexual violence in this context, despite 2020 being the 20th anniversary of UN Security Council Resolution 1325 on women, peace and security;

92. Recalls its resolution of 27 February 2014 on the use of armed drones<sup>(11)</sup> and expresses its continued concern over their use outside the international legal framework; reiterates its call for the EU to urgently develop a legally binding framework for the use of armed drones to ensure that the Member States, in keeping with their legal obligations, do not perpetrate unlawful targeted killings or facilitate such killings by third states; calls on the Commission, furthermore, to keep Parliament properly informed about the use of EU funds for all research and development projects associated with the construction of drones; calls for human rights impact assessments to be conducted in respect of further drone development projects; recalls its resolution of 12 September 2018 on autonomous weapon systems<sup>(12)</sup> and urges the VP/HR and the Member States to ban the development, production and use of fully autonomous weapons which lack meaningful human control over the critical functions of selecting and attacking targets; insists on the launch of international negotiations on

<sup>(11)</sup> OJ C 285, 29.8.2017, p. 110.

<sup>(12)</sup> OJ C 433, 23.12.2019, p. 86.

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a legally binding instrument that would prohibit lethal autonomous weapons without meaningful human control; urges the VP/HR and the Member States to adopt a common position for international negotiations in this respect;

*Existence of wars and conflict around the world and their impact on human rights*

93. Stresses the multi-faceted threat to the enjoyment of human rights brought about by modern armed conflicts, which, in addition to states, often involve non-state agents and terrorist organisations and have disastrous humanitarian consequences; underlines the human rights violations and abuses committed by private military and security companies; emphasises that the victims of human rights violations have very limited access to justice in territories such as those under occupation or annexation including in frozen conflict areas, where developed legal and institutionalised structures for the protection of human rights are either lacking or inadequate; reiterates its call for the EU to strengthen its response to conflicts, for which it should fully develop and be able to implement its own instruments autonomously, also in collaboration with partner countries and regional organisations, including a strong focus on humanitarian aid, conflict prevention, transitional justice, mediation and good offices, as well as reconciliation, addressing the root causes of conflicts, and providing the necessary support to the international peacebuilding and peacekeeping missions, as well as EU missions in the framework of the common security and defence policy and post-conflict reconstruction operations, supporting and applying strong integration and scrutiny of human rights and a robust gender perspective;

94. Welcomes the new concept of EU peace mediation, extending the EU's toolbox of crisis management tools to the broader goal of conflict transformation, and encourages the development of further dialogue tools and capacities in this field; reiterates its call on the Member States to help contain armed conflicts and serious violations of human rights or international humanitarian law by strictly abiding by the provisions of Article 7 of the UN Arms Trade Treaty on Export and Export Assessment and the EU Code of Conduct on Arms Exports, including when it comes to any transfer of arms, surveillance and intelligence equipment which would result in the risk of the importing state or non-state actors committing or facilitating violations of human rights or international humanitarian law; reiterates its calls for stricter EU-wide controls on EU arms exports, better end-use control of exported arms, and more coordination of national decisions on arms exports;

95. Calls on the VP/HR and the Council to pay special attention to the human rights situation in occupied or annexed territories and to take effective measures to prevent grave human rights abuses on the ground; insists on the importance of ensuring that EU policy is coherent in relation to the occupation or annexation of territory; recalls that international humanitarian law should guide EU policy in all such situations, including cases of protracted occupation; highlights the responsibility of EU-based corporations to apply the most stringent due diligence policies towards any economic or financial activity in or with these territories, and to ensure strict compliance with international law and EU sanctions policies when applicable to these situations;

*Transitional justice*

96. Calls for the promotion of transitional justice processes that empower civil society, victims, marginalised and vulnerable populations, women, children, young people, and rural and urban residents alike; encourages the creation of links between permanent structures such as national justice systems and national institutions and atrocity prevention networks and transitional justice initiatives; stresses the need to provide the victims and the communities affected with tools, space and access to information;

