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From: High Representative of the Union for Foreign Affairs and Security Policy,  
signed by Mr Stefano SANNINO, Secretary-General

date of receipt: 8 April 2022

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council  
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EUROPEAN EXTERNAL ACTION SERVICE



GREFFE

**Report of the High Representative of the Union  
for Foreign Affairs and Security Policy**

**of 08/04/2022**

**2021 Annual Report on Human Rights and Democracy in the World**

**HR(2022) 83**

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**REPORT OF THE EU HIGH REPRESENTATIVE FOR FOREIGN AFFAIRS AND SECURITY POLICY**

**2021 ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD**



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## FOREWORD BY HR/VP JOSEP BORRELL

This edition of the Annual Report on Human Rights and Democracy in the World is published at a truly extraordinary moment in world history. We see **widespread violations of international human rights and international humanitarian law** in a scale not witnessed in over 75 years.

The **unprovoked invasion of Ukraine by armed forces of the Russian Federation** is not only an attack on Ukraine's sovereignty, territory and democracy, it is also causing unspeakable suffering and affected the enjoyment and protection of human rights in Ukraine and beyond. **Russian military forces are responsible for indiscriminate attacks against civilians in Ukraine**, including women and children, journalists, humanitarian workers and those seeking to use humanitarian corridors.

Moreover, the **opponents of the war in Russia are silenced by force, intimidation and disinformation**. We pay tribute to all citizens, human rights defenders and democracy activists who are protesting courageously against the war and who oppose the backsliding of human rights and democracy in Russia and in Belarus.

Regrettably, these events come following a year, 2021, which had already posed **unprecedented challenges** for international human rights and humanitarian law, democracy and multilateralism. With the takeover of **Afghanistan** by the Taliban, the rights of women and girls are constantly violated and human rights defenders, journalists and minorities are at high risk for their life. In **Belarus**, the repression continues with increasing number of political prisoners arrested for peacefully protesting against the regime. In **Myanmar**, the military junta ignores the results of the elections and uses violence against its own citizens. In **Ethiopia and Mali** there have been massive violations of international human rights and humanitarian law, while unprecedented levels of gender-based violence continues unabated in eastern **Democratic Republic of Congo**.

This is a grim snapshot of some of the events that marked 2021. Representative of the pressure on human rights and the backsliding of democracy is that for the first time the **number of autocratic regimes in the world has exceeded the number of democracies**, and nearly 75 percent of the world's population lived in a country that faced deterioration in 2021.

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At least **358 human rights defenders were killed** in the past year and 59 percent of those worked on environmental, land or indigenous peoples' rights. The growing violence, authoritarian trends and the impact of the COVID-19 pandemic, in particular on persons in vulnerable situations such as women, children, human rights defenders and persons belonging to minorities, triggered decisive EU action. The **EU Human Rights Defenders Mechanism** 'ProtectDefenders.eu' (EUR 35 million for 2015-2022) is an example of EU concrete action by supporting nearly 53,000 human rights defenders at risk and their families since its launch. Furthermore, the EU direct support provided to activists and independent journalists in the EU neighbourhood by the **European Endowment for Democracy** allowed to address urgent situations throughout 2021 and to adapt quickly to the situation created by the war in Ukraine.

In 2021, the EU took the **lead in the UN human rights fora** to address the most pressing human rights situations such as in **Belarus, Myanmar and Afghanistan**. Serious human rights violations in **Ethiopia** led to a resolution in the UN Human Rights Council establishing an international commission of human rights experts on Ethiopia. The resolution on **climate change** created a new Special Rapporteur on climate change and human rights.

The EU's ambition to achieve **gender equality and women's empowerment** by 2025 was reinforced through the Gender Action Plan III. Another important achievement, the **EU Global Human Rights Sanctions Regime**, allowed adopting restrictive measures in 2021 targeting individuals and entities from **China, DPRK, Libya, South Sudan, Eritrea and Russia**, as well as against the **Wagner group** and its members.

**Fighting against impunity and closing the accountability gap for human rights violations and abuses** also remain a top EU objective. We aim to continue using the EU's economic leverage to defend human rights in external action. The recent ambitious legislative proposal on **corporate due diligence** presented an opportunity to engage business and defend human rights and, in particular, social and economic rights.

The **Global Europe Human Rights and Democracy Programme** (EUR 1.5 billion in the 2021-2027 period) is key to putting our political priorities into action. Under this programme, the EU launched a new flagship initiative, the **Team Europe Democracy**, with the purpose of strengthening democracy globally, promoting the rule of law, political and civic participation, media freedom and pluralism, and addressing digital challenges and opportunities.

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Supporting democracy requires strengthening confidence in electoral processes and the EU deployed **six Election Observation Missions and four Election Follow-up Missions** in 2021. The EU's commitment to defend the rule of law, fundamental rights and democracy forms part of a renewed global effort. The EU actively participated in the **Summit for Democracy** hosted by President Biden in December 2021, which provided a strong impetus for building global alliances to promote democracy and human rights.

This annual report testifies for the EU's continuous commitment to upholding the **universality, indivisibility and interdependence of human rights** and **democratic values**. It outlines the actions taken in the implementation of the **EU Action Plan on Human Rights and Democracy (2020-2024)**, including many country examples from across the world. The report also covers EU **public diplomacy and strategic communication** activities, highlighting challenges, but also progress and leadership to reinvigorate human rights and democracy globally.

## INTRODUCTION

In 2021, in a context characterised by a prevailing global pandemic and a sustained trend of rising authoritarianism, the EU stepped up its work to uphold human rights, democracy and the rule of law across the world and strengthened its tools.

On the eve of the Human Rights Day on 10 December 2021, the EU launched the **Global Europe Human Rights and Democracy programme**<sup>1</sup>. This programme worth EUR 1.5 billion, which President von der Leyen announced at the US Summit for Democracy, replaces the European Instrument for Democracy and Human Rights (EIDHR) and increases EU support in promoting and protecting human rights and fundamental freedoms, democracy, and the rule of law and the work of civil society organisations (CSOs) and human rights defenders worldwide in the period 2021–2027.

2021 marked the first year of implementation of the **EU Action Plan on Human Rights and Democracy (2020-2024)**<sup>2</sup>, which recommitted the EU and its Member States to use the full range of instruments for the protection and promotion of human rights and democracy in all areas of external action and highlighted the link between human rights and the environment, climate change, and the impact of digital technologies.

This annual report on human rights and democracy monitors the implementation of the EU Action Plan by presenting the progress achieved to date. **EU delegations** are on the frontline of this work and the **EU Special Representative for Human Rights** will continue to guide the implementation of the EU Action Plan.

One landmark achievement is the **EU Global Human Rights Sanctions Regime (EUGHRSR)**<sup>3</sup>. In 2021, the EU adopted restrictive measures targeting persons and entities from **China, the Democratic People's Republic of Korea (DPRK), Libya, South Sudan, Eritrea and Russia**, involved in serious human rights violations and abuses. The EU imposed sanctions in the case of **Alexei Navalny's** arbitrary arrest and detention, as well as sanctions against the **Wagner group** and

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<sup>1</sup> Strengthening human rights and democracy in the world: [EU launches a €1.5 billion plan to promote universal values](#)

<sup>2</sup> [Council conclusions on the Action Plan on Human Rights and Democracy 2020-2024, 12848/20, 18 November 2020](#)

<sup>3</sup> [Council Decision \(CFSP\) 2020/1999 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses](#)

its members. In December, the Council adopted a decision prolonging for one year the existing sanctions.

Throughout the year, the EU took the **lead in UN human rights fora** on initiatives aimed at addressing human rights violations and abuses in **Afghanistan, Belarus, Burundi, DPRK, Ethiopia, Eritrea and Myanmar**. The **first EU strategic dialogue with the Office of the UN High Commissioner for Human Rights (OHCHR)** in October 2021 was an opportunity to share updates on global human rights issues, to discuss priorities and to build a stronger partnership for more effective multilateralism and rules-based international cooperation. As a staunch advocate of multilateralism, the EU also remains vigilant in the defence and advancement of universal human rights and the integrity and functionality of the global human rights system.

Pursuing its political priority towards achieving gender equality and women's empowerment, the EU reinforced its ambition through the implementation of the **EU Action Plan on Gender Equality and Women's Empowerment in the EU External Action 2021-2025 (GAP III)**<sup>4</sup>. The EU remained committed to preventing and combatting all forms of gender-based violence and engaged as an **Action Coalition leader in the Generation Equality Forum**, as well as in the **Call to Action on Protection from Gender-Based Violence in Emergencies**. In 2021, the International Year for the Elimination of Child Labour, the **EU Strategy on the Rights of the Child**<sup>5</sup> was also adopted. It was developed with contributions from over 10,000 children and proposed new actions to support children and contribute to the protection and promotion of their rights.

In 2021, the EU further expanded its concrete support to **civil society organisations and human rights defenders**, especially environmental, land and indigenous peoples' rights defenders, women human rights defenders and labour rights defenders, who remained under severe pressure around the world. The **23rd EU-NGO Human Rights Forum**<sup>6</sup> organised on 7-8 December 2021 focused on 'Rebuilding better: a human-rights based recovery from the pandemic'. The EU Human Rights Defenders Mechanism ProtectDefenders.eu (EUR 35 million for 2015-2022) has **supported nearly 53,000 human rights defenders at risk and their families since its launch** in 2015.

In a global context of **democratic backsliding**, supporting democratic electoral processes remained a cornerstone of EU engagement worldwide. Despite the restrictions linked to the pandemic and

<sup>4</sup> [EU Action Plan on Gender Equality and Women's Empowerment in EU External Action 2021-2025 \(GAP III\)](#)

<sup>5</sup> EU Strategy on the Rights of the Child: [https://ec.europa.eu/info/files/eu-strategy-rights-child-graphics\\_en](https://ec.europa.eu/info/files/eu-strategy-rights-child-graphics_en)

<sup>6</sup> [23rd EU-NGO Human Rights Forum: "Rebuilding better: a human-rights based recovery from the pandemic", Brussels, 7-8 December 2021](#)

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political and security circumstances, in the second half of 2021 the EU **successfully deployed Election Observation Missions to Zambia, Kosovo\*, Iraq, Venezuela, Honduras, and The Gambia.**

The ongoing global health crisis has further deepened pre-existing inequalities and demonstrated that human rights and democracy must be continuously defended. In 2021, the **COVID-19 pandemic disproportionately affected persons in vulnerable situations** such as women and children, persons with disabilities and older persons, human rights defenders and journalists, LGBTI persons, indigenous peoples and persons belonging to minorities, refugees and migrants, among others. The EU aims to seize this moment by placing human rights and democracy at the heart of the recovery effort. Finding an effective global response requires upholding the universality and indivisibility of human rights, exercising vigilance against any attempt to undermine international commitments, and strengthening accountability for human rights violations and abuses.

### EU SPECIAL REPRESENTATIVE FOR HUMAN RIGHTS

Under the authority of the High Representative/Vice-President (HR/VP) Josep Borrell, the EU Special Representative (EUSR) for Human Rights, Eamon Gilmore, continued the implementation of his mandate, which promotes EU foreign policy on human rights, as well as compliance with international humanitarian law (IHL) and support to international criminal justice. Through his high-level and targeted engagement, the EUSR contributed to the coherence, visibility and effectiveness of the EU's human rights actions and actions in the field of IHL, ensuring a leading role in supporting human rights globally, and at the regional and multilateral level.

The EUSR also plays a central role in guiding the implementation of the EU Action Plan on Human Rights and Democracy 2020-2024, which guides the EU in addressing human rights challenges in third countries and in fostering more democratic and inclusive societies. The EUSR has raised awareness on this EU strategic document during his bilateral and multilateral engagements, as well as through public diplomacy and media outreach.

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<sup>7</sup> \* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

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The EUSR mandate, renewed on 22 February 2021, puts a strong emphasis on advancing dialogues and partnerships with third countries, responding to the changing geopolitical context with critical human rights and humanitarian challenges, both exacerbated by the COVID-19 pandemic. The EUSR has undertaken active and constructive engagements to address the urgent and serious human rights and humanitarian situations in Afghanistan, Armenia, Azerbaijan, Belarus, Colombia, Ethiopia, Myanmar, the Sahel, Ukraine, and Yemen, through bilateral visits, virtual meetings or human rights dialogues.

**Multilateral engagements** are a key element of the EUSR's mandate, highlighting the EU's commitment to strengthen effective multilateralism and rules-based international cooperation. A strong emphasis was placed on the partnership with the UN, including the first Strategic Dialogue with the OHCHR, co-chaired by the EUSR and the UN High Commissioner for Human Rights, Michelle Bachelet<sup>8</sup>. The EUSR also participated in high-level events at the UN General Assembly (UNGA) and the Human Rights Council (HRC) on issues ranging from the situation of women and girls in Afghanistan to the impact of climate change and human rights.

In addition, the close partnerships developed with the African Commission for Human and People's Rights, the Organization for Security and Co-operation in Europe (OSCE)/Office of the Democratic Institutions and Human Rights (ODIHR), and the Council of Europe (CoE), allowed the EUSR to address difficult human rights issues, including specific country-situations. The long-standing and close cooperation with the African Union (AU) was reflected in the 17th Human rights dialogue between the European Union and the African Union, co-chaired by the EUSR.

One of the EUSR's priorities remained to address the ongoing political and human rights crisis in **Belarus** following the August 2020 presidential elections. The EUSR met with Belarusian opposition and civil society leaders to have a better understanding of the situation, look for solutions and keep the spotlight through high-level appearances in the HRC. The EUSR repeatedly called for the liberation of the more than 900 political prisoners, joining several online campaigns to this end, and demanded accountability for those responsible for human rights violations, including torture and violence by the state.

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<sup>8</sup> Joint Communication on strengthening the EU's contribution to rules-based multilateralism, 17.2.2021, JOIN(2021) 3 final:  
[https://www.eeas.europa.eu/sites/default/files/en\\_strategy\\_on\\_strengthening\\_the\\_eus\\_contribution\\_to\\_rules-based\\_multilateralism.pdf](https://www.eeas.europa.eu/sites/default/files/en_strategy_on_strengthening_the_eus_contribution_to_rules-based_multilateralism.pdf)

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Considering the continuation of the human rights and humanitarian crises in the Tigray region and in **Ethiopia** as a whole, the EUSR held a series of high-level engagements with the country in order to voice EU concerns. In this context, the EUSR reiterated the strong EU messages on the need to ensure respect for IHL, humanitarian access, fight sexual violence and hold perpetrators to account.

Following the Taliban takeover in **Afghanistan** and the deeply concerning human rights and humanitarian situation, the EUSR engaged early with the Afghan Independent Human Rights Commission and with the global fund Education Cannot Wait, and discussed how to ensure compliance with IHL and to safeguard the protection of human rights in the country, including human rights defenders and women and girls. The EUSR also met with leading human rights organisations to discuss issues related to accountability for the crimes committed and support for Afghans at risk.

The EUSR continued to follow closely the deterioration of human rights situations in **Russia and China**. Despite the absence of direct engagement with the EUSR in both countries, the EUSR has continued to consult civil society and UN actors on the situation in Russia and China.

Concerning the repression of the political opposition and protests in **Colombia, Nicaragua, and Cuba**, the EUSR conveyed the EU condemnations of violations of freedom of assembly, freedom of expression, and freedom of the press. Engagements with Colombia were particularly constructive and the EUSR paid two visits to the country. During meetings with high-level interlocutors and civil society organisations, the EUSR shared EU concerns about the excessive use of force and human rights violations in relation to civil protests, and discussed solutions to the existing problems in the country.

During his visit to **Brazil**, the EUSR paid special attention to environmental human rights defenders and indigenous peoples, and discussed with the authorities a wide range of issues, including police brutality and torture, attacks on democracy, civil society space, trade unions, and the media freedom challenges, including disinformation.

On his first visit to **Ukraine**, the EUSR met with high-level government officials and civil society to discuss human rights issues, women's rights, and justice and accountability, including the ratification of the Rome Statute, and reiterated the EU's full support for Ukraine's sovereignty and territorial integrity. In the eastern part of the country, the EUSR met with conflict-affected populations receiving EU support and called on all parties to respect international humanitarian law.

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The EUSR gave particular attention to Central Asian countries, and notably **Kazakhstan and Kyrgyzstan**. Together with the EU Special Representative for Central Asia Terhi Hakala, they visited both countries to discuss bilateral issues and human rights, and participated in the EU-Central Asia Civil Society Forum. The EUSR closely engaged at high-level and with civil society organisations, to address, among others, the situation of human rights defenders, the improvement of the human rights related political reforms, as well as domestic violence.

Advancing **the EU-US** human rights agenda under the new US Administration was another important focus. The EUSR engagement with the United States touched upon third country-situations, as well as crucial thematic issues such as the effectiveness of multilateral institutions, the global state of democracy, and the abolition of the death penalty.

**EU human rights dialogues** with third countries represent a crucial moment of engagement to advance human rights and concretely follow-up on solutions implemented to address existing challenges. This year, the EUSR co-chaired the first human rights dialogue with the Kingdom of Saudi Arabia, an important new forum to foster positive human rights change in the country, and the 10th EU-Brazil human rights dialogue. In addition, he participated in the first session of the EU-Philippines sub-committee on good governance, rule of law, and human rights, the 11th EU-Armenia human rights dialogue, and the 9th EU-Azerbaijan sub-committee on justice, freedom, security and human rights and democracy. He also opened the 12th EU-Republic of Moldova human rights dialogue. In addition, in 2021, the EUSR co-chaired dialogues with multilateral organisations and institutions, notably the African Union and the OHCHR.

The emphasis given to voices of **civil society** throughout the EUSR's mandate demonstrated the importance of supporting non-state actors allowing them to pursue their work, and to strengthen the EU engagement with civil society organisations. As in the past, the EUSR opened the annual EU-NGO forum bringing together civil society organisations and human rights defenders to discuss topical human rights challenges. Empowering independent human rights voices and institutions and protecting the space in which they operate were central elements that guided the EUSR's actions.

The EUSR continued to support the **International Criminal Court (ICC)** and met with the ICC President, Prosecutor and the Registrar to express EU support to end impunity and to hold accountable those who are responsible for atrocity crimes. During the 76th UN General Assembly, the EUSR participated on behalf of the HR/VP in the meeting of the Informal Ministerial Network for the ICC and conveyed the EU's unwavering support. The EUSR cooperated closely with the

International Committee of the Red Cross (ICRC) and participated in several high-level events to underline the EU commitment to promoting global respect for IHL, such as the launch of the EU Guidelines on IHL and the IHL Bruges Colloquium organised by the College of Europe and the ICRC.

In order to **increase the visibility and reach of the EU human rights policy**, the EUSR conducted regular bilateral meetings, speaking engagements and academic interactions and attended international conferences. In particular, the EUSR focused on several key EU thematic priorities, which are reflected in the relevant EU human rights guidelines. These include political prisoners and human rights defenders, environmental issues, the death penalty, torture and ill-treatment, the full enjoyment of all human rights by women, children and LGBTI persons, economic, social and cultural rights, business and human rights, as well as the human rights implications of digital technologies and artificial intelligence (AI).

Throughout the year, the EUSR continued to **raise the EU's profile and demonstrate global leadership in human rights** by representing the EU and the High Representative at high-level events and international conferences. For example, the EUSR participated in the 'GANHRI Global Action Plan on Human Rights Defenders and Civic Space', the 'International Conference on the Death Penalty' organised by the Portuguese Presidency of the Council of the EU, and the regional launching of the EU Action Plan on Human Rights and Democracy. He also delivered remarks during side events in the HRC, UNGA and the Commission of the Status of Women (CSW), highlighting the EU's commitment to advance human rights globally.

### 1. PROTECTING AND EMPOWERING INDIVIDUALS

#### 1.1 PROTECTING PEOPLE, ELIMINATING INEQUALITIES, DISCRIMINATION AND EXCLUSION

##### *The death penalty*

Throughout 2021, the EU continued to voice its strong opposition to the death penalty. Its global abolition is a long-standing EU human rights priority. Capital punishment is cruel, inhuman and degrading. It violates the right to life, makes judicial errors irreversible and has no established deterrent effect bigger than imprisonment.

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In 2021, a good example of the continuous progress towards abolition of the death penalty was given by the US State of Virginia, becoming the 23rd abolitionist state in law in the US, and the 11th abolition by a US state over the last 14 years. Moreover, South Carolina reached ten years without executions, bringing the number of US states that abolished the death penalty or have had no executions for ten or more years to 36 out of the 50 states composing the US. In Africa, a significant positive step was the abolition of the death penalty in Sierra Leone announced by government in May and signed into law in October 2021.

On numerous occasions, including during EU political dialogues and human rights dialogues with countries that still use the death penalty, the EU consistently raised the importance of abolishing it. Based on the minimum standards defined by international law and the EU guidelines on the death penalty, the EU issued a number of public statements welcoming positive steps towards abolition or, in some cases, deploring the use of the death penalty, and calling on those countries that still apply it to consider introducing a moratorium as a first step towards abolition. This was done for instance in the case of Belarus, the only country in Europe and Central Asia that still applies the death penalty. The EU continued to raise its opposition to the death penalty in all relevant multilateral fora, in particular in the UN, the OSCE and the Council of Europe. To mark the European Day against the Death Penalty and the World Day against the Death Penalty on 10 October 2021, the EU and the CoE issued a joint statement reaffirming their opposition to the use of capital punishment in all circumstances, and their commitment to the abolition of the death penalty worldwide. A number of EU delegations marked this date by organising debates, publishing op-eds, and conducting other public awareness activities.

The EU participated actively in the work of the Human Rights Council, which adopted a resolution on the death penalty, by 29 votes in favour, 12 against and 5 abstentions, calling upon States that have not yet acceded to or ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, to consider doing so.

The abolition of the death penalty was a thematic priority under the EIDHR. Funds are channelled through civil society organisations worldwide and contribute to training within the judiciary, public awareness-raising, the creation of national networks, the monitoring of the use of the death penalty, advocacy for legal reform and dialogue on specific issues such as the use of death penalty on counter-terrorism and on the fight against drugs. In 2021, EU funds from the 2018 global call for proposals amounting to EUR 8.1 million continued to be implemented in projects of this kind in the following countries and territories: China, India, Malawi, Equatorial Guinea, Niger, the Philippines,

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Taiwan, Uganda, the US, Cameroon, Democratic Republic of Congo, Indonesia, Malaysia, Bahrain, Egypt, Iraq, Jordan, Kuwait, the Kingdom of Saudi Arabia, Turkey and the United Arab Emirates. The death penalty also featured in the Partnership and Cooperation Agreement-Facility, through which EU funds supported work on public perceptions about the death penalty in Indonesia, as well as an advocacy project in Japan designed to gather support for the abolition of the death penalty across the parties and to enhance awareness of the criminal justice system.

### *Torture and other cruel, inhuman or degrading treatment or punishment*

Although the **prohibition of torture and other ill-treatment is absolute under international law**, it continued to be practiced in many parts of the world in 2021. The global health crisis led to increased violence, arbitrary arrests and detentions, physical attacks and psychological trauma for many human beings, disproportionately affecting the most vulnerable ones, including persons deprived of their liberty.

Throughout 2021, the EU continued to engage at bilateral, regional and multilateral level to combat torture worldwide, in all its forms, contexts and settings, by using all **political and financial tools** at its disposal. This ranged from speaking out against human rights violations and abuses, to urging States to comply with their obligations under international law to investigate allegations of torture and bring perpetrators to justice, and to provide redress to victims. The EU raised the issue of torture and other ill-treatment in most human rights dialogues, urged countries to ratify and fully implement the UN Convention against Torture and its Optional Protocol, and to comply with the recommendations of monitoring mechanisms.

In line with the priorities of the EU Action Plan on Human Rights and Democracy 2020-2024, the EU continued to closely monitor the **situation of prisoners and other persons in detention** and provided support to the improvement of detention conditions and the treatment of persons deprived of their liberty. This issue was the subject of a panel at the 23rd EU-NGO Human Rights forum on 8 December 2021, entitled ‘Locked up in lockdown: persons deprived of liberty, jailed human rights defenders and other vulnerable people’. The discussions highlighted the deep fragilities exacerbated by the pandemic in places of detention. They addressed issues such as prison overcrowding, access to health and vaccines, access to justice, transparency and monitoring and considered the crisis as an opportunity for long-term penitentiary and justice reforms. Since the outbreak of the COVID-19

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pandemic and throughout 2021, the EUSR for Human Rights called for the humanitarian release of vulnerable detainees in his engagements across the world.

On the **International Day in support of Victims of Torture** on 26 June 2021, the High Representative issued a statement<sup>9</sup> reaffirming that impunity for acts of torture and other ill-treatment must end. He highlighted the need for accountability of perpetrators, effective justice systems and victims' redress. The EU Global Human Rights Sanctions Regime signalled the EU's determination to take decisive action to address serious human rights violations and abuses such as torture, arbitrary arrests or detentions, extrajudicial executions and killings or enforced disappearance of persons. The High Representative recalled the need to work together to address the global challenge of torture and ill-treatment, with international and regional organisations, national partners, along with civil society and human rights defenders.

The EUSR for Human Rights also actively contributed to the fight for a torture free world, by publicly raising the issue during human rights dialogues and in bilateral conversations with other leaders.

The EU continued to strongly condemn arbitrary arrests and detentions and to call all States to uphold international human rights law. It supported, notably with its G7 partners, under the lead of Canada, a declaration against the use of arbitrary detention in state-to-state relations.

At multilateral level, the EU gave further impetus to the **Global Alliance for Torture-Free Trade**, a cross-regional effort bringing together more than 60 countries committed to ending trade in goods used for torture and capital punishment across the globe, inspired by the respective EU Regulation<sup>10</sup>. The EU continued to support the work of the Office of the High Commissioner for Human Rights in following up on the EU-led UN General Assembly resolution 73/304 on torture-free trade, adopted in June 2019. Following the UN Secretary General's report ('Towards torture-free trade: examining the feasibility, scope and parameters for possible common international standards'), which recognised that the establishment of common international standards could ensure more effective regulation in this area, a Group of governmental experts was established in 2021 and submitted a report for consideration by the UN General Assembly at its 76th session. Furthermore, the EU engaged with the Council of Europe in its efforts to better regulate the trade in

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<sup>9</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/100771/international-day-support-victims-torture-statement-high-representativevice-president-josep\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/100771/international-day-support-victims-torture-statement-high-representativevice-president-josep_en)

<sup>10</sup> Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (OJ L 30, 31.1.2019)

goods which could be used for “capital punishment, torture or other cruel, inhuman or degrading treatment” encouraging all Council of Europe Member States to implement the Recommendations<sup>11</sup>.

In a large number of countries, the EU continued to promote effective justice systems, the right to a fair trial, access to justice and legal assistance, as well as the improvement of detention conditions, both through political dialogue and financial support.

### **EU support to the Citizen Security and Rule of Law ‘EL PACCTO’ regional programme in Latin America**

The flagship regional programme on Citizen Security and Rule of Law ‘EL PACCTO’ consists of 3 coordinated pillars covering the whole penal chain: i) police/law enforcement cooperation, ii) cooperation between justice systems (combining judicial and prosecution cooperation) and iii) support to the penitentiary systems. It fosters cooperation between the EU and Latin America by supporting casework, capacity-building of staff through ad hoc academies and support to the development of a penitentiary career, and support to penitentiary reform in Latin America. The programme is active in 17 countries in the region and helps fostering institutional reengineering of the penitentiary system (e.g. penitentiary intelligence, administrative management, security measures and means, compliance with human rights standards), as well as the treatment of juvenile offenders.

The EU ensured that human rights funding at country level, often the source of funding for anti-torture actions undertaken by CSOs, continued smoothly. Under the human rights and democracy thematic instrument, in addition to anti-torture projects engaged at country level, a global project addressed the impact of the COVID-19 crisis on detention conditions in more than 20 countries.

The new funding programming set out in 2021 under the Neighbourhood, Development and International Cooperation Instrument (NDICI) /Global Europe Human Rights and Democracy Programme<sup>12</sup>, maintains the eradication of torture and other ill-treatment as a central priority and sets out plans for strategic global implementation until 2024.

### **EU support to the fight against torture and other cruel, inhuman or degrading treatment or punishment in Indonesia**

Despite Indonesia’s ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in 1998, data shows that both the rate and the nature of torture related complaints remained unchanged over the years. The EU, through a EUR 500,000 programme, supported the establishment of the Working Group for the Prevention of Torture (Kerjasama untuk Pencegahan Penyiksaan, KuPP) in Indonesia, as a way to encourage the country’s ratification of the Optional Protocol to the Convention against Torture and other Cruel,

<sup>11</sup> Recommendation CM/Rec(2021)2 of the Committee of Ministers to member states on measures against the trade in goods used for the death penalty, torture and other cruel, inhuman or degrading treatment or punishment (Adopted by the Council of Europe Committee of Ministers on 31 March 2021 at the 1400th meeting of the Ministers' Deputies)

<sup>12</sup> [https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/global-europe-neighbourhood-development-and-international-cooperation-instrument\\_en](https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/global-europe-neighbourhood-development-and-international-cooperation-instrument_en)

Inhuman or Degrading Treatment or Punishment. The KuPP helps to improve the understanding and commitment of key law enforcement agencies to prevent acts of torture and to improve prison conditions. Constructive dialogue with stakeholders revealed that many officers on the ground were not aware of what constitutes torture. To address this issue, the programme organised a series of capacity-building workshops and trainings for government and law enforcement officials, notably to highlight the State obligations in the prevention of torture and other cruel, inhuman or degrading treatment or punishment. This was especially pertinent due to the vulnerability of persons in detention during the COVID-19 pandemic.

### *Human rights defenders*

In 2021, the EU firmly supported human rights defenders (HRDs) and denounced the shrinking online and offline space for civil society. The EU used its political and financial tools, in line with the EU Guidelines on Human Rights Defenders<sup>13</sup>, to support those fighting for human rights. Activities to protect and support HRDs were intensified with particular focus on HRDs at risk.

The COVID-19 pandemic continued to seriously impact human rights defenders with reduced state protection measures, increased digital surveillance, slow-down of judicial processes and limited relocation opportunities. The pandemic made it harder for the international community to monitor trials or carry out visits in detention due to lockdowns.

To counter this trend, the EU raised specific cases of human rights defenders at risk in **all its human rights dialogues**, subcommittee meetings and consultations. Human rights defenders' issues were discussed in EU-supported civil society seminars in the context of human rights dialogues. The EU also continued to make its voice heard with **public statements** and declarations to support human rights defenders at risk (for instance in Vietnam, Russia or China).

EU delegations and Member States' embassies engaged and met with human rights defenders, and when possible **monitored trials, and visited human rights defenders in detention**. Annual meetings between EU diplomats and human rights defenders have become an established practice in non-EU countries, increasing the visibility of human rights defenders where appropriate and allowing for in-depth analysis of the challenges they face.

The support and protection of human rights defenders remained a priority for the **EUSR for Human Rights**. During 2021, the EUSR met with human rights defenders, in particular

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<sup>13</sup> EU Guidelines on Human Rights Defenders: [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/3958/EU%20Guidelines%20on%20Human%20Rights%20Defenders](https://eeas.europa.eu/headquarters/headquarters-homepage_en/3958/EU%20Guidelines%20on%20Human%20Rights%20Defenders)

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environmental human rights defenders and women human rights defenders, and raised the protection of human rights defenders in a number of human rights dialogues. The EUSR met human rights defenders during his visits to Ukraine, Kazakhstan, Kyrgyzstan, Colombia and Brazil. The EUSR advocated for the protection of HRDs in countries where they face difficult situations, including in Belarus, where the EUSR shed light on the growing number of political prisoners and their worrisome conditions of detention, and engaged in efforts to protect Afghan human rights defenders.

The EU held the **23rd annual EU-NGO forum on Human Rights** on 7-8 December 2021<sup>14</sup> to exchange with human rights defenders on how the international community could ensure a human rights based recovery to the pandemic. The forum gathered virtually hundreds of human rights defenders from around the globe together with UN experts and EU representatives. Some key topics of discussions included the impact of the pandemic on fundamental freedoms; the need to facilitate access to healthcare for all; and ways to strengthen labour rights and due diligence.

**The EU also supported protecting human rights defenders in multilateral fora**, in particular in the Human Rights Council, including by supporting the renewal of the mandate of the UN Special Rapporteur (UNSR), and in the UN General Assembly. The EU actively collaborated with the new UNSR on the situation of human rights defenders, and regularly exchanged information on cases and thematic priorities. The EU also supported the UN Assistant Secretary-General for Human Rights in addressing reprisals against those who cooperate with the UN, its representatives and mechanisms. In the Human Rights Council, the EU highlighted the critical role that human rights defenders play in the protection and promotion of human rights and spoke loudly in their defence. In a positive turn, in July, consensus on the resolution on civil society space was restored during the 47th session of the HRC. During the 48th session in October 2021, the HRC adopted the resolution on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (reprisals) by consensus, which marks a major victory for civil society.

The EU included five civil society leaders and human rights defenders in its official delegation to the 65th session of the Commission on the Status of Women in March 2021. It placed the role of women peacebuilders and human rights defenders at the centre of the high-level week of the UN General Assembly in September, through the organisation of an event on women in conflicts. The EU advocated for the recognition of the role human rights defenders in several UN General

<sup>14</sup> 23rd EU-NGO forum on Human Rights: <https://eungohumanrightsforum.app.swapcard.com/event/eu-ngo-human-rights-forum-2021-rebuilding-better-a-human-rights-based-recovery-from-the-pandemic-1/plannings/RXZlbnRWaWV3XzI5NzI2OQ%3D%3D?search=>

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Assembly and UN Economic and Social Council (ECOSOC) resolutions, and played a key role in the adoption of the Third Committee resolution on human rights defenders<sup>15</sup>. The EU continued to engage in the context of the NGO Committee in order to avoid that human rights NGOs are denied accreditation.

The EU organised **training** on human rights defenders' protection for staff posted in EU delegations, as well as a training with the UN Special Rapporteur on HRDs.

### Creation of a Human Rights Award in Honduras

On Human Rights Day on 10 December, 2021, the EU and the Member States present in Honduras (Spain, France and Germany) awarded the 'EUROPA Human Rights Prize in Honduras' to the organisation Cattrachas, a lesbian feminist organisation created in 2000. The award includes a trip to Brussels within the European Union Visitors Programme.

