



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 June 2001

9547/01

LIMITE

**COHOM 15
DEVGEN 92
PESC 210**

"I/A" ITEM NOTE

from : The General Secretariat of the Council
to : Coreper/Council

Subject : Draft Council conclusions on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries

1. On 8 May 2001, the Commission issued a Communication to the Council and the European Parliament on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries. The Working Party on Human Rights, in consultation with the Development Co-operation Working Party, prepared draft Council conclusions on the above subject. At its meeting on 19 June 2001, the Political and Security Committee reached agreement on the draft Council conclusions as set out in the Annex.
2. Coreper is invited to recommend that under part "A" of the agenda for its meeting on 25/26 June the Council adopt the attached draft conclusions.

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DRAFT COUNCIL CONCLUSIONS ON THE EUROPEAN UNION'S ROLE IN PROMOTING HUMAN RIGHTS AND DEMOCRATISATION IN THIRD COUNTRIES

INTRODUCTION

1. Recalling the Vienna Declaration of the European Union of 10 December 1998 and other relevant instruments (Annex), the Council reaffirms the commitment of the European Union to the principles of liberty, democracy, respect for universal and indivisible human rights, fundamental freedoms and the rule of law as contained in Articles 6 and 11 of the Treaty on the European Union and in Article 177(2) of the Treaty establishing the European Community. The proclamation of the Charter on Fundamental Rights of 10 December 2000 reflects the overriding importance of human rights for all policies and activities of the European Union.
2. The Council welcomes the Commission's Communication on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries (COM (2001) 252 final) as a valuable contribution towards reinforcing the coherence and consistency of EU policy in the field of human rights and democratisation. Realising that sustainable democracy and respect for human rights must be built from within societies, the Council reaffirms its determination to promote stable, democratic environments, founded on the full enjoyment of human rights. The Council considers this objective essential for the implementation of the European Programme for the Prevention of Violent Conflicts and a cornerstone of its work to contribute to poverty reduction, sustainable social and economic development, peace and security.

PRINCIPLES

3. In order to achieve a more informed, credible, coherent, consistent and effective EU human rights and democratisation policy, the Council reaffirms its commitment to:
 - coherence and consistency between Community action and the Common Foreign and Security Policy (CFSP) as well as development policy through close co-operation and co-ordination between its competent bodies and with the Commission;
 - "mainstreaming" of human rights and democratisation into EU policies and actions;
 - openness of the EU's human rights and democratisation policy through a strengthened dialogue with the European Parliament and the civil society;
 - regular identification and review of priority actions in the implementation of its human rights and democratisation policy.

METHODS AND FOLLOW-UP

Coherence and consistency

4. The Council underlines the importance of enhancing co-ordination and co-operation between Community actions and the CFSP in the promotion and protection of human rights and efforts to strengthen democracy. Hence, the Council recalls that the Community's actions should be consistent with the European Union's action as a whole, including the CFSP. The Council shares the Commission's opinion that these objectives should be achieved without establishing new structures.
5. The Council stresses the importance of close co-operation between its competent bodies in order to allow for consistent and coherent decisions on the crosscutting issues of promoting human rights and democratisation. In this context, it underlines the role of the working party on human rights (COHOM) in ensuring an effective, coherent and consistent approach to these issues together with geographical and other relevant working parties. This role should be strengthened.

6. The Council recommends that the High Representative for CFSP ensure that appropriate structures within the Council Secretariat are in place in order to provide a focal point and enhance consistency and coherence of the human rights dimension in CFSP political dialogues and other actions, including in the fields of conflict prevention and crisis management.
7. The Council underscores the importance of the role played by the EU Heads of Mission, and in particular their reports, in contributing to an informed policy on human rights and democratisation.
8. The Council underlines the importance of coherence and consistency between the EU's overall policy and its position in international and regional fora such as the UN, the OSCE and the Council of Europe. To this end, the Council will review, between the sessions of the Commission on Human Rights, the implementation of resolutions initiated by the EU at the Commission.
9. The Council stresses the necessity to ensure consistency between the external and internal policies as well as the need to explore the development of possible means and practices to this end. The credibility of the EU's human rights policy requires a coherent application of human rights standards in all fields of activity, including in the enlargement process.
10. The Council welcomes and encourages the Commission's resolve to adopt a more strategic approach to the European Initiative for Democracy and Human Rights (EIDHR) so that the programmes and projects match the EU's commitments and policies and contribute to the implementation of core human rights instruments. It welcomes the Commission's approach to reform the programming and implementation of the EIDHR and the overall reform of EC external assistance.
11. The Council suggests that the question of a possible EU Common Strategy in the area of human rights and democratisation be further explored. In addition, the Council will take into account the positive experiences of the EU guidelines and common positions already in place.