*Due diligence and corporate responsibility*

97. Emphasises that the EU has a unique opportunity to exert leverage on businesses to uphold human rights at a global level with the upcoming binding EU legislation on corporate due diligence and corporate accountability, obliging companies to identify, prevent, communicate, account for and effectively remedy potential and/or actual adverse impacts on human rights, the environment and good governance throughout their value chains and to provide civil liability regimes and access to justice for victims and ensure accountability; calls for the legislation to apply to all large undertakings governed by the law of a Member State, established in the territory of the Union or operating in the internal market, as well as publicly listed small and medium-sized companies (SMEs) and SMEs in high-risk sectors, while paying due regard to the principle of proportionality; stresses the need to establish and enforce administrative controls and sanctions to make the legislation effective and ensure a level playing field for undertakings; deems it necessary that companies' due diligence strategies should be defined and implemented through meaningful and regular consultation with stakeholders and made

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available to the public; welcomes the full entry into force of the EU Taxonomy Regulation<sup>(13)</sup> in 2020 and the EU Conflict Minerals Regulation<sup>(14)</sup> in 2021 as constructive steps in this field;

98. Reiterates that an estimated two thirds of the human rights defenders killed around the world last year were engaged in the protection of their land and the environment and the defence of the rights of indigenous peoples, often in the context of business; emphasises the ever-more crucial need, as expressed by human rights defenders, for the EU to implement mandatory human rights due diligence legislation for companies;

99. Reiterates its calls to combat and eradicate forced labour and other forms of human rights abuses in supply chains, including abuses of environmental, indigenous and labour rights and threats and attacks against human rights defenders; calls on the EU institutions to lead by example and conduct thorough due diligence assessments of vendors, including sub-contractors, from outside the EU; calls on the Commission and the Council to ban all imports of products made as a result of grave violations of human rights, including forced labour on an equal basis; calls on European companies to fulfil their corporate responsibility by undertaking a thorough review of their supply chains to ensure that they are not implicated in human rights abuses;

100. Notes that 2021 is the 10th anniversary of the UN Guiding Principles on Business and Human Rights, a genuine framework whose guidelines, in particular those in the third pillar focused on access to remedy and respect for human rights defenders, provide an essential structure for cooperation with third countries on prevention, as well as on access to judicial and non-judicial complaint and redress mechanisms for victims; stresses the importance for all countries to fully implement the UN Guiding Principles on Business and Human Rights and calls on those EU Member States that have not yet adopted national action plans on business rights to do so as soon as possible; stresses the need to establish an international binding instrument to regulate the activities of transnational corporations and other companies in international human rights law; encourages the EU and its Member States to participate constructively in the work of the UN Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights; considers this to be a necessary step forward in the promotion and protection of human rights;

#### *The importance of strong human rights clauses in international agreements*

101. Reiterates its call for the systematic inclusion of enforceable human rights clauses in all agreements between the EU and non-EU countries, including free trade agreements, association agreements and standalone investment protection agreements; calls for the use of these clauses to be improved, including by setting dedicated monitoring and problem-solving mechanisms; calls for these clauses to be enforced through clear benchmarks and to be monitored, with the involvement of Parliament, civil society and the relevant international organisations; underlines that the establishment of specific benchmarks could lead the EU to explore the introduction of proportionality into sanctions for non-compliance; underlines that breaches of agreements should trigger clear consequences, including, as a last resort, suspension or the withdrawal of the EU from the agreement for the most severe or persistent cases of human rights violations; recommends the inclusion of monitoring mechanisms on human rights in all trade and foreign investment agreements, as well as complaints mechanisms, in order to ensure effective recourse to remedy for affected citizens and local stakeholders;

#### *Trade and the Generalised Scheme of Preferences (GSP)*

102. Underlines the strong link between trade and human rights and the incentivising role played by access to trade on upholding human rights conditionality for third countries; notes the Commission's recent proposal for a revised GSP Regulation<sup>(15)</sup>, which is an opportunity to further strengthen this link; stresses the necessary contribution of the GSP to achieving the objectives of the European Green Deal, among other policies, and suggests exploring the possibility to offer preferential treatment to sustainable goods; underlines that access to GSP+ status is contingent on respect for international conventions and progress in the area of human rights and calls for the strict application of conditionality to partner countries, including the withdrawal of GSP+ status, if warranted; calls on the Commission to use clear and transparent benchmarks when assessing compliance with GSP+ obligations;

<sup>(13)</sup> OJ L 198, 22.6.2020, p. 13.

<sup>(14)</sup> OJ L 130, 19.5.2017, p. 1.