Cattrachas has a Monitoring Centre tracking media in order to identify human rights violations faced by LGBTI persons, women, girls and indigenous persons. This monitoring includes a system that generates a file for each case, capable of being updated to monitor the process of investigation, prosecution and punishment of the crime. This system has been replicated in Guatemala, Nicaragua and El Salvador.

Cattrachas' work allowed the case of Vicky Hernández, a trans woman murdered in a context of widespread political violence against trans people in 2009, to be brought before the Inter-American Court of Human Rights (IACHR). The landmark judgment recognised the responsibility of the State for violation of the right to life and personal integrity, the right to a life free of violence, the right to freedom of expression, the right to a name, the right to equality and non-discrimination, and eventually, the right to gender identity.

This award highlights the work of women, men and organisations defending human rights, as a positive action in support of their legitimate work and contribution to democracy and peacebuilding in Honduras.

**The EU remained a major donor in supporting and protecting human rights defenders**, most notably under the EIDHR. The instrument funds the EU Human Rights Defenders mechanism ProtectDefenders.eu<sup>16</sup> (EUR 35 million for 2015-2022). The latter has provided support to around

<sup>15</sup> <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N21/331/82/PDF/N2133182.pdf?OpenElement>

<sup>16</sup> EU Human Rights Defenders mechanism ProtectDefenders.eu: <https://protectdefenders.eu/>

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53,000 human rights defenders at risk and their families since 2015, through multifaceted assistance and the combination of short, medium and long-term action. Its activities range from direct support for individuals, groups and organisations, temporary relocation programmes, training, capacity building and outreach to the most vulnerable and marginalised, to advocacy at global, regional and local levels.

In 2021, ProtectDefenders.eu provided **support to more than 8,500 of the most-at-risk human rights defenders**. In particular, the mechanism addressed attacks and repression against defenders in **Afghanistan, Belarus, Myanmar or Nicaragua**, among others.

The **EU emergency fund for human rights defenders at risk**, directly managed by the EU since 2010, continued to operate in 2021. The fund supported about 1,500 human rights defenders and their family members since 2014, including over 280 individuals and organisations in 2021. This direct financial support contributes to effectively implementing the EU guidelines on human rights defenders. Crucial assistance was provided through small grants, which served to cover costs related to temporary relocation, subsistence, medical and legal support, prison visits, security (increasingly digital), equipment and training. An increasing number of human rights defenders supported by the EU work on freedom of expression and the media, freedom of association and labour rights, governance and anti-corruption issues, the rights of LGBTI persons and environmental, land and indigenous peoples' rights as set out in the UN Declaration on the Rights of Indigenous Peoples and in human rights law. Emergency fund support was particularly useful in contexts of sharp deterioration of the human rights situation where human rights defenders faced increased risks.

In 2021, **EU delegations** continued to implement crucial support programmes to human rights defenders, including where they are most at risk. Country-specific emergency direct assistance schemes were established in close cooperation with global programmes.

The **EIDHR Human Rights Crises Facility**, established in 2014, continued to provide flexible grants to civil society and human rights defenders working in extremely difficult conditions and where the publication of a call for proposals would be inappropriate. In 2021, six grants were concluded to provide support to human rights defenders through re-granting, direct support, capacity building and networking, some specifically targeting problems arising from the COVID-19 pandemic. These actions enabled the work of various human rights defenders groups, such as media

outlets, diaspora groups and those trying to prevent new legislation that shrinks space for civic actors. The NDICI/Global Europe Human Rights and Democracy Programme continues the EU Human Rights Defenders Mechanism and the Crises Facility, with enhanced budgets to help meet rising challenges.

### ***Tackling multiple and intersecting forms of discrimination***

Equality is a core value guiding the EU's internal and external policy. In 2021, the EU human rights guidelines on non-discrimination in external action continued to guide external action, with special emphasis on multiple and intersecting forms of discrimination across all actions.

In March 2021, the first EU **Anti-racism Summit** was organised on the occasion of the International Day for the Elimination of Racial Discrimination. The summit addressed the implementation of the EU Anti-Racism Action Plan<sup>17</sup> at various levels with the involvement of EU institutions, Member States, civil society, equality bodies and grassroots organisations. The EU has launched the preparations for a second Anti-racism summit which will highlight some of the accomplishments achieved in the fight against racism. This will also be a timely opportunity to underline the need to continue our concerted efforts in the fight against racism in the EU.

In March 2021, the European Commission published its **application report on the Racial Equality and Employment Equality Directives**<sup>18</sup>, acknowledging some positive developments, *inter alia* as regards data collection, but also shortcomings in the implementation and enforcement of EU rules on combatting racial or ethnic discrimination. It also underlined the under-reporting of discrimination due among others to victims' fear of retaliation, low and diverging levels of compensation, shortage of evidence, and little awareness of rights and support mechanisms.

In May, the European Commission appointed its first ever **Anti-racism Coordinator**. The coordinator's role is to liaise closely with racial or ethnic minorities. The coordinator interacts with Member States, the European Parliament, civil society and academia to strengthen policy responses

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<sup>17</sup> EU Anti-racism Action Plan 2020-2025 [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en)

<sup>18</sup> [https://ec.europa.eu/info/sites/default/files/report\\_on\\_the\\_application\\_of\\_the\\_racial\\_equality\\_directive\\_and\\_the\\_employment\\_equality\\_directive\\_en.pdf](https://ec.europa.eu/info/sites/default/files/report_on_the_application_of_the_racial_equality_directive_and_the_employment_equality_directive_en.pdf)

in the field of anti-racism. In addition, the coordinator joins forces with Commission services to implement the Commission's policy on preventing and combatting racism.

In June 2021, the European Commission, Member States and the EU Fundamental Rights Agency met in the context of the subgroup on the national implementation of the EU Anti-Racism Action Plan 2020-2025. One of the main objectives of the subgroup is to develop guidelines on the main principles and elements required to produce effective national action plans against racism and racial discrimination. The first concrete outcome of the subgroup's work - the Common guiding principles for action plans against racism and racial discrimination - are expected to be published in 2022.

In 2021, the EU responded to different requests of contribution from the UN OHCHR for the preparation of reports on anti-racism and people of African descent. EU anti-racism strategies were discussed in several of the periodical human rights dialogues with non-EU countries.

Several statements were made public during 2021, including the declaration by the High Representative on behalf of the EU on the occasion of the International Day for the Elimination of Racial Discrimination<sup>19</sup>. The declaration recognised that 'systemic racism in Europe runs deep across all strands of society and structures and jeopardises the promotion, protection and realisation of human rights of all persons', and confirmed the EU's commitment to tackle the existing challenges and shore up general mobilisation, across all generations and all communities.

### *Freedom of religion or belief*

In 2021, which marked the 40th anniversary of the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, freedom of religion or belief (FoRB) remained a key priority of the EU's external human rights policy.

In 2021, the response of States to the pandemic continued to have an impact on the right to manifest one's religion or belief as certain restrictions were imposed (e.g. prohibition of public religious ceremonies). The EU expressed concern when restrictions were not in line with international law. The EU condemned the exacerbation of discrimination and scapegoating of religious minorities

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<sup>19</sup> <https://www.consilium.europa.eu/en/press/press-releases/2021/03/19/declaration-by-the-high-representative-on-behalf-of-the-european-union-on-the-occasion-of-the-international-day-for-the-elimination-of-racial-discrimination-21-march-2021/>

during the spread of the pandemic and called upon States to end all discriminations for the access of health care services on religious or belief grounds.

The EU consistently raised concerns about violations of freedom of religion or belief in political dialogues with partner countries, including in around **20 human rights dialogues** and consultations with countries of the Middle East and North Africa, Western Balkans, South Asia, Central Asia and South-East Asia.

The EU paid specific attention to acts of violence and discrimination against religious individuals as well as humanists and atheists. Concerns were raised about the criminalisation of apostasy and blasphemy and undue restrictions to freedom of expression based on religious grounds, as well as about legislation that hinders official registration for religious groups. The EU promoted and supported the right of all individuals to have a religion, to hold a belief, or not to believe, as well as the right to manifest and to change or leave one's religion or belief without fear of violence, persecution, or discrimination.

The EU unequivocally condemned all acts of violence based on religion or belief including acts committed in the name of religion. The High Representative paid tribute to the victims of violence through a declaration on behalf of the EU<sup>20</sup> on the **International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief** with a clear message that the EU *'reaffirms that no one shall be subject to coercion which would impair his or her freedom to have a religion or belief of his or her choice'*.

The EU followed-up on human rights dialogues with **targeted civil society seminars**. For instance, in 2021, the EU Delegation to Indonesia and Brunei Darussalam organised two seminars on FoRB: one on 'State Recognition of Religions and Beliefs' and one on 'Religious Freedom and Intolerance' with exchange of views and experiences on blasphemy and the implementation of UN HRC Resolution 16/18. The events gathered dozens of EU and Indonesian participants from academia and civil society, as well as representatives of EU institutions, the UN and Member States.

To identify violations of freedom of religion or belief worldwide, the EU continued to engage regularly with religious or non-confessional actors, humanists, and human rights NGOs working on

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<sup>20</sup> <https://www.consilium.europa.eu/en/press/press-releases/2021/08/21/international-day-commemorating-the-victims-of-acts-of-violence-based-on-religion-or-belief-declaration-by-the-high-representative-on-behalf-of-the-eu/>

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freedom of religion or belief through meetings in Brussels and through the EU delegations. For instance, on 11 February 2021, the EEAS organised a **roundtable** with participation of the EUSR for Human Rights and 30 civil society organisations working on FoRB.

The EU's commitment to protecting and promoting freedom of religion or belief is anchored in **multilateralism and in particular in its engagement in the UN human rights fora and UN-led initiatives** and is based on the principles of equality, non-discrimination and universality.

The EU once again presented **freedom of religion or belief resolutions in the HRC and the UNGA Third Committee**. Both resolutions were adopted by consensus. The FoRB resolutions urge states to respect, protect and promote the right to freedom of religion or belief, while expressing concern about violations thereof and calling on states to step up their efforts to implement the commitments undertaken. The EU continued to work closely with the Organisation of Islamic Cooperation (OIC) on its resolution on 'combatting intolerance, negative stereotyping and stigmatisation of, and discrimination, incitement to violence and violence against persons based on religion or belief' to ensure the complementarity of the EU and OIC resolutions and universal ownership.

The EU underlined its **support for the mandate of the UN Special Rapporteur** on freedom of religion or belief, engaged actively during interactive dialogues, and called upon non-EU countries to issue standing invitations to the mandate holder. In New York, a side event on 'Freedom of Thought – The Forgotten Freedom that we need to remember' was held in close cooperation with the Special Rapporteur on 21 October 2021.

During the 46th session of the Human Rights Council, the EU intervened during the interactive dialogue with the UN Special Rapporteur for Freedom of Religion or Belief on the topic of countering Islamophobia and anti-Muslim hatred. The EU underlined that FoRB is a right to be exercised by everyone everywhere, based on the principles of equality, non-discrimination and universality, that combatting discrimination and hatred against Muslims and those perceived to be Muslim is an essential part of the effort to uphold human rights and protect human dignity, and that policies aimed at fighting anti-Muslim hatred must involve efforts in the areas of teaching, education, media platforms, integration, social inclusion policies, employment and non-discrimination. The EU also stressed that any response should respect human rights and democracy, and be victim-oriented, non-discriminatory, participatory and gender sensitive.

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On 24 February 2021, the EUSR for Human Rights participated in a Geneva-based high-level virtual event on combatting anti-Semitism organised by Canada and the World Jewish Congress and cosponsored by Israel and the EU. The EUSR referred to the EU Action Plan for Human Rights and Democracy and the EU strategy on combatting antisemitism and fostering Jewish life.

On 5 March 2021, the EU Delegation in Geneva and Canada hosted a virtual discussion entitled ‘Combatting Anti-Muslim Hatred as an obstacle to the Right to Freedom of Religion or Belief’ in the margins of the 46th session of the Human Rights Council featuring the UN Special Rapporteur for Freedom of Religion or Belief, Ahmed Shaheed, as well as a number of experienced panellists from all over the world.

The EU engaged actively with like-minded states during regular meetings of the **International Contact Group on Freedom of Religion or Belief** (co-chaired by Canada and the US). The EU also exchanged on FoRB with other like-minded partners in the framework of the G7 Open Societies Working Group.

The EU also maintained regular contact with regional organisations, for instance the OSCE, by participating in one of the regular **Office for Democratic Institutions and Human Rights** (ODIHR) Panel of Experts on Freedom of Religion and Belief.

The EU continued to engage with the UN Alliance of Civilizations through bilateral exchanges and participation in events.

In June 2021, the EEAS together with the faith-based organisation Swedish mission council organised a **training for EU diplomats** on the links between FoRB and Gender.

Building inclusive and resilient societies is one of the core challenges reflected in the current multilateral agenda (Agenda 2030 and the Istanbul Process) and continues to guide many **EU initiatives**. In 2021, the EU continued to implement its ‘**Global Exchange on Religion in Society**’ project. It aims to connect civil society actors working on faith and social inclusion. In 2021, approximately 150 participants were selected for their experience in managing cultural and religious diversity, and for promoting active, participatory and inclusive citizenship. They had the opportunity to meet in Bosnia and Herzegovina and in the US, learning from the local context and

sharing their unique experiences. The project proved to be successful in fostering a global conversation on the role of religion in society and its multiple aspects, including active citizenship, reconciliation and transitional justice, among others.

In October 2021, the EU presented the first-ever **Strategy on combatting antisemitism and fostering Jewish life**<sup>21</sup>, which features a series of commitments for combatting antisemitism worldwide. The EEAS also participated in May 2021 in the annual meeting of the Special Envoys and Coordinators Combatting Antisemitism. On the occasion of the **International Holocaust Remembrance Day**, the High Representative issued a statement; some EU delegations engaged in remembrance ceremonies.<sup>22</sup>

The EU continues to finance three **regional projects** in the Middle East and Africa with more than EUR 5 million from 2018 to 2022. The projects aim to improve cultural pluralism and intercultural understanding related to religion or belief.

Six civil society projects are being implemented in the Middle East and South Asia as a result of the dedicated 2017 global call for proposals on freedom of religion or belief under the EIDHR. The final EU contribution is EUR 5.18 million. The projects address key strategic areas of the 2013 EU guidelines on FoRB, including the fight against different forms of discrimination and violence on grounds of religion or belief.

### *Human rights of persons belonging to minorities*

In 2021, the EU continued to call on all States to respect, protect and fulfil the human rights of persons belonging to minorities, such as national, ethnic, religious, and linguistic minorities, including in international fora.

The EU remains committed to promoting Roma<sup>23</sup> equality, inclusion and participation in its external action, in particular as part of its enlargement, neighbourhood, development and humanitarian

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<sup>21</sup> EU Strategy on combating antisemitism and fostering Jewish life:  
[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_4990](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4990)

<sup>22</sup> Holocaust Remembrance Day 2021: Keeping the memory alive  
[https://eeas.europa.eu/headquarters/headquarters-homepage/92083/holocaust-remembrance-day-2021-keeping-memory-alive\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/92083/holocaust-remembrance-day-2021-keeping-memory-alive_en)

<sup>23</sup> In line with the terminology of European institutions, the umbrella term ‘Roma’ is used here to refer to a number of different groups (e.g. Roma, Sinti, Kale, Gypsies, Romanichels, Boyash, Ashkali, Egyptians, Yenish, Dom, Lom, Rom, Abdal...) without denying the specificities of these groups.

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policies. Although the situation has improved – predominantly in the area of education – marginalisation persists, and many Roma continue to face a combination of disproportionate discrimination, anti-gypsyism and socioeconomic exclusion in their daily lives. Building on the 2020 **EU Roma Strategic Framework for Equality, Inclusion and Participation**<sup>24</sup> and reconfirming the long-term commitment to the objectives on Roma equality, inclusion and participation in European society, the Council adopted a recommendation<sup>25</sup> to consolidate efforts to adopt and implement measures to promote equality and effectively prevent and combat multiple and structural discrimination and anti-gypsyism, as well as social and economic exclusion of Roma.

The EU Roma Strategic Framework also continues to play a key role in the accession negotiations with partners from the Western Balkans and ties in with the work on the Victims' Rights Strategy<sup>26</sup>, the Gender Equality Strategy<sup>27</sup>, the EU Action Plan on Human Rights and Democracy, the EU Gender Action Plan in external relations and with the implementation of the 2019 EU guidelines on non-discrimination in external action. The NDICI/Global Europe Human Rights and Democracy Programme, as well as the Economic and Investment Plan for Western Balkans<sup>28</sup>, strengthen EU assistance to Roma communities and partner countries to assist in their inclusion, equality and economic and social participation.

At global level and in multilateral fora, the EU continued to call on all States to respect, protect and fulfil the human rights of persons belonging to minorities, including national, ethnic, religious and linguistic minorities, expressing concern about persistent cases of violations and abuses of the rights of persons belonging to minorities, including in Cameroon, Myanmar, Pakistan, Russia, and areas of eastern Ukraine currently not under the control of the Government of Ukraine. With regard to the situation of Xinjiang Uyghur Autonomous Region in China, the EU adopted targeted sanctions against officials implicated in human rights violations and abuses. The EU continued to raise

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<sup>24</sup> [EU Roma Strategic Framework for Equality, Inclusion and Participation, 7 October 2020](https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en)  
[https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package\\_en](https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en)

<sup>25</sup> Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation (2021/C 93/01): [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOC\\_2021\\_093\\_R\\_0001](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOC_2021_093_R_0001)

<sup>26</sup> EU Strategy on victims' rights (2020-2025): [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/protecting-victims-rights/eu-strategy-victims-rights-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/protecting-victims-rights/eu-strategy-victims-rights-2020-2025_en)

<sup>27</sup> EU Gender equality strategy (2020-2025): [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en)

<sup>28</sup> European Commission, Economic and Investment Plan for the Western Balkans, 6 October 2020:  
[https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_1811](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1811)

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concerns over the protection of persons belonging to minorities through statements and political and human rights dialogues with partner countries.

Furthermore, the EU continued to use its toolbox to engage in the whole spectrum of mediation, facilitation and dialogue processes involving persons belonging to minorities, and support local human rights mechanisms, as well as conflict prevention ones. Rights of persons belonging to national, ethnic, religious, linguistic and other minorities remain a cornerstone of the EU's Common Foreign and Security Policy.

Effective implementation of the principles and rights enshrined in the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities are key for the prevention of conflicts and ensuring long-term stability. The 14th session of the Forum on Minority Issues convened virtually on 2-3 December 2021 focused on 'Conflict Prevention and the Protection of the Human Rights of Minorities'. The Forum discussed the root causes of contemporary conflict involving minorities, legal and institutional frameworks for the prevention and positive initiatives for the better protection of minorities. The EU actively engaged in the discussion and offered best practices towards the full realisation of the human rights of persons belonging to minorities in line with international law and standards contributing to a greater social cohesion and solidarity. The EU also emphasised the importance of meaningful and effective participation of minorities in conflict prevention and analysis.

The EU continued to combat and prevent hate crime and hate speech and to support victims through monitoring, preventing, and countering this online and offline, as well as fostering tolerance and mutual respect through interreligious and intercultural activities. The EU Code of Conduct on countering hate speech online<sup>29</sup> provides strong regulatory tools to fight against and prevent hate speech online, including hate speech targeting persons belonging to minorities. In addition, following the announcement by President von der Leyen, the Commission adopted in December 2021 a proposal to extend the list of 'EU crimes' to all forms of hate speech and hate crime<sup>30</sup>.

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<sup>29</sup> EU Code of conduct on countering illegal hate speech online: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en)

<sup>30</sup> A more inclusive and protective Europe: extending the list of EU crimes to hate speech and hate crime COM(2021) 777 final, 9 December 2021: [https://ec.europa.eu/info/sites/default/files/1\\_1\\_178542\\_comm\\_eu\\_crimes\\_en.pdf](https://ec.europa.eu/info/sites/default/files/1_1_178542_comm_eu_crimes_en.pdf)

### *Gender equality, sexual orientation and gender identity, eliminating sexual and gender-based violence and continued commitment to sexual and reproductive health and rights as per the New European Consensus on Development*

The year 2021 continued to be marked by the detrimental impact of the COVID-19 pandemic on gender equality and the full enjoyment of human rights of women and girls. The EU's commitment to gender equality globally was demonstrated through a number of initiatives, in particular by assuming an even higher profile at the multilateral level and in international fora, and leveraging from new strategic joint initiatives in various policy areas.

The year 2021 represented the first year of implementation of the **EU Gender Action Plan III 2021-2025 (GAP III)**<sup>31</sup>, an ambitious agenda for gender equality and women's empowerment in EU external action. The work of the EEAS and the European Commission in all sectors and at all levels, country, regional and multilateral is guided by this policy framework, with the EEAS Ambassador for Gender and Diversity providing visibility and outreach to international partners. GAP III provides a set of objectives and indicators to monitor progress of its implementation and measuring its results at all levels. At country level, the EU delegations in coordination and collaboration with EU Member States and key stakeholders, and in consultation with local actors (national authorities, civil society, private sector), designed country level implementation plans, ensuring a more strategic EU approach and increased alignment and local ownership of actions for gender equality.

On the first anniversary of GAP III on 25 November, a structured dialogue with civil society was set up to continue monitoring GAP III implementation. Continued efforts were made to progress towards the objective of having 85% of EU new actions taking gender equality into account either as a significant objective or a main objective by 2025<sup>32</sup>.

The EU stepped up its engagement, dialogue and partnership with regional stakeholders by supporting gender equality strategies run by international and regional organisations, ensuring that a **gender perspective is mainstreamed** in all regional and multilateral programmes and activities. For instance, the EU played a key role in the Committee on World Food Security Regional Consultations (Europe and Asia) concerning the Voluntary Guidelines on Gender Equality and

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<sup>31</sup> Joint communication on EU Gender Action Plan III, JOIN(2020) 17 final, 25 November 2020: [https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf)

<sup>32</sup> Detailed figures to be published in 2022, in the Annual Report on the implementation of the European Union's instrument for financing external actions.

Women's and Girls' Empowerment in the Context of Food Security and Nutrition on 27-28 September 2021.<sup>33</sup> Furthermore, the EU continued its work on Gender Transformative Approaches for Food Security, Improved Nutrition and Sustainable Agriculture through its joint programme with the three Rome-based agencies – the Food and Agricultural Organization (FAO), the International Fund for Agricultural Development (IFAD) and the World Food Programme (WFP). As part of its multilateral engagement, the EU continued to engage actively with the UN system, in particular UN Women, the United Nations Development Programme (UNDP) and the UN Population Fund (UNFPA) in the promotion of gender equality.

In 2021, the EU supported in various ways country-level implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This took place for instance as part of political and human rights dialogues as well as engagement in multilateral fora.

### **Empowering women' rights in the domestic and the political sphere in the West bank and Gaza**

In West Bank and Gaza, the Women's Centre for Legal Aid and Counselling (WCLAC) with its partner Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH), supported by the European Union, has carried out a number of national and international advocacy activities promoting the Convention on the Elimination of All Forms of Discrimination Against Women.

The COVID-19 pandemic witnessed an increase of gender-based violence. One of WCLAC's advocacy campaigns in Palestine\* is focused on the adoption and implementation of necessary domestic legislation, and on urging the Palestinian Authority to adopt the proposed Family Protection Law. These campaigns also provided social consultation services to women, in their communities, raising awareness of their human rights, and enabling them to access justice and claim their rights.

MIFTAH consistently monitors the violations of Palestinian women's rights and has successfully finalised a capacity building program on allowing women to participate in elections in Palestine. The initiative informed 81 women and youth from the four target governorates, who successfully reached out to around 2000 citizens by conducting 118 awareness sessions. MIFTAH's programmes continued to focus on the improvement of policies regarding public healthcare and social services, and advocate towards increasing budget allocations and government spending on protection services for women and girls in marginalised areas.

Through various **high-level events and capacity-building activities** organised in particular by EU delegations, the EU also promoted the goals set out in the Beijing Declaration and Platform of Action and the Programme of Action on the International Conference on Population and Development, as well as the outcomes of their review conferences. Furthermore, it contributed to implementing the 2030 Agenda and towards achieving all Sustainable Development Goals (SDGs).

<sup>33</sup> <http://www.fao.org/cfs/workingspace/workstreams/gender/regional-consultations>

<sup>34\*</sup> This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of EU Member States on this issue.

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The 2017 European Consensus on Development is part of the EU's overall response to the 2030 Agenda, reaffirming the EU's commitment to promote gender equality and women's and girls' rights and their empowerment as a priority across all its policies, initiatives and areas of action.

The EU remained a **vocal advocate** of women's and girls' full enjoyment of all human rights in the Human Rights Council, sponsoring resolutions and calling for systematic gender mainstreaming in all the work of the HRC, such as when adopting the resolution on the situation of human rights in Afghanistan in October 2021, as well as in the UNGA Third Committee throughout 2021.

The EU was also **very active in outreach and negotiations** during the 65th session of the Commission on the Status of Women (CSW) held in a hybrid format from 15 to 26 March 2021. The EU delegation was led by European Commission Vice-President Vera Jourová, together with the Commissioner for Equality Helena Dalli and the Commissioner for International Partnerships, Jutta Urpilainen. Agreed Conclusions facilitated by the Republic of Korea were adopted on the priority theme: *'Women's full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls.'* While the EU was pushing for a more ambitious outcome, the agreed text includes important recommendations put forward by the EU. An EU informal ministerial meeting and EU-NGO consultations meeting were held in the margins of the CSW in addition to four successful virtual side-events: a high-level event of the Group of Friends for the elimination of violence against women and girls joined by 1500 participants, an EU-US event on Environmental Women Human Rights Defenders, an event jointly organised with the Portuguese Presidency on 'Gender Equality and Socio-Economic Consequences of the COVID-19 crisis building gender responsive emergency and recovery measures' and an EU-China event on Women and Poverty Eradication. Five civil society representatives participated in the official EU delegation. The EUSR for Human Rights participated in two high-level events at the CSW session which addressed the situation of women environmental human rights defenders, and violence against girl children in armed conflicts.

The **Generation Equality Forum** took place in Mexico City in March and in Paris from 30 June – 2 July 2021, engaging nearly 50,000 participants in a mainly virtual format. The Forum launched a 5-year action journey to achieve progress towards gender equality, based on concrete and ambitious actions, including USD 40 billion in financial commitments. The EU, together with the other co-

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leaders of the Action Coalition on Gender-Based Violence took part in designing and launching a Global Acceleration Plan for Gender Equality.<sup>35</sup>

Given the sharp deterioration, the situation for women and girls in Afghanistan remains a priority issue for the EU. The Council conclusions of 15 September 2021<sup>36</sup> state that EU support for Afghanistan will depend on the respect for the international legal framework and norms on human rights including on women's and girls' rights. This implies a mechanism allowing the EU to follow up, monitor and report to the EU political leadership on current developments in Afghanistan, as well as to spearhead relevant joint approaches among international partners. During 2021, several meetings were held between the EEAS Ambassador for Gender and Diversity and Afghan women to discuss the proposal to establish an EU-initiated forum with Afghan women leaders. The forum would be accompanied by a structured, continuing dialogue with women representing various sectors, both from the Afghan diaspora and within Afghanistan, including civil society. The EUSR for Human Rights also engaged on the situation in Afghanistan and discussed the plight of women and girls with partner countries, civil society and UN actors, including with the High Commissioner for Human Rights.

Gender equality, women's and girls' enjoyment of all human rights and their empowerment were consistently raised in bilateral political and human rights dialogues and sub-committees, informal working groups and human rights-related discussions and consultations with partner countries, based on the human rights situation on the ground, and identifying specific actions and deliverables. EU delegations carried out strategic activities across the world to promote the full enjoyment of human rights by women and girls and further activities planned in the human rights and democracy country strategies for 2021-2024, a large majority of which included gender equality as a key priority. Activities carried out by delegations included, *inter alia*, démarches, public statements, consultations with local civil society actors, in particular women's rights organisations and women's movements, activities with the private sector, awareness-raising campaigns, trainings and advocacy events. Specific initiatives were undertaken to address existing inequalities and multiple and intersecting forms of discrimination against women and girls, which are often entrenched and systemic.

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<sup>35</sup> [Global Acceleration Plan for Gender Equality:  
https://forum.generationequality.org/sites/default/files/2021-06/UNW%20-%20GAP%20Report%20-%20EN.pdf](https://forum.generationequality.org/sites/default/files/2021-06/UNW%20-%20GAP%20Report%20-%20EN.pdf)

<sup>36</sup> Council conclusions on Afghanistan, 15 September 2021:  
<https://data.consilium.europa.eu/doc/document/ST-11713-2021-REV-2/en/pdf>

### EU support to gender-responsive local governance in Bosnia and Herzegovina

The EU Delegation to Bosnia and Herzegovina implemented a project with the non-governmental organisation ‘Academy for women’ reaching out to a group of newly elected women councillors and introducing them to the EU integration process and universal values of gender equality. The action resulted in a publication on gender-responsive local governance, which was distributed to municipal authorities across Bosnia and Herzegovina.

Numerous other initiatives continued to be implemented with implications for the full enjoyment by women and girls of their human rights. The 2021-2027 Framework Programme for Research and Innovation, Horizon Europe, contributes to joint solutions for global challenges through international cooperation, by supporting gender studies and intersectional research, women’s access to research funding and their participation in research careers.<sup>37</sup> In addition, to support gender equality and institutional change in public bodies and research organisations, the Commission introduced a new eligibility criterion for Horizon Europe, where legal entities from EU Member States and associated countries to the programme will need to have a Gender Equality Plan in place to apply for funding.

Eliminating **sexual and gender-based violence** (SGBV) is a key focus of EU action. Its role has become more prominent due to the unprecedented increase of SGBV including domestic violence, during the COVID-19 pandemic. The EU continued its efforts to prevent and end widespread sexual and gender-based violence globally: to support and protect survivors of such crimes, and hold perpetrators accountable. The EU continues to work with its partners across the globe to strengthen legal frameworks and institutions as well as training and education, improve services for survivors and access to justice for victims, support women’s rights organisations, networks and CSOs, address the root causes of violence. In 2021, there was an increased focus on preventing and addressing sexual and gender-based violence online, and on the particular challenges faced by politicians, community leaders, journalists and women peacebuilders. During 2021, the European Commission was an active co-leader in the Generation Equality Forum Action Coalition on Gender-Based Violence (GBV).

The EU continued commemorating key international days, such as the International Women’s Day on 8 March and the International Day for the Elimination of Violence against Women on 25 November. A joint statement was released by the High Representative and the European Commission, as well as by EU delegations and Member States missions globally. For instance, the

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<sup>37</sup> An EU-funded R&I project, [Gender STI](#), addresses the challenge of integrating a gender perspective in science, technology and innovation (STI) bilateral and multilateral dialogues between Europe and third countries.

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EU delegation in Brazil organised a webinar on ‘Europe’s role in Combatting Violence against Women’ in order to mark the day.<sup>38</sup> The EU buildings in Brussels and those of many delegations around the world were lit up in orange. Web features and videos were posted on social media platforms. The prevention and elimination of sexual and gender-based violence protecting victims and ensuring accountability for perpetrators, towards a life free from violence for all women and girls as well as ratification of the Istanbul Convention in this regard was raised in many of the EU’s human rights dialogues. The EU aims to lead by example in this sphere.

During 2020, the EU supported 576,651 women and girls by providing services in access to justice, health care and social welfare related to **female genital mutilation** (FGM) through the joint programme on the elimination of FGM implemented by UNFPA. Prevention efforts are showing a positive impact; more than 2,000 communities in a number of countries have publicly announced that they are abandoning this practice, 80 million people were engaged through digital approaches and campaigns promoting the elimination of FGM<sup>39</sup>, and 120,600 girls were saved from undergoing the harmful practice.

The same applies to the EU support to the joint programme on ending child marriage implemented by the UN Children’s Fund (UNICEF) which, despite the pandemic, has achieved encouraging results: Among them, over 6.3 million boys and men were reached with messages addressing harmful masculinities and gender norms and 1,150 service delivery points were supported to provide girl-responsive services.

In 2021, the EU also supported the second phase of the programme addressing gender-biased sex selection and related harmful practices implemented by UNFPA. A strong collaboration including learning and exchange with the above harmful practices joint programmes has been instituted, particularly around advocacy and social and gender norm change strategies.

The Group of Friends for the Elimination of Violence against Women and Girls remained an important initiative for the EU in multilateral fora. The Group convened events, discussed priorities and strategies for future engagement. The Group now counts more than 90 partners representing all regions. COVID-19 recovery and the opportunity for the group to coordinate strategies and priorities across regional groups as part of CSW were discussed. There was a real commitment of members to engage and the active participation of countries such as Afghanistan, Pakistan, Guyana,

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<sup>38</sup> The event was also recorded and can be viewed online: <https://youtu.be/UWK8PdgzSBU>

<sup>39</sup> Additional information is contained in the Rights of the Child section.

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Qatar, Kenya, Niger, Bhutan demonstrated the added value of the initiative as a tool for cross-regional outreach and coordination. Emerging issues such as the digital dimension or online violence has also been in focus of the Group's activities.

An increased focus was placed on tackling multiple and intersecting forms of discrimination and violence facing women and girls through EU's global and local activities. An example was a training in June 2021 on issues in the intersection between women's and girl's rights and freedom of religion and belief. This training supported staff notably in EU delegations on engaging with religious actors on gender equality, as well as on addressing better discrimination that is culturally rooted.

The EU together with Niger and the African Union, launched in New York a **UN Group of Friends on women of the Sahel** on 2 June 2021. The launch was part of an Arrria-formula meeting of the Security Council entitled: *'Strengthening an integrated approach to peace and security in the Sahel through a gendered lens: Launch of the Group of Friends of Women of the Sahel.'* The objective of the Group is to support an integrated approach through the promotion of the participation and positive roles of women of the Sahel in peacebuilding and development. The initiative is also in line with efforts to strengthen the EU-AU-UN trilateral cooperation. UN Women, the UN Integrated Strategy for the Sahel, the World Bank and the G5 Sahel are part of the Group's advisory leadership board.