Mainstreaming

12. In the Council's view the process of “mainstreaming” human rights and democratisation objectives into all aspects of EU external and internal policies should be intensified. Through mainstreaming, impact can be given to political priorities, without necessarily implying large budgetary allocations.
13. The Council recommends that respect for human rights and democracy, based on international norms and instruments, particularly those of the United Nations, be promoted through dialogue and co-operation without prejudice to the need to speak out in clear terms against violations of human rights. The Council attaches great importance to human rights dialogues with third countries. In addition, human rights and democratisation should systematically and at different levels be included in all EU political dialogues and bilateral relations with third countries. The Council underlines that issues taken up in the dialogues with third countries must be consistent with the EU’s overall policy towards the country in question, including the EU’s positions in international and regional fora.
14. In line with the European Union’s commitment to the promotion of human rights and to apply, whenever possible, a positive and supportive approach, the Council believes that a considerable degree of flexibility should be exercised in using EU and EC instruments and mechanisms, such as political dialogues, human rights clauses and financial incentives.
15. The Council welcomes the Commission’s intention to identify opportunities in other areas of Community policy, such as immigration and the environment, to promote policies and initiatives which favour respect for human rights and democratisation, including through the promotion of Corporate Social Responsibility (CSR). Increased trade and further trade liberalisation can contribute to promote respect for human rights. The Council calls for a strengthened international dialogue on the relationship between trade and social development, including core labour standards.

16. The Community co-operation framework for Country Strategy Papers (CSP), based on national plans such as Poverty Reduction Strategies where available, should contribute to a more systematic approach to human rights and democratisation. Human rights and democracy issues should be included in planning, design, implementation and monitoring of policies and programmes. The Council invites the Commission to ensure consistency, including by taking into account the views of the HOMs, between the CSPs and the CFSP considerations. The Council welcomes the Commissions's commitment to use the Inter-service Quality Support Group (IOSG) to monitor the inclusion of human rights principles in CSPs.
17. The Council confirms its commitment to a rights-based approach to development, which takes into account that the reduction of poverty requires offering empowerment, opportunity and security. In this context a democratic environment is indispensable. The promotion of democracy should therefore aim at providing a structural framework for the realisation of all human rights and for the eradication of poverty.

Openness

18. The Council recommends that the dialogue with the European Parliament should be actively pursued. The Council appreciates the expression of considerable knowledge and engagement contained in the European Parliament's annual reports on human rights. The Council intends to continue to develop the EU Annual Report on Human Rights.
19. The Council will pursue efforts to enhance the openness of its actions on human rights and ensure effective dialogue with civil society. The dialogue, including exchanges of information and experiences, should aim at an active involvement of the civil society. In this context, the Council undertakes to examine ways, in co-operation with the Commission to render the EU human rights discussion fora more effective.

Priorities

20. With reference to the measures to reinforce the EU's human rights policy identified in the 1998 EU Vienna Declaration, the Council recommends that areas for priority actions be regularly reviewed and updated so as to provide guidance for short term and long term policy making.
21. The Council welcomes the priorities identified for the EIDHR in the Commission's Communication looks forward to regular reviews and updates of these priorities. In its work to promote human rights and democratisation, the Council will focus on these and other key issues, such as the rights of the child, freedom of the media and strengthening of civil society including through human rights education. The EU must apply a gender perspective throughout its human rights and democratisation policy, as well as child rights perspective wherever relevant.
22. The Council stresses that the EU will continue its practice of co-operation with the United Nations and considers that all possibilities for strengthening this co-operation should be explored, specifically with the Office of the High Commissioner for Human Rights, as well as with other international and regional organisations, such as the Council of Europe and the Organisation for Security and Co-operation in Europe, in view of the importance that the EU attaches to the universal respect for, and consistent application of, international human rights instruments.

ANNEX to the Council Conclusions on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries

- Statement by the Council and the Commission on the European Community's Development Policy, 10 November 2000 (doc 13458/00)
- Council Conclusions regarding the Standard framework for Country Strategy Papers, 10 November 2000 (doc 13357/00)
- Guidelines for strengthening operational Co-ordination between the Community and the Member States in the field of external assistance, 22 January 2001 (doc 5431/01)
- Council conclusions on EU Election Assistance and Observation, 31 May 2001 (doc 9990/01)
- Council Conclusions on Linking Relief, Rehabilitation and Development (LRRD), 31 May 2001 (doc 9989/01)
- Council Conclusions on the special Report No21/2000 by the Court of Auditors on the management of the Commission's external aid programmes, 31 May 2001 (doc 9983/01)
- Council Procedural Conclusions on Conflict Prevention, 31 May 2001 (doc 9991/01)
- Council Regulations 975/1999 and 976/1999 (OJ L 120/1 and L 120/8 of 29 April 1999)
- ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 (OJ L 317 of 15 December 2000)