

## EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD 2019 COUNTRY UPDATES

### Contents

<b>Enlargement countries</b> .....	5
Republic of Albania.....	5
Bosnia and Herzegovina .....	6
Republic of North Macedonia .....	8
Kosovo*.....	10
Montenegro .....	12
Republic of Serbia .....	13
Republic of Turkey .....	14
<b>EEA/EFTA Countries and non-EU Western European Countries</b> .....	17
Switzerland .....	17
Norway .....	18
Iceland .....	20
Liechtenstein .....	21
<b>European Neighbourhood Policy</b> .....	22
Eastern Partnership regional cooperation.....	22
Armenia .....	23
Azerbaijan .....	24
Belarus .....	26
Georgia .....	28
Republic of Moldova .....	30
Ukraine .....	32
Egypt .....	35
State of Israel .....	36
Jordan .....	38
Lebanon .....	40
Libya .....	43
Syria .....	45
Palestinian Authority (occupied Palestinian territory – oPt) .....	47
Kingdom of Morocco .....	49
Western Sahara .....	51
People's Democratic Republic of Algeria .....	52
Republic of Tunisia .....	54
<b>Russia and Central Asia</b> .....	56
Russia .....	56
Kazakhstan .....	58
The Kyrgyz Republic .....	60
Tajikistan .....	62

---

\*. 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.

Turkmenistan .....	64
Uzbekistan .....	66
<b>Africa .....</b>	<b>67</b>
The African Union (AU) - European Union (EU) .....	67
Angola .....	70
Benin .....	72
Republic of Botswana .....	74
Burkina Faso .....	76
Burundi .....	78
Cabo Verde .....	80
Cameroon .....	82
Central African Republic.....	84
Union des Comores .....	86
Republic of Congo .....	87
Chad .....	89
Côte d'Ivoire .....	91
Djibouti .....	93
Democratic Republic of Congo (DRC) .....	95
State of Eritrea .....	97
Eswatini .....	99
Ethiopia .....	101
Equatorial Guinea .....	102
Gabon .....	105
Ghana .....	106
Guinea Bissau .....	109
Guinea .....	111
Kenya .....	113
Kingdom of Lesotho .....	115
Liberia .....	117
Madagascar .....	119
Democratic Republic of Malawi .....	121
Mali .....	123
Mauritania .....	125
Mauritius .....	127
Republic of Mozambique .....	129
Namibia .....	131
Niger .....	133
Nigeria .....	135
Rwanda .....	138
São Tomé and Príncipe .....	139
Senegal .....	141
The Seychelles .....	143
Sierra Leone .....	145
Somalia .....	147
South Africa .....	149
South Sudan .....	151
Sudan .....	153
Tanzania .....	155
The Gambia .....	157

Togo .....	159
Uganda .....	161
Zambia .....	163
Zimbabwe.....	165
<b>Arabian Peninsula .....</b>	<b>167</b>
Bahrain .....	167
Iraq .....	169
Kuwait .....	171
Oman .....	173
Qatar .....	174
Kingdom of Saudi Arabia .....	176
United Arab Emirates .....	178
Yemen .....	180
<b>Asia .....</b>	<b>182</b>
Afghanistan .....	182
People’s Republic of Bangladesh .....	185
Kingdom of Bhutan .....	187
Brunei Darussalam .....	189
Kingdom of Cambodia .....	190
People's Republic of China .....	192
Hong Kong Special Administrative Region of the People’s Republic of China .....	195
Macao Special Administrative Region of the People’s Republic of China .....	196
Taiwan .....	197
Iran .....	198
Republic of Korea .....	199
Democratic People's Republic of Korea (DPRK) .....	200
India .....	202
Indonesia .....	203
Japan .....	205
Lao People's Democratic Republic (Lao PDR) .....	207
Malaysia .....	209
Maldives .....	211
Mongolia .....	213
Myanmar/Burma .....	215
Federal Democratic Republic of Nepal .....	219
Pakistan .....	221
Philippines .....	223
Singapore .....	225
Sri Lanka .....	226
Thailand .....	228
Timor-Leste .....	231
Vietnam .....	233
<b>Oceania .....</b>	<b>234</b>
Australia .....	234
Fiji .....	235

The Federated States of Micronesia .....	237
Republic of Kiribati .....	239
Nauru .....	240
New Zealand .....	242
Palau .....	243
Independent State of Papua New Guinea .....	244
Republic of Marshall Islands .....	246
Samoa .....	248
Solomon Islands .....	250
Tonga.....	251
Tuvalu .....	253
Vanuatu .....	255
<b>The Americas .....</b>	<b>257</b>
Belize .....	257
United States of America .....	258
Antigua and Barbuda .....	260
Canada .....	262
Commonwealth of Dominica .....	264
The Bahamas .....	266
Barbados .....	267
Republic of Costa Rica .....	268
Republic of Cuba .....	269
Dominican Republic .....	271
El Salvador .....	274
Grenada.....	276
Guatemala .....	278
Co-operative Republic of Guyana .....	280
Haiti .....	282
Honduras .....	284
Republic of Argentina .....	286
Plurinational State of Bolivia .....	288
Federative Republic of Brazil .....	290
Republic of Chile .....	293
Republic of Colombia .....	295
Republic of Ecuador .....	298
Republic of Paraguay .....	300
Republic of Peru .....	302
The Oriental Republic of Uruguay .....	304
Republic of Venezuela .....	306
Jamaica .....	308
Mexico .....	310
Nicaragua .....	312
Republic of Panama .....	314
Saint Kitts and Nevis.....	316
St Vincent and the Grenadines .....	317
St Lucia .....	318
Republic of Suriname .....	320
Trinidad and Tobago .....	321

## Enlargement countries

### Republic of Albania

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for the Republic of Albania (due in autumn 2020).

**2. EU action - key focus areas:** The EU continues to monitor thoroughly the protection of human rights, including women's rights, rights of the child, protection of persons belonging to minorities, freedom of expression, property rights, protection of vulnerable groups and, in particular, the integration of Roma and Egyptian communities, as well as improvement of detention and probation conditions in the Albanian prison system.

**3. EU bilateral political engagement:** The recommendations of the fourth EU–Albania bi-annual policy dialogue Seminar on inclusion of the Roma and Egyptian communities in the Republic of Albania, held on 12 December 2018 in Tirana, were officially adopted in mid-2019 and a monitoring report of those recommendations was circulated. The recommendations from the seminar will be assessed in a regular manner, in particular in the EU-Albania Stabilisation and Association Subcommittees on Justice, Freedom and Security. The most recent Subcommittee on Justice, Freedom and Security discussed the human rights related developments, the results achieved and the measures planned.

**4. EU financial engagement:** In mid-2019, EU support (EUR 4 million) for the economic and social empowerment of Roma and Egyptian communities in the Republic of Albania ended and was assessed as having provided positive results to the community.

Through the European Instrument for Democracy and Human Rights (EIDHR), two projects (totalling EUR 1.2 million), which started in 2018, continued implementation in 2019, in support of children and youth in conflict with the law and for the protection of rights of LGBTI persons. By the end of the reporting period 3 additional contracts (totalling EUR 1.2 million), were signed in the areas of i) rights of LGBTI persons, ii) missing persons from the communist era, and iii) human rights and conditions in prisons. Under the EU-funded Civil Society Facility and Media Programme (2016-2017), implementation continued in 2019 and supported civil society organisations with a total amount of EUR 5.4 million with the aim to build the capacities of grassroots local organisations in addressing various human rights issues.

The EU is providing regional financial support to the Republic of Albania through the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey. The facility addressed issues such as: the capacities of judicial authorities, including supporting effective domestic remedies and facilitating the execution of judgments in the area of property rights; anticorruption strategic/legislative framework; and anti-discrimination, with a focus on the legal framework and capacities of the main bodies in charge of protection against discrimination. Under the latter component, the Horizontal Facility focused on the situation in prisons, the rights of persons belonging to minorities and bullying at school. In the course of 2019, a second phase of the Horizontal Facility started, addressing these areas.

**5. Multilateral context:** An Inter-Institutional Action Plan (2018-2020) on the implementation of UN Security Council Resolution 1325 was adopted in September 2018. Changes to the Law on Domestic Violence were approved to comply with the Istanbul Convention. The law now provides for immediate protection of domestic violence victims. The EU started a technical assistance to support the gender equality agenda in the Republic of Albania with a focus on gender mainstreaming across strategies and local level actions to boost the gender equality. The Republic of Albania underwent its third Universal Periodic Review (UPR) cycle in May 2019 and reported to the UN Human Rights Council. The country was granted Observer Status to the EU Agency for Fundamental Rights by decision of the EU-Albania Stabilisation and Association Council of 28 November 2019. The country should proceed with the nominations of an Observer, an alternate Observer and a National Liaison Officer for the Agency. It continued to cooperate with the European Court of Human Rights.

## Bosnia and Herzegovina

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for Bosnia and Herzegovina (due in autumn 2020).

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights, including the rights of persons belonging to minorities, as well as equality between women and men, as part of the EU integration process of Bosnia and Herzegovina. In 2019, the Commission adopted its Opinion on the membership application of the country, which includes an assessment of the preparedness on human rights and the protection of minorities and outlines 14 key priorities for BiH including six key priorities on fundamental rights:

(i) Strengthen the protection of the rights of all citizens, notably by ensuring effective implementation of the legislation on non-discrimination and on gender equality;

(ii) Ensure the right to life and prohibition of torture, notably by (a) abolishing the reference to death penalty in the Constitution of the Republika Srpska entity and (b) designating a national preventive mechanism against torture and ill-treatment;

(iii) Take concrete steps to promote an environment conducive to reconciliation in order to overcome the legacies of the war;

(iv) Ensure an enabling environment for civil society, notably by upholding the European standards on freedom of association and freedom of assembly;

(v) Guarantee freedom of expression and of the media and the protection of journalists, notably by ensuring the appropriate judicial follow-up to cases of threats and violence against journalists and media workers;

(vi) Improve the protection and inclusion of vulnerable groups, in particular persons with disabilities, children, LGBTI persons, members of the Roma community, detainees, migrants and asylum seekers, as well as displaced persons and refugees in line with the objective of closure of Annex VII of the Dayton Peace Agreement.

The Opinion also calls on Bosnia and Herzegovina to fundamentally improve the institutional framework, including at constitutional level, to ensure among other things that all citizens can effectively exercise their political rights in line with the Sejdić-Finci case law of the European Court of Human Rights.

**3. EU bilateral political engagement:** Bosnia and Herzegovina joined the joint declaration of the Prime Ministers of the Western Balkans at the Poznan Summit in July 2019, pledging to step up efforts for the social inclusion of the Roma. The biannual seminar on the social inclusion of the Roma will be held in Sarajevo in spring 2020, reviewing the implementation of the strategies in the area.

At the fourth Stabilisation and Association Subcommittee on Justice Freedom and Security (Brussels, 5-6 December 2019), Bosnia and Herzegovina and the European Commission discussed the state of play on human rights and the protection of minorities, following the adoption of the Commission Opinion. Human rights were also among the topics discussed at the Stabilisation and Association Committee (Sarajevo, 7 November 2019).

In May 2019, the EU and BiH jointly launched a new roadmap for their partnership on the G7 Initiative on Women, Peace and Security, outlining the key actions and priorities for the 2019- 2022 period, on the basis of Bosnia and Herzegovina's 2018-2022 action plan on UNSCR 1325 (Women, Peace and Security), adopted on 3 August 2018.