Despite the important role that women in the Sahel play in peacebuilding and development, they are poorly represented in decision-making and peace processes at the local, national, and regional levels. Moreover, women in the Sahel, particularly women leaders, peacebuilders and women human rights defenders, face increased threats to their security and human rights, including in the form of sexual and gender-based violence linked to conflict and violent extremism. It is therefore critical to strengthen safe spaces, strategies and protection systems that allow for a more effective participation of women from the Sahel in decision making that shape development and peacebuilding. This is all the more important since much of the narrative on the Sahel, and on Sahelian women and girls in particular, perpetuates stereotypes which contribute to stalling the ambitious goal of moving from precarity to widespread sustainable and sustained development and peace.

**The strategic EU-UN partnership on the Spotlight Initiative** continued in 2021. The initiative aims at eliminating all forms of violence against women in partner countries in the broadest sense

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possible. It covers physical, psychological, sexual, economic and other types of violence and discrimination, harmful practices and exclusion that women suffer in the different areas of their private and public lives: from making decisions freely and independently about their sexual and reproductive life, to participating effectively in the economic and political processes in their countries. There has been a particular focus on domestic and family violence, sexual and gender-based violence, harmful practices, femicide, trafficking in human beings and sexual and economic (labour) exploitation. The Spotlight Initiative is being implemented in five regions: Asia, Africa, Latin America, the Caribbean and the Pacific (with funding totalling over EUR 500 million)<sup>40</sup>. The efforts made under the Spotlight programme are bearing fruit.<sup>41</sup> For instance, the legislation passed in Niger in 2019 with the support of Spotlight to increase women's participation in government, especially the quota law, has led to an increase of women's representation from 15% to 25% (elected) and 25% to 30% (nominated). In El Salvador, more than 20,000 young people and 284 teachers have received training on comprehensive sexual education.

### **#ParemosLaPelota (#StopTheBall) initiative to stop macho attitudes in Argentina**

#ParemosLaPelota is an invitation to stop everyday macho attitudes and build more egalitarian relationships. The campaign was developed by the UN Spotlight Initiative, supported by the EU, and the Argentine Advertising Council.

In the soccer field, an area in which people are socially enabled to express their emotions, the objective of "Paremos la Pelota" is to reach men and society in general with a clear message: we must stop naturalising daily macho attitudes, stopping the ball. The call to action of the campaign is clear: 'if someone makes you or another person uncomfortable, stop the ball'.

The EU deploys continuous efforts to **eradicate trafficking in human beings**, in cooperation with a wide range of partners, including the United Nations. The EU continues to uphold the standards and principles of the UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children as the primary international legal instruments to address the crime and contributes to the process of review of the implementation of the Convention and its Protocols.

In 2021, the EU allocated approximately EUR 33.1 million in humanitarian aid to prevent and respond to sexual and gender-based violence and a further EUR 29.7 million on reproductive health. The EU continued to implement its relevant humanitarian policies and tools related to gender and humanitarian aid. Gender and age was mainstreamed in its funding by means of the European Commission's humanitarian Gender-Age Marker. The EU also continued to be an active member of

<sup>40</sup> An allocation of EUR 32 million was managed separately by the EU through a call for proposals dedicated to CSOs. The call targeted countries 'in forgotten crises'.

<sup>41</sup> [Spotlight Initiative Impact Report 2020-2021 | Spotlight Initiative: https://spotlightinitiative.org/publications/spotlight-initiative-impact-report-2020-2021](https://spotlightinitiative.org/publications/spotlight-initiative-impact-report-2020-2021)

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the global initiative entitled ‘Call to Action on Protection from Gender-Based Violence in Emergencies’ and to implement the new Call to Action Roadmap 2021-2025. There are eight commitments, concerning relevant policies, capacity building of staff and partners, advocacy on GBV in emergencies and the Call to Action, support to survivors of GBV, annual tracking and reporting, integration of GBV risk mitigation in all aspects of humanitarian assistance, promotion of participation of gender and age groups in all aspects of humanitarian assistance and strengthening of the nexus approach in preventing and responding to GBV.

### Syrian Women’s Rights Civil Society Conference

Within the framework of the EU-funded programme ‘Enhancing women's participation in decision-making and peace-building processes in Syria’, the Euromed Feminist Initiative organised a Syrian Women’s Rights Civil Society Conference on ‘Combating Violence Against Women and Girls as a main barrier to Women’s Participation in Decision Making and Peace Building’ in Brussels on 9-10 December 2021. The conference with a key note address by the EEAS Ambassador for Gender and Diversity followed up on the last Brussels conference on ‘Supporting the Future of Syria and the Region’ that took place on 29-30 March 2021. It highlighted the role of CSOs, in particular with regard to economic development, sustainable livelihoods, humanitarian aid, justice and peace, and underlined the importance of Syrian women’s full and meaningful participation at all stages of the political process at a minimum of 30% representation in decision-making structures, including women-led organisations.

The conference fostered a sustainable multi-stakeholder dialogue among Syrian civil society and with stakeholders, on violence against women and girls as major barrier for women’s participation at all stages of decision-making during the political processes for Syria, favouring the recommendations of the Common Agenda, as laid during a year-long consultation process with over 250 Syrian activists, gender, and legal experts from over 100 organisations and initiatives.

The EU also supports the Syrian Women’s Advisory Board, established by the Office of the Special Envoy in January 2016, in partnership with UN Women supported by the Department of Political Affairs. It aims to ensure that women’s perspectives and ideas are considered throughout the political process and at key junctures including when peace talks are convened in Geneva.

Ending discrimination and violence against women is the **focus of regional and bilateral programmes**. For example:

- The regional programme ‘Ending Violence against Women in the Western Balkans and Turkey: Implementing Norms, Changing Minds’, implemented by UN Women, continued to address the challenges brought by the COVID-19 pandemic to women and girls;
- The regional programme in the Eastern Neighbourhood, ‘EU4Gender Equality: Together against Gender Stereotypes and Gender-Based Violence’, implemented jointly by UN Women and the UN Population Fund, aims at combatting violence against women and

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domestic violence through awareness-raising and sharing knowledge and good practices on how to conduct evidence-based violence prevention programmes targeting perpetrators of domestic violence; and

- The Regional Campaign to Prevent and Combat Violence against Women and Girls in the Southern Mediterranean Region has continued supporting victims of violence against women during the COVID-19 crisis.

The EU remains fully committed to the respect, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action on the International Conference on Population and Development and the outcomes of their review conferences, and to **sexual and reproductive health and rights** (SRHR) in this context. In 2021, whether in multilateral fora, in regional negotiations or at country level, the EU reaffirmed its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence.

Universal access to quality and affordable comprehensive sexual and reproductive health information and education and services, including comprehensive sexuality education and healthcare services, remained a focus of the EU's external action and development cooperation. In 2021, the EU implemented proposals totalling EUR 30.5 million for countries with universal coverage of sexual and reproductive health and rights for adolescents in Africa, especially adolescent girls and other adolescents in vulnerable situations. The objective is to improve demand for and access to comprehensive, integrated, affordable, quality, discrimination-free, sexual and reproductive health and rights information and services in African countries.

### **EU support to end sexual violence in the Democratic Republic of Congo (DRC)**

The EU continues to support the projects of the Panzi Foundation<sup>42</sup> and Dr Mukwege's efforts to combat sexual violence in a holistic manner. The EU delegation's support is mainly implemented through the Integrated Holistic Support Program for survivors of sexual violence and women suffering from gynaecological pathologies. The Panzi Foundation was allocated additional EU funding in 2021 to strengthen the infrastructure of the hospital and the foundation.

The COVID-19 pandemic has significantly affected family planning globally. In April 2020, it was estimated that 47 million women in low- and middle-income countries could lose access to contraception if the lockdown lasted 6 months, leading to an additional 7 million unplanned pregnancies.<sup>43</sup> In the countries participating in the UN Population Fund Supplies programme,

<sup>42</sup> Panzi Foundation: <https://panzifoundation.org/>

<sup>43</sup> UN Population Fund, Avenir Health, Johns Hopkins University, Victoria University.

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domestic resources were diverted to the COVID-19 pandemic response, leaving a gap in family planning and reproductive health services in 26 countries.

Through the UN Population Fund, the European Commission contributed to further strengthening the capacity of national health systems to manage supplies and to provide family planning, maternal health and HIV-prevention services in 46 countries with high maternal death rates, low rates of contraceptive use and a growing unmet need for family planning. The supply of medicines for maternal health and contraceptives had the potential to avert an estimated 8 million unintended pregnancies, 152 000 child deaths, 24 000 maternal deaths and 2.3 million unsafe abortions. Emergency reproductive health kits were deployed in communities affected by humanitarian crises in 18 countries, reaching 2.84 million women and adolescent girls already facing perilous conditions.

The Spotlight Initiative Africa Regional Programme signed in Addis Ababa with an overall envelope of EUR 30 million consists of two different streams:

- Stream 1 supports the overall regional response to addressing SGBV, harmful traditional practices, and SRHR (focusing on support for the AU Commission towards its member states and other stakeholders);
- Stream 2 supports the regional response to prevention of harmful practices focusing on female genital mutilation and child marriage; this programme is the continuation of the two joint programmes with the UNICEF and the UN Population Fund.

**The EU continued to stand up for the rights of LGBTI persons and LGBTI human rights defenders** around the world and showed strong commitment to protecting and promoting their full enjoyment of human rights, including as part of implementation of the LGBTIQ Equality Strategy<sup>44</sup>.

The Declaration by the High Representative on the behalf of the EU on the International Day Against Homophobia, Transphobia and Biphobia on 17 May<sup>45</sup> (IDAHOT day) was widely disseminated to all audiences through the EU delegations. The 2021 edition raised attention to the precarious situation and discrimination of LGBTI persons during and beyond the COVID-19 crisis.

<sup>44</sup> LGBTIQ Equality Strategy 2020-25: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en)

<sup>45</sup> International Day Against Homophobia, Transphobia and Biphobia, 17 May 2021 - Declaration by the High Representative on behalf of the EU: <https://www.consilium.europa.eu/en/press/press-releases/2021/05/16/international-day-against-homophobia-transphobia-and-biphobia-17-may-2021-declaration-by-the-high-representative-on-behalf-of-the-eu/>

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In 2021, EU delegations across all regions raised the rainbow flag while the buildings of the EEAS and the European Commission were lit up in rainbow colours. EU delegations in Latin America, North America, Western Europe and countries in the Global North were very engaged in public activities, largely owing to the more open political atmosphere. In some parts of Africa, Asia, Central Asia and Eastern Europe, low key engagement and quiet diplomacy remained the preferred modes of action. Many EU delegations worked together with local LGBTI activists to identify the best course of action in respect of the local context. EU delegations convened seminars and conferences, engaged in social media campaigns and adapted activities to the COVID-19 circumstances. In May 2021, the EEAS Secretary-General chaired a seminar on the human rights of LGBTI persons in Europe and in Central Asia with a speaker from ILGA-Europe<sup>46</sup>, and with around 140 participants from the EU's headquarters and EU delegations, with a recording viewed by a number of additional staff.

In 2021, the human rights of LGBTI persons featured in numerous human rights dialogues with countries in all regions, for instance in the EU-Guyana and the EU-Suriname political dialogues in December 2021. Discussions on non-discrimination under the fundamental rights and rule of law agenda include sexual orientation and gender identity in accession negotiations and under the Stabilisation and Association Process. The human rights of LGBTI persons also featured in the context of dialogues with partner countries benefitting from the EU's Generalised Scheme of Preferences (GSP+) and the Everything but Arms arrangement (EBA).

The EUSR for Human Rights addressed LGBTI issues in his bilateral political engagements, including country visits such as during his mission to Ukraine in October 2021 and in human rights dialogues. The EU Delegation to the Republic of Korea with local actors co-organised an event on non-discrimination legislation in August 2021 with targeted focus on eliminating discrimination faced by LGBTI persons, based on sexual orientation and gender identity. The EUSR raised issues related to human rights of LGBTI persons also during his country visits resumed since September 2021, namely in October in Central Asia (Kazakhstan and Kyrgyzstan) and in Ukraine.

The COVID-19 crisis has not prevented the EU from concluding new projects and developing local initiatives in support of LGBTI persons. In 2021, three projects were implemented by civil society organisations under the EIDHR Country Based Support Scheme for protecting and defending the rights of LGBTI persons in Myanmar, El Salvador, Honduras, and Republic of Mauritius for a total

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<sup>46</sup> ILGA-Europe is the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association

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of EUR 2.5 million. This is in addition to 12 other ongoing EU-funded projects implemented worldwide.

In Bolivia, Colombia, Ecuador and Peru, an EU-funded regional project has launched a long-term training on empowerment and integral protection of LGBTI rights defenders. In South Africa, the EU delegation and the Department of Justice and Constitutional Development have established an LGBTI task team mandated to address human rights concerns and violations of the human rights of LGBTI persons. This model has been internationally acknowledged as best practice.

In Rwanda, hundreds of members of the LGBTI community have become empowered as rights-holders and have been able to stand up against discrimination, as well as hosting workshops and advocacy events with wider stakeholders, such as media, religious leaders and security forces. In addition to its support to CSOs, the EU offers a rapid response mechanism to protect individual LGBTI rights defenders at risk.

In the Eastern Neighbourhood, the EU continues to place a high importance on the protection of human rights and promotion of gender equality through policy dialogues and dedicated programmes. The EU continued its financial support to the region in 2021, where four projects in support to partner countries in advancing human rights and combatting all forms of discrimination were implemented in Armenia, the Republic of Moldova, Georgia and Ukraine.

The EU has continued to **promote the rights of LGBTI persons in the UN system**. The EU's constructive engagement with UN special procedures under the Human Rights Council, and in particular the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, has continued. The EU has intervened with statements in interactive dialogues with the Independent Expert in Geneva and New York. In May 2021, the EU delegation in Geneva organised a social media campaign day to pay tribute to the LGBTI community. In June 2021, the EU co-sponsored a side event on the protection of transgender women against violence, organised in the margins of the HRC session. The EU delegation in New York also remained part of the UN LGBTI Core Group consisting of NGOs' and UN Member States' missions for advancing rights of LGBTI persons. It focused on the eradication of violence and discrimination, and delivered joint statements at several important UN events.

Throughout the year, the EU continued to cooperate with the Global Philanthropy Project, a collaboration of funders and philanthropic advisors working to expand global support to advance the human rights of LGBTI persons in the Global South and East. In 2021, the EU contributed to

the biennial Global Resources Report, providing donors and civil society with detailed and accurate understanding of the global funding landscape on LGBTI issues.

The EU engaged in the Copenhagen World Pride in August 2021 and in discussions in the European Parliament on concrete action by the G20 countries towards socio-cultural and economic inclusion of LGBTI persons in their plans for a fair and sustainable economic recovery in October 2021. The continued attention to the human rights of LGBTI persons is part of the EU's comprehensive and inclusive approach when addressing all forms of intolerance and discrimination within OSCE and the CoE and in their respective Member States. In this context, the European Commission continued to take part in the work of the CoE governmental LGBTI focal points network. The EU was also active in numerous local pride events with messages, such as the EU delegation in Japan through speaking at the Rainbow Pride in Kyushu. On the occasion of the New York Pride, the EU delegation facilitated an event on LGBTI refugees in a conversation between the High Commissioner for Refugees, Filippo Grandi, and LGBTI refugee artists living in New York.

### **EU Advisory Mission in Ukraine (EUAM Ukraine) support to 2021 Pride events in Ukraine**

In August and September 2021, Pride parades in Ukraine gathered thousands from the LGBTI communities and their open-minded supporters. Rallies were held in Kyiv, Kharkiv and Odessa without major incidents largely due to a concerted public order policing effort by the National Police of Ukraine (NPU) and other law enforcement agencies (LEAs). EUAM Ukraine has advised LEAs, notably the NPU, on changes and improvements to their public order management approach, supplemented with comprehensive training and training-of-trainers efforts over the years since the mission was established. With a national public order concept in place, progress via the training in e.g. conflict prevention, de-escalation techniques, gradual use of force, and dialogue policing approaches was achieved.

Ahead of the pride parades in recent years, EUAM has facilitated coordination between civil society organisations, including pride event organisers, and LEA officials. Joint efforts to plan and coordinate have been instrumental in preventing harassment of and violence against members of the LGBTI community. In 2021, the preparatory meetings facilitated by EUAM allowed the parties to engage, and the police to put in place operational plans that respect human rights standards. The police also communicated to the public the importance of their role in protecting these events.

Following the events, the organisers of the parade thanked the police for 'the opportunity to hold a safe march'. Both the police and the organisers greatly appreciated the effort and assistance provided by EUAM.

Maxim Potapovych, KyivPride organiser, said: *"I am glad that Ukraine is getting closer to the European Union's values and increasingly respecting the rights of LGBTI persons. I feel very strongly committed to the fight for my civil rights. And I am hopeful that things will improve soon."*

### *Rights of the child*

In March 2021, the EU adopted a **new Strategy on the Rights of the Child**<sup>47</sup> and the **European Child Guarantee**<sup>48</sup>. The new EU Strategy on the Rights of the Child aims to better protect all children, to fulfil their rights and to place them at the centre of EU policy making. It proposed new, concrete and forward looking actions to address persisting and emerging challenges related to the support of children, and the protection and promotion of their rights inside the EU and globally.

Millions of children live at risk of poverty or social exclusion, with negative consequences for their learning, well-being, development and effective access to services. The new European Child Guarantee aims to break this cycle and promote equal opportunities by guaranteeing access for children in need to a set of key services: early childhood education and care, education, play and leisure activities, healthcare, nutrition and housing.

The EU continued to strengthen the link between the realisation of child rights, the SDGs and Agenda 2030, with the aim to ‘leave no child behind’. On 18 November 2021, the UN Resolution on the Rights of the Child was adopted by consensus by the UNGA Third Committee. The EU together with the Group of Latin American and Caribbean countries (GRULAC) took the lead on this resolution, with a focus on the rights of the child and the SDGs. The resolution gained new ground in its references to ‘sexual and gender-based violence’ and incorporated a gender perspective on children’s rights as a cross-cutting element. The resolution also reflected on the progress made in accelerating the 2030 Agenda, as well as on the impact of the COVID-19 pandemic on children and their rights. The text renewed the mandates of the Special Representatives of the Secretary-General on Violence against Children and for Children and Armed Conflict and called for the first time on the UN system to mainstream children’s issues in their activities.

In the context of the International Year for the Elimination of Child Labour in 2021, the EU promoted initiatives contributing to the elimination of child and forced labour in all its forms worldwide. The EU marked the International Day against child Labour 2021 with communication activities and participation in high-level panels. The EU is promoting a zero-tolerance policy on child labour, contributing to the global efforts to end all forms of child labour by 2025, in line with SDG target 8.7, stepping up efforts to ensure the supply chains of EU companies are free from child

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<sup>47</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0142>

<sup>48</sup> European Child Guarantee: <https://ec.europa.eu/social/main.jsp?catId=1428&langId=en>

labour. To this end, EU trade policy, through its free trade agreements and Generalised Scheme of Preferences, took further the fight against child labour, by requiring trading partners to effectively implement the International Labour Organization (ILO) conventions on the worst forms of child labour and on minimum age.

In its external action, the EU continued to implement the Guidelines for the Promotion and Protection of the Rights of the Child<sup>49</sup>, which underline, *inter alia*, the importance of developing quality alternative care for children and providing them with appropriate support to participate in community life and to access mainstream services. In Panama, the EU is supporting the strengthening of civil society and institutional capacity to guarantee the rights of children and adolescents under institutional care. In Madagascar, the EU launched support to setting up of a mechanism for taking care of unaccompanied and isolated children and raising the awareness of political decision-makers to strengthen institutional capacity to provide adequate care.

The EU remained committed to advocating for the elimination of harmful practices such as female genital mutilation, child, early and forced marriage, and gender-based sex selection. The EU's flagship support to global action against femicide and violence against women and girls – the EU-UN Spotlight Initiative – delivered significant results during the COVID-19 pandemic and is gaining wide recognition among the UN membership. Despite the pandemic restrictions, around 650,000 women and girls were provided with services for victims of gender-based violence, including support to the prevention of harmful practices, focusing on female genital mutilation and child marriage.

The COVID-19 crisis hampered the right to education, exacerbated inequalities and increased the risk of school dropouts and violence. In 2021, the EU remained committed to keeping children in learning in a protected environment, providing flexible and innovative distance learning opportunities and advocating for integrated and coordinated support for education. As part of its humanitarian and international partnership portfolios, the European Commission committed to invest at least 10% of its budget on education and skills to support partner countries to strengthen education systems, and ensure equitable and inclusive quality education for all children and youth.

### **Namibia – EU support to education during the COVID-19 pandemic**

During the COVID-19 crisis in 2021, the EU started implementing the project 'Support to Early Childhood Development and Pre-Primary Education' in Namibia for communities hardest hit by the lockdowns. The project aims to benefit families who suffered job losses and substantial loss

<sup>49</sup>[https://eeas.europa.eu/sites/eeas/files/eu\\_guidelines\\_rights\\_of\\_child\\_2017.pdf](https://eeas.europa.eu/sites/eeas/files/eu_guidelines_rights_of_child_2017.pdf)

of income. The project will allow children and their parents to receive learning materials, food vouchers, and will promote COVID-19 protective behaviour, as well as information about the protection of children.

The EU has reacted swiftly to address the impact of the COVID-19 pandemic by supporting the strengthening of **local child protection systems**, especially in countries affected by civil war or conflicts, and countries hosting children fleeing armed conflict such as Ethiopia, Kenya, Mali, and Uganda. Child protection aspects remain a priority in the EU's civilian and military missions and operations. The EU's political engagement further manifests itself in the implementation of projects focusing on the prevention of and the response to violence, with a particular focus on gender-based violence, the prevention of the recruitment and use of children by armed forces, family tracing and reunification, demobilisation, release and comprehensive and successful reintegration through long-term interventions, education support, mental health and psychosocial support and alternatives forms of care for unaccompanied and separated children.

Implementation of the EU programme for “Quality alternative care for children and ‘deinstitutionalisation’” in Armenia, Burundi, Cambodia, Georgia and Myanmar continued. A new project ‘Strengthening Systems and Services for Child Protection in Georgia’ aims to support the government in the implementation of the recently adopted Code on the Rights of the Child including in decentralisation of activities and working with communities to protect the rights of children.

Together with UNICEF, the EU launched a joint programme targeting children on the move entitled ‘EU global promotion of best practices for children in migration’, which aims at strengthening child protection systems in order to provide **alternative care options**, emphasising community and family-based alternatives in Mexico, El Salvador, South Africa and Zambia. The action will also document and share lessons learned and best practices with a view to using these alternative care options to replace immigration detention, based on empirical evidence and data.

Humanitarian crises expose children to unparalleled physical and psychological suffering. In 2021, the EU continued to support the protection of children and the European Commission allocated approximately EUR 73 million to child protection in humanitarian settings. Activities included child-friendly spaces, psycho-social support, prevention and response to violence (including sexual violence), support to unaccompanied and separated children or to children associated with armed forces and groups. To exemplify its commitments to the latter, the EU together with Belgium

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organised a high-level event during the ministerial week of the UN General Assembly in 2021 on the protection of children from grave violations.

### *Migration and mobility – migrants, refugees and asylum seekers*

During 2021, negotiations on the legislative proposals accompanying the **Pact on Migration and Asylum**<sup>50</sup> adopted by the European Commission in September 2020 progressed in the European Parliament. The Pact aims to ensure that migration takes place in a safe and regular manner, avoiding loss of life and protecting the human rights of migrants and forcibly displaced persons, given that human rights violations and abuses contribute to migratory and forced displacement flows and migration and forced displacement presents new human rights risks to those on the move.

In September 2021, the Commission adopted a Communication on the Report on Migration and Asylum<sup>51</sup> which took stock of progress achieved in the implementation of the New Pact and key recent developments in migration and asylum policy; it also outlined the context in which progress is pursued, identified the key challenges, and highlighted the prospects for progress, setting out the steps that will lead to a more robust, viable and fair migration and asylum policy.

The EU contributed along the year to several UN reports on migration issues. Discussions were organised with the UN Special Rapporteur on the human rights of migrants in June 2021 and Human Rights and Migration was one of the thematic topics at the EU-OHCHR Strategic Dialogue on 12 October 2021 which was followed up by an informal exchange between UN and EU migration experts focused on search and rescue operations in the Central Mediterranean.

Strengthening dialogue and cooperation among States and other actors involved in search and rescue operations is key to ensuring respect for the fundamental rights of rescued people. The European Contact Group on Search and Rescue, established under the Pact, held two meetings in 2021, and started gathering information about rules and practices implemented at national level.

Targeted discussion with the European Parliament were also organised after the adoption on 17 March 2021 of the report ‘Human Rights and the EU external migration policy’.

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<sup>50</sup> COM(2020) 609 final: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A609%3AFIN>

<sup>51</sup> COM (2021) 590 FINAL of 29 September 2021: <https://ec.europa.eu/info/sites/default/files/report-migration-asylum.pdf>

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The EU has continued to work in close cooperation with Member States and partner countries, international organisations, civil society and local communities to protect the rights of refugees and internally displaced people (IDPs), to address human rights challenges associated with migrant smuggling, human rights violations related to trafficking in human beings, and to address the root causes that force people to leave their homes. In 2021, the EU maintained critical support for countries hosting large numbers of refugees and displaced people, promoting protection, access to basic services and increasingly access to the employment market.

The COVID-19 pandemic significantly worsened the situation of many migrants and refugees in the world, leading to loss of work or income for some, returns for others, and a deterioration of their rights and conditions across the board. At the same time, the positive contribution of non-EU citizens, migrants and refugees, to the health and recovery response to the pandemic has gained visibility and could help dispel some of the negative narratives around migration and reduce discrimination.

Following the Taliban takeover in Afghanistan in August 2021, the EU has promoted solutions for providing protection to Afghans at risk and organised a high-level forum on this topic on 7 October 2021 hosted by HR/VP Borrell and Commissioner Johansson. As a result, 15 EU Member States agreed to help 37,000 Afghans through humanitarian admission and resettlement, providing them with protection in the EU. This is in addition to resettlement pledges for other countries of first asylum. In total, 15 Member States pledged almost 65,000 places for resettlement and humanitarian admission in 2021-2022, for Afghans and other priority situations combined.

The continuous increase of cases of forced displacement and persons in need of international protection since the last decade, reaching over 84 million people, remains in focus. During the High-Level Officials meeting in Geneva on 14-15 December, the EU reiterated its commitment to remain a strong partner in support of the world's refugees in a spirit of responsibility sharing by developing durable solutions at regional level, by supporting partner countries bilaterally in promoting better protection space, self-reliance, socio-economic inclusion and access to national services and by, within its borders, providing more safe and legal pathways to the EU.

The NDICI/Global Europe Human Rights and Democracy Programme mainstreams human rights across the board, including for migration and forced displacement that should be targeted by 10% of the budget. Programmes being developed on this basis will support the rights of migrants, refugees, asylum seekers, returnees, internally displaced and stateless persons.

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The EU firmly reacted to **attempts to instrumentalise migrants for political purposes** and stated clearly that it will not accept any hybrid attack that exploits human beings in this way, taking advantage of their suffering, and provoking violence and loss of life for political purposes. The Commission's Communication on responding to state sponsored instrumentalisation of migrants at the EU's external border<sup>52</sup> provided an overview of the actions taken in response so far and the measures under way to step up these efforts. The collective strength and solidarity of the EU helped establish a toolbox of operational, legal, diplomatic and financial tools to ensure that the instrumentalisation of irregular migration by State actors is dealt with in a swift, united and comprehensive manner.

In 2021, combatting **trafficking in human beings and migrant smuggling** remained EU priorities. A new **EU Strategy on Combatting Trafficking in Human Beings**<sup>53</sup> identifies key priorities for combatting trafficking more effectively and proposes concrete actions, which will be implemented in full respect of fundamental rights, to identify and stop trafficking early on, to go after criminals by turning trafficking from a low-risk and high-return crime to high-risk and low-return crime, and to protect the victims and help them rebuild their lives. The strategy acknowledges the transnational and cross-border dimension of trafficking in human beings. The strategy is closely interlinked with the EU Strategy to Tackle Organised Crime 2021-2025, given that trafficking in human beings is often a violent crime committed by organised crime networks.

The renewed EU action plan against migrant smuggling (2021-2025)<sup>54</sup> adopted a 'whole of route' approach in order to strengthen prevention of organised exploitation of migrants and reduce irregular migration by strengthening cooperation and coordination with the partner countries along the migratory routes to reduce incentives to embark on dangerous journeys, sanctioning migrant smugglers, and reinforcing the work of law enforcement and of the judiciary.

In April 2021, the EU adopted a new strategy on voluntary return and reintegration<sup>55</sup> to better support assisted voluntary return and sustainable reintegration, including fundamental rights aspects, both within the EU and in relations with partner countries.

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<sup>52</sup> JOIN (2021) 32 FINAL, of 23 November 2021:

[https://ec.europa.eu/info/sites/default/files/communication\\_instrumentalisation\\_migrants.pdf](https://ec.europa.eu/info/sites/default/files/communication_instrumentalisation_migrants.pdf)

<sup>53</sup> COM(2021) 171 of 14 April 2021: [https://ec.europa.eu/home-affairs/system/files\\_en?file=2021-04/14042021\\_eu\\_strategy\\_on\\_combatting\\_trafficking\\_in\\_human\\_beings\\_2021-2025\\_com-2021-171-1\\_en.pdf](https://ec.europa.eu/home-affairs/system/files_en?file=2021-04/14042021_eu_strategy_on_combatting_trafficking_in_human_beings_2021-2025_com-2021-171-1_en.pdf)

<sup>54</sup> A renewed EU action plan against migrant smuggling (2021-2025) - COM(2021) 591 [https://ec.europa.eu/home-affairs/renewed-eu-action-plan-against-migrant-smuggling-2021-2025-com-2021-591\\_en](https://ec.europa.eu/home-affairs/renewed-eu-action-plan-against-migrant-smuggling-2021-2025-com-2021-591_en)

<sup>55</sup> EU Strategy on voluntary return and reintegration, 27 April 2021: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_1931](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1931)

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In that context, an important joint initiative by the EU and the United Nations Office on Drugs and Crime (UNODC) is the Global Action against Trafficking in Persons and the Smuggling of Migrant implemented, in Asia and the Middle East, in partnership with the International Organization for Migration (IOM).<sup>56</sup>

Following the adoption of the EU Asylum Agency Regulation<sup>57</sup> on 15 December 2021, the Agency started its work with the reinforced mandate, building on the experience of the European Asylum Support Office. The regulation provides for the appointment of an independent fundamental rights officer, who will ensure that fundamental rights are respected in all the activities of the agency. The fundamental rights officer will be also responsible for implementing the new complaints mechanism.

The Global Action builds on a global community of practice set in motion with the project GLO.ACT 2015-2019 to assist governmental authorities and civil society organisations in targeted, innovative and demand-driven interventions: sustaining effective strategy and policy development, legislative review and harmonisation, capability development, and regional and trans-regional cooperation. The project also provides direct assistance to victims of trafficking in human beings including migrants in vulnerable situations through the strengthening of identification, referral, and protection mechanisms.

### 1.2 EMPOWERING PEOPLE

#### *Empowering women*

The EU remained committed to act on women's empowerment, preventing and combatting sexual and gender-based violence, addressing multiple and intersecting forms of discrimination, promoting rights-based and gender responsive justice, and improving access to justice and legal assistance through systematic and coordinated use of the full range of instruments at EU's disposal, including political and human rights dialogues with third countries and regional organisations and actions in multilateral and regional human rights fora.

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<sup>56</sup> The Global Action against Trafficking in Persons and the Smuggling of Migrants - Asia and the Middle East, 29 June 2020: [https://ec.europa.eu/international-partnerships/projects/global-action-against-trafficking-persons-and-smuggling-migrants-asia-and-middle-east\\_en](https://ec.europa.eu/international-partnerships/projects/global-action-against-trafficking-persons-and-smuggling-migrants-asia-and-middle-east_en)

<sup>57</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R2303>

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The EU took every opportunity to ensure that the international community remains united and increases efforts to make the promises of the Beijing Declaration and Platform of Action and the Programme of Action on the International Conference on Population and Development a reality, especially in light of the COVID-19 pandemic, which continued to exacerbate pre-existing gender inequalities and challenges that women and girls face, including those related to political participation, domestic violence and sexual and reproductive health and rights.

The EU continued on various fronts its efforts for empowering all women, with specific measures to mitigate and address the impact of the COVID-19 pandemic. Particular emphasis was put on sexual and reproductive health and rights as well as removing barriers for the empowerment of women and girls, including social, political and economic empowerment.

### **EU partnering for change in Egypt on women's rights and gender-based violence**

The EU has been a key partner in promoting and protecting women's rights in Egypt through longstanding collaboration with national partners and civil society. Over the past years, half a million women across Egypt were issued National Identification Cards in the framework of the Women Citizenship Initiative supported by the EU, to help women's access to political, economic, and social rights, including their electoral and voting rights, to educational and economic opportunities, as well as to social protection schemes.

The elimination of gender-based violence, including harmful practices such as female genital mutilation (FGM), is a priority of the EU's partnership with Egypt. In 2021, Egypt has also toughened its legislation to address FGM. A series of programmes have contributed to strengthened referral and response mechanisms, including support to the Women's National Complaints Office and the Child Help Line that respond to women and girls. Facilitating access to psychosocial support for women who suffer gender-based violence is a key focus. Support has been extended to women beneficiaries of the National Financial and Digital Inclusion Programmes to raise their awareness on violence against women and girls, including on pressing issues such as FGM.

The EU is also a key supporter to Egypt's National Programme for Women's Financial and Digital Inclusion, which relies on an international successful model for creating 'Village Savings and Loans Association'. Through the creation of Women's Saving Groups, women in rural areas across 13 Governorates could save funds, raise credit, and receive support through business development services and strengthen their financial and digital literacy. After the outbreak of the COVID-19 pandemic, the EU reinforced its support through the project 'EU 4 Immediate Socioeconomic Response to COVID-19', targeting 60,000 women living in two governorates of Upper Egypt with a view to alleviate the impact of COVID-19 and support recovery.

Women's economic empowerment was fostered through programming activities and by promoting policy and legal framework reforms to ensure women's access to the labour market in line with international labour standards, access to resources and finance and promoting an enabling business environment for women entrepreneurs, including in the digital economy; addressing the specific needs of women in vulnerable situations, including survivors and victims of violence, as well as

women belonging to minority groups. The gender digital divide continued to be addressed by mainstreaming gender in the area of technology and innovation – in policy and programming.