<sup>(15)</sup> Commission proposal for a regulation of the European Parliament and of the Council on applying a generalised scheme of tariff preferences and repealing Regulation (EU) No 978/2012 of the European Parliament and of the Council (COM(2021)0579).

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103. Stresses the need for continued engagement and dialogue between the EU and all stakeholders in beneficiary countries, notably civil society organisations and trade unions, as well as for further improvements to transparency and monitoring in order to ensure that the GSP scheme fulfils its objective of sustainable development and good governance;

*Digital technologies*

104. Underlines the important role played by digital technologies, particularly during the COVID-19 pandemic; stresses that these technologies will continue to be implemented around the world in the post-pandemic period and that they should be appropriately regulated to leverage their strength while avoiding any negative effects on human rights; stresses, in particular, the importance of effective safeguards to the right to privacy and data protection in the health-related systems of mass surveillance, and of their proportionate use which should also be limited in time; stresses the evident risks of surveillance technologies being used inappropriately against human rights defenders, opposition figures, journalists, civil society and others, not least as such technologies pose a serious obstacle to the defence of human rights, a risk to privacy and freedom of expression, and a serious threat to democratic institutions; calls on the EU to urgently devise a robust regulatory framework in this field to guarantee that the use of these technologies is compliant with international human rights standards; calls on the EU and its Member States to ensure full due human rights diligence and proper vetting of exports of European surveillance technology and technical assistance; calls on the EU and its Member States to engage with third-country governments to end repressive legislative practices on cybersecurity and counter-terrorism; calls on the EU to take the initiative to promote an immediate global moratorium on the sale, transfer and use of spyware technology;

105. Notes the benefits brought about by the increased use of artificial intelligence, but stresses that the technologies must be developed, deployed and used under meaningful human supervision, in full transparency and ensuring accountability and non-discrimination, in particular to avoid both bias in automated decisions and data protection violations;

106. Stresses the vital role of social platforms in advancing freedom of expression and of organisation, but underlines the need for proper safeguards to prevent the manipulation or unjustified limitation or curation of user content, including automated censorship, on the one hand, and the spread of hate speech, fake news, disinformation and intentionally harmful content, on the other; calls for the EU to propose ways to facilitate the work of human rights defenders online and promote recognition of the notion that debate on human rights should be promoted and protected in all circumstances; welcomes the adoption of the new EU rules on the control of exports, brokering, technical assistance, transit and transfer of dual-use technologies;

107. Emphasises that democracy is facing increasing threats through covert foreign funding, disinformation and other interference online, and underlines the fact that in the authoritarian states the internet and cyberspace is often the only area free of state control and the censorship of human rights defenders, free media and pro-democratic opposition; calls on the Commission and the Council to strengthen the EU's response and work towards the creation of international safeguards on disinformation, cyber-attacks and other hybrid threats emanating from malign foreign actors seeking to undermine societal resilience and democratic processes across the EU, in our neighbourhood and beyond; stresses the need for more public support into research on novel ways to counter the spread of fake news;

*The death penalty, torture and other forms of ill-treatment*

108. Reiterates its strong opposition to the death penalty in view of its cruel and irreversible nature and calls for the EU to intensify its efforts to advocate universal abolition; underlines that a positive trend emerged in 2020 towards a moratorium on executions with a view to fully abolishing the death penalty, with 123 states voting in favour of the UN General Assembly's resolution on this matter; is extremely concerned, however, about the dramatic increase in executions in certain countries; urges the EU and its Member States to defend abolition in all international forums and advocate for the broadest possible support for this position;

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109. Deplores the fact that torture and inhuman or degrading treatment continue to be widespread in many countries and calls for the EU to strengthen its efforts aimed at eradicating these practices, while supporting victims and promoting mechanisms to hold the perpetrators accountable; urges the countries which have not yet done so to ratify the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto; recognises the importance of civil society organisations and human rights defenders in the fight against torture and other forms of ill-treatment; denounces in the harshest possible terms the human rights violations that have been reported in places of detention and calls for a systematic investigation into all allegations of violations;

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110. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the UN Security Council, the UN Secretary-General, the President of the 76th session of the UN General Assembly, the President of the UN Human Rights Council, the UN High Commissioner for Human Rights and the EU Heads of Delegation.

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