**4. EU financial engagement:** Actions under the Instrument for Pre-accession Assistance (IPA) included support to the transformation of institutions for children without parental care (EUR 1.3 million) and support to the process of transformation of institutions for persons with disabilities for independent living (community living) and development of a new social services based on the users' needs (EUR 1 million). Assistance continued via ICMP to account for persons missing from the conflicts of the 1990s (EUR 3 million- IPA 2019) and support for civil society to foster the recovery of areas affected by the 2014 floods (EUR 2 million).

EU support will also help strengthening the independence, transparency, efficiency, accountability and ultimately public trust in the justice system and monitoring the processing of war crime cases ('EU4Justice in BiH II', IPA2018, EUR 5 million; support to processing of war crimes, IPA 2019, EUR 4.5 million). An action in support to demining is also foreseen for the coming years (IPA2018, EUR 10 million).

New actions are starting in 2020 to strengthen the capacities of domestic institutions to monitor the implementation of legislation on gender equality and non-discrimination ('EU for human rights and antidiscrimination', IPA2017, EUR 1 million) and to improve legislative alignment with the EU *acquis* on gender equality (Gender Equality Facility, IPA2018, EUR 0.5 million). A twinning with the Ombudsman Institution on establishing a National Preventive Mechanism is also foreseen for the coming years (EUR 650,000).

Via the IPA Civil Society and Media Facility, two new projects for EUR 2.5 million were contracted in 2019, totalling to 14 ongoing projects worth more than EUR 9 million. These new projects focus notably on capacity building of government in cooperation with CSOs and CSOs engagement in election monitoring. Via the EIDHR, five new projects for a total of EUR 0.8 million were contracted in December 2019 with grants involving 13 organisations to work on the promotion and protection of labour rights for female workers in the textile and

footwear industry; promotion of human rights and inclusion of Roma women and youth; promotion of gender equality and the role of women in the police; inclusion of persons with disabilities; reconciliation and dealing with the past.

The EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey focuses on strengthening the capacity of stakeholders to address national minority protection and promotion, protection of the rights LGBTI persons and combating hate speech. The second phase of the programme started in 2019 with five actions in Bosnia and Herzegovina on the topics of: Strengthening human rights treatment of detained persons; Preventing and combating trafficking in human beings; Preventing and combating trafficking in human beings; Promotion of diversity and equality (protection of national minorities and LGBTI persons); Quality education for all; Freedom of expression and freedom of the media.

**5. Multilateral context:** Bosnia and Herzegovina underwent examination of its human rights record in the framework of the third cycle of the Universal Periodic Review (UPR) on 13 November 2019 at the United Nations Human Rights Council Working Group. The UN Member States issued 207 Recommendations to Bosnia and Herzegovina. Bosnia and Herzegovina is expected to review such recommendations and adopt an action plan for their implementation in early 2020.

## Republic of North Macedonia

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for the Republic of North Macedonia due this autumn.

**2. EU action - key focus areas and bilateral political engagement:** The EU continues to closely monitor the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy dialogue on both technical and political levels, notably in the context of the Justice and Home Affairs subcommittee under the Stabilisation and Association Agreement, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas included: justice reform, non-discrimination and freedom of expression.

**3. EU financial engagement:** Under EIDHR, the implementation of the five projects funded under allocations for years 2016-2017 continued. The projects helped promoting the UN Guiding Principles on business and human rights, improving gender equality and the rights of people with disabilities. Furthermore, EU project teams provided free legal aid to most vulnerable communities in the society. EIDHR-funded projects particularly addressed challenges with respect to the development of an active civil society, good governance, rule of law, freedom of expression, fight against corruption and better social protection.

The Call for proposals of 2018-2019 EIDHR allocations worth EUR 1 million has been finalised resulting in six new projects. Implementation of the projects will start in the first quarter of 2020, covering areas such as access to justice for most marginalised communities, protection from torture and ill-treatment in prisons and detention facilities, protection of the

environment as well as promotion of tax responsibility. One of the grants will promote human rights through production of documentaries, illustrating violations, but equally raising public awareness about domestic and international legal human rights framework.

Under IPA, EUR 16.5 million have been allocated in 2019 under the Action 3: EU for Youth, aiming at improving the employment of young people as youth unemployment is much higher for uneducated or low educated young people. The Action targets least developed regions and will support the implementation of the Youth Guarantee with a focus on 15-29 years old people who are unemployed, low educated or not trained to access the labour market. Under the Civil Society Facility, three projects out of seven, amounting to EUR 200,000, have been signed with the objective of advocating proper legislation and policies regarding the human rights, and to increase awareness about discrimination based on sexual orientation, gender identity and disability. As regards Roma, three projects amounting to EUR 2.2 million were signed in 2019 to support sustainable urban development of Roma communities and decent housing conditions. The projects will target also the inclusion of Roma in primary education providing for a financial support to a total of 600 Roma primary school students from the most vulnerable Roma families.

Projects worth EUR 7 million, launched in 2016 under the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey (phase I) and the JUFREX regional programmes, which have covered various areas of fundamental rights, including non-discrimination and protection of vulnerable groups, freedom of expression, strengthening the judicial capacities to safeguard human rights and combat ill-treatment and impunity as well as prevention of trafficking in human beings, reintegration of victims of trafficking and access to free legal aid, have been successfully completed in May 2019. The continuation of the CoE Horizontal Facility phase II, amounting to EUR 4.1 million, has been successfully programmed with the cooperation of the European Commission/EU delegation and the beneficiaries and was launched in the second half of 2019.

This phase includes six nationally based actions aiming to further support the penitentiary reforms and the External Oversight Mechanism, to put in place an effective free legal aid system, to fight against economic crime, to combat trafficking of human beings, to promote freedom of expression and of the media, and to promote diversity and equality, especially regarding gender recognition and rights of LGBTI persons. These six country specific actions will be further supplemented by eight regional actions.

The Expertise Co-ordination Mechanism is a flexible tool through which the Council of Europe provides ad-hoc legislative expertise and policy advice in response to requests made by the beneficiaries. It has provided support to a Venice Commission opinion on the Law on Use of Languages.

**4. Multilateral context:** The Republic of North Macedonia continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular of the United Nations and of the Council of Europe. The government signed a number of international conventions in 2019: the 1996 Convention on Child Protection, the 2005 Convention on Choice of Court Agreements, the 2007 Convention on Child Support and Family Maintenance as well as its Protocol on the Law Applicable to Maintenance Obligations, and the 2018 Protocol amending the Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data of the Council of

Europe. The government continued to report quarterly to the European Committee for the Prevention of Torture on its action plan to address the Committee's recommendations.

The country continued working on implementation of the judgements of the European Court of Human Rights.

## Kosovo

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for Kosovo (due in autumn 2020).

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights in Kosovo. There is a regular policy dialogue at both technical and political levels, notably in the context of the Justice, Freedom and Security subcommittee under the Stabilisation and Association Agreement, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society.

**3. EU bilateral political engagement:** In 2019, the EU Office/EUSR in Kosovo has significantly increased its policy engagement on human rights and gender, and brought these topics higher on a political agenda of the Government. Through monthly gender talks, the EU Office/EUSR engaged in direct bilateral dialogue with institutions and civil society organisations on the most important issues on gender equality and women empowerment. These included discussions on women representation in media, women in sports, gender equality in elections, women in health, women in political decision making, just to name a few. These talks produced concrete recommendations for actions to be undertaken by Kosovo institutions to further advance gender sensitive policy making and implementation. Summary of the discussions and other activities of the EU Office/EUSR will be presented in a publication that will be launched in March 2020, to mark the International Women's Day.

In addition, the EU Office/EUSR initiated human rights coordination meetings with key international organisations that work on human rights in Kosovo, with the aim of approaching the authorities on key human rights issues in a harmonised manner. Four meetings have taken place followed by bilateral meetings with the authorities on thematic issues, such as freedom of expression, children's rights and rights of people with disabilities, the rights of LGBTI persons, missing persons, and national human rights mechanisms.

The EU Office/EUSR, including the Head of Office, engaged concretely on various pieces of legislation in the field of human rights and democracy, and undertook visits to a number of relevant institutions. Activities also included a number of events to mark the 16 Days of Activism against Gender Based Violence.

Kosovo's Prime Minister Haradinaj resigned during the summer of 2019, triggering early parliamentary elections, a dissolution of the Assembly and a prolonged period of a caretaker government. This has directly affected the EU's engagement in relation to human rights, for example in slowing down the adoption of key legislation bringing Kosovo closer to EU standards.

The EU deployed an Election Observation Mission (EOM) to follow the early elections on 6 October 2019. Though the mission noted that the elections were well administered and transparent, recurrent systemic shortcomings highlighted the need for urgent electoral reform to bring Kosovo fully in line with international standards for democratic elections. The EOM proposed 23 recommendations to improve future electoral processes.

**4. EU financial engagement:** Financial support is provided under the Instrument for Pre-accession Assistance (IPA) and the European Instrument for Democracy and Human Rights (EIDHR).

The IPA Civil Society Facility and Media Programme supported two coalitions of CSOs: for the promotion of fundamental rights of vulnerable and marginalised groups (EUR 900 000) and to promote employability of vulnerable groups in Kosovo and their inclusiveness in education and employment (EUR 900 000). Independent journalism with a focus on human rights was strengthened through a grant scheme dedicated to activists and journalists. Under the same instrument, three operating grants contributed to protect and promote the rights of LGBTI persons. Under IPA 2017 the project supporting Ombudsman Institution (EUR 2 724 00) started in March 2019.

The regional EU/CoE Horizontal Facility for the Western Balkans and Turkey concluded its work to support Kosovo on prison reform, the introduction of the European Commission for the Efficiency of Justice (CEPEJ) tools in the judiciary, as well as on education (anti-discrimination and anti-corruption) and a follow-up on recommendations from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). New interventions were scheduled under phase II of the Facility, started as of May 2019. Under Horizontal Facility II three projects started during 2019: Strengthening the quality and efficiency of justice - KOSEJ II; Promotion of diversity and equality, and in the field of freedom of expression and freedom of the media - JUFREX II.

Eight EIDHR projects awarded to local CSOs in 2016 (overall amount EUR 1,7 million) continued to support the work of the Ombudsperson Institution, promote political participation and economic rights of women, protect the rights of the child and victims of violence and/or discrimination. These grants ended in 2018 (three contracts) and some in 2019 (five contracts). The EIDHR 2018/2019 scheme was signed at the end of December 2019 and contract implementation started. Five contracts, with a total value of around EUR 1 million (EUR 927,809.67) will focus on promotion and protection of children and adolescent's rights (promotion of abuse free environments in Kosovo schools; introduction of the Service Learning approach; fulfilment of the education rights of children and adolescents with special needs and vulnerable communities; strengthening, promoting and protection of the child rights in social services and CSO's providing services for children) and supporting the right to know and action for missing persons from the 1990s conflict (strengthening a larger mobilisation of media organisations and CSO's in improving the fate of missing persons in Kosovo and the understanding and participation of the public in the same).

**5. Multilateral context:** Kosovo continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular with the Council of Europe.

## Montenegro

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for Montenegro (due in autumn 2020).