### **Tanzania – pursuing gender equality and women’s economic empowerment**

One of the EU’s priority areas in 2021 in Tanzania was gender equality and women’s economic empowerment, in line with the priorities set by the Tanzanian government focusing especially on the latter. The EU identified a stand-alone programme tackling all six priorities of the EU Gender Action Plan III, for an amount of EUR 70 million, which will also foster dialogue with national authorities on these topics. Specific projects included fostering community dialogue on gender-related issues such as child marriage, female genital mutilation, land ownership and inheritance.

Efforts were made to support the role of women in peace processes through various forms of capacity-building, networking and mentoring activities. The EU promoted women’s political empowerment both through programming activities, human rights dialogues as well as through activities in multilateral fora.

### **Extract from the opening statement on behalf of the European Union and its Member States on 17 March 2021 at the 65th session of the UN Commission on the Status of Women**

*“Promoting gender-equal representation in parliament, as well as in governments, is critical. This means removing institutional and structural constraints, discriminatory laws, as well as cultural, organizational and attitudinal barriers and stereotypes. Today, the EU calls for scaling up efforts and collaboration to address systemic discrimination, including multiple and intersecting forms of discrimination. Promotion and empowerment of women in parliament and political life is crucial not only for decisions being credible, legitimate and more sustainable. It also fosters gender-responsive legislation and policies in all aspects of governing. (...)*

*The EU views equal, full, effective and meaningful participation of all women and girls as an unequivocal part of democratic and human rights based governance. It is critical to work towards women's equal, full and effective and meaningful participation, in all their diversity, in all spheres and levels of public and political life. Participation of women and girls with disabilities requires in-depth and more targeted attention and effort. Full participation of all women and girls in public life and political discourse is crucial for adequately translating their perspectives, knowledge and skills into policies to achieve gender equality. To this end, the EU equally underscores the important role of men and boys, and of civil society at large.”*

The EU continued to underline that in order to facilitate women’s access to the labour market, discriminatory legislation, negative social norms, and gender stereotypes (e.g. in the choice of

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education, occupation and sector) must be abolished, along with economic and sociocultural disincentives for women to work, such as the culturally anchored distribution of care and domestic work between men and women. Moreover, the concept of a work-life balance was promoted. Together with international partners, the EU has also promoted the effective implementation of the ILO Equal Remuneration Convention, 1951 (No. 100) in line with the principle of equal remuneration for men and women workers for work of equal value.

### *Empowering children and youth*

The EU is committed to ensuring that children and young people meaningfully participate in decision-making processes on issues that directly affect them. On the basis of extensive consultation process involving children and youth, the new EU Strategy on the Rights of the Child was adopted in spring 2021. This marks a new chapter and an important step towards genuine child participation in EU decision-making processes. The Conference on the Future of Europe also presents an excellent opportunity to put youth and child participation into action. Furthermore, the European Climate Pact Youth strand offers young climate activists and other young citizens interested in or active for environmental causes a platform that facilitates the co-creation of projects, pan-European networking and direct exchanges with policy makers and political leaders. With the aforementioned strategy, the EU promotes and improves the inclusive and systemic participation of children and young people at the local, national and EU levels. This will be driven through a new EU Children's Participation Platform to be launched in 2022. The European Commission published and started to implement the guide for drafting child-friendly documents as a useful tool to ensure effective child participation.

Investing in youth is a precondition for achieving the Sustainable Development Goals, hence the EU puts young people at the centre of the process. The Youth Climate Pact Dialogue is one of these tools and aims to connect young participants in a direct exchange with senior EU political leaders like the Executive Vice President in charge of the European Green Deal.

#### **EU support to the youth climate movement in Rwanda**

Young people will be most affected by the impact of climate change and their voices matters to the EU. The EU supports the youth climate movement in Europe and globally and strives to amplify their demands for urgent actions. In 2021, the EU supported the inclusion of youth activists at the COP 26 in Glasgow. The EU Delegation in Rwanda provided financial support and technical assistance to secure the participation of Ineza Grace, a young Rwandan climate

activist, at COP 26. The support allowed Ineza Grace to actively take part in the negotiations, alongside the Government of Rwanda, contributing to the successful global commitments on emission reduction and putting the needs of youth at the centre of the discussion. At the COP 26, Ineza Grace worked in particular towards achieving a dialogue on arrangements for the funding of activities to avert, minimise and address the loss and damage from climate change especially for vulnerable nations.

The COVID-19 pandemic affected young people heavily. In response, the EU has significantly reinforced its support and encouragement measures dedicated to young people. Ongoing policy initiatives such as the European Education Area, the updated European Digital Education Action Plan<sup>58</sup>, the European Skills Agenda and the Youth Employment Support package are all dedicated to boosting opportunities for young people and ensure their personal, social and professional fulfilment. The Commission is also increasing its efforts in involving youth in key European initiatives. To facilitate the implementation of the EU Youth Strategy and the Youth Goals, the year 2022 was announced to be the European Year of Youth. As a result, the inclusion and meaningful participation of young people is being streamlined across various EU initiatives.

The EU is committed to making youth engagement and participation a core element of the EU's foreign policy and public diplomacy. A firm calendar is set for the adoption of a Youth Action Plan involving young people in external relations, including extensive consultations held in the course of 2021. Set for adoption in 2022, it will contain comprehensive measures to ensure that EU external action empowers young people at political, social and economic level and help youth engagement in decision-making and policy-making in a meaningful and inclusive way. The new Erasmus+ programme 2021-2027 was launched in March, with a significant increase in funding to expand support for capacity building, empowerment projects and learning mobility opportunities for young people worldwide, as well as virtual exchanges between youth in Europe and in other world regions, for instance, in the EU's Eastern and Southern Neighbourhoods and in Africa. Promoting young people's participation in democratic life, Erasmus+ is adapting to the major global challenges by focusing on three key priorities: being more inclusive, digital and green.

In view of preparation for the 2022 EU-Africa Summit, the EU conducted extensive consultations and youth engagement, notably through the EU-UNICEF launched U-report online tool, reaching 450,000 young people in Africa and Europe aged 14 to 35, contributing to defining the future partnership between the EU and Africa. The Commission collaborated as European Climate Pact with UNICEF and their AU-EU Youth Summit bringing together climate activists from Europe and

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<sup>58</sup> Digital Education Action Plan (2021-2027) <https://education.ec.europa.eu/focus-topics/digital/education-action-plan>

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Africa to discuss common challenges. The European Week of Action for girls included specific consultations with girls and youth activists, ensuring that girls' rights are a priority within the Partnership. In view of the importance of digital communication and online participation, the EU continued to work on Better Internet for Kids, contributing to policies related to online safety and well-being, including cyberbullying. The outcome of the #DigitalDecade4YOUth consultations offer valuable data and evidence of two ongoing processes in the European Commission, both looking into Europe's digital future. They helped to shape the proposal for a European Declaration on Digital Rights and Principles, which was announced in the Commission's 2030 Digital Compass: the European way for the Digital Decade (2021)<sup>59</sup> and includes principles on digital literacy and child online protection and empowerment. In addition, they lay the foundation of the new European Strategy for a Better Internet for Children, due in spring 2022, 10 years after the first strategy was adopted. The 2021 Safer Internet Forum in October included a youth panel which discussed future needs and changes to the online school environment, the online society in general, and social networks and advertising.

### *Rights of persons with disabilities*

The Commission continued to implement the UN Convention on the Rights of Persons with Disabilities (CRPD) and adopted a new **Strategy for the Rights of Persons with Disabilities 2021-2030**, based on extensive consultations with civil society, including representative organisations of persons with disabilities, experts on the rights of persons with disabilities, Member States and other stakeholders. Based on the strategy, the EU is expanding the use of instruments such as technical assistance and financial programmes, support through EU delegations, political and policy dialogues and work in multilateral fora to support partner countries in their endeavours to implement the UN Convention and provide guidance to implement the SDGs in a disability inclusive manner. In this regard, the EU updated its **Toolbox on the 'Rights Based Approach, encompassing all human rights for EU development cooperation'** to address all inequalities, including discrimination against persons with disabilities, in external action. The EUSR for Human Rights promoted actions to meet the EU's external policy obligations and commitments under the CRPD. For example, the EUSR participated in a high-level exchange on disability inclusion in international cooperation and humanitarian action in March 2021.

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<sup>59</sup> Europe's Digital Decade: digital targets for 2030, European Commission, 9 March 2021: [https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/europes-digital-decade-digital-targets-2030\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/europes-digital-decade-digital-targets-2030_en)

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Chaired by Finland, the 14th session of the Conference of State Parties to the CRPD was held in person in New York on 15 June and virtually on 16-17 June 2021 and garnered a wide participation from civil society and social partners, allowing a constructive discussion within the UN. Under the overarching theme of the response and recovery from the COVID-19 pandemic, roundtable discussions focussed on the protection of the rights of persons with disabilities in armed conflict and humanitarian emergencies, community inclusion and living independently as well as the right to inclusive education. The EU delivered an oral statement during the general debate.

In its interventions, the EU focused on the increased risk of poverty for persons with disabilities, and the need to guarantee the right to live independently, including for older persons. The age gap in technology use was emphasised, especially in assistive technologies, and information and communication technologies, noting that older persons have been left behind in that regard during the COVID-19 pandemic.

The EU, in its bilateral relations and political dialogues continued to encourage partner countries to initiate legislative changes to ensure non-discrimination and equality before the law, including as regards the rights of persons with disabilities, as well as sign and/or ratify relevant international instruments, and/or lift any reservations to these instruments. The EU systematised its use of the Organisation for Economic Co-operation and Development (OECD)'s Development Assistance Committee (DAC) disability marker in the programming of new support programmes, to track disability inclusive investments for a targeted monitoring of EU funding, reporting an increase in new disability inclusive interventions.

The EU delegations remained active in promoting and protecting the rights of persons with disabilities, such as improving their access to justice, labour market, inclusive education and public services. Furthermore, the EU financial support in partner countries, notably through SOCIEUX+, continued to enable peer-to peer exchanges and institutional cooperation to assist in the design, implementation and management of inclusive, effective and sustainable labour and employment policies and social protection systems. Best practice exchanges include information sharing on the Web Accessibility Directive under which the European Commission rolled out an action plan to ensure that all public sector websites of the EU and in Member States are perceivable, operable, understandable and robust, an important milestone in digital accessibility.

Persons with disabilities are often among the most vulnerable in humanitarian crises. In 2021, the EU provided over EUR 73.6 million to projects targeting, among other aims, the needs of persons

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with disabilities. In addition, the EU funded 232 projects where disability inclusion was one of the main focus areas of the project. A variety of sectors have been targeted including healthcare, protection, shelter, water, sanitation, and education.

### *Human rights of older persons*

Population ageing constitutes one of the most significant demographic transformations of the 21st century. In view of this demographic trend, the EU is engaging to ensure that its policy is fit for Europe's ageing population. While the EU has a robust legislative framework in place, it is renewing its entire framework on equality and non-discrimination.

The EU undertakes to ensure that all human rights, including the rights of older persons remain at the core of the response to the COVID-19 pandemic and the global recovery. The pandemic has exacerbated pre-existing inequalities and disproportionately affected persons in vulnerable situations, including older persons whose health is the most threatened by the virus and its impact on health systems. The protection and promotion of the human rights of older persons require the involvement of multiple stakeholders, including civil society organisations.

At the EU level, ageing is a priority for the current Trio-Presidency of the Council. Building on the October 2020 Council conclusions on improving the well-being of older persons in the era of digitalisation, in January 2021, the Commission published the **Green Paper on Ageing**<sup>60</sup>, launching a broad consultation process. In March 2021, the Commission published its action plan on the Pillar of Social Rights<sup>61</sup>, addressing its outstanding principles, many of which also concern the wellbeing of older persons. Also in March, the Council adopted conclusions on Mainstreaming Ageing in public policies<sup>62</sup>.

The situation for older persons is high on the EU's external agenda, and its support for the UN's Madrid International Plan for Action on Ageing continued in 2021.

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<sup>60</sup> Green Paper on Aging, COM (2021) 50 final of 27 January 2021:  
[https://ec.europa.eu/info/sites/default/files/1\\_en\\_act\\_part1\\_v8\\_0.pdf](https://ec.europa.eu/info/sites/default/files/1_en_act_part1_v8_0.pdf)

<sup>61</sup> The European Pillar of Social Rights Action Plan:  
[https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-action-plan\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-action-plan_en)

<sup>62</sup> Council conclusions on Mainstreaming Ageing in Public Policies, 12 March 2021:  
<https://data.consilium.europa.eu/doc/document/ST-6976-2021-INIT/en/pdf>

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The 11th session of the UN Open-Ended Working Group on Ageing, postponed from 2020 due to COVID-19, took place in April 2021. The EU delivered a Statement and actively participated in identifying measures to enhance the promotion and protection of the human rights and dignity of older persons, including the high-level panel on COVID-19 and the rights of older persons. The EU was also active in the UNGA Third Committee, the Human Rights Council, and the Commission on Social Development. These fora offered important opportunities to discuss measures and actions aimed to improve the situation of older persons.

The EU continued to cooperate with the UN human rights special procedure mandate holders and treaty bodies, ensuring that due attention is given to the rights of older persons within their mandates. Moreover, the Universal Periodic Review process was in some cases used to highlight the human rights challenges that older persons are facing. The EU remains committed to addressing the recommendations, sharing information and exchanging best practices for the promotion of the human rights of older persons in multilateral fora and bilateral dialogues.

### *Rights of indigenous peoples*

The EU policies on support for indigenous peoples date back many decades. Through its policies and financing instruments, the EU is committed to the international advancement and recognition of the rights of indigenous peoples, as confirmed by the EU's support for the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). In 2021, the EU supported the implementation of the UNDRIP at country level, through its programming activities, but also through its political and human rights dialogues. Securing full participation and free, prior and informed consent (FPIC) in a meaningful way is a core principle of EU policy. The EU continued implementing the recommendations from the 2020 roundtable with indigenous peoples' representatives and experts.<sup>63</sup> Attempts were made to address how EU policy can best protect the rights and interests of indigenous peoples, including FPIC, whether in development cooperation, climate action and biodiversity protection, trade agreements, or political and policy dialogue at national and international levels.

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<sup>63</sup> The seven socio-cultural regions are Africa, Asia, Central and South America and the Caribbean, The Arctic, Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia, North America and The Pacific.

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The voices of indigenous peoples are important in informing the EU funding programmes and projects. Indigenous peoples' rights and FPIC were addressed in particular as part of the updated EU Arctic policy<sup>64</sup>. Wide consultations were held as part of the policy development process. Indigenous Peoples' rights and interests in Arctic raw materials extraction were considered via dialogue, drawing from best practices and guidelines. The EU engaged Arctic stakeholders and rights holders, creating spaces for dialogue and policy inputs.

The 20th session of the Permanent Forum on Indigenous Issues on 19-30 April in New York addressed the main theme 'Peace, justice and strong institutions: the role of indigenous peoples in implementing Sustainable Development Goal 16'. Discussions spanned a wide range of topics, from impacts of and responses to the COVID-19 pandemic, implications of climate change, protection of human rights (including access to justice, land rights, and self-determination), and indigenous peoples as critical partners and contributors; in peace, development, and the achievement of the Agenda 2030.

During the Permanent Forum, participants called for inclusion and consultation in the design and implementation of all COVID-19 response and recovery plans, especially vaccine distribution, and for the specific needs (health, economic, judicial) of indigenous communities to be addressed. As climate change continues to pose a direct and immediate threat to their lives and livelihoods, this reality, coupled with their connection to and knowledge of the natural environment, led many indigenous participants to request full participation in national and international climate change adaptation and mitigation plans. The statement on behalf of the EU, highlighted the impact of the pandemic on indigenous communities around the world, in particular on indigenous women and girls who have been disproportionately affected by health crises, and paid tribute to indigenous human rights defenders who have faced increasing attacks during the pandemic.

In July 2021, the EU actively participated with its statement in the 14th session of the Expert Mechanism on the Rights of Indigenous Peoples, as well as in the Intersessional Roundtable on possible steps to enhance the participation of indigenous peoples' representatives and institutions in Human Rights Council meetings on issues affecting them.

On the International Day of the World's Indigenous Peoples on 9 August 2021, a Declaration by the High Representative on behalf of the EU<sup>65</sup> was issued to celebrate the resilience and resourcefulness of indigenous peoples around the world. The EU joined the UN call for a new social contract, where

<sup>64</sup> EU Arctic policy, 20 May 2021: [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/20956/EU%20Arctic%20policy](https://eeas.europa.eu/headquarters/headquarters-homepage_en/20956/EU%20Arctic%20policy)

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no one is left behind. The declaration highlighted the importance of addressing the impact of the COVID-19 pandemic on indigenous people's rights, in particular their equitable access to healthcare, education, land and natural resources. It has further exacerbated the existing economic marginalisation and discrimination of indigenous peoples.

In 2021, the EU continued funding the Indigenous Navigator, an open-source, community-based data collection system and mapping tool led by indigenous peoples for indigenous peoples. This grant supports international advocacy and the building of alliances with strategic partners within the human rights fora. The Indigenous Navigator builds on international human rights instruments, including the UNDRIP. It provides timely global reports on the situation of indigenous peoples, including on the impact of the COVID-19 pandemic and the status of indigenous women.

Addressing the deterioration in indigenous peoples' human rights caused by the COVID-19 pandemic remained an EU priority during 2021. In September, the HRC held its annual panel discussion on the rights of indigenous peoples, dedicated to the theme of the situation of human rights of indigenous peoples facing the COVID-19 pandemic, with a special focus on the right to participation. The EU raised concerns about the deteriorating situation for many indigenous peoples and mobilised funds to address the impact of COVID-19 through the EIDHR human rights crisis facility.

The EU intervened with its statement in the interactive dialogues held by the Human Rights Council during its 49th session in September 2021, with the Special Rapporteur on the rights of Indigenous Peoples, and with the Expert Mechanism on the Rights of Indigenous Peoples. The EU constructively engaged in the negotiations on the annual resolution on the rights of indigenous peoples.

The EU Arctic Forum and Indigenous Peoples' Dialogue on 10-11 November 2021 was hosted by HR/VP Borrell and Commissioner Sinkevičius. The event with wide participation, in-person and virtually, provided a key opportunity to discuss the Arctic policy and indigenous people's participation, as well as issues such as youth engagement. The EU continued throughout the year to address indigenous peoples' rights in its human rights dialogues with non-EU countries. In Africa, EU delegations continued to help indigenous peoples establish FPIC protocols in the protected area

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<sup>65</sup> International Day of the World's Indigenous Peoples: Declaration by High Representative Josep Borrell, on behalf of the European Union, 9 August 2021: <https://www.consilium.europa.eu/en/press/press-releases/2021/08/08/international-day-of-the-world-s-indigenous-peoples-declaration-by-high-representative-josep-borrell-on-behalf-of-the-european-union-9-august-2021/>

of Messok Dja in the Republic of Congo, and improve access to quality healthcare and education for indigenous minority communities in Kenya. In various countries in Latin America, such as Ecuador, indigenous peoples and environmental defenders were supported in their role to promote social and environmental policies leading to sustainable development.

### **EU support to consolidating the political autonomy of indigenous peoples in Ceará State, Brazil**

The project 'Consolidating the political and organisational autonomy of the Indigenous Peoples of Ceará State' launched in August 2021 with the Office of Indigenous Peoples' Advocacy, the first indigenous popular law office in Brazil's Ceará State. It aims to encourage the participation of indigenous peoples in decision-making and in the realisation of their rights through the work of the Office of Indigenous Peoples' Advocacy on cases of violations of indigenous peoples' rights. The Office, supported by the EU, acts in the judicial defence of the causes of the indigenous peoples (civil, criminal and administrative) related to their ancestral and constitutional rights, as well as in providing legal advice to entities that bring together indigenous peoples in collective, administrative and extrajudicial demands, including in indigenous villages and indigenous meetings at State level. At the same time, it is a space for training future indigenous lawyers and those willing to dedicate their work to the cause of indigenous peoples.

Despite the challenges posed by the COVID-19 pandemic, the EU worked closely with the ILO on promoting indigenous peoples' rights, including in the countries that have not ratified the ILO's Indigenous and Tribal Peoples Convention No. 169. The EU and its Member States actively engaged in the 341st ILO Governing Body discussions on 15-27 March 2021 on the follow-up to the Strategy on indigenous people's rights for inclusive and sustainable development, including implementation of the strategic plan for engagement.<sup>66</sup> The most recent free trade agreements require indigenous peoples to be consulted as part of the impact assessments.

The EU's ProtectDefenders.eu mechanism provides significant support to defenders of indigenous peoples' rights, in particular through the EU's capacity-building programmes and through its fieldwork and accompanying programmes. Defenders of indigenous peoples' rights represent a consistent 7% of the total number of beneficiaries across all programmes – approximately 2 000 human rights defenders every year.

### **1.3 PROMOTING FUNDAMENTAL FREEDOMS AND STRENGTHENING CIVIC AND POLITICAL SPACE**

#### ***Freedom of expression***

<sup>66</sup> [https://eeas.europa.eu/delegations/un-geneva/95267/ilo-gb341-eu-statement-follow-strategy-indigenous-peoples-rights\\_en](https://eeas.europa.eu/delegations/un-geneva/95267/ilo-gb341-eu-statement-follow-strategy-indigenous-peoples-rights_en)

During 2021, the EU worked at multilateral level and through dialogues with non-EU countries, to protect and reinforce freedom of expression, media freedom and access to information, academic and artistic freedom.

Media freedom was among the main topics discussed in the framework of the G7 and one of the pillars of the Summit of Democracy. In the G7 context, the EU insisted on the necessity of more effective coordination among the many relevant initiatives, proposing a concrete engagement with the widest possible range of organisations and mechanisms, including those of international organisations and originated by media organisations and NGOs themselves.

The EU continued to cooperate closely with the United Nations, the Council of Europe and the OSCE in order to protect and support journalists and independent media across the world.

In the periodical dialogues with third countries, including in the context of the Stabilisation and Association process, freedom of expression, media pluralism and safety of journalists were regularly on the agenda, including with reference to ongoing or planned legislative reforms.

Some EU delegations have worked specifically in this field, often with the support of the Media4Democracy programme as in Mozambique (including analysis of draft social communication and broadcasts laws in line with international standards and support to the Minister of Justice) and in Djibouti (including legal analysis based on international standards of laws concerning freedom of communication and political pluralism during election).

### **EU Media4Democracy programme support to media pluralism in the Maldives**

Throughout 2021, the EU Media4Democracy programme worked with the EU Delegation to Sri Lanka and Maldives to implement the fourth and final Media4Democracy Fellowship Programme ‘Strengthening Media Institutions in Support of Media Pluralism’. Through a series of COVID-19 adapted webinars and remote individual coaching sessions led by Media4Democracy experts, four young leaders of institutions supporting media pluralism in the Maldives designed and delivered new projects: revitalising the Maldives Journalism Association, improving implementation of the Right to Information Act in the Maldives, and launching a journalism initiative to improve environmental reporting in the Maldives.

Focus on media and elections was also present in activities in Colombia (confronting false news in the run-up to the 2022 elections) and Congo Brazzaville (capacity building webinar for media/CSOs on strengthening independent media engagement in 2021 elections, as well as production of a capacity building booklet for circulation to EU delegations in Africa).

In the EU’s external action programming exercise, media freedom will see an increase in funding available for the next seven years.

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Dedicated programmes continue to be implemented in different regions to support independent media and journalists' safety. Some examples include:

- The EU 4 Independent Media programme, implemented by the European Commission worth EUR 12 million, has been launched in order to increase the quality and financial sustainability of independent media in the Eastern Partnership region;
- A large EUR 11,2 million Support to Media Freedom and Pluralism programme in the Western Balkans to support the economic sustainability of media outlets in the region, to start its activities in 2022;
- The EU funded the activities of the European Endowment for Democracy that allowed for the delivery of significant and much needed support to independent media and journalists in the enlargement and neighbourhood regions;
- In several Eastern Partnership countries bilateral programmes to support independent media were established and are being implemented by the EU delegations;
- Core support for independent media in the southern neighbourhood was reinforced with new project worth EUR 9 million.

The European Commission has launched a call for proposals on media freedom and investigative journalism, representing nearly EUR 4 million in EU funding. The initiative will support the Europe-wide response mechanism for violations of press and media freedom, and the emergency support fund for investigative journalists and media organisations in the EU. The proposal for a European Declaration on Digital Rights and Principles also includes a chapter on the participation in the digital public space where it outlines that everyone should have the right to freedom of expression in the online environment, without fear of being censored or intimidated.

Specific sessions of the EU-NGO Forum held in December were dedicated to Freedom of Expression and association, with the participation of relevant speakers and organisations from around the world.

The EUSR for Human Rights continued raising violations of freedom of expression in his political engagements and meetings with journalists and media workers. For example, the EUSR discussed with the International Federation of Journalists the involvement of journalists' unions in the implementation of the EU Action Plan on Human Rights and Democracy. In 2021, the EUSR actively supported embattled journalists and met, among others, with Nobel Peace Prize laureate Maria Ressa.

### *Safety and protection of journalists*

The EU has reinforced and streamlined its response, at global and local level, when journalists are harassed or attacked or freedom of expression is unduly limited.

Dedicated statements were published by the High Representative condemning attacks on independent media and legislation that restricts their work and on the occasion of World Press Freedom Day and of the Day against Impunity for crimes against journalists. During 2021, hundreds of journalists benefited from the **EU mechanism for protection of Human Rights Defenders**.

EU delegations took different initiatives, often in collaboration with other partners, to underline the challenges for the work of journalists. The EU Delegation to Peru organised in December an online event together with UNESCO and the *Asociación Nacional de Periodistas del Perú*.

In September 2021, the European Commission published a **Recommendation for the Protection, Safety and Empowerment of Journalists**, aiming at ensuring safer working conditions for all media professionals, free from fear and intimidation, whether online or offline. The recommendation includes a set of concrete actions, such as joint coordination centres, support services for victims, early warning mechanisms, with particular attention to the specific risks for female journalists. It also envisages a reinforced and more effective approach to the prosecution of criminal acts, cooperation with law enforcement authorities, rapid response mechanisms and economic and social protection.

To prepare the recommendation, the **First European News Media Forum** was organised in March 2021 with participation of a wide range of stakeholders, including journalists and their associations, news media companies, representatives of media councils, the European Parliament, Member States and regulatory authorities as well as international partners.

#### **EU and the Centre of Studies for Peace and Development (CEPAD) support the work of journalists amid the COVID-19 pandemic in Timor-Leste**

Timor-Leste news media work under extraordinary conditions to keep people informed during the COVID-19 pandemic. Suzana Cardoso is the Director of the *Timor Post*, one of the country's leading newspapers established in 2000. Due to the closure of their office during the pandemic, she created online news and multitasked in different roles to continue to serve the public with relevant and accurate information. She and her colleagues had to report from home and having access to important communication tools including internet access proved more critical than ever.

In order to support their work, the EU and CEPAD provided 450 journalists – all members of the

Timor-Leste Press Union and the Association of Journalists of Timor-Leste (AJTL) – with internet cards with credit. The EU financed the donation, which was implemented by CEPAD, under the ‘Ensuring Government Accountability of COVID-19 and Improved Freedom and Access to Information in Timor-Leste’ initiative. “*The support provided by EU and CEPAD has been crucial in assisting us in the field, especially to contact the sources for information and to continue working remotely on our news*”, Suzana said.

### *Academic freedom*

A specific working group was created to establish an appropriate monitoring framework for fundamental values, including academic freedom, in the context of the European Higher Education Area/Bologna Process.

The European Commission’s support for the priorities of the Rome Communiqué of the European Higher Education Area<sup>67</sup> was reinforced, including regarding fundamental academic values.

A good example of effective collaboration is the InSPIREurope project, a Europe-wide initiative to support researchers who are at risk due to discrimination, persecution, suffering or violence.<sup>68</sup> Funded by Horizon 2020, the EU’s Framework Programme for Research and Innovation (2014-2020) through the Marie Skłodowska-Curie Actions, the initiative is coordinated by Scholars at Risk Europe and hosted at Maynooth University in Ireland.

Other concrete EU activities implemented during the year included policy recommendations to strengthen European support for researchers at risk; exchange and mutual learning between key actors in research and innovation in Europe; training and guidance for researchers at risk as well as for employers; and expanding the network of actors supporting researchers at risk, especially in Central, Eastern and Southern Europe and in the non-academic sector.

## **1.4 REINFORCING ECONOMIC, SOCIAL, CULTURAL AND LABOUR RIGHTS**

### *Economic, social and cultural rights*

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<sup>67</sup> Rome Ministerial Communiqué of the European Higher Education Area, 19 November 2020: [http://www.ehea.info/Upload/Rome\\_Ministerial\\_Communique.pdf](http://www.ehea.info/Upload/Rome_Ministerial_Communique.pdf)

<sup>68</sup> Initiative to support, promote and integrate researchers at risk in Europe: <https://cordis.europa.eu/project/id/857742>

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In line with the EU Action Plan on Human Rights and Democracy, the EU delivered on a comprehensive agenda to promote economic, social and cultural rights in 2021 in its external relations, including in its public diplomacy, communication, bilateral human rights dialogues, in its development cooperation and in multilateral human rights fora.

In 2021, the EU has continued its strong engagement on supporting the universal access to safe, sufficient and affordable drinking **water, sanitation and hygiene**, in its external action. Last year marked the 10th anniversary of the UN resolution, which explicitly recognised water and sanitation as human rights. Moreover, in 2021, the EU marked the 10th anniversary of the mandate of the UN Special Rapporteur on the human rights to safe drinking water and sanitation which EU Member States helped to create and support.

The EU Human Rights Guidelines on Safe Drinking Water and Sanitation<sup>69</sup>, adopted in 2019 were the first EU human rights guidelines on economic, social and cultural rights. In 2021, the EU prepared its first report on the implementation of these guidelines highlighting its important contributions towards ensuring policy coherence across EU institutions. Regular monitoring of the implementation of the guidelines contributed to guide, cross-fertilise and amplify development, recovery and humanitarian actions in third countries.

However, according to the SDG 6 progress report published in July 2021 by UNICEF and WHO<sup>70</sup>, 2 billion people still lack access to safe drinking water, 2.3 billion people lack basic hand washing facilities at home, and almost half of the global population (3.6 billion people) lack safe sanitation services<sup>71</sup>. Without adequate, safe and affordable water and sanitation, billions of people around the globe are unable to lead healthy lives and lack the ability to build secure livelihoods. Moreover, access to safe and reliable water, sanitation and hygiene is a critical precondition for providing a safe school environment, especially for girls. The EU therefore promotes integrated and multidisciplinary approaches to address the challenges at the interconnections that water and sanitation have with food, energy, school and health issues.

Achieving SDG 6, delivering on the Paris Agreement and making the human rights to water and sanitation a reality will require a historic scaling up of investment into the protection and management of water resources and water services.

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<sup>69</sup> <https://www.consilium.europa.eu/en/press/press-releases/2019/06/17/safe-drinking-water-and-sanitation-council-approves-eu-guidelines>

<sup>70</sup> [WHO/UNICEF Joint Monitoring Program \(JMP\) for water supply, sanitation and hygiene- progress on household drinking water, sanitation and hygiene 2000-2020](#)

<sup>71</sup> <https://www.unwater.org/water-facts/water-sanitation-and-hygiene/>

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The EU is doing its part. The NDICI/Global Europe Human Rights and Democracy Programme gives prominence to the water sector. Out of 105 national multiannual indicative programmes, 57 have identified significant water activities. In addition, some priorities will be strengthened through horizontal spending targets. At least 20% of the Official Development Assistance spending should be dedicated to human development and social inclusion – this also includes water and sanitation. In addition, 30% of the NDICI/Global Europe Human Rights and Democracy Programme should be spent for climate change objectives, thus being an entry-point for the water sector. As part of the NDICI/Global Europe Human Rights and Democracy Programme, the European Fund for Sustainable Development Plus ('EFSD+') promotes investments in EU partner countries, especially fragile ones, by making financing capacity in the form of grants, guarantees and other financial instruments, available to eligible counterparts. It specially aims at leveraging private sector funds while at the same time maximising development impact.

### **Rural Village Water Resources Management Project in Nepal**

The EU, the Government of Nepal and the Government of Finland joined forces to provide access to safe water and basic sanitation to 100% of the population of Karnali and Sudur Pashchim provinces in Nepal, through the 'Rural Village Water Resources Management Project' ([www.rvwrmp.org.np](http://www.rvwrmp.org.np)). The project covers integrated rural water resources management and livelihoods development. It improves nutrition and livelihoods of local people through home gardens, income generation assistance and local cooperatives. It provides renewable energy for the people, with a focus on micro hydropower, mini solar grid, improved cooking stoves and improved water mills. The current Phase III started in 2016 and will run until 2022. The total cost of the project is EUR 110 million, with EUR 20 million from the EU, EUR 43 million from the Government of Finland and the remaining from the Government of Nepal and users' contributions.

In 2021, the EU continued to use its full range of public diplomacy and communication tools to promote universal access to safe, sufficient and affordable drinking water, sanitation and hygiene. HR/VP Borrell and Commissioner Sinkevicius issued a statement to mark the World Water Day in 2021<sup>72</sup>, in addition to organising public events to raise awareness of these human rights. In January 2021, a special session was dedicated to the human rights aspects of safe drinking water and sanitation during the Water and Beyond event<sup>73</sup> organised by the Commission and the Government of Slovenia. The EU publication "Water and beyond; Elements for a strategic approach on global and EU external action in the water sector" also included human rights aspects<sup>74</sup>.

<sup>72</sup> <https://www.pubaffairsbruxelles.eu/world-water-day-joint-statement-by-the-high-representative-vice-president-josep-borrell-and-commissioner-virginijus-sinkevicius-eu-commission-press/>

<sup>73</sup> <https://waterandbeyond.b2match.io/>

<sup>74</sup> [file:///C:/Users/devanar/AppData/Local/Temp/1/water\\_booklet\\_digital\\_version\\_2.pdf](file:///C:/Users/devanar/AppData/Local/Temp/1/water_booklet_digital_version_2.pdf)

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We are in the midst of a pandemic that has caused a severe health crises worldwide. The EU promotes equal access to safe, accessible, sufficient, and affordable **healthcare** including access to vaccines especially in the context of the current pandemic. Within this context, the EU increased its capacities in 2021 to improve infection prevention and control (IPC) measures in health care facilities worldwide, so they can better respond to the increasing number of patients. In addition, the EU has promoted safe hygiene practices to reduce the exposure to the disease at home, at workplaces, and in local communities. EU's integrated COVID-19 response also ensured that essential water and sanitation services and products were available for confined households and in areas with groups in vulnerable situations.