**2. EU action - key focus areas / bilateral political engagement:** The EU continues to closely monitor the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy dialogue on both technical and political levels, drawing from monitoring of the implementation of the action plan for Chapter 23, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas included *inter alia* freedom of expression, gender equality, prevention of torture, ill-treatment and inhuman or degrading treatment, the rights of vulnerable groups, including children, Roma, persons with disabilities and LGBTI persons.

**3. EU financial engagement:** In 2019, under the Instrument for Pre-Accession Assistance (IPA), two projects (worth approximately EUR 1.7 million) continued to provide broad and concrete support in the area of human rights. The projects aim to provide sustainable solutions for the internally displaced Roma, promotion and protection of the human rights of Roma, Egyptians and other vulnerable groups and gender equality.

In the framework of the IPA Sector Operational Programme for Education Employment and Social Policies (SOPEES), a EUR 3 million-grant scheme was designed to implement quality social service for the most vulnerable groups. This includes a EUR 300,000 grant to strengthen the role of Roma mediators in the sector of inclusive education and EUR 300,000 awareness-campaign against discrimination of ethnic minorities. It also includes grants in the total amount of EUR 2,5 million intending to support the provision of Social and Child Protection Services. These actions will be implemented in 2020. Collaborative grant scheme for innovative project ideas (EU contribution: EUR 850,000) was launched in 2019 and will be implemented in 2020.

In addition, within the IPA Civil Society Facility, a EUR 280,000 project targeting peer-to-peer school violence was implemented in 2019.

In November and December 2019, eight projects were contracted using the entire European Instrument for Human Rights and Democratisation - Country Based Support Scheme (EIDHR CBSS) allocation for Montenegro for the years 2018 and 2019 of EUR 1.1 million in total. The projects cover the following areas: the right to freedom of assembly, rights of LGBTI persons focusing on the local level, combating gender based violence and assessing health services in that regard, financing of political parties and election campaigns, strengthening trade unions, promoting Roma rights and inclusion from the grass-root level, providing free legal aid to migrants, and transitional justice focusing on the 1990s wars in former Yugoslavia.

Nine EIDHR projects contracted in 2017 and 2018, continued with their implementation in 2019, with the total value of EUR 1.14 million. These projects address promoting the rights of people with disabilities; social housing; right to access information; rights of LGBTI

persons, to building trust in the integrity of the electoral process, and education about human rights of both student and the general public; prevention and protection from sexual violence; consumer protection rights of persons with disabilities; trade unionisation of Roma workers and political and civic activism of Roma. The EIDHR, together with the Civil Society Facility, represent important tools for strengthening civil society in Montenegro, whose role is of crucial importance not only for democratisation of society but also for contributing to a more transparent and accountable EU accession process and negotiations. In addition to creating synergies between the two instruments, the EIDHR can tackle more sensitive and controversial issues that otherwise cannot be covered by other instruments where the government's consent is needed.

Through EU financial assistance, a shelter for women victims of domestic violence in Podgorica was able to remain operational, providing prevention and protection from sexual violence, and received license for its operations from the Ministry of Labour and Social Welfare. This process was very much assisted through EU-funded multi-country project with UN Women, 'Implementing norms, changing minds'. The shelter has been helping victims of sexual violence for years, often pro bono. The EU-funded grant aims to increase the capacity of the shelter to carry out its core activities, as well as public advocacy and awareness raising. The latter activity focuses on real testimonies of sexual violence victims to address attitudes in society and encourage more victims to come forward.

**4. Multilateral context:** Montenegro continued its dialogue with international human rights organisations and monitoring bodies, the United Nations' bodies and the Council of Europe. The Ministry of Foreign Affairs developed in the course of 2019 a database to track the implementation of obligations and recommendations from international human right mechanisms. Montenegro reported in June 2019 on the status of implementation of the recommendations of the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) Committee of July 2017. The country's legal framework needs to be further adapted and fully implemented in most important sectors in order to meet international human rights standards, in particular on non-discrimination, rights of the child, rights of persons with disabilities, right to information, and freedom of expression.

## Republic of Serbia

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for the Republic of Serbia (due in autumn 2020).

**2. EU action - key focus areas/ bilateral political engagement:** The EU continued to monitor closely the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. There is a regular policy and political dialogue on both technical and political levels, drawing from monitoring of the implementation of the action plan for Chapter 23, regular peer reviews, EU-funded projects, and engagement with international organisations and civil society. In this regard, key focus areas included freedom of expression, human rights institutions and the rights of persons belonging to national minorities, including the Roma.

**3. EU financial engagement:** In 2019, the EU continued to implement a number of IPA-funded projects in order to support anti-discrimination policies and to improve the situation of vulnerable persons, including the Roma, refugees and internally displaced persons. There were several ongoing projects regarding Roma inclusion in 2019, with a total value of EUR 30 million.

Through an IPA regional project, a total amount of EUR 3.48 million have been dedicated to the strengthening of protection of human and the rights of persons belonging to minorities in the Republic of Serbia.

With the aim of strengthening civil society, projects worth EUR 5 million were implemented in 2019, while additional EUR 5 million were awarded to new projects at the end of 2019. These projects are aimed at building the capacity of grassroots organisations focussing on rule of law, the environment, cultural diversity and socio-economic development, and at enhancing civil society participation in the EU accession negotiations process.

Under the European Instrument for Democracy and Human Rights (EIDHR), EUR 1.75 million have been implemented during 2019 and additional EUR 2 million were granted at the end of 2019 to new projects supporting civil society. These projects focus notably on the protection of minorities, gender equality, children's rights, the rights of persons with disabilities, prevention of torture and protection of human rights defenders.

The EU supported the media in the Republic of Serbia with approximately EUR 2.5 million in the field of investigative reporting, including rule of law, anti-corruption, environmental protection as well as general media literacy and informing on the EU accession process. Technical assistance worth EUR 600,000 to the two Public Broadcasters (RTS and RTV) is ongoing, with the aim of improving media content of public interest and increasing media literacy. The country's Press Council is supported with EUR 300,000 in raising the ethical standards of media and in investigating complaints on violations of ethical standards.

**4. Multilateral context:** In 2019, the Republic of Serbia presented its Fourth Periodic Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), based on which the Committee on the Elimination of Discrimination against Women adopted 28 recommendations addressed to the country.

The Republic of Serbia also submitted its Third Periodic Report on the Implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to the Committee against Torture, as well as its Third Periodic Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

## Republic of Turkey

**1. Overview of the human rights and democracy situation:** Please refer to the 2020 EU Enlargement Package Country Report for Turkey (due in autumn 2020).

**2. EU action - key focus areas:** The EU action to support to human rights and democracy continued to be provided through both policy dialogue and financial instruments (mainly the

European Instrument for Democracy and Human Rights and the Civil Society Facility). Focus was on support to human rights defenders, refugees, LGBTI persons and persons belonging to minorities, access to justice and support to freedom of assembly, and freedom of expression, media pluralism, and to increase CSOs' capacity to monitor human rights.

The EU delegation to Turkey, in coordination with EU Member States, continues to monitor the trials of human rights defenders as well as those of victims of human rights violations in Turkey. The EU delegation is in close contact with lawyers, international and local human rights associations and civil society. Beyond its regular assessment of the current situation and legislative changes, the EU delegation organises a monthly Working Group on Human Rights with the EU Member States and facilitates meetings with NGOs and civil society organisations when EU senior management representatives travel to Turkey.

**3. EU bilateral political engagement:** A Judiciary Reform Strategy covering 2019-2023 was adopted in May 2019. Turkey's capacity to ensure an effective domestic legal remedy in the sense of the European Convention on Human Rights has been further undermined by continued political pressure on judges and prosecutors. This continued to have a significant negative effect on the independence and the overall quality and efficiency of the judiciary. Several higher court rulings favourable to prominent defendants, including human rights defenders, were swiftly reversed by local courts and, in some instances, following an intervention from the executive. Selahattin Demirtaş, the former co-chair of the Peoples' Democratic Party (HDP), remains in jail more than a year after the European Court of Human Rights ruled for his release. In December, the Istanbul court defied the European Court of Human Rights' ruling for the release of businessperson and human rights defender Osman Kavala, who remains in jail up to this day.

The EU delegation, sometimes together with EU Member States, has organized high-level visits to the premises of media outlets, NGOs or HRDs in distress to show support and solidarity as well as visits to national agencies related to human rights. In bilateral contacts with the Turkish authorities, the EU delegation regularly raises issues and cases such as long pre-trial detentions of journalists and HRDs as well as requests action.

**4. EU financial engagement:** In light of the above negative developments, support to independent civil society as well as to reform and capacity building for rule of law and fundamental rights has become a greater priority for EU financial assistance, as laid out in the revised Country Strategy Paper 2014-2020 (IPA II assistance) for Turkey adopted by Commission Decision on 10 August 2018.<sup>1</sup>

In general, direct support to civil society organisations (CSOs) and to citizens' rights-based initiatives has been reinforced in 2019 as an answer to the shrinking civic space in the country. Under the Instrument for pre-Accession Assistance (IPA), the European Commission committed in 2019 approximately EUR 31 million to support civil society, including in the field of human rights. A number of projects on human rights are being implemented mainly through the Civil Society Facility (CSF), and in complementarity with other EU instruments. The Civil Society Facility and Media Programme for Turkey provided core funding to rights-

---

<sup>[1]</sup> <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-indicative-strategy-paper-2014-2020-for-turkey.pdf>

based CSOs, to support HRDs, to strengthen freedom of expression and media pluralism, and to increase CSOs' capacity to monitor human rights. This includes support to the European Endowment for Democracy (EED) tackling e.g. direct individual human rights issues.

To facilitate access of grassroots organisations, small initiatives and individuals to EU support, and to strengthen the capacities of civil society in Turkey, the EU delegation in Ankara is financing several projects with different modalities of support to third parties, both financial and in kind. Here below are some examples of on-going CSF projects related to human rights. The project ETKINIZ provides in kind support, online resources, training programmes, mobility support to access international human rights mechanisms, as well as networking support for CSOs engaged in human rights monitoring and advocacy activities at various levels.

The Hrant Dink Foundation is implementing a project providing both financial support and capacity-building trainings to CSOs working in the field of human rights, democracy and the promotion of conviviality among different ethnic, social and political groups in Turkey. The International Federation for Human Rights (FIDH), together with four other human rights organisations, is implementing the EU Protect Defenders mechanism, which provides different kinds of support mechanisms, such as emergency grants and capacity building to human rights defenders at risk and institutional grants to human rights organisations.

The EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey – Phase II (2019-2022), was programmed under the IPA Multi Country Programme 2018 to enhance the respect for human rights, reinforce the rule of law and promote democratic governance. In Turkey, three actions aim to support the implementation and reporting on the EU Action Plan on Human Rights and Democracy, strengthen the human rights protection of asylum seekers, migrants and victims of human trafficking, and foster a comprehensive institutional response to violence against women and domestic violence.

The European Instrument for Democracy and Human Rights (EIDHR) projects in Turkey focus on the most critical human rights issues. As of December 2019, more than 43 projects are being implemented. Priorities in this area are consistent with, and complementary to, the work conducted under other EU financing instruments.

Some examples of EIDHR projects implemented in 2019 are 'Expression Interrupted', 'Protecting Human Rights Defenders, Fundamental Freedoms and Fair Trial', 'Who is Guilty?' and 'Strengthening Access to Social Rights by Supporting IDPs'.

The UK-based organisation Article 19 is implementing the 'Expression Interrupted' project with the local organisation Punto 24, monitoring Turkey's implementation and compliance with international human rights law and raising awareness of human rights violations in Turkey.

Another project focusing on freedom of expression and compliance with international human rights law is 'Protecting Human Rights Defenders, Fundamental Freedoms and Fair Trial', implemented by Euro-Mediterranean Human Rights Network (Euromed Rights) together with two local human rights organisations. The project monitored the hearings of

14 different cases and identified several common issues and violations, especially related to the independence of judges and the presentation of evidence. Through workshops, the project created a space for human rights defenders to meet and share their experiences.

The project 'Who is Guilty', implemented by Women's Center, Education Production Consultancy and Solidarity Foundation (KAMER Vakfı - Kadın Merkezi, Eğitim Üretim Danışma ve Dayanışma Vakfı) in the eastern part of the country, is targeting local organisations and women to increase knowledge and competencies in the area of women's rights, gender-based violence, legal rights, international conventions and legal remedy instruments.

With the objective to protect the rights of victims of forced internal migration, the Migration Monitoring Association (Göç İzleme Derneği) is implementing the project 'Strengthening Access to Social Rights by Supporting IDPs', which monitors and reports on the situation of internally displaced persons (IDPs) in Turkey, identifies settlement locations, as well as trainings for CSOs working to promote the rights of IDPs in Turkey.

The Facility for Refugees in Turkey continues to provide support to refugees and host communities in the country in key sectors including protection, education and health. The full operational budget of the EUR 6 billion of the Facility for Refugees in Turkey has been committed by the end of 2019 and more than 90 projects to support basic humanitarian needs and long-term development assistance were being implemented. Through these projects, the EU is helping 1.7 million refugees in meeting their basic needs, helping more than 500,000 refugee children go to school, and providing millions with access to health care and protection services.

**5. Multilateral context:** The EU regularly raises the human rights situation in Turkey in multilateral fora. In 2019, the EU delegations to the Council of Europe and to the OSCE expressed on multiple occasions the EU's concerns over the continued violations of human rights and fundamental freedoms in Turkey, including extended periods of pre-trial detention, procedural rights and freedom of expression. Statements have been delivered both on behalf of the EU Member States and on behalf of the respective EU delegations.

In 2019, the EU included Turkey in its statements for the three sessions of the Human Rights Council - three times under Item 4 'Human Rights situation that require the Council's attention' and once under Item 2 'Annual Report and Oral Update by the High Commissioner for Human Rights on the activities of his Office and recent human rights developments'. Turkey's third Universal Periodic Review took place in January 2020, as scheduled.

## EEA/EFTA Countries and non EU Western European Countries

### Switzerland

**1. Overview of the human rights and democracy situation:** Switzerland has a very high standard of human rights internally, and an active human rights policy abroad. There are no issues of major concern.

The Federal Council decided in June 2016 to establish an independent national human rights institution mandated to support public authorities, civil society organisations and businesses in the area of human rights. After conclusion of the consultation process in October 2017, the draft law was submitted to the Swiss Parliament on 13 December 2019. Since 2011, Switzerland has had a Swiss Centre of Expertise in Human Rights (SCHR) as a temporary pilot project. In order to avoid a gap between the pilot project, which runs out at the end of 2020, and the establishment of the national human rights institution, the Federal Council proposed extending the project for a further two years.

In 2019, the initiative against the ban on discrimination based on sexual orientation, launched by the youth section of the major right wing Swiss People's Party (SVP) and a smaller national-conservative Christian party, has dominated the media. The draft law proposed by the Parliament (and backed by the government) would extend the criminal provision on anti-racism to include discrimination on the grounds of sexual orientation in order to protect homosexual, bisexual and heterosexual persons. A popular vote on this issue took place.

**2. EU action - key focus areas:** The EU and Switzerland enjoy close and frequent cooperation within the international institutions and multilateral arena as regards human rights and democracy promotion. Public communication should highlight the variety of areas where the EU and Switzerland are acting jointly and where common achievements are made.

**3. EU bilateral political engagement:** In general, Switzerland has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Switzerland is not included in any operational projects or programmes funded by the EIDHR or other EU instruments.

**5. Multilateral context:** Switzerland's UPR 3 cycle (2017-2021) took place in November 2017. In its national report, submitted in July 2017, Switzerland notably refers to its 2016-2019 Human Rights Strategy and emphasises the steps taken in view of the creation of a National Human Rights Institution. Switzerland recalls its accession to the Convention on the Rights of Persons with Disabilities (2014), to the International Convention for the Protection of All Persons from Enforced Disappearance (2016) and to the International Labour Organisation Domestic Workers Convention (2011), in line with previous UPR recommendations.

## Norway

**1. Overview of the human rights and democracy situation:** Norway has historically been a strong supporter and promoter of human rights. It has ratified most main UN conventions on

human rights, and the protection of civil and political - as well as economic, social and cultural - rights is very strong domestically. Norway is considered one of the most gender-equal countries in the world. It is at the forefront of the Women, Peace and Security (WPS) agenda and a strong partner on UNSCR 1325. Protection of human rights defenders has long been a key priority for Norway.

Yet there is a healthy public debate on some issues, including occasional criticisms. Recent examples include criticism over the frequent use of solitary confinement in prisons; controversy over what some see as an over-zealous Child Protection Service in cases where it has removed children from their parents' care; and concern over whether the rights of asylum seekers, particularly minors, have been well enough protected.

**2. EU action - key focus areas:** As Norway and the EU have very similar views on human rights issues, close cooperation takes place in various multilateral forums (UN, Council of Europe, OSCE), as well as on the ground in their country-specific strategies around the world. In Norway, highlighting the various international days linked to human rights (including via social media) is a priority, as well as providing targeted information to relevant Norwegian stakeholders.

**3. EU bilateral political engagement:** In general, Norway has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Norway is not included in any operational projects or programmes funded by the EIDHR.

The EU Delegation in Oslo undertook several Public Diplomacy and Information activities during the course of 2019, including:

- International Women's Day
- World Press Freedom Day
- International Day against Homophobia, Transphobia and Biphobia
- The 75<sup>th</sup> Anniversary of the D-Day
- #EUatUNGA
- Oslo Pride campaign
- European and World Day against the Death Penalty
- Equal Pay Day
- World's Children's Day
- Human Rights Day
- #EU4HumanRights
- The '16 Days of Activism' campaign against gender-based violence

**5. Multilateral context:** The UN Committee on the Rights of Persons with Disabilities published its initial report on Norway in May 2019, arguing that there is not enough focus on the intersectionality of the discrimination people with disabilities face. For instance, the UN Committee found that women with disabilities are less likely to be employed than men with disabilities, and that persons with disabilities belonging to ethnic minorities do not have

mechanisms addressing the multiple forms of discrimination they face. UN Special Rapporteur Devandas visited Norway in October and criticised the country's guardianship regime, saying it is problematic that almost 40% of the 40,000 people who are under guardianship do not have the competence to consent.

## Iceland

**1. Overview of the human rights and democracy situation:** Iceland is a global leader in the field of human rights, with a very high standard of human rights and a high level of cooperation with international organisations on human rights issues. The World Economic Forum put Iceland on the top of the Global Gender Gap Index for the 11th year in a row in 2019, which shows that gender equality has a prominent place in Iceland's both national and international priorities. In 2019, Iceland has continued to be at the forefront of promoting human rights issues and particularly gender equality at international level. Iceland has a seat on the UN Human Rights Council, where it has stressed in particular gender equality, the fight against gender-based violence, the rights of LGBTI persons and the rights of the child. In 2019, Iceland took over the Presidency of both the Nordic Council of Ministers and the Arctic Council, where gender issues featured among its priorities.

**2. EU action - key focus areas:** Iceland is a like-minded partner of the EU in the field of human rights and close cooperation takes place in various multilateral forums (UN, Council of Europe, OSCE). Iceland usually aligns itself with HRVP Declarations on human rights issues.

**3. EU bilateral political engagement:** In general, Iceland has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Iceland is not included in any operational projects or programmes funded by the EIDHR or other EU instruments.

However, the EU delegation in Reykjavik has undertaken several Public Diplomacy and Information activities to showcase the EU's action on promoting human rights and to maintain a dialogue with the main human rights organisations active in Iceland. These activities were amongst others organised in the context of human rights related events, such as the International Day against Homophobia and the Reykjavik Pride Parade.

**5. Multilateral context:** Iceland's last UPR in November 2016 generally reflected Iceland's longstanding commitment to democracy and human rights, both at national and international level. During the subsequent adoption of its report, Iceland announced that of the 167 recommendations received, 112 were accepted and 14 were noted. The mid-term report on the activities of Iceland's inter-ministerial committee on human rights, which is in charge of coordinating the activities related to the UPR, was due to be published in the autumn of 2019. However, it is more likely to be published in early 2020.

Regarding the implementation process of the UPR recommendations - while Iceland ratified the Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul convention), and adopted legislation on a general framework for the prohibition of discrimination on ethnic and racial grounds and on the prohibition of discrimination in workplace in the course of 2018, as well as ratified the Optional Protocol to the Convention on Torture in 2019 - certain international human rights instruments remain to be ratified. These include the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED) and the International Convention on the Rights of All Migrant Workers and Members of Their Families. The Icelandic government has again delayed legislation to establish a National Human Rights Institution (NHRI), which was a major recommendation of the most recent UN Human Rights Council Universal Periodical Review (UPR). It is still likely that, once it eventually happens, the NHRI will be created out of the existing NGO umbrella body - the Icelandic Human Rights Centre.

## Liechtenstein

**1. Overview of the human rights and democracy situation:** Liechtenstein has a very high standard of human rights.

The legal basis for the creation of the National Human Rights Institution, the Law on the Association for Human Rights in Liechtenstein, entered into force on 1 January 2017. The secretariat of the National Human Rights Institution is operational since June 2017. In 2019, topics of special attention were the presentation of the government's 9th human rights report and the women's strike for more gender equal politics in June. Liechtenstein's international initiative 'Finance Against Slavery and Trafficking' (FAST) was also widely reported.

**2. EU action - key focus areas:** Liechtenstein is a like-minded partner of the EU in the field of human rights and cooperation takes place in various multilateral forums (UN, Council of Europe, OSCE).

**3. EU bilateral political engagement:** In general, Liechtenstein has good mechanisms in place to assure the protection of human rights within its territory. Possible issues are best addressed in the framework of the Universal Periodic Review (UPR) in the UN Human Rights Council.

**4. EU financial engagement:** Liechtenstein is not included in any operational projects or programmes funded by the EIDHR or other EU instruments.

**5. Multilateral context:** Liechtenstein's UPR 3 cycle (2017-2021) took place on 24 January 2018. Liechtenstein received a generally positive appreciation during its review. The creation of an independent National Human Rights Institution in accordance with the Paris Principles was noted as a positive development. 126 recommendations were made, encouraging Liechtenstein to continue addressing cross-cutting discrimination, enhancing civil and political rights and rights of specific persons or groups. Liechtenstein provided replies in June

2018, accepting or taking note of 111 recommendations (15 are considered as already implemented).

In June 2019, Liechtenstein submitted its first voluntary national review (VNR) on the implementation of the 2030 Agenda for Sustainable Development.