The COVID-19 pandemic has heavily affected **culture**, and in particular access to culture, which has become strongly digital, but also hampered by the digital divide. In 2021, the EU created a COVID-19 recovery recourse platform 'Creatives Unite'<sup>75</sup> for creatives and artists to share information, good practices and access resources and networks. The EU continued to promote the respect for cultural rights, ensuring the expression of diversity and cultural identity as well as promoting the preservation of cultural heritage, which are intertwined, as recognised by the 2016 EU Joint Communication 'Towards an EU strategy for international cultural relations'. The ACP-EU Culture Programme<sup>76</sup> supports cultural actors and creative entrepreneurs in Africa, Caribbean and the Pacific and valorises local cultural heritage and diversity. In 2021, the programme provided grants to 40 audio-visual co-production projects and 88 cultural organisations and individuals in the other creative sectors.

In 2021, EU partnered with its Member States' cultural institutes to support the EU Spaces of Culture that promote innovative cooperation between European and local partner organisations, in a spirit of dialogue, to help build trust and understanding between peoples. Six pilot projects (Benin-Urban Cult Lab' Africa<sup>77</sup>, El Salvador/Guatemala/Honduras-Triangulo teatro<sup>78</sup>, Ethiopia-Tibeb Be Adebabay<sup>79</sup>, Mongolia- Nagoonbaatar Eco Art Festival<sup>80</sup>, Sri-Lanka-Colomboscope, language and multitudinal belonging<sup>81</sup>, USA-The Grid<sup>82</sup>) have been implemented to test innovative models of

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<sup>75</sup> <https://creativesunite.eu/>

<sup>76</sup> <https://www.acp-ue-culture.eu/en/>

<sup>77</sup> <https://eunicglobal.eu/projects/european-houses-of-culture-benin-urban-cult-labafrika>

<sup>78</sup> <https://eunicglobal.eu/projects/el-salvador-guatemala-honduras-triangulo-teatro>

<sup>79</sup> <https://eunicglobal.eu/projects/european-houses-of-culture-ethiopia-tibeb-be-adebabay>

<sup>80</sup> <https://eunicglobal.eu/projects/mongolia-nagoonbaatar-international-eco-art-festival>

<sup>81</sup> <https://eunicglobal.eu/projects/european-houses-of-culture-colomboscope-on-language-and-multitudinal-belonging>

<sup>82</sup> <https://eunicglobal.eu/projects/european-houses-of-culture-usa-the-grid>

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collaboration until April 2021. These projects range from building a network of makers' spaces in West Africa and raising awareness of the dangers of air pollution in Mongolia, to co-production and travelling performances of contemporary drama in Central America. The results of the project and the policy recommendations were presented in June 2021 at a public conference in Brussels.

The EU National Institutes for Culture (EUNIC) and EU delegations have also implemented mid-to large-scale projects together in 2021 worldwide, supporting cultural diversity and heritage, local creative economies, and access to culture, such as Tfanen<sup>83</sup> in Tunisia, Culture bridges<sup>84</sup> and House of Europe<sup>85</sup> in Ukraine, Creative connections<sup>86</sup> in Sudan, Towards a creative economy framework<sup>87</sup> in Egypt, European cultural project for the Bicentennial of Peru<sup>88</sup> in Peru and Clic Culture to connect<sup>89</sup> in Cuba.

Furthermore, the EU-UNESCO cooperation works towards supporting cultural diversity and the protection and promotion of cultural heritage, as well as achieving several of the UN SDGs through culture. It includes projects to mitigate the impact of disasters, prevent and respond to conflicts, and support i) resilience, ii) local development, iii) decent work, iv) gender equality and inclusive societies and v) safe and sustainable cities. Projects implemented in 2021 include EU-UNESCO Expert Facility on the Governance of Culture in Developing Countries<sup>90</sup>, Culture 2030 Indicators: Measuring Culture's contribution to the 2030 Agenda for Sustainable Development, Reviving Mosul and Basra Old Cities<sup>91</sup>, Creating job opportunities for Yemen's youth through restoring cultural heritage sites<sup>92</sup>, Transcultura: Integrating Cuba, the Caribbean and the European Union through Culture and Creativity<sup>93</sup>, and ACP-EU Culture Programme - Creative Caribbean: An Ecosystem of 'Play' for growth and development<sup>94</sup>.

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83 <https://www.tfanen.org/>

84 <https://eunicglobal.eu/projects/cultural-bridges>

85 <https://eunicglobal.eu/projects/ukraine-house-of-europe>

86 <https://eunicglobal.eu/projects/sudan>

87 <https://eunicglobal.eu/projects/towards-a-policy-for-the-creative-economy-in-egypt>

88 <https://eunicglobal.eu/projects/peru>

89 <https://eunicglobal.eu/projects/cuba-clic>

90 <https://en.unesco.org/creativity/activities/supporting-new-regulatory-frameworks-strengthen>

91 <https://en.unesco.org/news/european-union-contributes-eu20-million-unescos-flagship-initiative-revive-spirit-mosul>

92 <https://en.unesco.org/doha/cashforworkyemen>

93 <https://en.unesco.org/fieldoffice/havana/transcultura>

94 <https://www.acp-ue-culture.eu/en/>

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In June 2021, the Council adopted conclusions on the EU Approach to **Cultural Heritage** in conflicts and crises<sup>95</sup>. The conclusions demonstrate that cultural heritage can play a key role in promoting peace, by fostering tolerance (inter-cultural dialogue) and mutual understanding. The conclusions provide an operational framework - for the EU institutions and the Member States, and a policy foundation for the EU to engage on cultural heritage in its external action in conflicts and crises, elaborating on principles, operational and strategic approaches in line with the humanitarian-peace-development nexus.

At the **multilateral level**, the EU and Member States successfully supported initiatives promoting economic, social and cultural rights in the HRC and the UNGA Third Committee in 2021.

The EU contributed to the reports of UN special procedures, interactive dialogues, resolutions and joint statements on these topics. Economic, social and cultural rights featured prominently in the first EU-OHCHR Strategic Dialogue co-chaired by the EUSR for Human Rights in October 2021.

### *The environment, climate change and human rights*

Climate change remains one of the greatest threats to human rights putting at risk the rights to life, health, food and an adequate standard of living of individuals and communities worldwide, bearing in mind that 3.3 billion people already live in highly vulnerable climate contexts. The European Commission tabled in July 2021 a comprehensive EU plan to reduce its greenhouse gas emission by 55% by 2030 consistent with a 1.5°C pathway. The EU aims to lead by example and push others to engage and avoid putting human lives and ecosystems at existential risks.

The EU Action Plan on Human Rights and Democracy 2020-2024, firmly established the EU commitments to address serious impacts of climate change, environmental degradation and biodiversity loss on the enjoyment of human rights. This is important also because environmental challenges can amplify existing social and gender inequalities, violence and discrimination within and between nations and generations. A part of this commitment is to empower, support and protect environmental human rights defenders and indigenous peoples, who work on the frontline to protect and conserve our land, air and waters and are facing unprecedented levels of threats and attacks.

In October 2021, the HRC approved a key resolution recognising clean, healthy and sustainable environment as a human right thanks to the support and leadership of the EU and its Member States. During the same session, the EU supported a resolution on climate change establishing a Special

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<sup>95</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/100345/building-peace-cultural-heritage-%E2%80%93-new-eu-approach-conflicts-and-crises\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/100345/building-peace-cultural-heritage-%E2%80%93-new-eu-approach-conflicts-and-crises_en)

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Rapporteur dedicated specifically on human rights impacts of climate change. This reaffirmed EU's global leadership role in the human rights, climate change and environment nexus.

In May 2021, EEAS organised a virtual seminar with experts from the UN, private sector, academia, environmental human rights defenders, indigenous peoples and civil society, as well as experts from EU institutions and EU Member States, to discuss the human rights impact of environmental degradation, biodiversity loss and water scarcity and explored approaches to prevent and address these. It also discussed how to empower those who are negatively impacted and to seek justice. The experts provided key recommendations that the EU incorporated into its policy and actions. An example is the recommendation to support the global recognition of the right to a clean, healthy and sustainable environment that guided EU action in multilateral human rights fora. Another recommendation is to recognise the specific impact of environmental degradation on women and girls, and the links between gender-based violence and the environment, for instance in the aftermath of environmental natural disasters, and with respect to women human rights defenders. These informed EU's position at CSW 66<sup>96</sup>. It was recommended to recognise the need for creating space and supporting the involvement of indigenous peoples and local communities in international decision-making, which became a part of EU's strategy at COP 15 in Kunming on biodiversity and COP 26 in Glasgow on climate change.

The environment, climate change and human rights was also a focus for the EUSR for Human Rights. In August 2021, the EUSR took part in the European Forum Alpbach and highlighted the human rights-related aspects of environmental security. In September 2021, the EUSR delivered remarks at the 48th session of the UN Human Rights Council on the adverse impact of climate change on the full and effective enjoyment of human rights.

### *Labour rights*

Promoting effective implementation of labour rights in third countries is an essential part of the EU's human rights policies. Building on the various instruments in this area, the EU ensures appropriate coverage of labour rights issues in relevant human rights dialogues with non-EU

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<sup>96</sup> The theme for CSW66: "Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes".

countries, and in further human rights exchanges with third countries, including in exchanges by the EUSR for Human Rights.

During 2021, the EU remained active upholding labour rights and promoting decent work worldwide, striving for a fair, sustainable and resilient recovery from the COVID-19 pandemic. The EU promoted fundamental principles and rights at work as well as other international labour standards. The EU continued bilateral, multilateral, trade and development cooperation with partner countries and organisations including in particular the ILO to promote the ratification and effective implementation of international ILO conventions on freedom of association and the right to collective bargaining, elimination of all forms of forced labour, abolition of child labour and elimination of discrimination in respect of employment and occupation as well as other up to date ILO conventions.

The EU actively contributed to the development and implementation of ILO standards by providing funding for a number of ILO projects<sup>97</sup>. For example, the EU provided support for an integrated approach to eliminating child labour and forced labour in the garment value chain, with a focus on eradication of child labour and forced labour and promoting decent work in cotton production.<sup>98</sup> The EU also continued supporting the ‘Better Work’ flagship programme implemented by the ILO, aimed at improving working conditions and achieving more sustainable production patterns in the global garment value chain.<sup>99</sup>

Despite increased global efforts, progress on eliminating **child labour** has slowed down in recent years. ILO estimates that in 2021 the number of children in child labour had risen to 160 million globally, nearly half of whom perform hazardous work<sup>100</sup>. The UN declared 2021 the International Year for the Elimination of Child Labour<sup>101</sup> and called the international community to step up its efforts to eradicate child labour by 2025. In line with the EU’s zero tolerance policy towards child labour, promoting the elimination of child labour remained a high priority of EU action. On 24 March 2021, the European Commission adopted an EU strategy on the rights of the child<sup>102</sup>, promoting actions in relevant areas such as: supporting and enforcing effective legislation against child labour; strengthening access to education, including in situations of conflict or crisis; or

<sup>97</sup> 56 project in 2021. <https://www.ilo.org/DevelopmentCooperationDashboard/#bd7d4pu>

<sup>98</sup> <https://www.ilo.org/DevelopmentCooperationDashboard/#bh7mdet>

<sup>99</sup> <https://www.ilo.org/DevelopmentCooperationDashboard/#bamha3e>

<sup>100</sup> ILO/UNICEF Child Labour Report, June 2021 (<https://data.unicef.org/resources/child-labour-2020-global-estimates-trends-and-the-road-forward/>).

<sup>101</sup> [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_766351/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_766351/lang--en/index.htm)

<sup>102</sup> Communication on EU strategy on the rights of the child, COM/2021/142 final.

promoting social welfare programmes for households in vulnerable situations. The EU also continued deploying its development cooperation and trade policy measures to help eliminate child labour.

### **EU support to the fight against child labour in the cocoa production chain in Côte d'Ivoire**

With a view to helping Côte d'Ivoire to face the major challenges of child labour in the cocoa production chain, on 7 October 2021, the EU launched with the Ministry of the Family, Women, and Children in Côte d'Ivoire and Save the Children the project 'Protection and Action against Hazardous Child Labour' (PACTE). With a total budget of EUR 833,000 (including an EU contribution of EUR 750,000), the project aims at strengthening the prevention and response to cases of hazardous work and worst forms of child labour over a period of 30 months in the cocoa sector of Daloa and Vavoua provinces of the Haut-Sassandra region in the country. This is the second largest cocoa producing region, with a high prevalence of children involved in hazardous work estimated at over 21.5%.

In 2021, ILO estimated that 25 million people worldwide were in **forced labour**.<sup>103</sup> On 13 July 2021, the Commission and the EEAS published guidance on due diligence to help EU companies to address the risk of forced labour in their operations and supply chains, in line with international standards.<sup>104</sup> The guidance delivers on one of the priorities of the EU Action Plan on Human Rights and Democracy 2020-2024 and of the Trade Policy Review Communication<sup>105</sup> by providing concrete, practical advice for companies on how to eradicate forced labour from their supply chains.

Promoting respect for **workers' rights and high labour standards is an integral part of the EU's bilateral engagement with third countries and territories**. Through dialogues and cooperation projects, the EU promoted mutual understanding, exchanged evidence, experiences and good practices on sustainable social and economic development and decent work. In 2021, the EU engaged with the USA, Canada, China, Japan, Taiwan, the Philippines and other partners on labour issues such as occupational safety and health, freedom of association, women's empowerment through better work-life balance, decent work in fishing, and response to COVID-19 to protect jobs and workers' rights.

The EU trade and investment agreements with third countries include obligations to comply with international labour standards and promote decent work through national laws and practices, including effective labour inspection. In particular, trade and sustainable development chapters of trade agreements signed by the EU reaffirm the parties' commitment to the decent work agenda, call for the ratification and effective implementation of the ILO fundamental and other up to date

<sup>103</sup> <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

<sup>104</sup> <https://trade.ec.europa.eu/doclib/press/index.cfm?id=2287>

<sup>105</sup> Trade Policy Review - An Open, Sustainable and Assertive Trade Policy, COM(2021) 66 final of 18 February 2021: [https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc\\_159438.pdf](https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc_159438.pdf)

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conventions and include provisions on occupational health and safety. The EU continued to engage in regular dialogues with partners on these commitments. For instance, these provisions incentivised the Republic of Korea to ratify three fundamental ILO conventions in April 2021<sup>106</sup>.

### 1.5 SUPPORTING THE RULE OF LAW AND THE FAIR ADMINISTRATION OF JUSTICE

#### *Human rights and counter-terrorism*

In 2021, the EU remained fully committed to providing continued support to its key partners in this area, with due respect for the rule of law, democracy and human rights and the values enshrined in the UN Charter and set out in the Foreign Affairs Council conclusions on EU External Action on Preventing and Countering Terrorism and Violent Extremism<sup>107</sup>, the Security Union Strategy<sup>108</sup> and the Counter-Terrorism Agenda for the EU<sup>109</sup>.

Through regular political and security dialogues on counter-terrorism (CT) with priority countries, and through multilateral coordination, the EU systematically encourages partners to strengthen their capacity to prevent and respond effectively to radicalisation, violent extremism and terrorism, while fully respecting human rights. The EU promotes the prevention and countering of violent extremism (PCVE) as a policy priority and highlights the need to involve civil society. The EU also emphasises that PCVE, and counter-terrorism policies and measures should not negatively affect, limit or impact women's rights. Furthermore, CT/PCVE policy should not be used as a pretext to restrict human rights and fundamental freedoms, democracy or the rule of law.

All dialogues and consultations with partner countries as well as international and regional organisations, initiatives and other multilateral platforms, have continuously advocated that human rights and rule-of-law principles be integrated into counter-terrorism policies, by means of, for example, developing an evidence-based criminal justice system. Due to the COVID-19 pandemic, combined with the sensitivity of the topic of counter-terrorism, only a limited number of consultations took place online with partner countries during 2021.

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<sup>106</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200\\_COUNTRY\\_ID:103123](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103123)

<sup>107</sup> <https://www.consilium.europa.eu/en/press/press-releases/2020/06/16/preventing-and-countering-terrorism-and-violent-extremism-council-adopts-conclusions-on-eu-external-action/>

<sup>108</sup> COM(2020) 605 final, 24.7.2020.

<sup>109</sup> COM(2020) 795 final, 9.12.2020.

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The EU is committed to multilateral cooperation in addressing the global threat of terrorism, in full compliance with the rule of law and international law, including international human rights law, humanitarian law and international refugee law. To this end, the EU has proactively supported and promoted human rights and the principles of international law, in all aspects of the global counter-terrorism efforts and in all its strategic partnerships, including at multilateral level, as reflected in the Seventh Review of the UN Global Counter-Terrorism Strategy<sup>110</sup>.

The EU is an active member of the Global Counterterrorism Forum (GCTF) and co-chairs, together with Egypt, the Capacity Building in the East Africa Region Working Group. The Working Group provides a forum for regional exchange and networking, including on best practices for PCVE. The three GCTF-inspired institutions (the Hedayah Centre in Abu Dhabi, the Global Community Engagement and Resilience Fund in Geneva, and the International Institute for Justice and the Rule of Law in Malta), co-funded by the EU, are mainstreaming a human rights-based and ‘whole of society’ approach in supporting the development of P-CVE programmes. As an example, the 2015-2021 EU-funded ‘Strengthening Resilience to Violent Extremism Programme’ (STRIVE Global), implemented by the Hedayah Centre, has supported 39 projects in 11 countries - mainly in Central Asia, Western Balkans, Middle East and North Africa regions - aiming to build capacities of state actors and CSOs to effectively challenge radicalisation and recruitment to terrorism while continuing to respect human rights and international law.

Furthermore, the EEAS manages the network of regional CT/Security Experts deployed in EU delegations in up to 20 priority countries, some of whom have regional responsibilities such as the EU CT/Security Experts in the Western Balkans, East Africa, the Sahel, and South East Asia. As part of their pre-deployment training, the newly appointed EU CT/Security Experts participate in a session dedicated to human rights and international law in EU external relations and are invited to link up with the focal points on human rights designated within each EU delegation in order to best integrate this dimension into their daily work.

In addition, several civilian Common Security and Defence Policy (CSDP) missions, including the EU Capacity Building Mission in Mali (EUCAP Sahel Mali) and the EU Advisory Mission in Iraq (EUAM Iraq), support the development of local CT/P-CVE capabilities, while observing human rights and rule-of-law principles.

### ***The International Criminal Court***

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<sup>110</sup> [A/RES/75/291](#), 30 June 2021.

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The EU continued to participate in the global fight to end impunity, to ensure accountability, in particular for the most serious crimes under international law, and to help to provide justice and redress for the victims of atrocities. In that context, the EU provided political, diplomatic and financial support to the International Criminal Court (ICC)<sup>111</sup>. The EU also supported other international criminal tribunals and ad hoc national tribunals, as well as truth and reconciliation commissions and redress mechanisms to protect the rights of victims to justice and reparation.

Throughout the period, significant work was conducted to ensure that support to the ICC, including the ratification of the Rome Statute, remained high on the EU policy agenda and is reflected in relevant EU human rights dialogues and consultations with partner countries. For example, the issue of ratification and national implementation of the Rome Statute was raised in the EU-Ukraine human rights dialogue.

The EU continued to promote the universality of the Rome Statute of the International Criminal Court also through its annual démarche campaign encouraging the ratification of, or accession to, the Rome Statute. A specific clause to this effect was included in agreements negotiated with non-EU countries.

The EU and its Member States increased their efforts to strengthen cooperation with the Court. In particular, the EU undertook action to encourage voluntary cooperation of states with the ICC, namely voluntary agreements on the protection and relocation of victims and witnesses, interim release and the enforcement of sentences.

The EUSR for Human Rights maintained his active engagement in promoting support for international criminal justice and in particular for the ICC. This has recently been especially important since the ICC continued to face disinformation campaigns. The EUSR continuously engaged with ICC principals, EU Member States, relevant EU institutions, international organisations and civil society, working on international criminal justice and the ICC and participated at public events, reinforcing the visibility and coherence of EU action in the fields of international criminal justice.

Financial support has also been provided to civil society organisations advocating for the universality of the Rome Statute. The EU supported in particular the work of Parliamentarians for

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<sup>111</sup> In accordance with Council Decision 2011/168/CFSP and the 2011 action plan on its implementation, as well as part of the implementation of the 2006 Agreement between the ICC and the EU on cooperation and assistance.

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Global Actions (PGA), a network of about 1,300 legislators in over 140 elected parliaments around the world (the project with PGA ended in April 2021). CSOs were also associated to the regular meetings of the EU and EU Member States on the ICC.

Support to the ICC has also continued in multilateral and regional fora such as the UN Security Council, the UN General Assembly and the UN Human Rights Council, as well as in the context of the African Union.

The EU has continued to offer technical assistance to countries that required it for domestic implementation of the Rome Statute. The EU continued to provide financial support to the ICC aimed at broadening the understanding of the ICC and the Rome Statute amongst the key stakeholders, and reinforcing national capacities in dealing with crimes under the Rome Statute. The main activities include seminars, events and trainings aimed at fostering cooperation, sharing expertise and building national capacity; the placement of legal professionals from ‘situation countries’ in the Court’s visiting professionals programme; and the development of legal tools to assist legal professionals working on core international crimes.

The EU support to the ICC is part of wider EU efforts to ensure that perpetrators of the most serious crimes under international law are held accountable for their actions. In line with the principle of complementarity, the EU provided support to the criminal justice systems of a number of countries including Afghanistan, Myanmar, Georgia, Côte d’Ivoire, Kenya, Guinea, Mali and Uganda.

Further, the EU continued to support a number of international criminal tribunals and mechanisms, including the Special Criminal Court in the Central African Republic (CAR), the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the Special Tribunal for Lebanon, and the International Residual Mechanism for Criminal Tribunals (IRMCT), which is mandated to perform a number of essential functions previously carried out by the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY).

### **1.6 CLOSING THE ACCOUNTABILITY GAP, FIGHTING IMPUNITY AND SUPPORTING TRANSITIONAL JUSTICE**

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In 2021, the EU continued to implement its policy framework on support to transitional justice. This included raising the topic with non-EU countries, in bilateral dialogues as well as with regional organisations, such as the African Union.

In his engagement on humanitarian contexts and conflicts, the EUSR for Human Rights has raised the importance of accountability for violations and abuses of human rights as well as violations of international humanitarian law. Accountability, the fight against impunity and international criminal justice have been raised in bilateral meetings with Ethiopia, Ukraine, Yemen and the Sahel region as well as in relation to Afghanistan.

The protection of human rights defenders, transitional justice and ensuring full respect for IHL remained important elements in the EUSR's bilateral engagement with Colombia. These elements, the protection of social leaders, continuing violence and transitional justice were discussed during the EUSR's visit to Colombia in November on the occasion of the fifth Anniversary of the Peace Agreement. For the sixth EU Day against Impunity on 23 May 2021, the EUSR featured the fight against impunity in Syria in a video<sup>112</sup> produced by the Eurojust and the Genocide Network.

**Transitional justice** featured among the EU priorities for cooperation with a number of countries under the NDICI/Global Europe Human Rights and Democracy Programme, as stated in the multiannual indicative programmes for cooperation with partner countries such as Burundi, CAR, Colombia, Rwanda, South Sudan and The Gambia. The process to formulate and design specific actions to implement the priorities envisaged in these programmes was launched in close consultations with the partner countries and civil society organisations.

The thematic programme on Human Rights and Democracy sets out as a priority strengthening the rule of law, ensuring fair and effective administration of justice and closing the accountability gap, and it highlighted the importance of adopting a global and coordinated approach to address the gaps and challenges in the fight against impunity for human rights violations and abuses. These actions complemented other actions which were implemented at country level under the bilateral cooperation or under the rapid response mechanism. For instance, in the DRC, the programme 11th European Development Fund (EUR 35 million) to support the justice reform continued in 2021 (it will run until 2024) with the fight against impunity as a specific objective, notably through support to criminal prosecution. In Mali, the EU supported a project that aims to bolster the fight against impunity focusing on the documentation of international crimes and the most serious cases of

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<sup>112</sup> EU Day against Impunity 2021 | Eurojust: <https://www.youtube.com/watch?v=dHXNQXNPjsU>

human rights violations. Similarly, in the Central African Republic, the EU supported a project aimed at reinforcing the access to justice for women victims of human rights violations and in Ethiopia there was a project to advance accountability and rule of law through increased engagement between policymakers and CSOs, and to establish a basis for CSO's ability to influence the process and lead to victim-centred strategies.

The EU-AU discussions on support to transitional justice at continental level advanced well in 2021. Concretely, the formulation of a specific action for the implementation of the African Union Transitional Justice Policy Action Plan is ongoing. Following the commitment of earlier EU-AU human rights dialogue, an expert seminar on Transitional Justice took place in October including keynote speeches delivered by EUSR Gilmore and AU Commissioner Bankole Adeoye. Further cooperation in this field was discussed during the EU-AU human rights dialogue held in November.

Progress on delivering justice to victims of war crimes forms an important part of the European path of the Western Balkans region. The European Commission assesses annually in its package of Enlargement reports the progress achieved by candidate countries and potential candidates in the domestic prosecution of war crimes. There is no place in the EU for genocide denial, the glorification of war criminals or inflammatory rhetoric. In 2021, a new regional programme under the Instrument for Pre-Accession assistance III was adopted to enhance prosecutions of war crimes at domestic level in the Western Balkans and to increase the shared understanding of the crimes committed during the 1990s conflicts on the territory of the former Yugoslavia.

The **EU Global Human Rights Sanctions Regime** (EUGHRSR) enables the EU to target those responsible for acts such as genocide, crimes against humanity and other serious human rights violations or abuses such as torture, slavery, extrajudicial killings, arbitrary arrests or detentions.

The restrictive measures provide for travel bans for individuals and the freezing of the funds of both individuals and entities. In addition, individuals and entities in the EU will be forbidden to make funds available to those listed, either directly or indirectly.

On 2 March 2021, for the first time the EU imposed sanctions under the EUGHRSR listing four Russian individuals responsible for serious human rights violations, including arbitrary arrests and detentions, as well as widespread and systematic repression of freedom of peaceful assembly and of association, and freedom of opinion and expression in Russia.

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On 22 March 2021, the Council imposed restrictive measures on eleven individuals and four entities responsible for serious human rights violations and abuses in various countries around the world. The violations targeted include the large-scale arbitrary detentions of, in particular, Uyghurs in Xinjiang in China, repression in the Democratic People's Republic of Korea, extrajudicial killings and enforced disappearances in Libya, torture and repression against LGBTI persons and political opponents in Chechnya in Russia, and torture, extrajudicial, summary or arbitrary executions and killings in South Sudan and Eritrea.

On 13 December 2021, the Council adopted a set of restrictive measures against the Wagner Group, a Russia-based unincorporated private military entity. The restrictive measures imposed were agreed under four different sanctions regimes - three individuals and one entity were sanctioned under the EUGHRSR. The individuals listed by the EU were involved in serious human rights abuses, including torture and extrajudicial, summary or arbitrary executions and killings. The Wagner Group has recruited, trained and sent private military operatives to conflict zones around the world to fuel violence, loot natural resources and intimidate civilians in violation of international law, including international human rights law. The sanctions signal the EU's strong determination to stand up for human rights and to take tangible action against those responsible for violations and abuses.

During 2021, the EU remained a staunch supporter of the **responsibility to protect (R2P)** concept.

In the EU, the operationalisation of R2P is promoted through the integration of R2P elements in relevant EU and national policies and instruments. The Framework Decision on Combatting Racism and Xenophobia by means of criminal law<sup>113</sup> ensures that all EU Member States criminalise racist or xenophobic acts and public incitement to violence or hatred, including online. The EU's first-ever strategy on combatting antisemitism and fostering Jewish life, adopted by the European Commission in October 2021, outlines a series of measures to significantly step up the fight against antisemitism and aims to put the EU in the lead in this area globally.

### **Israel: EU support to reducing the violence and crime in mixed cities with the Abraham Initiative**

Since 2019, the EU Delegation to Israel has worked with the implementation partner Abraham Initiative on the project 'Safe Communities: Jewish-Arab Mixed Cities'. This organisation is

<sup>113</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A133178>

focusing on building a shared society and fighting against crime and violence, and especially underlines that national policies should take into account the Arab residents of mixed cities, not just Arab cities and towns.

In October 2021, the new Israeli coalition government passed a comprehensive four-year plan to address crime, violence and their root causes in the Arab Israeli sector. The plan is built on the recommendations made by the Abraham Initiative and calls for increasing Arabs' trust in law enforcement and working with Arab elected representatives and community leaders. It has clear objectives to join all efforts in order to reduce crime, promoting tolerance and synergy between community, law enforcement, schools and government.

The EU has continued to promote the establishment of effective legal tools and policies to promote accountability and justice, as well as structures designed to identify and address early warning signs, as crucial steps towards preventing genocide and atrocity crimes. In March, the European Network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes welcomed the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) as an associate participant and focussed on accountability for core international crimes committed in Syria, specifically the use of chemical weapons. The EU continues to campaign actively for universal ratification of the Convention on the Prevention and Punishment of the Crime of Genocide, which provides the legal basis for action by States to prevent genocide.

The EU and its Member States continued to support effective and operational action on R2P in the United Nations. The EU remains a strong supporter of the Special Advisers on the Responsibility to Protect and on the Prevention of Genocide and supports the Joint Office both politically and through financial assistance. The EU works closely with the Joint Office, including on capacity training for EU delegations and EU Member States.

The EU actively participated in the UN General Assembly debate on R2P in May 2021 and all EU Member States cosponsored landmark Resolution 75/277, which firmly integrates R2P across the UN system and provides an opportunity to broaden and deepen R2P discussions towards generating better outcomes on early warning, early action and accountability. In the UN Security Council, the EU has supported the French / Mexican initiative on veto restraint where a mass atrocity has been ascertained; the EU has also encouraged the Security Council to consider the possibility offered by the Rome Statute to refer situations to the ICC. In the HRC, the EU was one of the main

contributors to the February 2021 intersessional meeting mandated by Resolution 43/29, focussing on promoting States' participation in regional and sub-regional initiatives for the prevention of genocide.

The EU has worked closely with partners such as the Group of Friends of R2P and the Global Network of R2P Focal Points and participated in the ministerial meeting on R2P in the margins of the UNGA in September, focussed on R2P and the role of women and girls in atrocity prevention.

## **2. BUILDING RESILIENT, INCLUSIVE AND DEMOCRATIC SOCIETIES**

### **2.1 ENHANCING DEMOCRATIC, ACCOUNTABLE AND TRANSPARENT INSTITUTIONS**

It is now a fact that democracy is under threat including in its traditional bastions. The figures speak for themselves: the V-Dem<sup>114</sup> democracy report 2021 indicates that as much as 68-70% of the world's population is living under autocratic regimes. International IDEA 'Global State of Democracy report 2021'<sup>115</sup> shows that the number of countries moving in the direction of authoritarianism is three times the number moving towards democracy. Furthermore this report underlines that the quality of democracies is diminishing.

In 2021, the COVID-19 pandemic continued to worsen this trend with increased attempts by authoritarian regimes to undermine democratic values and polarise societies by information manipulation. However, the statistics and analysis produced by the research community, confirm that democracy is still the form of governance that delivers the best for people everywhere and in all spheres: healthcare, climate change, social equity and fundamental rights.

In this context, the EU has intensified its efforts to protect, defend and support democracy following the priorities outlined in the EU Action Plan for Human Rights and Democracy 2020-2024. The EU has strengthened the cooperation with partner countries and international and regional organisations to promote inclusive and representative decision-making and a deliberative and participative model of democracy with a strong focus on women and youth. The EU worked hand in hand with civil society, independent media, research centres, think tanks, and academia with a renewed bottom-up perspective.

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<sup>114</sup> [https://www.v-dem.net/media/filer\\_public/74/8c/748c68ad-f224-4cd7-87f9-8794add5c60f/dr\\_2021\\_updated.pdf](https://www.v-dem.net/media/filer_public/74/8c/748c68ad-f224-4cd7-87f9-8794add5c60f/dr_2021_updated.pdf)

<sup>115</sup> <https://www.idea.int/gsod>

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As an example, in the framework of the **Case for Democracy**, an EU funded research and awareness initiative carried out by the V-Dem Institute, five webinars exploring different aspects of democracy took place as part of the Case for Democracy Week. It brought together academics and policymakers to discuss findings on the dividends of democracy for a series of development outcomes: economic development, human development and infrastructures, human development and health, security, and combatting climate change. The initiative also produced five policy briefs distilling the hard scientific evidence for the dividends that democracy brings. The Case for Democracy initiative concluded with a two-day hybrid conference bringing together a range of academic, policymakers and democracy support practitioners to discuss and exchange on the latest finding on the dividends of democracy.

Through the financial assistance in the **enlargement and neighbourhood regions**, the EU continued to support reforms aimed at strengthening democracy, preventing and tackling corruption, and reinforcing the protection of human rights. In September 2021, the **Instrument for Pre-accession Assistance (IPA) III** Regulation entered into force. Following the revised enlargement methodology adopted in 2020, it placed the ‘fundamentals’ - rule of law, fundamental rights, strengthening democratic institutions, public administration reform - at the core of the instrument, with the first of the five thematic windows dedicated to it.

The EU’s efforts to protect democracy beyond the EU are led in **synergy and complementarity to the priorities for the EU** set in the European Democracy Action Plan<sup>116</sup> and Reinforcing democracy and integrity of elections package<sup>117</sup> assuming that domestic and foreign challenges are interlinked. The role of research and innovation will be key to strengthen the resilience and stability of democracies. Horizon Europe’s specific intervention area on Democracy and Governance will provide support and funding for research and innovation projects aimed at improving trust in democratic institutions, media, human rights and the rule of law, and protect democracy from multidimensional threats, including disinformation.<sup>118</sup> Calls under the first work programme in 2021 have focused, among others, on democratic politics in the EU neighbourhood, politics and

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<sup>116</sup> European Democracy Action Plan, COM (2020) 790 final of 3 December 2020: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN&qid=1607079662423>

<sup>117</sup> Protecting election integrity and promoting democratic participation COM/2021/730 final of 25 November 2021: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021DC0730>

<sup>118</sup> Horizon Europe: Strategic Plan 2021-2024, European Commission, Directorate-General for Research and Innovation, Publications Office, 2021: <https://data.europa.eu/doi/10.2777/083753>

governance in a post-pandemic world, the evolution of political extremism or global governance for a world in transition.