Furthermore, in September 2019, Liechtenstein submitted its initial country report under Article 12(1) of the Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

Moreover, in 2019 Liechtenstein adopted its 4th additional report under Article 19 of the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## **European Neighbourhood Policy**

### **Eastern Partnership regional cooperation**

In the context of Eastern Partnership regional cooperation with six countries – Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine - the EU has worked within the region to reinforce a shared commitment to international law and fundamental values. These include the respect for human rights, fundamental freedoms and non-discrimination, democracy, the rule of law, as well as to market economy, sustainable development and good governance.

In 2019, the EU continued the implementation of commitments endorsed at the Eastern Partnership Summit in Brussels in 2017 and took further the implementation of a strategic and ambitious reforms work plan captured in the 20 Deliverables for 2020. Specifically within the area of strengthening institutions and good governance, the implementation of reforms in the judiciary, as well as in the fight against corruption contributed to the reduction of social vulnerabilities and to the consolidation of more just and equal societies in respect of human rights and fundamental freedoms. The EU continued cooperation with the Council of Europe, with projects ongoing in Eastern Partnership countries on legal independence and professionalism, and accountability in the justice system. The EU continued implementation of gender equality and non-discrimination as a cross-cutting deliverable, implemented across actions in the Eastern Partnership.

Furthermore, in 2019 the EU continued its involvement with civil society through the Eastern Partnership Civil Society Forum (EaP CSF) - a multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six countries. The EaP CSF strived to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms.

## Armenia

**1. Overview of the human rights and democracy situation:** Armenia is undergoing democratic transition, which is a challenging and trying process. Further steps were taken in 2019 to improve good governance and the rule of law, building on the democratic change brought about by the 'Velvet revolution' of 2018. Major progress was made in conceptualising justice reform and the fight against corruption. The new ambitious National Human Rights Strategy for the period 2020-2022 and its Action Plan, prepared in a transparent and inclusive process, were adopted on 26 December 2019. Nevertheless, challenges remain with regard to anti-discrimination, in particular the treatment of sexual minorities and the position of other vulnerable groups, widespread hate speech, conditions in penitentiary and other closed institutions. Armenia adopted a CEPA Implementation Roadmap on 1 June 2019, which was welcomed by the EU-Armenia Partnership Council on 13 June 2019<sup>2</sup>. The Roadmap is an important instrument in advancing reform plans.

**2. EU action - key focus areas:** The EU continued to support the implementation of the CEPA and to monitor it through the regular Partnership Council, Committees and sub-committees. At the second Partnership Council, the EU reiterated that reforms should be in line with the core principles of the rule of law and based on inclusive dialogue and partnership with all stakeholders, including civil society. The EU continued to provide financial and technical assistance including via high-level advisors.

**3. EU bilateral political engagement:** The 10th EU-Armenia human rights dialogue and the 10th sub-committee meeting on justice, freedom and security were held on 8 and 9 April 2019 in Brussels and adopted operational conclusions with clear goals and timelines. They addressed the challenges and tools of cooperation. The EU-Armenia strategic dialogue on justice reforms launched in September 2018 was instrumental in conceptualising the new national Justice Reform Strategy and the Anti-Corruption Strategy in October 2019. The dialogue served to link the EU support to the actions deriving from the strategies, and to agree jointly on the EU instruments that will be made available to implement them.

The EU delegation and the resident EU Member States issued two local statements in 2019 (on 9 April on hate speech and on 23 May on justice reform). Both statements were widely publicised in Armenia and contributed to the debate on the important challenges.

**4. EU financial engagement:** The Human Rights Budget Support Programme remains a landmark instrument for EU support to Armenia in this area. The programme supports the fight against domestic/gender-based violence and promotion of gender equality, anti-discrimination, rights and of the child and prevention of ill-treatment and torture.

Under the European Instrument for Democracy and Human Rights (EIDHR) six projects continued implementation of actions focused on the rights of people with disabilities, civil society oversight of elections and support to preparing citizens for elections through

---

<sup>2</sup> <https://www.consilium.europa.eu/en/press/press-releases/2019/06/13/joint-press-statement-following-the-second-partnership-council-meeting-between-the-eu-and-armenia/>

awareness-raising and communication campaigns, and a project on monitoring and reporting on the human rights situation in closed institutions.

As a response to the Velvet Revolution in Armenia, the EU formulated a new assistance package to deepen democracy. The largest project 'Future Today' to empower children, youth and women primarily in the three priority regions of Armenia was signed with UNICEF, UNDP and UNFPA in December 2019. The new programme includes new features such as roll-out of small-scale early childhood care and education centres in rural areas of Armenia and launch of engagement with adolescents aged 11-17/18 years as well as engaging men to fight violence against women.

The National Human Rights Defender's Office established a hotline to report domestic violence with EU financial support. This hotline aims at listening to the victims with empathy and without condemnation, referring to their primary concerns and needs, creating trust and discussing as well as supporting them for referring to relevant institutions. A pocket guide was developed and widely distributed.

**5. Multilateral context:** In March, the Permanent Representative of Armenia was elected as the Chair of the 64th and the 65th sessions of the UN Commission on the Status of Women for the period 2020-2021. In October in New York at the elections held in the UN General Assembly, Armenia was elected to the Human Rights Council for the term of 2020-2022. In May, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association published a report on his country visit, welcoming Armenia's democratic transition and calling on the authorities to undertake profound reforms 'to strengthen the judiciary, the independent investigative bodies and police.' In September, Armenia signed the Second Optional Protocol to the International Covenant on Civil and Political Rights in the margins of the UN General Assembly. In December, civil society organisations presented their recommendations to the UN Human Rights Council in light of the UPR review of Armenia in January 2020. The first UNSCR 1325 National Action Plan (NAP) on Women, Peace and Security was adopted in 2019.

In June, the Council of Europe launched the Action Plan for Armenia 2019-2022 to support the government's efforts to 'reinforce human rights, ensure justice, combat threats to the rule of law, and promote democratic governance.' In October, the Venice Commission of the Council of Europe issued an expert opinion countering harmful myths about the Istanbul Convention, and concluding that Armenia's ratification of the treaty would not contradict its constitution.

## Azerbaijan

**1. Overview of the human rights and democracy situation:** The overall state of human rights in Azerbaijan did not improve in 2019. Violations of the fundamental freedoms of association, expression and assembly and the authorities' persecution of critics or perceived critics continue. In addition to a restricted space for civil society and independent media, the

lawyers (and in particular lawyers representing human rights defenders, including at the European Court for Human Rights) have been facing an increasing harassment.

In 2019, two more prominent lawyers were disbarred from the Bar Association. Only a handful of human rights lawyers still remain members of the Bar. Freedom of assembly is restricted in Azerbaijan. Since January 2019, no permission was given to organisers of any opposition rallies/CSO manifestations in Baku's central locations. Social media are systematically controlled. They remain the main platform where freedom of expression can be exercised. Several activists, bloggers and editors of independent websites face prosecution. According to the 2019 Freedom on the Net Report, Internet in Azerbaijan is not free. Space for independent media remains significantly restricted.

Azerbaijan electoral legal framework does not fully comply with international standards and obligations, as per pending ODIHR and Venice Commission recommendations, pointing at the need to strengthen the independence of electoral commissions. The timeframe for the early parliamentary elections on 9 February 2020 does not give enough time to put in place the necessary legislative reforms.

**2. EU action - key focus areas:** Bilateral cooperation continued on the implementation of the jointly agreed Partnership Priorities. Negotiations of the new comprehensive EU-Azerbaijan agreement progressed in 2019. Negotiations on the Common Aviation Area Agreement are not progressing.

**3. EU bilateral political engagement:** Human rights concerns have been regularly raised in all bilateral political meetings at all levels. The EU delegation and EU Member States addressed relevant concerns with the authorities in official fora, such as the well-attended annual Sub-Committee on Justice, Freedom, Security and Human Rights (February 2019), and maintained close cooperation with human rights and gender contact points from international representations. Since September 2019, thematic meetings on human rights have taken place in the EU delegation on a monthly basis with representatives from the EU Member States, the United States and Switzerland. Frequent informal exchanges were also held with ICRC representatives to share information on the prison conditions and on sensitive individual cases.

Meetings were regularly held with representatives of NGOs, think-tanks, political activists, human rights lawyers, human rights defenders, journalists, bloggers as well as with representatives of religious organisations and the LGBTI community, also on the occasion of official visits from HQs and Capitals.

Several meetings were organised with the competent national institutions in the course of 2019, notably the Presidential Administration, MFA, Ombudsman, State Committee on Family and Children, State Committee on Religious Associations, State Committee for Refugees and IDPs, General Prosecution Service, Bar Association etc.

Two statements by the Spokesperson were issued in 2019: on the Novruz pardoning of prisoners and following the disruptions during the political rally on 19 October.

**4. EU financial engagement:** The EU collaborated with OHCHR to support a project on building capacities of national actors (civil society and lawyers' community) to protect and promote human rights by making greater use of the UN human rights reporting mechanisms. The project also supports a legal aid centre, which provides free legal aid to vulnerable populations in the capital and in five regions of Azerbaijan. The legal aid center received EUR 1 million of EU funds via the OHCHR. Since the beginning of the year, the project dealt with over 300 requests for free legal aid, and trained over 40 CSOs in the UN human rights reporting system.

CSOs projects in education and rural development sectors have received approximately EUR 5.5 million. The project on Development of Community and Family-based Integrated Social Services for the Most Vulnerable Children in Azerbaijan started in January 2019. It is implemented by the UNICEF. The objective of the action is to support girls and boys, especially those who are the most vulnerable, access community and family-based integrated quality social services in health, nutrition, early childhood development, inclusive education, social and child protection and adolescent/youth development. The EU also cooperated with UNICEF to establish inclusive education resource and support centres at sub-national level in Azerbaijan.

The project on Civil Society in Gender-sensitive Implementation of the Sustainable Development Goals (SDG) supports the civil society driven SDGs implementation through gender lens. So far, a platform was established for dialogue and networking between the CSOs and the government on implementing the SDG agenda; CSOs have increased understanding of the SDGs framework and capacities to apply gender-responsive approaches and nine CSOs received grants. The grants are targeting the promotion of women entrepreneurship, legal aid to women, improving the Water, Sanitation and Hygiene (WASH) environment, and access to finances.

**5. Multilateral context:** As regards the UN Treaty Bodies, Azerbaijan was reviewed by the Committee on Economic, Social and Cultural Rights in October 2019.

In December 2019, Azerbaijan ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Azerbaijani authorities failed to fully implement judgments of the European Court of Human Rights before the 31 December 2019 deadline set by the Committee of Ministers. The Council of Europe Committee of Ministers and the PACE rapporteur issued the report on 'Reported cases of political prisoners in Azerbaijan'.

## Belarus

**1. Overview of the human rights and democracy situation:** No significant positive legislative or institutional changes in the area of human rights took place in Belarus in 2019. The authorities have so far not made any serious progress in establishing a national human rights institution. Comprehensive anti-discrimination legislation has not been enacted, and there are no effective mechanisms for ensuring equality and protection against

discrimination. Regulations continue to unduly restrict the right to peaceful assembly. Freedom of association is seriously compromised by a restricted access to financing and excessive registration requirements. Early parliamentary elections in November represented a lost opportunity to conduct elections in line with international standards. However, there has been more readiness by the authorities to involve civil society in internal discussions and within international human rights mechanisms. The year 2019 was also marked by a less violent attitude by the law enforcement agencies and a smaller number of politically motivated court cases (7 against 18 cases in 2018 according to HRC Viasna's information), none of which led to imprisonment. The death penalty is still applied, with allegedly three executions and three new verdicts pronounced in 2019. The authorities, including the Parliament, took part in some public debates on the death penalty.<sup>3</sup> The dedicated parliamentary working group is yet to be re-established following the parliamentary elections in November 2019.

**2. EU action - key focus areas:** The EU continues to follow a policy of critical engagement<sup>4</sup> with Belarus. The EU and Belarus has continued negotiations on the joint Partnership Priorities (PPs) since 2016. The Visa Facilitation Agreement and Readmission Agreements were signed on 8 January 2020. Furthermore, the EU remains committed to assist Belarus in its progress towards WTO membership. In December 2019, the EU started the negotiations of a Customs Cooperation and Mutual Administrative Assistance Agreement. On 10 December, the Council started the annual review of the restrictive measures, which expires on 28 February 2020.<sup>5</sup>

**3. EU bilateral political engagement:** In 2019, the Belarusian authorities continued their active engagement on human rights discussions during the regular meetings such as the human rights dialogue held in Brussels on 18 June 2019 and the Coordination Group held in Brussels on 17-18 December 2019. Communication on human rights issues was a key component of HoD's and Member States' regular interviews with key state and non-state media outlets in 2019. Continued application by Belarus of the death penalty remained a crosscutting issue in the EU's communications. The EU finances a 3-years-long project (2018-2020) with specific aim of advocating for abolishment of death penalty. *Inter alia*, it also foresees specific public activities linked to the International Day against the Death Penalty.

Many events stemming from EU-funded cooperation programmes included HoD interventions on human rights issues, including on the need for inclusive labour markets and

---

<sup>3</sup> Belarusian officials (Chairman of the Human Rights Committee of the House of Representatives Naumovich, Deputy Foreign Minister Kravchenko) participated in the 7<sup>th</sup> World Congress against the Death Penalty in Brussels in February 2019 and other international events.

<sup>4</sup> In the February 2016 Council conclusions on Belarus, the Council reiterated its firm commitment to strengthening the EU's engagement with the Belarusian people and civil society and stated that 'tangible steps taken by Belarus to respect universal fundamental freedoms, rule of law and human rights will remain key for the shaping of the EU's future policy towards Belarus'.

<sup>5</sup> These measures include an arms embargo, including the prohibition to export equipment that might be used for internal repression and an asset freeze and travel ban against four people listed in connection with the unresolved disappearance of two opposition politicians, one businessman and one journalists in 1999 and 2000. The arms embargo shall not apply to the sale, supply, transfer or export of equipment specially designed for sports activities. All member states agreed on the prolongation based on the assessment of the Heads of Mission report circulated on 9 December 2019.

inclusive professional education, equality and non-discrimination in and out of the workplace, gender equality and eradication of domestic violence etc. The disappointing conduct of the Belarus' parliamentary elections of November 2019 was another occasion for the EU to reiterate the importance of democratic standards and human rights. The EU delegation-led Job Shadowing Initiative for young women, dedicated to issues of gender equality and equality of opportunity, spanned from February to April 2019 and engaged 20 mentors who were ambassadors, resident representatives of international organisations, and business leaders. EU delegation organised a major youth event in June 2019 as part of the Delegation's communication campaign focusing on the role of young people in EU-Belarus relations and cooperation.

**4. EU financial engagement:** Belarus benefits from support under the European Instrument for Human Rights and Democracy (EUR 3 million 2018-2020) and Support to Civil Society (EUR 5 million 2018-2020).

In 2019, the EU delegation launched Call for proposals from CSO budget line (DCI-CSO) and European Instrument for Democracy and Human Rights (EIDHR), with 3.9 million EUR in total. In 2019, the EU delegation identified two projects supporting non-state media in Belarus to be implemented in 2020 - one aiming to bring together media and IT sector by promoting innovative technical partnerships, and another one promoting the use of the Open Source Data in journalism.

**5. Multilateral context:** Belarus continued to engage with human rights instruments at the multilateral level, including in the context of preparations for the 2020 UPR 3<sup>rd</sup> cycle review, the CRC<sup>6</sup> and CESCR<sup>7</sup> reviews. Belarus is also working towards accession to two more UN human rights related treaties, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. The National Human Rights Action Plan expired in 2019. Although its implementation did not result in many specific achievements, it nevertheless became a useful instrument for a better communication between civil society and state agencies in the process of implementation of the UPR recommendations. In June 2019, the EU sponsored a UN HR Council resolution under item 4 as in the previous years, supported by 42 states. Despite repeated calls from the EU for Belarus to cooperate with the UN Special Rapporteur (UNSR), Belarusian authorities do not recognize its mandate, calling it 'politicised'. The latest report of the UNSR, presented to the UN Human Rights Council in July 2019, described the systemic and systematic human rights violations present in law and in practice.

## Georgia

**1. Overview of the human rights and democracy situation:** In 2019, Georgia continued implementing the EU-Georgia Association Agreement including its extensive commitments in the areas of democracy, human rights and the rule of law. Human rights and fundamental

---

<sup>6</sup> Convention on the Rights of the Child

<sup>7</sup> International Covenant on Economic, Cultural and Social Rights

freedoms are respected but challenges remain. In spite of amendments to improve enforcement of the Law on the Elimination of all Forms of Discrimination, there are still incidents of discrimination against LGBTI persons in the fields of freedom of assembly, employment and healthcare, and on social and economic issues. Some labour rights remain challenged. The independence of the judiciary and media freedom have come under new pressure. Georgian Dream maintained its strong majority in Parliament, although the loss of a number of MPs left it without a constitutional majority for the first time since 2016. Following the June demonstrations, the government was reshuffled and an attempt was made to amend the constitution in order to have full proportional elections in 2020 instead of 2024. The reform, however, failed due to lack of support from majoritarian MPs. Work to address the OSCE/ODIHR recommendations ahead of the 2020 parliamentary elections is ongoing, as are government and opposition talks on the electoral system.

**2. EU action - key focus areas:** The EU delegation undertook several steps to ensure the implementation of the Human Rights and Democracy Country Strategy, including actively maintaining close cooperation with human rights and gender contact points from international representations (notably EU Member States, the UN, the Council of Europe, the US and Switzerland). Specific actions target gender equality, the rights of the child, the promotion of human rights mechanisms in Georgia, including the Public Defender's Office, the Human Rights Inter-Agency Council, the Personal Data Protection Inspector and the Anti-discrimination Mechanism. A strong focus was placed on improving the independence of the judiciary. The EU intensified its efforts to improve the overall sustainability and effectiveness of the Civil Society in line with the new EU Roadmap for the engagement with Civil Society 2018-2020, adopted in December 2018.

**3. EU bilateral political engagement:** The twelfth EU-Georgia Human Rights Dialogue was held in Tbilisi in May 2019, and offered the opportunity to discuss: the functioning of human rights mechanisms in Georgia, gender issues, anti-discrimination, labour rights, children's rights. Human rights were also discussed during several meetings stemming from the EU-Georgia Association Agreement, such as: the Association Council in March, the Sub-Committee on Freedom, Security and Justice in May and the Association Committee in June. The Head of the EU Delegation to Georgia and numerous EU Member States ambassadors engage regularly in public events on human rights and stress the importance of their promotion and protection. EU funded projects, meetings with civil society, human rights organisations, the Public Defender, Government, Parliament or Europe Day events, as well as others, offered vast opportunities for EU delegation senior staff, including the Head of the EU Delegation, to address Georgian counterparts and citizens. In particular, the Human Rights week was marked with a series of events attended by the Head of the EU Delegation. The EU awarded for the third time the EU Human Rights Film Award at the Tbilisi International Film Festival. The EU delegation also runs various social and broadcast media campaigns, including on women's rights and labour rights. The Head of the EU Delegation has played an important mediating role in the ongoing talks between government and opposition on electoral system reform. Through the EU Special Representative for the South Caucasus and the crisis in Georgia, including in his role as co-chair of the Geneva International Discussions, and with the work of the EU Monitoring Mission in Georgia, the EU continued throughout the year to promote stability and human security in conflict-affected

areas. Diplomatically and on the ground, efforts were made to address the politically complex human rights issues in relation to conflict-affected populations.

**4. EU financial engagement:** The EU delegation continued to closely monitor and support the reform processes through budget support, grants - especially to the Public Defender - and EIDHR projects and joint actions with international organisations; in particular, in the areas of justice, public administration reform and the penitentiary. Key assistance was implemented through the 'Human Rights for All' programme. CSOs projects are implemented in the framework of the EIDHR Country Based Support Scheme program for Georgia. The projects address the rights of people with mental disorders and psychosocial disabilities; children's rights; the right to health and adequate standards of living of citizens in vulnerable multi-ethnic communities and support for social service providers in rural areas. A large justice programme is also ongoing. Substantial support is provided to the parliament for strengthening its institutional and oversight capacities; the EU also supports the Public Defender and CSOs in the same areas.

The Partnership for Good Governance phase 2 (PGG II) regional project, implemented in cooperation with the Council of Europe, includes a thematic focus on human rights, fighting discrimination and protecting the rights of vulnerable groups and women across the Eastern Partnership region, including Georgia, also working towards the ratification of the Istanbul Convention.

**5. Multilateral context:** Georgia has a good record of ratifying international human rights instruments but is not yet a party to the International Convention for the Protection of All Persons from Enforced Disappearance. The investigation into war crimes and crimes against humanity committed during the August 2008 war in Georgia ordered by the International Criminal Court (ICC) is ongoing. Georgia is cooperating well with the ICC. The EU encourages Georgia to continue aligning itself with EU positions, particularly on issues pertaining to the death penalty.

## Republic of Moldova

**1. Overview of the human rights and democracy situation:** In 2019, the Republic of Moldova continued implementing the EU-Moldova Association Agreement including its commitments in the areas of democracy and human rights. Parliamentary elections took place in February, which were - according to the OSCE/ODIHR Election Observation Mission - competitive and generally respected fundamental rights. However, international observers pointed also to allegations of pressure on public employees, strong indications of vote buying and the misuse of state resources, control and ownership of the media by political actors. The local elections in October/November were conducted in a calm and generally competitive environment. In August, Parliament adopted a law abandoning the much criticised mixed and reintroducing the proportional electoral system.

The lack of independence of the judiciary remains a key problem in Moldova. As regards the independence of the judiciary, Moldova was ranked 132 out of 141 countries in the Global

Competitiveness report 2019 of the World Economic Forum, as particular serious issue is the absence of effective prosecution in the 2014 USD 1 billion bank fraud and the constant postponement of hearings. In summer, all Constitutional Court judges resigned, following an unprecedentedly critical Venice Commission opinion on its rulings regarding the formation of a new government in June. This paved the way for the selection of the new Court members. The selection process, however, was again heavily criticised by civil society. Initiatives to reform the justice system were launched in summer 2019. In some individual legal cases, that had given rise to concerns regarding the respect of human rights, people were released from detention in 2019.

Gender equality remains limited. A double quota was introduced in the Electoral Code in August. The administrative and financial capacities of the Equality and Anti-discrimination Council remain also limited. The Criminal Procedure Code was amended. Prisoners dissatisfied with their detention conditions may ask courts for a reduction of imprisonment as well as improved conditions and compensation for moral and material damage. Detention conditions, protection of vulnerable children especially in rural areas, promotion of inclusive education, de-institutionalisation and protection of children with disabilities remain to be addressed. Civil society is not yet involved in the decision making process in line with international democratic standards.