The EU's commitment is part of a renewed effort on the global level. The **Summit for Democracy** hosted by President Biden in December 2021 gave a strong impetus for building alliances around values and promoting initiatives that protect democracy and foster democratic processes across the world. The EU, as a longstanding supporter of democracy, human rights and the rule of law, actively participated in this event and committed to play a major role in the 'year of action' following this first edition of the summit.

### **Team Europe Democracy**

In order to renew global democracy support, the EU has adopted a set of individual measures. Among these, Team Europe Democracy (TED) is a newly launched flagship initiative created with the aim of promoting and strengthening democracy globally.

TED will be acting at three different levels: to increase the knowledge on democracy support and democracy research support, to create networks between EU Member States, CSOs, practitioners and democracy partners, with the purpose of exchanging information, and to promote collaborations on democracy support amongst TED members.

By doing this, TED aims to put forward a more coherent vision of EU's democracy support actions. TED will be focusing its activities on three main areas of interest to democracy support: accountability and rule of law, political and civic participation, media and digital.

Through its network building capacity, TED aims to become a forum for EU and Member States to make their democracy support actions more visible, more targeted and part of a strategic approach to promoting and defending democracy. Additionally, TED responds to the Summit for Democracy with actions to support civil society views being included in the Summit.

### ***Monitoring electoral processes to strengthen democratisation***

**Election observation** continues to be a highly visible demonstration of the EU's commitment to support democratisation and strengthen confidence in elections by deterring fraud and providing informed and factual assessment of electoral process. Election Observation Mission analysts have systematically taken into consideration the outcomes of the Universal Review Process (UPR) process when analysing the overall democracy and electoral framework of an observed country.

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In 2021, despite the restrictions linked to the COVID-19 pandemic, and in close consultation with the European Parliament, **Election Observation Missions (EOMs)** were deployed to Zambia, Kosovo, Iraq, Venezuela, Honduras, and The Gambia.

**Election Follow-up Missions (EFMs)** were deployed to Lebanon, Liberia, El Salvador and Sierra Leone.

**Election Expert Missions (EEMs)** were deployed to Ecuador, Kosovo, Libya, Palestine, Peru, Somalia and El Salvador.

The EU stepped up actions in support of democratic institutions at the **local level**. For example, the **EU EOM deployed to Kosovo** in October/November 2021 for the local elections provided recommendations for the strengthening of electoral frameworks governing the election of local assemblies/mayors.

At country level, the EU has been **coordinating with international and regional observer groups**. This was the case in Zambia in August 2021 where the EU EOM engaged closely with the African Union and the Commonwealth observation missions.

### **The Gambia – EU support to the democratic transition**

The democratic transition in The Gambia in 2021 was marked by the peaceful conduct of the presidential election on 4 December. The country successfully managed to complete the first phase of its transition from dictatorship to democracy by passing the litmus test of historically unprecedented, competitive, and credible elections that landed the current president a solid mandate for a second term. Voter turnout was impressive at 89.3% and demonstrated how engaged Gambians are with the course that their country is taking. Civil society organisations made a key contribution to the positive conduct of the elections both by actively educating Gambians on the process, and by acting as domestic observers throughout the process. The EU Election Mission deployed to observe the 2021 presidential election acknowledged the democratic gains made since 2017. The Mission highlighted at the same time that major legislative reforms had not yet materialised and stressed the need for fundamental legal reforms, including Constitutional reform, which, despite efforts to reach a political consensus, stalled in 2020. Following The Gambia's parliamentary elections in April 2022, a renewed impetus for reforming the authoritarian-era legal architecture is widely expected.

### *A systematised follow-up of the Election Observation Missions' recommendations*

The EU has constantly assessed and encouraged the implementation of **EU EOM's recommendations** through the deployment of follow-up missions, political dialogue and cooperation programmes.

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The recommendations of EU electoral observation missions aim at supporting partner countries to strengthen the rule of law, the separation of powers, the independence and impartiality of the judiciary, and institutional checks and balances. They contributed to strengthening the capacity of election management bodies and public administrations by promoting inclusive legislative frameworks and their effective enforcement.

The recommendations also contributed to support **women's and youth's** meaningful participation in political life. EOMs assessed women's -and increasingly youth- participation in electoral processes, as candidates, electoral administrators and voters. As an example, the EFM in Liberia dedicated special attention to the follow-up of recommendations concerning measures enhancing women's participation in political parties in the electoral reform processes.

In the context of the '**Declaration of Principles**' (**DoP**) **Convening Committee** (comprising most key international and regional observer organisations including OSCE/AU and OAS) in November, DoP members have agreed to foster a **more common and effective approach** towards the follow-up of international observers.

For example, in order to follow up on electoral observation mission recommendations issued by the **OSCE/ODIHR and the EU**, a new phase of a dedicated project in the Western Balkans was launched in January 2021, with a focus on five thematic areas: election management, voter lists and registration, work of media regulatory bodies, ability to campaign and electoral dispute resolution.

In order to ensure that election support projects are more sensitive to both national and international election observers' recommendations, the EU seeks to reinforce them with additional technical assistance. Such ATE UE (*Assistance Technique Electorale UE*) was provided in Chad, Mali, Sierra Leone and CAR.

### *A methodology on election observation adapted to the current challenges*

The observation of the online aspects of elections has been systematic in all EU election observation missions, all of which included a 'social media expert' in the core teams.

**Common guidelines on observation of the online campaign** and on **best practices for Electoral ICT** have been developed and finalised in the context of the **Declaration of Principles for International Election Observation** endorsed by the UN. The **DoP Convening Committee** took

place in November in Brussels and was co-hosted by the EEAS and the European Parliament. A specific point of debate on the guidelines for electoral information and communication technology and online campaign took place. This represents important work to strengthen the methodologies of all the international observer organisations and to provide a common framework for analysis.

### *Enhancing the collaboration with domestic observers*

The EU has cooperated closely with **citizen observers** throughout the entire deployment of EU Election Observation Missions. In addition, EU delegations were encouraged to further strengthen partnerships with citizen observers in the context of the follow-up to the implementation of EOM recommendations.

The EU stepped up its efforts to provide technical assistance to local observer groups in order to increase their technical capacity and resilience. As an example, the EU is currently supporting the MODELE Mali (*Mission d'Observation Des Élections au Mali*) which is a consortium of civil society organisations preparing to observe the *Assises Nationales de la Refondation*, the constitutional referendum, and the legislative and presidential elections.

In Zambia, the EU brought support to the CCMG (Christian Church Monitoring Group) through the Swedish organization Diakonia. CCMG's participation contributed to increase the level of trust in an electoral process which allowed a peaceful transfer of political power.

The EU has also renewed its support to the RAC-CAR (*Réseau Arc-en-Ciel en RCA*) through partnering with the Electoral Institute for Sustainable democracy in Africa (EISA). The 17-CSO platform, reflecting the cultural diversity of the Central African Republic, managed to observe the 2021 legislative elections in the country despite the security challenges.

Still mainly through EISA, the EU brought financial and technical support to Somaliand Non-State Actors Forum (SONSAF), Puntland Non-State Actors (PUNSAA) and Somalia Non-State Actors (SONSA) to deploy citizen observers for the local elections. The same EU project also helped the same CSOs preventing electoral violence prevention thanks to peace monitors, and promoting female participation thanks to a women's situation room.

Bringing support to citizen election observers outside election periods allows CSOs to maintain their knowledge and expertise and to advocate for electoral reforms based on their findings and recommendations. Such approach is being successfully implemented in Sierra Leone with the 400-

CSO network of National Election Watch enjoying EU financial support, and in Zimbabwe with the Zimbabwe Election Support Network.

### *Strengthening the role of Parliaments*

As regards strengthening the role of parliaments, the EU flagship project INTER PARES | Parliaments in Partnership - EU Global Project to Strengthen the Capacity of Parliaments entered into its third year of implementation. The project contributes to building the capacities of a selected number of partner countries' parliaments in a **peer-to-peer** approach by facilitating exchanges with EU Member States' parliaments.

In 2021, there were 15 active partnerships with Bhutan, Maldives, Malaysia, The Gambia, Panama, Mauritania, Trinidad and Tobago, Malawi, Montenegro, Peru, Chile, Niger, Cote d'Ivoire, El Salvador, and Libya.

Moreover, the project is supporting key global initiatives such as the AGORA platform that brings together the community of practice on parliamentary development, the Inter-Parliamentary Union's Centre for Innovation in Parliament as well as its initiative to develop international indicators for democratic parliaments, and the iKnowPolitics platform on women political participation.

## **2.2 PROMOTING RESPONSIVE, INCLUSIVE, PARTICIPATORY AND REPRESENTATIVE DECISION-MAKING**

Support to political party systems continued to be provided in 2021 through EU-funded projects in Bolivia, Malawi, Honduras, Morocco, Benin, Ethiopia among others, with a focus on enhancing **women and youth political participation**, and on strengthening **multi-party systems, fair and transparent political party financing** policies and **democratic internal organisation** of political parties.

At country level, the EU has been supporting **women political empowerment**. For example, in CAR's 2021 legislative elections, several women candidates benefited from the EU-Democracy Support programme implemented by the Belgian development cooperation agency Enabel. The same programme is now partnering with the *Forum des Femmes Parlementaires de Centrafrique* (FFPC).

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In Malawi, the EU-funded Young Women in Active Politics (YWAP) project, implemented by the Danish Institute for Parties and Democracy, has gathered a wealth of experience in supporting women candidates since the local and national office elections of May 2019. Many barriers to their equal participation were identified and ways to overcome them in 2024 are being devised.

**Youth participation** has been a challenge in many countries over 2021, not only as candidates but even as voters in elections where significant portions of youth could not cast a ballot. Through helping partner countries develop inclusive civil registries, the EU fulfills a first step for them to appear on the voter list. Such development cooperation programmes were being implemented in West Africa, for example in Mali, Senegal and Guinea.

### **2.3 SUPPORTING INDEPENDENT AND PLURALISTIC MEDIA, ACCESS TO INFORMATION AND THE FIGHT AGAINST DISINFORMATION**

**Access to information**, a non-discriminatory internet and fight against internet shutdowns continued to be part of EU action and bilateral diplomacy including through regular meetings and exchanges with expert organisations.

An increasing number of EU delegations conducted **media-literacy activities** through different implementing partners (for teachers, youth, journalists and the wider public).

**Foreign information manipulation and interference (FIMI)** presents one of the core challenges to democracies and societies around the world. Foreign state and non-state actors employ a wide range of tactics, techniques and procedures to manipulate, corrode and destabilise our democracies for their own goals. FIMI is a constantly growing security and foreign policy issue. It threatens the functioning of democracies, human rights such as the freedom of expression and media, and the well-being of societies in the EU and around the world, including in the electoral process. The COVID-19 pandemic, and the related ‘infodemic’, is an example of how FIMI affects in particular the health of individuals, but also demonstrating how malicious actors exploit the crisis to advance their own goals.

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During 2021, in line with the EU's common values and its mission to protect and promote the freedom of expression, media freedom and pluralism, online and offline, and access to information, the EU undertook actions to counter FIMI. Efforts focused on further developing the EU **toolbox of measures** to strengthen situational awareness, resilience building, disruption and diplomatic responses in order to better identify, assess and respond to this threat in close cooperation with EU Member States and international partners.

The **European Democracy Action Plan** contains a number of measures geared at strengthening the EU's framework to counter foreign disinformation, information manipulation and interference, by fostering discussions on a common understanding of the threat, developing a common analytical framework to enhance the interoperability of our assessments and by making our toolbox to respond to the threat more effective.

As also announced in the European Democracy Action Plan, the Commission issued guidance to strengthen the Code of Practice on Disinformation in May 2021. The Code is the first such framework worldwide setting out commitments by platforms and industry to fight disinformation.

The **European Digital Media Observatory (EDMO) network** of civil society and academic institutions produced monitoring and analysis on disinformation throughout Europe. The **EUvsDisinfo** website has so far compiled more than 13,000 disinformation cases covering more than 20 countries.

The EU continued to implement a wide range of measures **to support civil society**, in particular media outlets and fact checkers **particularly in its neighbourhood** in their fight against disinformation, information manipulation and interference, including working with IT companies and improving societal resilience. A network of Media and Information analysts in EU delegations in the neighbourhood was created and regular meetings were held with the MENA network of experts to monitor and craft responses to disinformation in the Southern Neighbourhood and the wider region.

Specific support was offered to EU delegations to advance **countering disinformation**, including in Brazil, Venezuela and Colombia.

The EU continued its comprehensive support to **media** freedom, fighting disinformation and helping public broadcasters as well as independent media and outlets to become more professional and financially sustainable. This includes, for example, large bilateral programmes in Tunisia and

Ukraine, a new EUR 4 million programme ‘**EU4Independent Media**’ in the Eastern Partnership countries, and EUR 9 million grants to provide core support to independent media and journalists serving the public interest in the Southern Neighbourhood. In addition, regional and bilateral programmes amounting to approximately EUR 29 million have supported freedom of expression and independent journalism in the Western Balkans.

With renewed financial support from the EU, the **European Endowment for Democracy (EED)** was extended to the neighbourhood and enlargement regions, awarding almost 300 new grants in 2021, including around 40% funding to support journalists, independent media and social media platforms, as well as to help independent media fulfil its role in advancing democratic societies.

### **EU supporting independent media and access to information in Timor-Leste**

Rigorous journalism that allows scrutinising political activities is fundamental in a healthy democracy. It not only helps informing the citizens, but also intensifies the interaction between citizens and policy makers, especially during the strong COVID-19 limitations.

In Timor-Leste, like in many countries around the world, the National Parliament focused its debates in 2021 on approving successive states of emergency, as well as adopting preventive measures to fight the pandemic and its harmful social and economic effects.

Given the impact of the pandemic on the daily lives of citizens, it became essential to ensure that journalists cover these debates in a safe way that would allow reporting in a timely and accurate manner of all the steps and measures taken by the policy makers.

Aware of these concerns, the EU supported the construction of a press centre within the perimeter of the National Parliament, named “Uma Komunikasaun” (House of Communication) to provide an enabling working environment for the work of journalists reporting on the parliamentary sessions. This media centre, built with local materials and equipped with modern technology, computers, internet access and VTC conferencing facilities, contributed to bringing the policy makers closer to the citizens.

Today, more than ever, we need media that is free from constraints and able to assume its role as a “fourth pillar” within the democratic architecture of a nation.

In 2021, following the adoption of the European Commission proposal for a **Digital Services Act**<sup>119</sup>, relevant European Parliament Committees adopted opinions in September and October while the European Council agreed on a position in November 2021.

The Digital Services Act proposes **binding EU-wide obligations** applying to all digital services that connect consumers to goods, services or content, including new procedures for faster removal of illegal content as well as comprehensive protection of users' fundamental rights online. The new framework is based on European values - namely human rights, freedom, democracy, equality and the rule of law and will rebalance the rights and responsibilities of users, intermediary platforms and

<sup>119</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=COM%3A2020%3A825%3AFIN>

public authorities. The proposal complements the European Democracy Action Plan which is geared at making democracies more resilient.

As part of its Reinforcing democracy and integrity of elections package, the Commission adopted a legislative proposal on transparency and targeting of political advertising<sup>120</sup>. This initiative applies to all political advertising prepared, placed, published or disseminated in the European Union, or directed to individuals in one or several Member States, irrespective of where the advertising services provider is based, and irrespective of the means used. This will ensure more transparency and accountability of service providers acting from outside the Union.

### **2.4 REINFORCING A HUMAN RIGHTS AND PARTICIPATIVE APPROACH TO CONFLICT PREVENTION AND CRISIS RESOLUTION**

#### ***Women, Peace and Security, Youth, Peace and Security and Children and Armed Conflict***

The EU's work on gender equality and women's protection and empowerment in conflict situations forms part of the EU's implementation of the **Women Peace and Security** (WPS) Agenda. The EU policy is based on relevant UN resolutions and is formulated in the 2008 Council conclusions and the EU Strategic Approach to WPS and its Action Plan, integrated into the GAP III. Gender balance and gender mainstreaming are critical components in the prevention, management and resolution of conflicts as well as in long-term peacebuilding. The WPS Agenda has gradually become a more prominent area of multilateral, regional and bilateral partnerships notably the cooperation with the UN, NATO, OSCE, ASEAN Regional Forum, AU and other partners in Africa, Latin America and the Caribbean, among others. In the EU-UN strategic partnership, the WPS Agenda remained a priority for peace operations and crisis management. It is also a prioritised part of the cooperation with NATO under the EU-NATO Joint Declaration and is increasingly included in security as well as in human rights dialogues with non-EU countries.

The **Common Security and Defence Policy** (CSDP) missions and operations contribute to the implementation of the EU policy on human rights, gender equality and WPS. Gender equality and human rights were included in the CSDP trainings in the headquarters and the field, most CSDP missions and Operations have dedicated gender and human rights advisers and focal points, and the

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<sup>120</sup> Proposal for a Regulation of the European Parliament and of the Council on the transparency and targeting of political advertising, COM (2021) 731 final of 25 November 2021:  
[https://ec.europa.eu/info/sites/default/files/2\\_1\\_177489\\_pol-ads\\_en.pdf](https://ec.europa.eu/info/sites/default/files/2_1_177489_pol-ads_en.pdf)

CSDP missions and operations organised numerous activities to mark the international human rights days. Human rights, international humanitarian law and WPS are also integrated in the training and capacity building activities in the partner countries. There was also an active engagement with the EU Member States Task Force on WPS. In December 2021, the EEAS Ambassador for Gender and Diversity engaged with the EU Military Committee on WPS issues. Member States were encouraged to increase the number of women in the CSDP missions and operations. ‘Gender responsive leadership’ was also promoted through engagement with the CSDP military and civilian leadership. CSDP personnel continued during 2021 to be trained on gender equality and WPS including conflict related issues and sexual violence. Furthermore, a Strategy and Action Plan on improving the numbers of women at all levels, was adopted in the end of 2021. This Strategy and Action Plan are now being operationalised into concrete action for enhanced gender balance.

### **European Union Monitoring Mission (EUMM) in Georgia gender analysis of the Ergneti Incident Prevention and Response Mechanism**

EUMM Georgia conducted a gender analysis of the Ergneti Incident Prevention and Response Mechanism (IPRM), a conflict resolution/management mechanism co-facilitated by EUMM and OSCE. The gender analysis on the IPRM is the first of its kind, focusing on the overall gender-responsiveness of the IPRM in terms of the level of women’s meaningful participation in the mechanism. The analysis provides a number of concrete recommendations to enhance gender mainstreaming and women’s participation. The mission has also developed an internal action plan to implement the IPRM gender analysis recommendations.

The EU has also continued to work on the implementation of the first priority area focussing on Women, Peace and Security of the UN – EU Strategic Partnership on Peace Operations and Crisis Management 2019-2021. In the framework of this partnership, the EU and the UN organised a joint webinar ‘Building a stronger network between UN and EU Gender Equality/Women, Peace and Security experts’ on 14 December 2021. Over 30 experts including from the EU and UN field missions from Somalia, Kosovo, Libya, Iraq, Mali and CAR participated to take stock of the achievements, to discuss the types of cooperation formats and mechanisms that could be established in the field and to plan ways ahead as the WPS priority area has been carried over to the next period of the UN – EU partnership in 2022-2024. The purpose of the webinar was to build stronger community of practice among gender experts and enhance field level cooperation on WPS.

In 2021, a study on Women, Peace and Security in EU mediation was assigned to assess EU mediation actions and their pertinence and efficiency with regard to promoting effective participation of women. A new Concept on EU Peace Mediation started being implemented in 2021 in line with Council conclusions adopted at the end of 2020. The first ever EEAS Guidelines on Peace Mediation accompany the new concept and support EU mediators and implementing partners

in translating EU mediation principles in practise. These documents provide the EU with a solid basis for using peace mediation as a tool of first instance. A gender and diversity approach was mainstreamed into all mediation practice and planning.

**Gender perspective, Women, Peace and Security (WPS), and Children and Armed Conflict (CAAC)** thematic issues have been integrated horizontally in the work of the Institute for Security and Development Policy (ISPD), in particular into planning processes, conflict analysis screening and into the mandates of CSDP missions and operations and into the strategic reviews. Gender/WPS, Youth Peace and Security (YPS) and CAAC elements have also been mainstreamed into thematic work such as the Concept on Cultural Heritage in Conflicts and Crises, the Concept for an Integrated Approach on Climate Change and Security and Disarmament, demobilization and reintegration (DDR) Joint Communication, all adopted in 2021.

Human rights and international humanitarian law, as well as a focus on youth and women, peace and security are also integrated into the Partnership for Security and Stability in the Sahel (P3S) or pillars two and three of the Sahel Coalition Roadmap. Some of the afore-mentioned aspects are also crosscutting issues in the Sahel Coalition Roadmap. The Secretariat P3S facilitates and contributes to the coordination and facilitation of the P3S agenda / pillars 2 and 3 of the roadmap.

Throughout 2021, the ISPD was conducting a follow-up Baseline Study on Integrating Human Rights and Gender Equality into CSDP. The purpose is to measure progress against the baselines established in 2015/16 and formulate new recommendations to improve further human rights and gender mainstreaming within CSDP structures.

### ***Compliance with International Human Rights and Humanitarian Law***

Promoting compliance with **international human rights and humanitarian law** is a key human rights priority for EU crisis management structures in the headquarters and in the field. To take forward this priority, human rights considerations are included into planning processes, conflict analysis screening and mainstreamed into the mandates of the Common Security and Defence Policy (CSDP) missions and operations and into the strategic reviews. All civilian missions have human rights expert positions and military missions and operations have at least a human rights focal point to ensure the operationalisation of this priority in the field setting.

UN structures notably the OHCHR are important external partners for the EU when it comes to cooperation on human rights in the context of peace and security. The **UN – EU Strategic**

**Partnership on Peace Operations and Crises Management** 2019-2021 included human rights as a crosscutting element of the partnership, however, the next set of priorities for 2022-2024, finalised in December 2021, goes further and has included cooperation on promoting compliance with human rights and IHL as a separate objective of the partnership.

EEAS crisis management structures have established a **solid partnership with the OHCHR**. A concrete example of this partnership is the organisation of the EEAS – OHCHR joint webinar on ‘Promoting compliance with international human rights and humanitarian law: international human rights and humanitarian law risk management in support to national and regional security actors and operations’ on 8 June 2021. The webinar discussed existing best practices and identifying opportunities to coordinate better the approaches to human rights and IHL risk management. The follow-up activities include a stronger human rights focus in the next set of UN – EU priorities, regular high-level contacts between senior managers and operational activities in the field.

The EU consistently supported the promotion and application of IHL, among others through the inclusion of **dedicated IHL modules in training provided through the EU military training missions and operations**. In particular, the EU provided IHL training to the recently established military CSDP EU Training Mission in Mozambique, in the context of the European Peace Facility Assistance Measures proposed in 2021, and in dialogue with the security and defence community, both internally in the EU and with key international partners. Furthermore, the EU increased its internal capacity on IHL, by providing IHL trainings for EU military, security forces and diplomatic personnel, provided by the European Security and Defence College and joint activities with the ICRC.

**Technical assistance programmes** are an important component for the efficient implementation of mitigation measures destined to reduce human rights and IHL risks associated with security sector support to third countries. Currently, several such technical assistance projects are being funded under NDICI/Global Europe Human Rights and Democracy Programme. EU crisis management structures in the headquarters and in the field are involved in and support the implementation of those programmes. They include, *inter alia*, the support to G5 Sahel countries internal security forces in the fight against impunity and strengthening ties with local communities in Mali and Burkina Faso (implemented by the Danish Institute for Human Rights) and in Mauritania, Niger and Chad (implemented by OHCHR), the Human Rights Compliance Framework Project for the G5 Sahel Joint Force (implemented by the OHCHR), the Civilian Casualties Identification, Tracking

and Analysis Cell of the G5 Sahel Joint Force (implemented by CIVIC), and the support to Provost Marshals and Legal Units to enhance Military Justice (implemented by Expertise France).

### **EU Capacity Building Mission in Mali (EUCAP Sahel Mali) support in 2021**

EUCAP Sahel Mali has supported the Directorate of Military Justice of Mali since 2018 through technical, material and infrastructural support and has witnessed key developments throughout 2021. The Military Court of Bamako held its first effective criminal trial in November 2021 which is a landmark in the fight against impunity and the promotion of human rights. This criminal trial follows prior correctional trials in 2020 and 2021, held in Bamako, Segou and Mopti, where two dozen of cases were tried in total (including the first military trials ever in Mopti). EUCAP Sahel Mali also supports the reform of the Military Justice Code in close coordination with the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the UNDP and the ICRC. A new Military Justice Code, more compliant with international standards, is currently under review and is expected to be adopted in 2022.

EUCAP Sahel Mali together with the Malian National Human Rights Institute supports the Malian National Police in the establishment of a **network of human rights focal points within the police**. In November 2021, the human rights focal points of Bamako met for the first time, and a training was held on 8-10 December, celebrating also Human Rights Day. The training produced an action plan for the network, which includes activities of promoting human rights within the respective units of the focal points, the establishment of a watch committee within the police and the establishment of the network outside Bamako.

### ***Human rights mainstreaming***

In September 2021, the civilian CSDP missions were issued with Operational Guidelines on Human Rights Mainstreaming and Human Rights Due Diligence. The guidelines advocate for a human rights based approach in promoting and addressing human rights violations and abuses. By expanding the human rights toolkit, the guidelines provide missions with a uniform and recognisable approach to EU policies pertaining to the respect for human rights and international humanitarian law. The guidelines will notably cover all phases of the mission cycle, i.e. analysis, planning, conduct of operations/mandate implementation, reporting, monitoring and evaluation, and review. They also take account of the mission's responsibilities related to staff, such as human resources, working environment, the code of conduct and training. Human rights mainstreaming is used to increase CPCC's capacity to plan, conduct and review missions at both strategic and operational levels. It helps improving the capacity and consistency of civilian CSDP missions by defining the fundamental principles and approaches with host authorities.

Human rights and international human rights law are at the heart of the mandates of the military CSDP missions and operations. The CSDP military executive operations have mainstreamed human rights principles into their engagement with local populations, including in the maritime

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environment. The non-executive EU Training Missions have included human rights and international human rights law in their training and advisory activities in collaboration with local security forces. Internally, the military CSDP missions and operations have legal advisers who ensure the compliance with international law. There are also codes of conduct to ensure a conducive working environment in the military missions and operations.

### 3. PROMOTING A GLOBAL SYSTEM FOR HUMAN RIGHTS AND DEMOCRACY

#### 3.1 MULTILATERAL COOPERATION

The EU maintained its leadership in the universal promotion and protection of human rights, democracy and the rule of law in multilateral fora, including in the UN Human Rights Council (HRC) and the Third Committee of the UN General Assembly (UNGA).

#### *76th session of the United Nations General Assembly Third Committee*

The Third Committee session took place from 30 September to 18 November 2021 in an overall constructive atmosphere. Despite the difficulties imposed by the hybrid format, over 60 interactive dialogues with UN special procedures and senior officials were held online, and 63 resolutions were adopted. The **12 country specific and thematic resolutions led by the EU and its Member States** enjoyed large support. The HR/VP held a series of high-level bilateral meetings during the UNGA week with human rights as a key element in his engagement, especially in the context of developments in Afghanistan. In general, despite the efforts of rationalising the work of the Third Committee, there has been an increased number of resolutions presented. More resolutions on social and economic rights were on the agenda.

The EU continued to counteract attempts to weaken the international human rights system. It monitored the human rights situation globally and denounced human rights violations and abuses, also using the instrument of **the country specific resolutions**. For the first time, the joint EU-OIC resolution on the human rights situation of Rohingyas and other minorities was adopted by consensus, and contained important language on human rights violations following the February 2020 coup, as well as accountability. The traditionally consensual EU-led resolution on the situation of human rights in the Democratic People's Republic of Korea continued to be adopted without vote.

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On **thematic issues**, cooperation between EU and GRULAC worked well for the biennial resolution on the **rights of the child**, which was also adopted by consensus. The resolution recalls the interconnection between the realisation of the rights of the child and the implementation of the SDGs, and widely addresses digital and environmental issues. The resolution on **freedom of religion or belief** was adopted without a vote, as in previous years, while increasing the number of cosponsors.

The EU and the US coordinated a joint statement on the human rights situation in **Belarus**, which was signed by 46 partners, which allowed to maintain the concerns related to the situation in the country high in the agenda. The statement condemned the reprisals against civil society and HRDs and called on Belarusian authorities to stop instrumentalising migration for political purposes. In this context, the EU did not cosponsor in 2021 the Belarusian resolution on improving the coordination of efforts against trafficking in persons. The EU traditionally strongly supported the resolutions on the human rights situation in **Syria** and **Crimea and the city of Sevastopol**. On the latter, the EU participated in the core group from the beginning. The EU also maintained unanimity in expressing opposition – by abstaining – to the Russian-led resolution on combatting the glorification of Nazism.

Other **resolutions** such as water and sanitation, promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, crime prevention and criminal justice, rare diseases, youth, safety of journalists, National Human Rights Institutions (NHRIs), and protection from enforced disappearance were presented by EU Member States and adopted. After challenging negotiations during each session, this time all gender-related resolutions (violence against women migrant workers, girl child, rural women, implementation of the Beijing Declaration, water and sanitation) were adopted by consensus demonstrating that support for gender equality remains strong within the UN membership.

### *United Nations Human Rights Council sessions in 2021*

The EU supports the work of the UN human rights system in addressing human rights abuses and violations, including through country-specific statements and resolutions, commissions of inquiry, fact-finding missions and other special procedures and the UPR. The EU actively supports all those who act against human rights abuses and violations.

In 2021, together with EU Member States and like-minded partners worldwide, the EU has continued to spearhead thematic and country-specific initiatives in the UN human rights fora. The

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EU has actively boosted cross-regional cooperation in multilateral human rights fora to ensure strong results in the increasingly difficult context of challenges to multilateral institutions and many negative trends around the world in human rights, democracy and the rule of law. The EU's leverage in the Council remains strong. The joint EEAS and Member States' targeted outreach was key to the success of the EU initiatives.

The EU continued to support the efficiency and effectiveness of the UN Human Rights Council, and better links with the work of the UNGA Third Committee and synergies with other multilateral and regional human rights fora. Throughout 2021, the strategic cooperation with the Office of the High Commissioner for Human Rights, both at central level and with field offices has been enhanced, especially through the first meeting in a new format of an annual Strategic Dialogue between the EU and OHCHR held on 12 October 2021.

Throughout 2021, the EU reiterated its long-standing position that all human rights are universal, indivisible, interdependent and interrelated, especially during the post-COVID-19 recovery. The HR/VP took part in the High Level Segment of the 46th session of the Human Rights Council. In his address, the HR/VP focused on the dire human rights situation in Russia, Belarus, China, Ethiopia and Myanmar. The HR/VP underlined the firm support to the mandate of the High Commissioner and her office, as well as the EU's commitment to human rights based post-COVID recovery. The EU continued to play a leading role in the HRC both by advancing thematic priorities and addressing country situations of concern through EU-led resolutions and statements and by working cross-regionally and supporting action by others. While the EU and likeminded countries have been instrumental in upholding old and creating new reporting mandates on country situations, including initiating the creation of investigative mechanisms, some States have increased coordination in decrying 'non-interference' and 'politicisation' of the Council, in contravention of the principles of the Charter.

2021 was marked by a record number of the HRC special sessions, including on the human rights implications of the crisis in Myanmar, on the grave human rights situation in the Occupied Palestinian Territory, including East Jerusalem, on the serious human rights concerns and situation in Afghanistan, on the human rights implications of the situation in Sudan, on the grave human rights situation in Ethiopia. The latter was requested by the EU and resulted in a resolution establishing an international Commission of Human Rights Experts on Ethiopia.

The **Human Rights Council's 46th session** ended with excellent results for the EU-led resolutions notwithstanding that particularly country specific resolutions having been met with a stronger

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headwind in this session. The resolution on Belarus was adopted with very good voting results. The resolution created a robust accountability mechanism. The resolution on the human rights situation in Myanmar was consensual for the first time since HRC34. The EU-led resolutions on DPRK and on Freedom of Religion or Belief were again adopted by consensus. On FoRB, the cooperation with the Organisation of Islamic Cooperation was very good and the parallel OIC-led resolution on Combatting Intolerance was also adopted by consensus. Notably, new country situations were brought to the attention of the Council through joint statements, particularly on Russia, Egypt and Ethiopia's Tigray region. The EU27 also joined the Lima group's Joint Statement on Venezuela.

At the **47th session of the Human Rights Council**, the EU achieved overall very good results. The mandates of the Special Rapporteurs on Belarus and Eritrea have been successfully renewed. The adoption of the EU-led resolution on Ethiopia/Tigray can be seen as a milestone. Bringing a new country situation onto the agenda of the Council is remarkable, and without the EU's leadership it would most likely not have materialised. The EU-led Joint Statement on climate change, environment and human rights was a very successful initiative, attracting support of 73 countries and allowing the EU to play a leadership role on an important file. Moreover, the HRC adopted a number of important resolutions on gender and women's issues, HIV/AIDS, digital and civil society.

The adoption of the EU resolution on Afghanistan, with excellent voting results was undoubtedly a biggest success **of the 48th session of the Human Rights Council**. A new Special Rapporteur on Afghanistan will be responsible for monitoring the rights situation in the country following the Taliban takeover, and will make recommendations on improvements. This was an essential step to ensure continued monitoring, through a dedicated and independent expert, and to help prevent a further deterioration of the human rights situation in Afghanistan. The EU-led resolution establishing a Special Rapporteur on Burundi has also passed with good voting. Climate and environment agenda made a major leap in this session, answering the call by High Commissioner Bachelet, who defined "environmental threats as the single greatest challenge to human rights in our era" during her opening speech. The resolution on climate change that the EU presented in a core group with the Small Islands Developing States, creates a new Special Rapporteur on climate change and human rights. The HRC also adopted a landmark resolution recognising the human right to a clean, healthy and sustainable environment. It is worth mentioning that the first ever consensual adoption of the resolution on reprisals was also a major win for the Council and for civil society. The overall results were however mixed, considering the defeat of the resolution extending accountability mechanism in Yemen.