On 11 June, the European Court of Human Rights found Moldova guilty of violating the rights of five Turkish citizens that had been expelled from Moldova in 2018. The investigation of the major bank fraud from 2014 has not advanced in a way that would bring all those responsible to justice or that would achieve significant progress in the recovery of lost assets. During the reporting period, the media landscape remained characterised by the concentration of media ownership and the monopolisation of the advertising market.

**2. EU action - key focus areas:** The EU delegation in Moldova is actively maintaining close cooperation with human rights contact points from international representations and works closely together with civil society organisations active in the field of human rights and democracy. The EU delegation in cooperation with international partners monitors also some individual human rights cases (including court procedures).

The EU expressed its views on the elections in February in a statement of the spokesperson of 25 February referring to the findings of the international observers and the Council conclusions on Moldova adopted in February 2018.

**3. EU bilateral political engagement:** Human rights and democracy were discussed in the framework of the main meetings related to the implementation of the Association Agreement, such as the Association Council in September and the Sub-Committee on Freedom, Security and Justice held in November. In January, expert consultations on human rights took place with the participation of the OSCE, the United Nations and the Council of Europe. The 10<sup>th</sup> EU-Republic of Moldova human rights dialogue took place in November. They both offered the opportunity for an exchange on several key topics closely followed by the EU and the international partners, including: the electoral framework; freedom and pluralism of the media; fighting against impunity and ill-treatment and human rights protection in the justice system; the rights of the child; fight against discrimination

and protection of vulnerable groups. The dialogue – as well as the expert consultations - continued to be attended by civil society representatives, a welcome practice which allows civil society to be informed directly about the nature and content of discussions.

**4. EU financial engagement:** After the political change in Moldova in June, the EU disbursed budget support payments that had been put on hold and paid in October the first tranche of the macro-financial assistance (EUR 30 million). The EU assistance to Moldova continues to focus on Moldovan citizens, actors of change and supporters of reforms, with strict conditionality.

**5. Multilateral context:** In December, the government approved the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which was signed in February 2017. It still requires approval by the Moldovan Parliament.

## Ukraine

**1. Overview of the human rights and democracy situation:** Human rights are generally respected and fundamental freedoms upheld in the area under the control of Ukrainian government. However, severe human rights violations continue to take place in the areas not under the control of the government (NGCA), both in the Crimean peninsula, illegally annexed by Russia, and in eastern Ukraine, due to the conflict in Donbas, because of Russia's destabilising actions. The situation of more than 1.4 million internally displaced persons (IDPs) from Donbas and Crimea remains challenging. Concerns persist in a number of areas, including the safety of investigative journalists, rights of persons belonging to different minorities and accountability, while some progress has been observed in gender equality.

### **2. EU action -key focus areas:**

- promoting the rights of persons affected by the conflict;
- promoting and protecting fundamental freedoms;
- accountability for all crimes, including those committed in the course of the ongoing armed conflict, and during the incidents occurred in Kyiv (Maidan) and Odesa in 2014;
- protecting the rights of persons belonging to national minorities and vulnerable groups;
- advocating Ukraine's ratification of international instruments.

**3. EU bilateral political engagement:** The situation of the conflict-affected population and of the approximately 1.4 million IDPs in the country remains challenging. The EU has called on Ukraine to guarantee that all eligible citizens of Ukraine enjoy the right to receive their entitlements, including pension and social payments, regardless of the IDP registration or the place of residence. Overall, the situation in the NGCA in Donbas remained dire. Severe

violations of individual rights were reported, including targeted killings, arbitrary detention, sexual and gender-based violence. The human rights situation also continued to decline in the illegally annexed Crimea. The conscription of Crimean residents into the Russian armed forces continued unabated. The situation of the Crimean Tatars continues to be particularly worrisome.

Despite repeated calls from the EU and the civil society, Ukraine has not yet ratified the Rome Statute.

Overall, the situation in the field of citizens' rights in Ukraine has improved compared to the previous reporting period. Elections in 2019 were held overall in line with international standards. The Election Code, which covers all types of elections, was adopted in December 2019 in an overall positive move towards the harmonisation of the electoral legislation. Nevertheless, several issues in the Code will still need to be addressed in further amendments. The Code has resolved the long-standing problem of enfranchising IDPs and other mobile groups of citizens.

Ukraine continues to be characterised by a vibrant civil society, which plays a key role in promoting reforms. The EU has consistently underlined the importance of civil society, including its valuable contribution to the reform process.

The freedom of expression and freedom of the media are generally respected. There are some structural challenges such as the disproportionate ownership of media channels by oligarchs and the safety of journalists. Although the Ukrainian legislation protects freedom of expression, intimidations and acts of violence continued to affect civil society activists. In some cases, impunity continues to be a serious problem, as demonstrated by the murder of activist Kateryna Handziuk. Similarly, there was no substantial progress in the prosecution and adjudication of high-profile cases related to the 2014 mass killings in Kyiv (Maidan) and Odesa.

The EU has actively engaged with Ukraine to promote the rule of law and the fight against corruption. The Ukrainian authorities took several important steps in 2019, including the establishment of a High Anti-Corruption Court (HACC) and the re-boot of the National Agency for the Prevention of Corruption (NAPC). As regards the criminal cases against corrupt officials, the conviction rate remains very low (i.e. only one official (a judge) was formally convicted for corruption). This situation is expected to improve with the increased operationalisation of the HACC.

Domestic violence and gender-based violence continued to be an issue of high concern in Ukraine. Progress was noted in this field, as demonstrated by the changes to the Criminal Procedural Code, which came into force at the beginning of 2019. Domestic violence, including against women, is now criminalised. Furthermore, Ukraine adopted the Equal Opportunities Code, which protects employees against discrimination. On a less positive note, the ratification of the Istanbul Convention is still pending.

Overall, rights of persons belonging to minorities in Ukraine are respected, despite the limited allocation of funding and administrative resources for the promotion and protection of the rights of persons belonging to minorities. However, the members of the Roma community continue to be particularly vulnerable. Despite some attacks by extremists, LGBTI movements in Kyiv and Odesa noted significant positive developments when cooperating with law enforcement agencies during the Pride parades held throughout the country in

2019. No fundamental changes to legislation concerning the rights of the LGBTI community occurred during this reporting period. The Government submitted a draft law on the Labour Code during late December 2019, which includes provisions that prohibit discrimination on the ground of sexual orientation and gender identity. At present, it remains unclear whether the new version of the Code will preserve the already existing provisions on discrimination based on sexual orientation and gender identity.

Ukraine has made progress in the implementation of the recommendations of the Venice Commission concerning the Law on Education. The transitional period for the language provision was extended to 2023 and private schools were exempted through the adoption of the Law on Secondary Education in January 2020. The Law on State Language entered into force in July 2019, providing for several measures aimed at increasing the use of Ukrainian in the public sphere. The Venice Commission issued an opinion at the end of 2019. The EU has encouraged the Ukrainian authorities to implement its recommendations.

The EU continued its active promotion of human rights in Ukraine during the annual human rights dialogue that was held in Kyiv in March 2019. Human rights have also been on the agenda of the EU-Ukraine Summit, the Association Council, and the Association Committee. They were also addressed in the framework of numerous visits by high officials to Ukraine, including the HR/VP and various Commissioners. In Kyiv, Brussels, and elsewhere, the EU has engaged on a regular basis with the Ukrainian authorities, the international community and civil society. In terms of public messages, the HR/VP, her spokesperson, and the EU delegation to Ukraine have issued various statements condemning human rights violations in the illegally annexed Crimean peninsula and in NGCA in Donbas.

**4. EU financial engagement:** In 2019, the EU continued to support the implementation of the Human Rights Strategy priorities. Financial and technical assistance to civil society and human rights defenders was expanded by supporting their work on political, civil, economic, social and cultural rights, and democratisation. A new series of actions in support of human rights was also launched during 2019, in the form of grants to Civil Society Organisations, following a new EIDHR Call for Proposals. These recent grants mobilised EUR 2 million of support to eight new projects covering issues ranging from fight against torture, access to justice, and support for human rights defenders, to strengthening human rights protection in the NGCA in Donbas and in Crimea. In total, including already active projects, ongoing EIDHR grants correspond to EUR 3.7 million. They also cover other domains as support for human rights in conflict-affected communities, rights of the Roma, and the rights of IDPs.

The EU is also continuing its support to the activities of the UN Human Rights Monitoring Mission to Ukraine (HRMMU) with a grant of EUR 3 million, following similar support in past years. The work of the HRMMU is important to record violations of international human rights and humanitarian law, both in GCA and in NGCA. This reinforces present and future accountability. In 2019, the EU also launched a project (EUR 3.3 million) with the Council of Europe in support of human rights in Ukraine, aiming to achieve progress in three specific areas: supporting freedom of media in Ukraine, strengthening the Ombudsperson's capacity to protect human rights, and supporting prison reform in Ukraine. The EU Advisory Mission also supports human rights compliance in the civilian security sector, particularly with issues pertaining to fair trials, effective remedies and freedom of assembly.

**5. Multilateral context:** The EU continues to bring up human rights issues related to Ukraine in the OSCE, the Council of Europe and the UN Human Rights Council. This is done both when the issues are related to the areas of Ukraine controlled by the government, but more often when severe human rights violations take place in the areas not controlled by the government on the Crimean peninsula and in eastern Ukraine affected by the conflict in the Donbas.

## Egypt

**1. Overview of the human rights and democracy situation:** Progress on human rights and fundamental freedoms in Egypt remains slow while the country continues to face important security, social and economic challenges. The nationwide state of emergency declared in April 2017 has been renewed every three months since then. A referendum to amend the 2014 Constitution was held in April 2019 and introduced new provisions on the role of the Armed Forces, the use of military courts and the appointments of the judiciary. The referendum took place without independent international observation. The constitutional amendments also instituted a 25% parliamentary quota for women.

Positive developments on human rights in 2019 include revision of the labour legislation, easing formal conditions to form independent unions and passing of a new NGO law replacing the much-criticised 2017 law. Women empowerment and campaigns in support of persons with disabilities were pursued by the government as a priority in 2019.

Nevertheless, progress is needed to ensure the full implementation of the important constitutional provisions on human rights, fundamental freedoms and the rule of law. Freedom of expression and assembly and space for civil society have been increasingly restricted. Unprecedented arrest campaigns against human rights activists and opposition figures took place in June and September 2019. Media freedoms remain highly curtailed and some individuals were detained for exercising their freedom of expression on social media. Further significant challenges include increasing pressure on the LGBTI community, continuing discrimination on grounds of religion or belief, high number of death sentences (including by military courts for civilians) and executions, reports of torture, enforced disappearances and poor detention conditions.

**2. EU action - key focus areas:** In line with the August 2013 Foreign Affairs Council conclusions, support to the socio-economic sector and to civil society remains a priority in the EU bilateral assistance to Egypt, with a focus on women and youth. The EU-Egypt Partnership Priorities 2017-2020 reaffirm a shared commitment of both sides to the universal values of democracy, rule of law and respect for human rights and an agreement on strengthening dialogue and cooperation on these issues as key elements for sustainable stability. The EU and Member States carried out activities and public outreach events in the area of women and girls rights. Support was also provided for access to culture, including informal cultural activities in the country. The EU also supported the implementation of the Egyptian National Population Strategy in view of raising awareness, *inter alia*, on the importance of family planning and providing support to women on their reproductive health.