## 3.2 REGIONAL PARTNERSHIPS

### *The EU in the Council of Europe*

During 2021, the EU continued to implement the **Council conclusions on EU priorities for cooperation with the Council of Europe 2020-2022**, adopted in July 2020. The **2021 Joint Communication on effective multilateralism** also referred to the Council of Europe as a regional building block. The high-level dialogue between the two organisations intensified in 2021 with frequent contacts at the highest level, a visible symbol of the strong cooperation between both organisations. At the Hamburg ministerial meeting in May 2021, the Council of Europe recognised for the first time the **EU as its ‘main institutional partner’**.

The EU remained fully committed to its **accession to the European Convention on Human Rights (ECHR)**. Throughout 2021, the EU carried out a series of negotiations with the other contracting parties on possible amendments to the draft accession treaty as regards the co-respondent mechanism, inter-party applications, the principle of mutual trust and CFSP acts for which the Court of Justice of the European Union lacks jurisdiction. Successfully concluding these negotiations is not only a treaty obligation, but also an expression of the EU’s fundamental values. Once the EU becomes the 48th Contracting Party to the ECHR, citizens will be able to challenge the EU’s actions before the European Court of Human Rights.

Close consultations with CoE bodies such as the **Venice Commission** and the **Group of States against Corruption (GRECO)** played an important role in the preparation of the European Commission’s annual **Rule of Law Report**. Moreover, the EU addressed a number of issues in the Committee of Ministers, including the freedom of expression and freedom of the media, the rights of LGBTI persons and the death penalty. The EU also made statements on human rights cases and developments, in particular referring to the situations in Russia, Belarus and the hostilities in and around Nagorno-Karabakh. Intensive cooperation continued on the **rights of the child** in 2021, as the EU adopted its strategy in March and the Council of Europe started reviewing its own strategy.

In November 2021, the Committee of Ministers of the Council of Europe adopted the **Second Additional Protocol to the Budapest Convention**. This new instrument to fight cybercrime, negotiated by the EU Commission on behalf of the EU, achieved an outcome that reconciles measures for an effective criminal justice response with strong rule of law and data protection safeguards. With regard to the Rule of Law and the new European Public Prosecutor’s Office

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(EPPO), Commissioner Reynders invited the Western Balkans to recognise the EPPO under the 1959 Council of Europe Convention on mutual legal assistance. In addition, Western Balkan partners' prosecutorial offices may enter into working arrangements with the EPPO.

On the **digital agenda**, the EU has worked closely with the CoE and seeks to establish a human-rights-based approach to the use of artificial intelligence (AI) and its development. The Committee of Ministers decided to launch work on a possible binding or non-binding legal framework to address challenges relating to the application of AI in specific sectors. Other new areas like **the link between human rights and the environment and the impact of the COVID-19 pandemic on individual rights and democratic resilience** also received much attention in the CoE framework.

On 29 September, the Parliamentary Assembly of the Council of Europe (PACE) called for a paradigm shift to ensure that the right to a **healthy environment will be recognised as a basic human right**. Far-reaching proposals were adopted, including the recommendation to the Committee of Ministers to draft a protocol to the European Convention on Human Rights as well as the European Social Charter. The EU participated in the online debates of the World Forum for Democracy related to human rights and the environment, and in the launch of the Human Rights Education for Legal Professionals (HELP) online course on the same topic. The Committee of Ministers decided to examine the need for drawing up further instruments in the field of human rights and the environment.

In the field of Employment and Social Affairs, the **European Social Charter and the Revised European Social Charter** have continued to constitute important references for the implementation of the EU's European Pillar of Social Rights, including through its Action Plan supported at the Social Summit in Porto on 7-8 May 2021. Commissioner Schmitt participated in the Council of Europe High-Level Panel Discussion celebrating the 60th Anniversary of the European Social Charter in October 2021 and the EU delegation co-organised a seminar on Social Rights in the Digital Age.

The EU continued to be the **biggest contributor to the CoE extra-ordinary budget**, with approximately EUR 200 million of ongoing joint programmes in the Enlargement, Neighbourhood and Central Asia regions, as well as within the EU. The joint programmes are instrumental for the reform processes in the regions, and closely linked to the findings of CoE monitoring and advisory bodies. In the Western Balkans and Turkey, the Horizontal Facility (phase II) reinforces our efforts in view of the European perspective of the partners by addressing challenges in the areas justice, fighting corruption and economic crime, protection of fundamental rights, addressing discrimination

and supporting freedom of expression. The Partnership for Good Governance (phase II) is the main tool for support the Eastern Partner countries in advancing in the fields of judicial reforms, combatting corruption and economic crime, women's access to justice and anti-discrimination. The South Programme IV implemented in the Mediterranean places particular emphasis on actions preventing and combatting violence against women and on combatting corruption. The EU has also supported the Venice Commission for its activities in Latin America, Central Asia and Mongolia, including support to regional and national human rights mechanisms and institutions and to support electoral reforms.

Cooperation remained important on **human rights and anti-discrimination, national minorities, education and democratic citizenship, culture, and languages**. Joint initiatives in these areas included 'Inclusive schools: making a difference for Roma children', 'The Democratic and Inclusive School Culture in Operation', 'The European Centre for Modern Languages', as well as the European Heritage Days. European Commission Vice-President Schinas participated in the first annual conference of the newly founded CoE Observatory for History Teaching in December 2021.

The EU stepped up its **public diplomacy** efforts during 2021 to raise the visibility of the EU's extensive cooperation with the Council of Europe on human rights, democracy and the rule of law and to promote the EU's effective commitment to multilateralism. One of the most successful activities of the EU delegation carried out in 2021 was the digital communication campaign around Europe Day on 9 May entitled 'One Europe, Two Distinct Stories' which led to the release of two vox pops and four educational video explainers on the relations between the EU and the CoE<sup>121</sup>.

### *The EU in the Organization for Security and Co-operation in Europe*

The EU continued to engage in **dialogue and cooperation within the 'human dimension'** of the comprehensive security concept of the Organization for Security and Co-operation in Europe (OSCE).

The EU actively participated and took the floor in all human dimension events – mostly held online due to the ongoing COVID-19 pandemic - including the three Supplementary Human Dimension Meetings, Human Dimension Committee meetings and the Human Dimension Seminar (the first since 2017, dedicated to the topic of Combatting Violence against Women and Girls). The most important annual meeting, the Human Dimension Implementation Meeting, did not take place as planned mainly due to one participating State's (Russia's) inflexible negotiating position.

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<sup>121</sup> With almost 188 000 views on social media, the digital campaign provided meaningful insight into the history, distinct missions, areas of cooperation and joint achievements of the EU and the CoE.

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In the OSCE Permanent Council, the EU proactively raised several issues relating to human rights and fundamental freedoms, including marking World Press Freedom Day, the International Day against the Death Penalty, Gender Equality and the International Day for the Elimination of Violence against Women and Human Rights Day. The EU has continued to regularly raise the deteriorating human rights situation in Belarus following the 9 August 2020 fraudulent presidential elections. Following the invocation of the OSCE Moscow Mechanism in 2020, the EU also supported triggering of the OSCE Vienna Mechanism in relation to the situation in Belarus, in November 2021 by 35 participating States, including 25 EU Member States<sup>122</sup>. The EU also highlighted individual human rights cases and developments, in particular in Russia.

Following the successful adoption in 2020 of a Ministerial Council decision on torture prevention, no Human Dimension deliverable could be agreed at the Stockholm Ministerial Council on 2-3 December 2021. The CiO tabled a draft decision on the right of freedom of expression in the digital age, a draft declaration on democracy, and a draft declaration on enhancing efforts to address intolerance and discrimination, but the spirit of compromise was not there to bring these texts to the phase of adoption. Throughout the negotiations, the EU defended its principles and priorities related to human rights and fundamental freedoms, and opposed attempts to weaken the language, i.e. in relation to gender equality, applicability of human rights offline and online, universal approach to tolerance and non-discrimination.

The EU continued to fully support the valuable work of the OSCE's autonomous institutions - the Office for Democratic Institutions and Human Rights (ODIHR), the Representative on Freedom of the Media and the High Commissioner on National Minorities.

The EU also continued to engage actively with CSOs, including by facilitating meetings between the EU Member States and like-minded delegations and representatives of the Civic Solidarity Platform, the Coordination Council of Belarus' democratic opposition, and Human Rights Watch.

The EU and the OSCE share common standards and a similar methodology for the observation of elections. The ongoing efforts to strengthen the methodology for observing the use of new technologies in the electoral process and to encourage the implementation of recommendations from EOMs are examples of effective cooperation to support democracy and promote human rights. In 2021, the EU continued to support the work carried out by the ODIHR to assist the OSCE's participating States in implementing the electoral recommendations.

<sup>122</sup> The two EU Member States which did not support were Sweden and Poland, given their position of incumbent and incoming Chairs of the OSCE.

### *EU cooperation with other regional organisations*

In 2021, the dialogue and cooperation between the European Union and the **Organisation of Islamic Cooperation** (OIC) continued on a positive trajectory.

The EU-OIC joint webinar ‘Election observation: opportunities and challenges in COVID-19 times’ served as a forum to follow-up discussions on the main principles and standards of effective election observation, as well as the COVID-19 impact on the deployment of election observation missions.

In October 2021, the EU and OIC adopted a joint resolution on the situation of human rights of Rohingya Muslims and other minorities in Myanmar at the UNGA Third Committee, an important step for the cooperation on protection of human rights in multilateral fora.

Following the Taliban takeover, OIC has been calling upon the Taliban regime to abide by the principles enshrined in the UN Charter and the Charter of the OIC and respect its commitments under international agreements and conventions, especially with regards to the rights of women, children, youth, older persons and persons with special needs, as well as the preservation of family values enshrined in Islamic teachings and principles. At the 17th Extraordinary Session of the OIC Council of Foreign Ministers held in Islamabad on 19 December 2021, the OIC adopted a resolution establishing a Humanitarian Trust Fund, under the aegis of the Islamic Development Bank, to serve as a vehicle to channel humanitarian assistance and appointed a Special Envoy for Afghanistan.

Upholding human rights, enhancing democracy, and strengthening the rule of law and good governance featured among ministerial milestones set in Kigali on 26 October 2021 to strengthen the **EU-African Union (AU) strategic partnership** post-COVID-19. The 17th AU - EU Human Rights Dialogue took place two weeks later, on 9 November 2021 in a virtual format, proving once again to be a valuable platform to exchange on the human rights situation and progress in laws, policies and actions made on both continents over the past year. EU Special Representative Eamon Gilmore and AU Commissioner for Political Affairs, Peace and Security Bankole Adeoye, the latter as co-chair for the first time since he took office in February 2021, gave new impetus, strength and direction to the dialogue. The dialogue was preceded by a series of technical-level meetings to identify key human rights issues for discussion, follow-up and refinement. These issues included, *inter alia*, the enhancement of bilateral cooperation in international fora on the universal abolition of the death penalty and the promotion of the right to development, women’s rights and gender mainstreaming, transitional justice processes in post-conflict situations, business and human rights

and election observations. The local, regional and continental impact of the COVID-19 crisis was duly taken into account in relation to each and every human rights issue for discussion. AU-EU civil society's input and recommendations were of significance to the success of the dialogue itself.

Throughout 2021, the EU maintained close communication and cooperation with the AU, in particular the African Commission on Human and Peoples' Rights (ACHPR) and the African Court on Human and Peoples' Rights (AfCHPR). The EU participated and delivered statements at the Opening Ceremony of the 68th Ordinary Session of the ACHPR on 17 April 2021, at the public event organised by the ACHPR to celebrate the 40th anniversary of the adoption of the African Charter on Human and Peoples' Rights on 28 June 2021, and at the 69th Ordinary Session of the ACHPR on 15 November 2021.

In June 2021, the High Representative concluded a visit to the **Association of Southeast Asian Nations (ASEAN)** in Jakarta. Following the recent elevation of the EU's relationship with ASEAN to a strategic partnership in 2020, the **EU Strategy for Cooperation in the Indo-Pacific**<sup>123</sup> was announced in April 2021 to reinforce the EU's strategic focus and presence in the region. The EU has every interest that the regional architecture remains open and rules-based and focuses its engagement on the promotion of democracy, rule of law, human rights and international law.

The EU continued to support the programme "Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN region" as part of the EU-UN Spotlight Initiative. The Safe and Fair programme is a EUR 25 million investment implemented through a partnership between the ILO and UN Women, in collaboration with UNODC, with the objective of **ensuring that labour migration is safe and fair for all women in the ASEAN region**, and namely in Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam.

### 3.3 BILATERAL COOPERATION

#### *Human rights dialogues*

**Over thirty human rights dialogues and consultations with third countries, and the African Union took place in 2021**, despite the on-going pandemic, and most of them in virtual format. A dialogue with the Kingdom of Saudi Arabia was conducted for the first time in September 2021 in

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<sup>123</sup> EU Strategy for Cooperation in the Indo-Pacific [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/96741/EU%20Strategy%20for%20Cooperation%20in%20the%20Indo-Pacific](https://eeas.europa.eu/headquarters/headquarters-homepage_en/96741/EU%20Strategy%20for%20Cooperation%20in%20the%20Indo-Pacific)

Brussels, chaired by the EUSR for Human Rights. Moreover, the EUSR co-chaired the first-ever strategic dialogue with the UN High Commissioner for Human Rights in October in Brussels, following the publication of the Joint Communication on Multilateralism and an interaction of High Commissioner Bachelet with Foreign Ministers in March 2021. While the local dialogue with India was resumed, a number of human rights dialogues remain or have been newly suspended in light of political developments in the partner countries.

Human rights dialogue are guided by the renewed **EU Guidelines on human rights dialogues with third countries**,<sup>124</sup> published in February 2021, which foresee amongst other consultation with and debriefing to civil society. The agenda of dialogues reflects thematic EU human rights priorities and address their country situation of shared concern and cooperation in multilateral human rights fora as well as recommendations from election observation missions, where applicable. Dialogues are conducted to be as concrete and results-oriented as possible. Follow-up actions are agreed or proposed afterwards, including expert seminars, visits and project activities. In addition to these dedicated dialogues, the EU raises human rights dialogues in political and other dialogue meetings.

### **Social and economic reforms and enhanced dialogue with the EU on human rights for many countries in the Gulf**

While challenges remain, Gulf countries during the last decade have seen important steps towards societal transformation related to human rights, notably labour rights, women's rights, freedom of religion or belief and interfaith dialogue.

**1. The EU holds regular dialogues on human rights with countries of the Gulf:** Throughout 2021, the EU held several human rights dialogues with countries in the Gulf: in February 2021 with **Bahrain**, in March 2021 with **Kuwait**, in June 2021 with **Qatar** and **UAE** and the first ever human rights dialogue with the **Kingdom of Saudi Arabia** in September 2021. The EU wishes to reinforce its dialogue and engage with all GCC countries. The meetings are significant opportunities to raise human rights issues of concern and to have detailed discussions on a wide range of topics. There is increased momentum and a mutual interest to strengthen the institutional set-up for cooperation between the EU and the countries in the Gulf. For example, the Qatari National Human Rights Committee has established regular interaction with EU institutions and Qatar invited the EUSR for Human Rights to visit the country. After the first round of human rights dialogue with the EU, the Kingdom of Saudi Arabia upheld an informal

<sup>124</sup> Revised EU Guidelines on Human Rights Dialogues with Partner/Third Countries, 22 February 2021: <https://data.consilium.europa.eu/doc/document/ST-6279-2021-INIT/en/pdf>

moratorium on executions for non-violent (drug-related) crimes in place since June 2020. Moreover, the death penalty against four juveniles (minors at the time of committing the alleged crime) were commuted or overturned.

Those annual meetings on human rights are opportunity for the EU to express its concerns about the overall restrictive environment regarding civil and political rights, and freedom of religion or belief, executions, detention conditions, and to raise individual cases. Those dialogues are also occasions to encourage partners to ratify core international human and labour rights treaties and cooperate with UN Special Procedures.

### **2. The dismantling of the sponsorship/*kafala* system, a positive step in labour laws reforms:**

In 2021, **Qatar** launched robust labour reforms, notably the dismantling of the sponsorship/*kafala* system (which grants excessive powers to the employer over the employee) in 2021, and introduced a minimum wage for all workers, including foreign workers representing 88% of the country's population. With these new reforms, Qatar is the first country in the Arab Gulf region to allow all migrant workers to change jobs before the end of their contracts without first obtaining their employer's consent. It is the second country in the Gulf region to set a minimum wage for migrant workers, after **Kuwait**. The changes also apply to migrant workers who were excluded from labor law protections, such as domestic workers. Sign of change in the working conditions of foreign workers, **Saudi Arabia** has also ordained new labour laws in 2021 amending the *kafala* system. Under the kingdom's revised system, migrant workers can now switch jobs upon the expiry of their work contract. It is no longer necessary to obtain permission from the employer if the worker wishes to leave the Kingdom after the end of the employment relationship. The EU is now encouraging the Saudi authorities to extend the scope of those labour laws to domestic workers.

**3. Reforms on women's rights and empowerment:** Despite remaining challenges, the **Kingdom of Saudi Arabia** is implementing national plans on women empowerment. Women now make up 33% of the labour force, doubling the number in five years. Most imprisoned women human right defenders were also released in 2021, including Loujain al-Hathloul and Samar Badawi.

The **United Arab Emirates** (UAE) has topped the regional rankings in the World Bank's 'Women, Business and the Law' report as a result of important legislative reforms implemented over the past few years. The country has increasingly positioned itself as a strong promoter for issues related to women's empowerment and Women, Peace and Security (WPS), notably in the international and multilateral fora. In 2021, laws were introduced to strengthen the protection of women and implement equal pay in the workplace. The UAE also largely overhauled its personal and family law which, among others, foresees tougher punishments for harassment of women and eliminates the notion of so-called 'honour crimes'. The country has also taken steps to decriminalise consensual relationships outside of marriage and to protect children born out of wedlock.

Moreover, despite continued instances of discrimination of women in **Kuwait**, in September 2021, the Minister of Commerce and Industry issued a decision banning discrimination and sexual harassment in the workplace at the private sector. Furthermore, in follow-up to the annual

EU-Kuwait human rights dialogue, 46 Kuwaiti private companies have now signed the ‘Women Empowerment Principles’.

**4. Institutional and judicial reforms in Bahrain:** While challenges remain, the **Bahraini** authorities have launched judicial reforms and expanded alternative sentences, resulting in the release of over 100 prisoners. Moreover, according to the new media law, journalists will no longer be jailed for journalism-related offences. Bahrain has also achieved significant progress in the fight against trafficking in human beings and kept advancing on socio-economic rights through initiatives in the areas of housing, education and healthcare. Bahrain has been committed to promoting inter-faith dialogue and peaceful coexistence, including by reopening the Jewish synagogue in September 2021. In follow-up to the annual EU-Bahrain human rights dialogue, Bahrain engaged in expert exchanges on the National Action Plan for Human Rights. In May 2021, the country’s Ministry of Interior organised a prison visit for representatives of international organisations accredited to Bahrain, including the EU.

### *Trade instruments*

The promotion of human rights through trade and investment is an essential element of the EU’s human rights instruments. In particular, the EU Action Plan on Human Rights and Democracy 2020-2024 includes as a priority the strengthening of the implementation of human rights provisions in EU trade policy, including through the Generalised Scheme of Preferences (GSP) - through which the EU grants unilateral tariff preferences to developing countries - and by promoting sustainable development through EU free trade agreements (FTAs).

The EU monitored compliance with international conventions on human rights, labour rights, environmental protection and good governance in countries benefitting from the **GSP+ arrangement** or undergoing **enhanced engagement in the Everything-But-Arms (EBA)** arrangement. In this context, the European Commission, the EEAS and EU delegations engaged and maintained regular dialogue with beneficiary countries and various stakeholders (including civil society, trade unions and Member States) in the framework of the current monitoring cycle, which started in early 2020. A GSP+ monitoring mission to Sri Lanka took place in September 2021, alongside the fifth EU-Sri Lanka Working Group on Good Governance, Rule of Law and Human Rights. Transparency, awareness, and engagement with stakeholders were promoted through a dedicated project, the GSP Hub<sup>125</sup>, including dedicated events in six GSP beneficiary countries.

The EU-funded **Human Rights Policy Support** contributed to improving human rights compliance through enhanced monitoring of GSP+/EBA beneficiaries' commitments on the seven core human

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<https://gsphub.eu/>

rights conventions covered under the EU Generalised Scheme of Preferences.

The EU also continued monitoring the implementation of the chapters of EU free trade agreements on trade and sustainable development, which include binding commitments on international labour standards. In particular, under the **Trade and Sustainable Development (TSD) chapters** of the EU trade agreements, the parties are committed to ratifying and effectively implementing the fundamental conventions of the ILO. Despite the pandemic, all TSD committees - with the exception of the TSD Subcommittee with the Republic of Moldova - took place as foreseen in 2021, including the first meetings of the TSD Boards established under the EU-Singapore FTA and the EU-Vietnam FTA.

A key priority for the EU TSD engagement with several FTA partners has been the ratification of fundamental ILO Conventions and the effective implementation of the labour commitments. The EU engaged with the Republic of Korea through the TSD Committee established under the EU-Republic of Korea FTA, to monitor the implementation of the dispute settlement panel findings regarding ratification and effective implementation of the ILO fundamental conventions. In this context, the National Assembly completed in February 2021 the ratification of three of the four pending fundamental ILO Conventions (No 87 on Freedom of Association and the Right to Organise, No 98 on the Right to Organise and Collective Bargaining and No 29 on Forced Labour) and the FTA's Committee on TSD and the Trade Committee agreed in April 2021 on a process to monitor the implementation of the recommendations in the panel's report, including efforts towards the ratification of the outstanding ILO fundamental Convention No 105 on Abolition of Forced Labour.

In Vietnam, the EU continued to engage closely with the authorities to support the implementation of the country's new Labour Code, which entered into force on 1 January 2021 and to advance on its labour commitments on the ratification and effective implementation of the ILO fundamental conventions. In this context, the first meeting of the EU-Vietnam Trade Committee was held in July 2021. The EU also continued its engagement on trade and sustainable development with Eastern partner countries. In 2021, a new two-year TSD Work Plan was agreed with Georgia, including (in addition to environmental and climate actions), actions to further develop the labour inspection system, fight against child labour, enhance non-discrimination and strengthen social dialogue.

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On 27 October 2021, the European Commission published the 2021 Annual Report on Implementation and Enforcement of EU Trade Agreements, which includes information on implementation of the TSD chapters.

In February 2021, the Commission adopted in the Trade Policy Review Communication a new EU trade strategy entitled ‘An Open, Sustainable and Assertive Trade Policy’.<sup>126</sup> The new strategy puts openness, assertiveness and sustainability at the heart of the EU’s trade policy, with the aim to incentivise trading partners to uphold universal values, human rights, core labour standards, and gender equality and stepping up the implementation and enforcement of the existing trade tools, including those relating to sustainable development.

As announced in the 2021 Trade Policy Review Communication, the GSP Regulation and approach to the enforcement and implementation of TSD chapters are being reviewed, with a view to reinforcing their contribution to the promotion of human rights, labour rights and environmental standards.

On 22 September 2021, the Commission adopted the legislative proposal for a new EU’s GSP Regulation for the period 2024-2034.<sup>127</sup> The proposed new GSP framework increased the EU’s support for the promotion of international sustainable development standards in GSP beneficiary countries by adding six new international conventions (on human rights, labour rights, environmental protection and good governance) and by rendering the export of goods made by internationally prohibited child labour and by forced labour a ground to possibly withdraw trade preferences.

The Commission started the early review of the 15-point action plan on improving the implementation and enforcement of TSD chapters in EU Free Trade Agreements,<sup>128</sup> initially scheduled by 2023. The review will cover all relevant aspects of TSD implementation and enforcement, including the scope of commitments, monitoring mechanisms, the possibility of sanctions for non-compliance, the essential elements clause as well as the institutional set-up and resources required. In order to support the review process, the Commission launched in May 2021 a comparative study to assess the enforcement approaches adopted by other countries and in July 2021 an open public consultation.

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<sup>126</sup> [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_644](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_644)

<sup>127</sup> <https://trade.ec.europa.eu/doclib/press/index.cfm?id=2303>

<sup>128</sup> [https://trade.ec.europa.eu/doclib/docs/2018/february/tradoc\\_156618.pdf](https://trade.ec.europa.eu/doclib/docs/2018/february/tradoc_156618.pdf)

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The Commission started work to implement the Single Entry Point (SEP)<sup>129</sup>, the new platform for stakeholders complaints concerning violations of sustainability commitments by trading partners in third countries adopted in 2020. The SEP provides a dedicated administrative process for the examination of complaints, under the supervision of the Commission's Chief Trade Enforcement Officer. The Commission published operational guidelines on how to fill in the complaint form and engaged in pre-notification contacts with stakeholders to provide assistance on preparing complaints.

The new EU Export Control Regulation, which introduces a legal basis for EU controls on trade in cyber-surveillance technologies in order to prevent human rights violations in third countries, entered into force on 9 September 2021.<sup>130</sup>

### 3.4 CIVIL SOCIETY AND NATIONAL HUMAN RIGHTS INSTITUTIONS

During 2021, the EU worked actively on combatting threats to civil society organisations across the world and promoted a safe and enabling environment for civil society.

The COVID-19 pandemic exacerbated an existing trend: several repressive governments took disproportionate measures against human rights, notably against freedom of association and peaceful assembly, using the pandemic as a pretext.

Despite the pandemic threatening the survival of many organisations, the EU maintained or even expanded its meaningful engagement with civil society, using new technologies. The EU **continued holding virtual consultations with civil society**, in particular human rights NGOs, trade unions and human rights defenders. Consultations were held before human rights dialogues and other high-level political dialogues, or before the launching of calls for proposals. Consultations on the new multiannual EU budget and programming also brought human rights and development CSOs around the table.

CSOs contributed to safeguarding the space for human rights policy in political and trade agreements by including essential political clauses on human rights. During 2021, provisions were

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<sup>129</sup> [https://trade.ec.europa.eu/access-to-markets/en/glossary/single-entry-point#:~:text=The%20Single%20Entry%20Point%20\(%20SEP,commitments%20\(TSD%2F%20GSP%20\).](https://trade.ec.europa.eu/access-to-markets/en/glossary/single-entry-point#:~:text=The%20Single%20Entry%20Point%20(%20SEP,commitments%20(TSD%2F%20GSP%20).)

<sup>130</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_21\\_4601](https://ec.europa.eu/commission/presscorner/detail/en/IP_21_4601)

maintained for social partners and civil society involvement on the sustainable development chapter of new agreements.

In addition, together with the Brussels-based Human Rights and Democracy Network of civil society organisations, the EU organised the 23rd EU-NGO forum on 7-8 December 2021, focusing on how to ensure a human rights-based recovery from the pandemic.

**The EU further intensified its efforts to promote NGO involvement in the work of the UN General Assembly, the HRC and other multilateral human rights fora**, including by defending NGOs' right to speak and by promoting the open participation of civil society in high-level events held by the General Assembly. The EU, together with other like-minded partners, opposed conditionality through successful votes limiting the participation of CSOs in resolutions setting modalities for General Assembly events. These votes were largely won and ended a flawed practice according to which any Member State could request the removal of certain organisations from the list of participants. Another important gain was the inclusion of the participation of multi-stakeholders in the Ad Hoc Committee to elaborate a comprehensive international Convention on countering the use of information and communication technologies for criminal purposes. The EU ensured that its events in the UN included and promoted the voice of civil society. A key example was the side event on the situation of women and girls in Belarus held in the margins of the UNGA Third Committee, which provided a platform for grassroots activists to share their analysis and recommendations with UN actors. The EU also cooperated actively with the Geneva-based Task Force on Civil Society.

**CSOs remained the main recipients of support** from the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations-Local Authorities (CSO-LA) thematic programme, as well as being a major implementing partner for the EU's regional and bilateral development funding. The 25 framework partnership agreements (FPAs) under the CSO-LA programme supported CSOs' role as key contributors to policymaking at regional and global level. Some of the FPAs (including with the International Federation for Human Rights, CIVICUS and Forum Asia) directly promote an environment supportive to civil society and address the issue of shrinking space. In addition, the priorities of the CSO-LA programme and the EU's work on civil and political rights and governance under the EIDHR both support the promotion of an environment conducive to CSOs' work in partner countries.

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Building on its key strength - the ability to operate without the need for host government consent - the EIDHR, now replaced by the NDICI/Global Europe Human Rights and Democracy Programme, has for over two decades been able to focus on sensitive issues and innovative approaches, and to cooperate directly with isolated or marginalised CSOs. In particular, the exceptional conditions of the EIDHR Human Rights Crises Facility allow the EU to allocate direct grants to CSOs operating in particularly difficult conditions in terms of human rights and democracy. In 2021, four regional grants were awarded under the 2020 Global Call for Proposals for projects to directly address shrinking civic, democratic and civil society space, through the establishment of a resource hub serving several countries. Additionally, a number of specific initiatives were implemented to promote civic and democratic space (e.g. Supporting Democracy, Media4Democracy and Civic Tech 4 Democracy).

The EU also provided financial support to the **UN Special Rapporteurs on freedom of association and peaceful assembly** and on the **promotion and protection of the right to freedom of opinion and expression**, rights that are fundamental for creating an environment conducive to civil society participation. The EU promoted this environment by applying methodologies such as gender mainstreaming and the rights-based approach to development cooperation, where participation is a key principle, thus empowering and requiring EU delegations to act on human rights in all sectors of their work. The new Global Europe instrument requires that the Rights Based Approach applies across the board to all the EU's spending in third countries, and in 2021 efforts were made to better integrate this approach in bilateral programming. This multifaceted support helped to combat restrictive laws and practices that impede the work of independent civil society actors, and contributed to the long-term, strategic development of an environment conducive to civil society participation.

**National Human Rights Institutions** (NHRIs) remained essential actors in promoting and protecting human rights worldwide. The EU is aware that NHRIs are affected by the shrinking of the democratic and civic space for independent human rights action. This is why the EU, as part of its external action, promotes independent NHRIs and the essential role they play in ensuring the protection of human rights around the world.

In most of its human rights dialogues in 2021, the EU called on third countries to ensure that NHRIs are independent, receive the necessary human and financial resources, and are systematically consulted in all relevant policymaking and legislative processes. Emphasis was placed on ensuring that NHRIs and their staff are protected from threats, harassment and attacks.

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The EU continued to engage with the regional networks of NHRIs throughout. For instance in May 2021, the EU met with the Global Alliance of NHRIs (GANHRI) and the regional networks of NHRIs from Europe, Africa, Asia and the Americas in order to identify where NHRIs were under threat. In June 2021, representatives from GANHRI were invited to deliver a presentation in the Council Working Party on Human Rights. In July 2021, the EUSR for Human Rights participated in the GANHRI's high-level event on human rights defenders and civic space.

The EU supported and engaged with NHRIs in a large number of countries by providing financial assistance. The EU's political commitment to NHRIs is complemented by financial support. Throughout 2021, the EIDHR funded targeted strategic programmes to support NHRIs.

The second phase of the NHRI.EU project, which benefits from an EU contribution of EUR 3.75 million, is coming to an end. It aims to develop NHRIs' effectiveness as human rights defenders in accordance with the Paris Principles and in core identified areas of their mandate, including education, communication and awareness-raising on human rights, complaints handling, documentation, monitoring and reporting. Another objective of the project is to strengthen cooperation between NHRIs and global and regional networks, in particular the Global Alliance of NHRIs, the Asia Pacific Forum, the Network of African NHRIs, the Network of NHRIs in the Americas – whose permanent secretariat was established partly thanks to NHRI.EU and inaugurated in December 2021 - and the European Network of NHRIs. The project also aims to strengthen the Global Alliance of NHRIs and the regional networks and to support member NHRIs during the accreditation process. Global and regional networks also developed and launched action plans to protect human rights defenders, with the aim of implementing the Marrakesh Declaration. The project further contributes to a human rights-based approach of the follow-up and review of SDGs at national level. NHRI.EU phase 2 managed to implement and adapt activities despite challenges resulting from the COVID-19 pandemic. Under the new Global Europe instrument, the EU will continue to support NHRIs and their networks at global and regional levels.

In 2021, the Asia Pacific Forum of National Human Rights Institutions continued to implement the agreement signed with the EU in 2020. The purpose of this agreement is to increase the capacity of NHRIs to address, in collaboration and partnership with intergovernmental mechanisms, key identified human rights issues in South-East Asia and the Pacific, including through training courses, small grants programmes and the creation of platforms for dialogue.

In the Western Balkans, the EU continued to emphasise the role of Ombudsperson institutions and NHRIs in the subcommittees under the Stabilisation and Association Process. The consistent follow-up of these independent bodies' recommendations needs to be ensured and monitored closely.

### 3.5 BUSINESS SECTOR

The EU continued to promote the respect of human rights in the context of business activities, in particular by advancing the global implementation of the **UN Guiding Principles on Business and Human Rights (UNGPs)** within the EU and in third countries.

On the 10th anniversary of the UNGPs, the EU strengthened its engagement in **UN human rights fora** and with partner countries to actively promote and support their global implementation. In this context, the EU supported the UN Working Group on Business and Human Rights with the preparation of a renewed UNGP roadmap in November 2021.<sup>131</sup> On 15 June 2021, the EU Delegation in Geneva organised a roundtable to exchange views on the state of play of UNGP implementation and on possible ways to promote further coordination and coherence of EU actions. The EU also participated in the 2021 UN Forum on Business and Human Rights, which took place between 29 November and 1 December 2021.

The EU continued promoting business and human rights through **bilateral engagement** with partner countries (in political dialogues, human rights dialogues and trade preference schemes) and supporting global UNGP implementation efforts through **development cooperation**, in partnership with international organisations such as the ILO, the Universal Periodic Review and the OHCHR. In particular, the EU promotes responsible supply chains in six trading partners in Asia (China, Japan, Myanmar, the Philippines, Thailand and Vietnam) through the project 'Responsible supply chains in Asia' and the development of national action plans through the project 'Business and Human Rights in Asia' in eleven countries (Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, Myanmar, Nepal, Pakistan, Vietnam and Mongolia). In Latin America, the EU supports the development of national action plans in nine countries (Argentina, Brazil, Chile, Mexico, Ecuador, Peru, Colombia, Panama and Costa Rica) through the 'Responsible business conduct in Latin America and Caribbean' project. The EU also supports the project 'Sustainable Supply Chains to Build Forward Better' promoting decent work in various supply chains linked to producing

<sup>131</sup> <https://www.ohchr.org/Documents/Issues/Business/WG/ungps10plusroadmap.pdf>

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countries for: coffee (Colombia), fish (Namibia), electronics (Vietnam), medical gloves (Malaysia) and textiles (Madagascar).

In January 2021, the EU launched a Toolkit on Business and Human Rights aiming to increase the capacity of EU delegations' staff in this area and notably in the implementation of actions through development aid cooperation to strengthen the implementation of the UN Guiding Principles. In addition, two regional roundtables on Latin American and Asia/Pacific were organised to discuss challenges and opportunities in implementation. The Toolkit is also discussed as part of the Intervention Cycle Methodology training for EU development aid cooperation.

The EU participated constructively in the seventh session of the UN discussions on an **international legally binding instrument on business and human rights** on 25-29 October 2021, and continued promoting an instrument that can effectively enhance the protection of victims of business-related human rights violations and abuses and create a global level playing field for businesses.

As part of the implementation of the EU Action Plan on Human Rights and Democracy 2020-2024, the EU organised dedicated meetings with experts from EU Member States to start developing a **comprehensive EU framework for the implementation of UNGPs** in order to enhance the coherence of EU action.

The EU continued using its trade instruments to promote business and human rights and responsible business conduct standards. The Trade and Sustainable Development (TSD) chapters of recent EU trade and investment agreements included specific provisions committing the parties to promote responsible business practices, with reference to the international standards developed by the UN, OECD and ILO.

The **EU Responsible Minerals Regulation** started applying on 1 January 2021.<sup>132</sup> The Regulation requires importers of certain minerals from conflict-affected or high-risk areas to undertake supply chain due diligence in order to identify and mitigate risks such as armed conflict, violence and human rights violations associated with those areas.

On 21 April 2021, the Commission adopted a proposal for an **EU Corporate Sustainability Reporting Directive** to amend the existing reporting requirements of the EU Non-Financial Reporting Directive. The proposal extends the scope to all large companies and all companies listed

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<sup>132</sup> <https://ec.europa.eu/trade/policy/in-focus/conflict-minerals-regulation/regulation-explained/>

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on EU regulated markets and introduces more detailed reporting requirements on sustainability issues, including respect for human rights. Mandatory EU sustainability reporting standards, which will be developed by the European Financial Advisory Group (EFRAG), are the centrepiece of the proposal. EU standards will specify what information the company has to disclose regarding the due diligence process implemented on environment and people. The due diligence process will concern actual or potential adverse impacts directly caused by the company or linked to the company's value chain. When developing EU standards on due diligence, EFRAG will take account of the UN Guiding Principles on Business and Human Rights and other internationally recognised frameworks on responsible business conduct.

On 26 May 2021, the Commission published a notice with the second edition of the **Guide 'Buying Social'**<sup>133</sup>, providing guidance on social considerations in public procurement. The document is intended to assist public buyers on identifying and managing strategic dependencies and supply chain risks, such as those related to abuses of human rights, in global supply chains.

On 6 July 2021, the Commission adopted measures to strengthen the EU's global leadership on sustainable finance, including a new **EU Sustainable Finance Strategy**<sup>134</sup> setting out initiatives to facilitate the EU's transition towards a sustainable economy, and requirement on the sustainability aspects of the information to be disclosed by companies EU Taxonomy Regulation.

The EU also continued developing its domestic instruments on responsible business conduct. The European Commission pursued work on the initiative on **Sustainable Corporate Governance**<sup>135</sup>, aiming at fostering long-term sustainable and responsible corporate behaviour, including by requiring companies to identify, prevent, mitigate and account for actual and potential adverse impacts on human rights and the environment along global supply chains. The Commission carried out a public consultation between October 2020 and February 2021 to collect stakeholders' feedback on the initiative.

On 2-3 June 2021, the European Commission and the International Trade Centre (ITC) hosted and expert workshop to discuss accompanying support measures to forthcoming EU legislation on mandatory due diligence and supply chain sustainability in EU partner countries.

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<sup>133</sup> <https://ec.europa.eu/docsroom/documents/45767>

<sup>134</sup> [https://ec.europa.eu/info/publications/210706-sustainable-finance-strategy\\_en](https://ec.europa.eu/info/publications/210706-sustainable-finance-strategy_en)

<sup>135</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12548-Sustainable-corporate-governance\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12548-Sustainable-corporate-governance_en)

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The Commission and EEAS services engaged with the **European Investment Bank (EIB)** and the **European Bank for Reconstruction and Development (EBRD)** to support a the revision of the banks' environmental and social policies in line with EU and international standards on supply chain responsibility, including the UN Guiding Principles on Business and Human Rights.

In the field of civil justice, on 4 October 2021 the Commission published a study on the application of the **Rome II Regulation**<sup>136</sup>, which establishes the applicable law for tort cases, reflecting upon human rights infringements. The study reveals significant problems in transnational cases involving human rights abuses committed by subsidiaries or suppliers of multinational corporations in developing countries (host states), where there are weak regulatory standards, poor rule of law or governance structures.

To increase the protection of human rights in the face of **Strategic Lawsuits against Public Participation (SLAPP)** the Commission is preparing an EU initiative to protect journalists and rights defenders, which is due in 2022. To this purpose, a dedicated online public consultation and a targeted consultation of national judges were launched in autumn 2021.

The EUSR for Human Rights also engaged on business and human rights, particularly in light of the upcoming Sustainable Corporate Governance initiative. In April 2021, he delivered opening remarks during the Galway Business and Human Rights Symposium organised by the Irish Centre for Human Rights focusing on the growing importance of business and human rights and EU ambitions in this area. In November 2021, the EUSR met with Front Line Defenders including human rights defenders from Nepal, Kenya and Mexico, to discuss the Sustainable Corporate Governance initiative, and the importance of recognising the role of human rights defenders therein.

### 3.6 COMPLIANCE WITH INTERNATIONAL HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW

The EU continued to advocate for and support initiatives designed to improve compliance with international humanitarian law (IHL) and safeguard the humanitarian space, in particular reaffirming its strong commitment to the protection of civilians in armed conflicts. The EU remained active in promoting respect for IHL across the various areas covered in the EU

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<sup>136</sup> <https://op.europa.eu/en/publication-detail/-/publication/11043f63-200c-11ec-bd8e-01aa75ed71a1>

**Guidelines on promoting compliance with international humanitarian law**<sup>137</sup>. In June 2021, the EU published the fourth report on the implementation of the guidelines, which highlights the activities that the EU carried out in support of IHL in the course of 2020. In September 2021, a virtual event was organised to launch the report at the international level.

On 10 March 2021 the Commission issued a **Communication on the EU's humanitarian action: new challenges, same principles**. One of the main objectives of the Communication is to support putting compliance with IHL at the heart of the EU's external action to protect civilian populations, support principled humanitarian action and protect humanitarian and health care workers. The Commission has taken steps to establish an EU-level coordination mechanism on IHL to ensure a better monitoring of IHL violations in the world, facilitate the coordination of relevant EU actors and support stronger EU humanitarian diplomacy.

On 26 November 2021, a webinar on IHL has also been organised to follow-up on the Communication and as part of the preparations of the European Humanitarian Forum in March 2022. The webinar brought together a wide number of stakeholders to discuss how to enhance the monitoring of IHL violations, counter sexual and gender-based violence in armed conflicts, and safeguard the humanitarian space.

The EU continued to be vocal on IHL matters as an active member or observer in a range of **international organisations and bodies**. For example, the EU took part in open debates of the UN Security Council, including the debate on the protection of civilians in armed conflict, focused on indispensable civilian objects, and contributed with a strong statement to the UNSC open debate on conflict-related sexual violence. The EU co-organised together with France and Germany an UNGA high-level side event in the margins of the UN General Assembly Ministerial Week on how to reinforce IHL monitoring and improve compliance. The EUSR for Human Rights delivered a keynote address at a side-event during UNGA 76 on protection of women and girls in Afghanistan.

The EU remained active on supporting the protection of humanitarian and medical workers in armed conflicts. In this context, the EU organised throughout 2021 a **discussion series on the safety of Humanitarian and Medical Personnel**. The Outcome Document of the Series was transmitted to the UN Secretary-General and the President of the General Assembly, and subsequently shared with UN Member States.

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<sup>137</sup> EU guidelines on the promotion of compliance with international humanitarian law: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Aah0004>

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The EU was active in advocating for the respect of UN Security Council Resolution 2286 on **healthcare in armed conflict**, among others through EU co-sponsorship of a high-level side event at the Protection of Civilians Week on the occasion of the fifth anniversary of the resolution. The EU also continued to support, among others in the DRC and in Mozambique, the ICRC's Health Care in Danger Initiative. The EU's humanitarian aid budget provided financial support to policy initiatives supporting the protection of humanitarian workers and of healthcare in armed conflicts.

The EU has continued to advocate for and support the **protection of education from attacks in armed conflicts**. Commissioner Lenarčič participated with a strong message in the 4th International Conference on the Safe Schools Declaration in October 2021. The EU stepped up actions for **Children Associated with Armed Conflict** as committed in the first-ever EU Strategy on the Rights of the Child adopted in March 2021. Of particular relevance, the EU co-hosted a high-level event together with Belgium, Niger and Save the Children on 23 September 2021 during the UN General Assembly Ministerial Week entitled 'Protection of children, invisible victims of armed conflict and COVID-19'. The EU furthermore co-hosted two events with a focus on Children Associated with Armed Conflict during the UN ECOSOC Humanitarian Affairs Segment in June.

In 2021, the EU continued supporting activities on child protection in humanitarian settings. In addition, the EU continued to be active in advocating for the protection from **sexual and gender-based violence in armed conflict**, including through its membership in the Call to Action on Protection from Gender-Based Violence.

**Access to safe drinking water, security of water facilities, and of water, sanitation and hygiene (WASH) personnel in armed conflicts** was one of the policy priorities of the work programme of the Slovenian Presidency of the Council of the EU in the second semester 2021. On 15 November 2021 an event on 'Water and International Humanitarian Law' was organised in Geneva, co-hosted by the EU Delegation and the Slovenian Presidency. Council conclusions were also adopted on this issue. In Syria, the Commission advocated for the respect of IHL in the context of the 2021 drought. In Libya, it supported ICRC work towards achieving commitments by authorities and armed actors to respect and preserve access to water and other critical infrastructure in the case of conflicts.

Given the strong correlation between **conflict and hunger**, and in some locations evidence of the use of starving as a weapon of war, in 2021 the Commission actively engaged in advocacy vis-à-vis parties in conflict, asking for respect of IHL and of the humanitarian space. Among others, the EU has raised on numerous occasions the relevance of the UNSC Resolution 2714 in relation to the

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Tigray crisis in Ethiopia, engaging with like-minded donors to promote the adoption of a presidential statement under the resolution.

The EU has been active **in advocating for respect for IHL in various conflicts**. For example, in **Myanmar**, Commissioner Lenarčič has consistently advocated for full respect of IHL, including while on mission to the region and through public communications. With respect to **Afghanistan**, promoting IHL was raised in bilateral meetings with donors and partners, and as part of the Team Europe approach coordinating the humanitarian response. A few days after the Taliban's takeover, the EUSR for Human Rights met with the Chair of the Afghan Independent Human Rights Commission to discuss the humanitarian situation, alleged violations of IHL and the situation of human rights defenders. In **Ethiopia**, IHL has been at the forefront of EU advocacy. The EU has repeatedly called on the parties to protect civilians and to allow safe and unhindered access to all areas affected by the war. It has called for independent investigations on reported war crimes possibly committed by all parties to the conflict. The EU has also condemned the use of starvation as a method of warfare in besieged Tigray. The EUSR for Human Rights met with the Minister of Finance and Minister for Women, Children and Youth on the situation. He also reiterated with the head of the Ethiopian Human Rights Commission the EU concerns in relation to the humanitarian crisis, the need for humanitarian access, addressing sexual violence and monitoring and documenting alleged violations.

Humanitarian Protection and IHL constitute a basic entry point in the EU's humanitarian strategy in the **Democratic Republic of the Congo (DRC)**, with protection of civilians as a cornerstone. For example, every health programme contains an IHL component to promote the safety for health workers and in health facilities, while education programmes include measures to optimise safety for children and promote the Safe School Declaration. With respect to **Yemen**, the EU, together with participants of the Senior Officials Meeting III committed to foster high-level diplomacy towards the parties to the conflict (including through high-level missions at greater frequency by the UN, NGOs and donors) to protect civilians and uphold international law. A number of joint messages were articulated and advocacy demarches were done towards the parties to the conflict. The EUSR for Human Rights met with the Yemeni Minister for Legal Affairs and Human Rights, and raised EU's strong concern for the lack of humanitarian access, the recruitment and use of children in the armed conflict and the widespread lack of accountability for violations committed.

To address the widespread violations of IHL in **the Sahel region**, the EUSR for Human Rights continued to draw attention to the importance of compliance with IHL for the protection of

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civilians, peace and stability through working closely with the EUSR for Sahel. The EUSR also maintained close cooperation with OHCHR as regards the implementation of the Human Rights and IHL Compliance Framework of the G5 Sahel Forces.

As a main humanitarian donor, the EU considers that strengthening compliance with IHL is an important factor when disbursing funds from the EU humanitarian aid budget. The EU continued to support the work of the ICRC, one of the EU's most trusted humanitarian partners, and a key partner in upholding respect for IHL and humanitarian principles. In 2021, the ICRC received approximately EUR 120 million in funding from the EU's humanitarian aid budget.

The EU funded **humanitarian actions encompassing the promotion of IHL by the ICRC and other partners in a number of countries**, such as Syria, Iraq, Yemen, Libya, Ukraine, Sahel, Nigeria, Ethiopia and Colombia.

- For example, in **Syria**, the EU's humanitarian aid budget supports projects to prevent and reduce IHL violations through direct engagement with parties to the conflict.
- In **Iraq**, military and senior officers received training and information activities to increase their understanding of international humanitarian law and international human rights law.
- The EU has maintained its support to UN agencies and NGOs working on protection, promotion of women's and children's rights and reduction of gender-based violence in **Yemen**. In this regard, EU partners provided protection services to affected populations, as well as continued protection monitoring with the aim to increase protection of civilians through the deployment and training of human rights field monitors documenting and reporting on international humanitarian law and international human rights law violations.
- In **Libya**, support was given to the ICRC to engage with government officials, weapon bearers, community and religious leaders and NGO representatives and encourage them to take measures to improve the application of IHL.
- In **Ukraine**, the EU's humanitarian aid budget supported an action providing support to the Government of Ukraine in the operationalisation of the Safe Schools Declaration (SSD) commitments, and trainings for the Ukrainian Army Forces on Child Protection, Education in Emergencies, SSD and the Guidelines to Protect Schools and Universities from Military Use during Armed Conflict.

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- The EU supported the ICRC's dialogue with all parties to conflicts in the **Sahel –Burkina Faso, Chad, Mali, Mauritania and Niger** – and **Nigeria** on their obligations under IHL and other norms to prevent abuses. It seeks to facilitate safe access to affected people, in order to ensure that it is able to bring humanitarian aid to those in need, including livelihood support and strengthening of health services. The efforts by the ICRC to promote IHL are focused on the conduct of hostilities and law enforcement operations, violence against healthcare workers and patients, and displaced people's access to basic services.
- In **Ethiopia**, the EU's humanitarian aid budget supported the ICRC to promote IHL with weapon bearers, in particular in relation to protecting the movement of civilians and the humanitarian medical mission, as well as the prevention of sexual violence.
- In **Colombia**, support was given to several humanitarian partners working on IHL dissemination and advocacy to mitigate and respond to the risks and needs of the populations (particularly excluded groups such as the indigenous populations) affected by armed conflicts and the pervasive presence of armed non-State actors.

The EU continued to be committed to uphold **respect for IHL when adopting sanctions and avoid unintended negative impacts of EU sanctions on principled humanitarian action**. The EU has systematically considered the inclusion of humanitarian exceptions in EU restrictive measures regimes where relevant. It has also promoted a better understanding of sanctions regimes to facilitate the delivery of humanitarian assistance through the issuance of various explanatory notes and consulting relevant key stakeholders involved in humanitarian assistance. Where relevant during meetings, the EU has systematically discussed with key stakeholders the issue of unintended impacts of sanctions regime on the delivery of humanitarian aid and how to tackle these in a joined and multi-stakeholders' approach.

In 2021, the work continued towards the development of the future **EU Human Rights Due Diligence Policy** on security sector support to third countries.

#### 4. NEW TECHNOLOGIES: HARNESSING OPPORTUNITIES AND ADDRESSING CHALLENGES

##### 4.1 CAPACITY BUILDING AND EFFECTIVE MONITORING

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In 2021, the interlinkages between digital advancement and human rights continued to draw increased attention from the international community. The COVID-19 pandemic remained a stark reminder of the importance of new technologies in maintaining access to certain services such as health and education, or in allowing individuals to monitor human rights violations and abuses.

Nonetheless, new technologies have also demonstrated ways in which freedom of association and freedom of expression can be curtailed online, including many revelations throughout the year about use of spyware against human rights defenders and journalists. Hate speech, cyber harassment and disinformation have spread on social media platforms, and can lead to hate crime and physical violence. The digital gap continued to widen, in particular between those who have access to quality internet connections and those who do not.

For this reason, in 2021, the EU took a stronger stance in favour of regulating the digital sphere, in order to promote the respect for human rights both online and offline. In this regard, the position of the EU in its bilateral and multilateral diplomacy is clear:

The EU advocates for an **open, un-fragmented, free, safe, secure for everyone internet and for the respect of privacy**. The EU promotes the rights to privacy and data protection, addresses arbitrary and mass surveillance and actively combats internet shutdowns, online censorship, hate speech online, online gender-based violence, information manipulation, disinformation and cybercrime, in full compliance with international human rights law. The EU promotes a human rights-based approach to the design, development, deployment, evaluation and use of Artificial Intelligence (AI).

The global reach of technologies and its daily importance for all individuals makes **multilateral and multi-stakeholder approaches essential**. The EU continued to engage very actively, in particular within UN fora, to share analysis and to identify best practices and recommendations on how to ensure a human-rights-compliant digital sphere.

Digital and human rights was one of the key features of the first **EU-OHCHR Strategic Dialogue** held on 12 October 2021 between UN High Commissioner for Human Rights Michelle Bachelet, and EU Special Representative for Human Rights, Eamon Gilmore. Both parties agreed on the need to cooperate further on combatting internet shutdowns and on protecting HRDs online.

The EU continued to co-chair together with the Republic of Korea, the OHCHR and the NGO Access Now the meetings of the UN working group on human rights of the UN Secretary General

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Roadmap on Digital Cooperation. These exchanges allowed sharing of information regarding particular country situations where human rights violations in the digital sphere occur.

During the Human Rights Council sessions in Geneva, the EU interacted with UN Special Procedures during relevant Interactive Dialogues, General Comments, and other debates. Amongst other interventions, at HRC47 in June, the EU intervened in the interactive dialogue with the Special Rapporteur on Privacy highlighting the fact that AI algorithms, had to be designed, developed and deployed to protect the right to privacy and other human rights. Moreover, the EU contributed to the OHCHR and UN Special Procedures calls for contributions by submitting written inputs. For example, in May 2021, the EU submitted a contribution to the UN Special Rapporteur on Privacy ahead of his report on the impact of Artificial Intelligence on privacy.

In June, the EU participated in the high-level panel event on ‘The Role of the Human Rights Council in Promoting a Human Rights-based Approach to New and Emerging Technologies’ organised by Austria and the core group of countries (Brazil, Denmark, Morocco, Republic of Korea, Singapore) leading on the resolution on New and Emerging Technologies.

The EU also followed closely other relevant human rights and digital initiatives and events such as the OHCHR briefing on Harnessing Digital Potential for Human Rights of the Second Digital Democracy Dialogue organised in November by the Universal Rights Group.

Still in Geneva, the EU engaged actively in **the International Telecommunications Union (ITU)** to ensure that its work on developing information and communication technologies standards takes into account the human rights dimension. In January, the EU blocked a proposal of a standard on facial recognition application in visual surveillance, which would allow for processing of biometric personal data without safeguards for personal data protection and right to privacy. The EU also intensified efforts to raise public awareness about the human rights impact of digital technologies. Between September and December 2021, the EU Delegation to the UN in Geneva organised, in cooperation with the Permanent Missions of Slovenia and Switzerland, and the Geneva Internet Platform a series of four public webinars demonstrating the benefits of the human rights-based approach in areas such as data economy, artificial intelligence and health, environmental protection, and development.

In New York, the EU promoted actively the respect of human rights in the digital environment and participated in a number of digital-related events. The references to digital space in UNGA resolutions in the Third Committee session during the 75th session have increased. These include

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digital gender equality or gender digital divide, sexual and other harassment online, including peer-to-peer sexual harassment, cyberbullying, hostility or violence on the Internet, particularly on digital platforms, online and offline or tackling disinformation and advocacy of hatred constituting incitement to discrimination, violence, intimidation, threats, harassment and attacks against human rights defenders on the Internet and through digital technologies and tools. It has been decided that the next EU/GRULAC-led resolution on the rights of the child will focus on digital environment. During the 75th session, the EU interacted during relevant Interactive Dialogues and other debates.

In October, the EU convened a trilateral discussion with the ITU and the African Union on accelerating the achievement of the SDGs by harnessing the benefits of the new and emerging technologies. The discussion focused notably on the need to bridge the digital divide, including the gender digital divide, to ensure meaningful connectivity, and to promote open, free and secure internet. The EU actively promoted human rights-based approach to digital technologies and standards also in various discussions within the ITU, including during the World Telecommunications Policy Forum, held by the ITU in December.

The EU was also **active within UNESCO**, engaging together with EU Member States and a large number of likeminded countries in the negotiations that led to the adoption of a Recommendation on the Ethics of Artificial Intelligence during the UNESCO 41st General Conference in November 2021.

The EU engaged actively with other like-minded countries, for instance within the G7 Working Group on Open Societies, where the EU discussed with partners how to combat internet shutdowns.

Active engagement with the US also took place within the framework of the **EU-US Technology and Trade Council**. A strong commitment to promote human rights online was enshrined in the Pittsburgh Statement<sup>138</sup>. In September 2021, discussions with the US on internet shutdowns, online protection of human rights defenders and surveillance took place and will remain on the agenda.

In order to keep accurate information about where and which human rights violations occur online, the EU has regularly **engaged with various stakeholders**, including NGOs with a strong

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<sup>138</sup> EU-US Trade and Technology Council Inaugural Joint Statement  
[https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT\\_21\\_4951](https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_21_4951)

knowledge on human rights such as Access Now, Internews and Amnesty International Tech, among others. The EU also acted to protect human rights at risk in the digital sphere through its protection mechanisms. In order to engage actively with representatives from the private sector, the EEAS organised on 23-24 March 2021 a roundtable with civil society organisations and representative from the private sector (Twitter, Facebook, Microsoft, Mozilla and Google) to reflect on ways in which the online sphere should be better regulated.

### **4.2 PROMOTING HUMAN RIGHTS AND DEMOCRACY IN THE USE OF DIGITAL TECHNOLOGIES, INCLUDING ARTIFICIAL INTELLIGENCE**

As regards **exports of technology**, the EU has tightened controls. As a result of a process of modernisation of the rules on dual-use trade controls on civilian technologies having possible military or security uses, a new EU regulation was adopted in May 2021 and entered into force on 9 September 2021<sup>139</sup>. The regulation provides specific provisions to ensure that traded digital technologies are used legitimately and that they are not used to violate human rights.

Over the past two years, the **EU has stepped up bilateral, regional and multilateral dialogue**, promoting a global culture of respect for privacy and ensuring convergence between different privacy systems, to the benefit of individuals and businesses alike. The European Commission is committed to continuing this work as part of its broader external action, for example, through the Africa-EU Partnership,<sup>140</sup> and in its support for international initiatives, such as Data Free Flow with Trust. At a time when violations of privacy rules may simultaneously affect many individuals across the world, it is crucial that international cooperation between data protection enforcers be intensified.

Further details of the EU's work and vision in this area can be found in the Communication titled 'Data protection as a pillar of citizens' empowerment and the EU's approach to the digital transition - two years of application of the General Data Protection Regulation'.<sup>141</sup>

A Handbook on Democracy and Digitalisation was produced in 2021. This publication, aimed at EU staff, in particular staff based in EU delegations, provides an overview of the opportunities,

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<sup>139</sup> <https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>

<sup>140</sup> Africa-EU Partnership: <https://africa-eu-partnership.org/en>

<sup>141</sup> Commission Communication (2020) 264 final of 24 June 2020: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0264&from=EN>

challenges, and threats related to digital technologies. The handbook explores the impact of digital technology on democratic institutions while implementing international cooperation and development projects.

The EU used some of its **political dialogues, including human rights dialogues**, to raise concerns about the spread of internet shutdowns, online censorship and mass and targeted arbitrary surveillance including the targeting of human rights defenders and journalists by spyware.

The EU also established **cyber dialogues** with the United States, Brazil, Ukraine, India, China, Republic of Korea and Japan. The EU raised regularly its commitment to uphold the rules-based order in cyberspace and to advance an open, global, stable and secure cyberspace, where international law, including international humanitarian law, human rights and fundamental freedoms, fully applies. In the 2020 Cybersecurity strategy, the EU also proposed to offer practical guidance on the application of human rights and fundamental freedoms in cyberspace.

The EU is aware of the **impact of digital technologies on civil society organisations and human rights defenders**. The pandemic also brought a considerable increase in digital threats, as well as an increase in attacks on tools and services needed now to develop human rights defence work, such as online meeting platforms. Not only are some defenders explicitly targeted, but large-scale, corporate data breaches and security incidents have indirectly affected human rights work at the global level. In 2021, evidence of the spyware being used against a range of actors including human rights defenders, journalists and politicians emerged.

**Women human rights defenders** standing up for their rights in the face of significant power imbalances can be particularly subject to online aggression – such as blackmail, extortion, persistent harassment and humiliation – which often adds to the existing discrimination and threats they face.

The EU financed emergency measures in the field of digital security through **the EU Human Rights Defenders mechanism ProtectDefenders.eu**<sup>142</sup>. The measures aimed to address some of the most pressing threats and risks resulting from attacks on HRDs' communications, hacking of personal and professional information, lack of adequate security equipment, and online surveillance. In 2021, more than 47 **emergency grants** for digital security and protection measures were awarded, benefiting 130 HRDs working in countries such as Belarus, Brazil, Russia, or Uganda. In addition, the ProtectDefenders.eu digital security reinforcement grants for organisations and local communities contributed to the **security set up and training** of more than 850 local NGOs staff

<sup>142</sup> EU Human Rights Defenders mechanism ProtectDefenders.eu: <https://protectdefenders.eu/>

members. This support strengthened the digital security structure of actors operating in hostile environments, such as in India, Pakistan, Russia, Algeria, Uganda, or Colombia. More than 200 human rights defenders benefited from an extensive capacity-building programme, which offers tailor-made training for HRDs and organisations on a range of topics, including digital security and digital risk assessment.

The 2021-2027 Framework Programme for Research and Innovation, Horizon Europe, supports the **EU approach to technology development as human-centred and driving an ethical development of AI** in line with European values. The first calls in 2021 include funding projects on AI to fight disinformation, as well as to address gender, race and other biases in AI, among other areas.

### 5. DELIVERING BY WORKING TOGETHER

#### 5.1 PUBLIC DIPLOMACY AND STRATEGIC COMMUNICATION

The **EU Action Plan on Human Rights and Democracy for 2020-2024** was promoted in regional discussions forums, notably in the Americas (23 March), Eastern Neighbourhood and Central Asia (20 April), Asia (7 May) and Africa (1 June), following up on the global launch event of November 2020. These virtual events were held in each region to build awareness, strengthen collaboration and enhance regional ownership. They featured the EUSR for Human Rights, the Deputy High Commissioner for Human Rights, the African Commission on Human and People's Rights Vice-chairperson, officials, Members of the European Parliament (MEPs), human rights experts, civil society representatives and human rights defenders, and were attended by several hundred participants each.

In **implementation of Action Plan commitments**, the EU and its Member States have also stepped up public diplomacy and strategic communication activities, using social media tools and campaigns to draw attention to thematic priority issues with a view to mobilising interest in and support to the global advancement of human rights and democracy. Throughout the year, a range of **communication** materials including web features, videos, social media cards, press releases and blogposts by the High Representative were used to highlight the EU's policy priorities and key achievements in promoting and protecting human rights in 2021.

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The communication material has been regularly shared with the EU diplomatic representation all over the world to maximise its impact, in a two-way relation. **Campaigns and initiatives** promoted by the EU representations have been regularly posted on the EEAS website and social media channels. To mark the World Children's Day in November, the EU delegation to the Council of Europe has co-sponsored the video contest "My rights, my voice", call for artistic video projects from children and young people aged 10 to 17, reflecting children's understanding of their own rights. The call gathered around 100 video projects featuring themes as diverse as the right to education and healthcare, protection from violence, respect for privacy, right to live in a healthy environment or inclusion of children with disabilities.

The EU has joined forces with the United Nations and the UN agencies on **global issues, including education, climate change and the global response to the pandemic**. In April, the EEAS and UNICEF jointly produced the video "5 ways to get your kids doing their homework", to support the right of children to have safe access to education, including during the pandemic, and raise awareness on the root causes of disruption to education.

The World Press Freedom Day in May, was marked with a campaign on social media on **the role of the free press in countering the disinformation** around the COVID-19 crisis.

The EU marked many other **international days relevant to the human rights and democracy agenda**, as designated by the United Nations or regionally. For instance, the High Representative issued declarations on behalf of the EU on the occasion of the International Day for the Elimination of Racial Discrimination, International Day against Homophobia and Transphobia, Day of International Criminal Justice, International Day of the World's Indigenous Peoples and International Day Commemorating the Victims of Acts of Violence based on Religion or Belief. The High Representative also issued statements to mark International Holocaust Remembrance Day, International Albinism Awareness Day, and the International Day in Support of Victims of Torture. Together with Commissioners, the HR/VP marked the International Days against Female Genital Mutilation and against Child Labour, as well as World Refugee Day and the International Day to End Impunity for Crimes against Journalists, Universal Children's Day and the International Day for the Elimination of Violence against Women. The High Representative also made joint statements with the UNSG Special Representative for Children and Armed Conflict on the International Days against use of Child Soldiers, with the UNSG Special Representative on conflict-related sexual violence on the International Day for the Elimination of Sexual Violence in Conflict,

as well as with the Secretary General of the Council of Europe on the European and World Day against the Death Penalty.

As every year, the EU gave particular prominence to the International **Human Rights Day** which is celebrated on 10 December to recall the adoption of the Universal Declaration of Human Rights in 1948. The 2021 edition was marked together with the United Nations under the slogan ‘All Human, All Equal’, in line with the Article 1 of the Universal Declaration of Human Rights – ‘All human beings are born free and equal in dignity and rights’. The theme ‘Reducing inequalities, advancing human rights’ is particularly relevant as the pandemic and its socio-economic consequences have a growing negative impact on human rights and democracy. EU delegations shared the Declaration by the High Representative on behalf of the EU<sup>143</sup>, a web feature<sup>144</sup> and social media cards on their social media and web pages and organised or participated in Human Rights Day events and conferences.

### **5.2 IMPLEMENTATION, MONITORING AND EVALUATION**

As the present report illustrates, the EU has used the **full range of the unique human rights and democracy instruments and tools** at its disposal to implement the EU Action Plan on Human Rights and Democracy 2020-2024, and also adopted first listings of the EU Global Human Rights Sanctions Regime in 2021. Annual discussions on the implementation of the EU human rights guidelines and the conduct of 32 **human rights dialogues and consultations** took place throughout 2021, also serving to monitor progress made during the year and to identify best practices.

The structure of this Annual Report on Human Rights and Democracy in the World was adapted to reflect the Action Plan and thereby provides for a framework to track progress on priority actions and thus monitor implementation. Regular interaction with the European Parliament and frequent meetings with civil society served to exchange views on how to advance EU human rights priorities and make progress in the implementation of Action Plan commitments.

The 23rd edition of the **EU-NGO Human Rights Forum** on 7-8 December 2021 brought together hundreds of human rights defenders, UN experts, EU staff and MEPs to discuss the most

<sup>143</sup> Declaration by the High Representative on behalf of the EU on Human Rights Day, 10 December 2021: <https://www.consilium.europa.eu/en/press/press-releases/2021/12/09/human-rights-day-declaration-by-the-high-representative-josep-borrell-on-behalf-of-the-european-union/>

<sup>144</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/108591/born-equal-yet-striving-equality\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/108591/born-equal-yet-striving-equality_en)

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pressing human rights issues of our time. Held virtually, the forum comprised 13 sessions with 105 speakers who discussed a human rights-based recovery from the pandemic under the banner “Rebuilding Better” and made specific recommendations to policy makers. As in previous years, the Forum was co-organised by the EEAS, the European Commission (Directorate-General for International Partnerships), and the Human Rights and Democracy Network.

Discussions aimed at identifying key actions to be taken by the EU and the international community to ensure a human rights-based recovery from the pandemic. The forum addressed three main themes: Ending states of emergency and restrictions on fundamental freedoms; Equal access to health care: addressing marginalisation and vulnerability; and Reinforcing economic, social and labour rights, corporate accountability, the decent work agenda and social protection in the post-COVID world.

In his opening remarks, HR/VP Borrell paid tribute to the work of human rights defenders, highlighting particular cases in China, Colombia or Burundi, and emphasised recent EU actions regarding Belarus, Afghanistan and Ethiopia. The HR/VP stressed that “*we are not only aware of your challenges, but we are taking action*” and referred, among others, to the sanctions imposed under the EU Global Human Rights Sanction Regime.