**3. EU bilateral political engagement:** Salient human rights issues were regularly raised throughout the year at senior level, in the context of high-level visits to Egypt. On these occasions, meetings were held with human rights organisations and human rights defenders, discussing the human rights situation in the country and that of civil society in particular.

The sixth meeting of the EU-Egypt Subcommittee on political matters, human rights and democracy was held in Cairo on 23-24 June 2019. Noting progress on socio-economic rights, the EU raised areas where further progress is needed in line with the Egyptian Constitution and Egypt's international obligations.

Meetings of the EU Informal Group on human rights, which brings together all Member States, were held on a monthly basis, discussing recent developments in the human rights situation in Egypt. Human rights defenders and representatives of civil society were invited as speakers. The EU delegation, together with Member States, continued to monitor trials from a human rights perspective. On the occasion of the 21st anniversary for the Declaration on Human Rights Defenders in December, a substantive roundtable discussion brought together human rights defenders and the ambassadors of Member States and like-minded countries in Cairo.

The European Parliament adopted a resolution on the human rights situation in Egypt in October 2019.

**4. EU financial engagement:** In 2019, the EU delegation managed 47 projects for about EUR 115 million in direct or indirect support to human rights under a variety of instruments. The projects directly contribute to the promotion and protection of civil, political, social, economic and cultural rights. Activities focus on the fight against all forms of discrimination (gender-based, religious and cultural). They also enhance women rights, children's rights, migrant rights, rights of persons with disabilities, access to justice, freedom of religion or belief, access to culture and cultural diversity. The EIDHR Egypt-based support scheme (CBSS) has been allocated (EUR 3 million) for the period 2018-2020 for actions aiming at human rights promotion and protection.

**5. Multilateral context:** Egypt underwent its third Universal Periodic Review (UPR) at the UN Human Rights Council (HRC) in November. Egypt served a three-year term (2017-2019) in the HRC. In 2019, Egypt chaired the African Union and hosted the 64<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights. In 2019 as in previous years, the EU raised concerns on the human rights situation in Egypt in its three statements at the HRC under item 4. Notably, it encouraged Egypt to improve the situation with respect to civil and political rights. Similarly, the situation in Egypt was mentioned in the EU statement at the UNGA Third Committee in October. Cooperation increased at multilateral level, with Egypt sponsoring the resolution on the Rights of the Child presented by the EU in cooperation with the Latin American and Caribbean Group (GRULAC) at the 40<sup>th</sup> session of the HRC.

## State of Israel

**1. Overview of the human rights and democracy situation:** Israel is a democracy with established and independent institutions, robust checks and balances, a free democratic debate free media and 'basic laws' enumerating fundamental rights. However, several political parties have recently questioned the ability of institutional and quasi-constitutional bodies, in particular judicial authorities, to scrutinise legislative or normative initiatives coming from the elected executive and legislative branches. Many human rights NGOs – mainly those active on Israel's responsibilities as an occupying power in the occupied Palestinian territory or on rights of persons belonging to minorities and migrants – continue to raise concerns about restrictions on the work of civil society and how public debate and media create hostility towards them. The status of minorities is a case in point as the balance between defining characters of the State of Israel as Jewish and democratic is being constantly debated, mainly after the approval of the so-called 'Jewish Nation State Law' in 2018. In the occupied Palestinian territory, the situation remained challenging: fatalities related to the conflict decreased from 2018, a peak year because of fatalities in the so-called 'Great March of return', but demolitions and violence by settlers increased. The closure on Gaza remained a challenge for Palestinian civilians' freedom of movement. Concerns over the use of force and inadequate law enforcement by Israeli security forces towards Palestinians remain.

**2. EU action - key focus areas:** As in previous years, the EU focused on five priority areas set out in the EU Human Rights and Democracy Country Strategy for Israel (HRDCS) for the period 2016-2020: Israel's responsibilities as an occupying power; children and armed conflict; upholding democratic values; situation of Arab minority; asylums seekers, migrants and foreign workers.

**3. EU bilateral political engagement:** During 2019, HRDCS priorities were outlined through political work of the EU, via its delegation in Tel Aviv. This work consisted in numerous meetings with Israeli authorities, NGOs and Members of the Parliament. The EU delegation conveyed EU positions regarding specific draft legislative initiatives. Priorities were raised during specific events organised by the EU delegation and EU Member States' missions.

The EU and EU Member States marked Human Rights Day 2019 with a series of initiatives. The EU delegation organised a special event dedicated to the commemoration the 30th Anniversary of the Convention on the Rights of the Child. It also organised a visit for EU Member States' Heads of Mission to a shelter for ultra-orthodox women victims of domestic violence and supported the Tel Aviv Human Rights Film Festival 'Solidarity'.

The EU organised a briefing for EU Member States with NGOs, submitting contributions to the UN Committee on Economic, Social and Cultural Rights ahead of Israel's review.

The EU closely followed the situation of Civil Society Organisations (CSOs) and human rights activists. The EU delegation hosted a briefing by Mr. Omar Shakir (Human Rights Watch), in November 2019 following the decision by the Israeli Supreme Court to uphold the government's decision to revoke his work visa. Representatives of the EU delegation attended his trial in Jerusalem District Court in 2018 and the EU External Action Service issued statements in [2018](#) and [2019](#).

On Children and Armed Conflict, the EU and the Netherlands hosted a briefing by journalist and writer Yonah Jeremy Bob on Israel's Military Court system. A briefing by UNICEF was held giving an overview on arrest and detention of Palestinian children by Israeli forces.

The EU organised a number of activities focusing on Asylum and Migration issues, including visits to asylum seeker communities and a day-care centre for status-less children. The EU held several briefings, including one with UNHCR and NGOs on the situation of asylum seekers and one with NGOs to present their submissions on asylum seekers to the UN Committee on Economic, Social and Cultural Rights. The EU also held a briefing on Israel's migrant workers, looking at issues such as bilateral agreements signed by Israel with countries of origin.

The EU actively engaged in activities regarding human rights of the Arab minority in Israel. It organised meetings between Heads of Mission of the EU Member States and political representatives of the Arab population, and a briefing on the Israeli government's 5-year plan aimed at strengthening economic and educational integration of the Arab minority.

**4. EU financial engagement:** In the framework of the European Instrument for Democracy and Human Rights (EIDHR) program, the EU supported 21 human rights organisations on their own or in partnerships to implement 10 actions intervening to address in a variety of ways to EU's identified priorities. These actions achieved important effects in a series of fields, including: establishment of a high school in a Bedouin village; opening by the Hebrew University of a Hebrew-language International Human Rights Treaty database; to positive measures on the implementation of legislation against discriminations; establishment of community-police local partnership committees in towns with a predominantly Arab population (Tamra, Jisr aZarka and Kufar Qassem).

**5. Multilateral context:** Israel was reviewed by the Committee on the Elimination of Racial Discrimination on 4-5 December 2019 (concluding observations adopted on 12 December 2019), and by the Committee on Economic, Social and Cultural Rights on 2-3 October 2019 (concluding observations adopted on 18 October 2019). Israel was reviewed in the context of the Universal Periodic Review of the Human Rights Council on 23 January 2018. Israel noted recommendations pertaining to the incorporation of the definition of torture from the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment into domestic legislation. Israel has not offered a standing invitation to all Special Procedures mandate holders. It continues to refuse cooperating with the UN Special Rapporteur on the situation of Human rights in the Palestinian Territory occupied since 1967. Israel has in 2019 received reminders of pending visit requests from the Special Rapporteur on Racism, the Working Group on people of African Descent, the Special Rapporteur on Toxic Waste. Still pending visit requests remain from the Special Rapporteur on Torture, the Working Group on Mercenaries, the Special Rapporteur on Human Rights Defenders and the Working Group on Arbitrary Detention. The last visit by Special Procedures was the Special Rapporteur on Violence against Women in 2016.

## Jordan

**1. Overview of the human rights and democracy situation:** Jordan has remained committed to political reforms, the rule of law and respect for human rights and fundamental freedoms, and recorded positive developments in the areas of the rule of law and – to some extent – women's rights. Nevertheless, challenges remain, especially as regards gender-based violence and gender equality, freedom of expression and association, torture, and the death penalty.

**2. EU action - key focus areas:** The EU has engaged in a regular dialogue with the authorities to underline the importance of finding a balance between legitimate national security concerns and the respect for international obligations. The dialogue focused in particular on the five priority areas:

(i) Freedom of opinion and expression – The EU regularly discussed developments with the Jordanian authorities, and continued to encourage Jordan to respect journalists' rights. Even though the Press and Publications Law prevents the authorities from arresting journalists, the EU raised concerns about the possibility for prosecutors to arrest journalists under provisions of the Penal Code and the Cybercrime Law. The EU also encouraged Jordan to restrict the trial of journalists for 'publications crimes' under the Penal Code to civilian courts, as opposed to the State Security Court.

(ii) The rule of law – Reform efforts continued, notably through the August 2019 amendments to the Judiciary Independence Law, which strengthened the Judicial Council, Jordan's judiciary's self-governing body. Thanks to an EU-funded programme, the system of community sanctions (alternative to detention) established in 2018 is now in force. At the same time, the number of administrative detainees increased over previous years, according to data from the National Centre for Human Rights (NCHR). The NCHR also provided figures of people abused, tortured and treated inhumanely by the authorities while in detention and correctional facilities. The EU has encouraged Jordan to address the limitations of existing legislation on torture, and to take implementing measures to prevent its occurrence.

(iii) Death Penalty – The EU continued to call on Jordan to re-instate the de facto moratorium on the death penalty, with a view to ultimately abolishing it.

(iv) Women and Gender – The EU regularly discussed developments and activities with the Jordan National Commission for Women, the National Human Rights Coordinator, the UN Women representative, and civil society representatives. There has been further improvement in women's rights, notably through the amendments to the Labour Law passed in 2019. The new provisions promote shared childcare responsibility; require childcare facilities in companies with 15 or more female employees; exempt non-Jordanians with Jordanian mothers from a work permit; and introduce the concept of 'discrimination in wages'. In addition, the economic stimulus packages of October-December 2019 make kindergarten compulsory from the age of four. Women's rights nevertheless remained constrained by the guardianship system, which ensures patriarchy by law. The EU has encouraged Jordan to further develop the capacity of women to engage in economic, social and political affairs. Furthermore, reports indicate that women continued to be placed in administrative detention for leaving their male guardians' home without permission or for extra-marital sex, which remains a criminal offence, and the number of women killed in

honour-related crimes remained high. The EU has encouraged Jordan to strengthen measures to further protect women who are victims of violence or threatened with it.

(v) Civil society, Freedom of Assembly and Freedom of Association – Jordan’s civil society remains active. However, legislative and bureaucratic factors hamper its full participation in public life and in shaping policy. The EU has expressed concerns over the impact for iNGOs of a new interpretation of the Law on Associations establishing a Foreign Funding Approval mechanism.

**3. EU bilateral political engagement:** The number of high-level meetings reflects the excellent state of relations between Jordan and the EU. In 2019, Commissioner Hahn visited Jordan in June with European and International Financial Institutions; Commissioner Stylianides visited in September, and HR/VP Mogherini in October. The EU-Jordan dialogue on human rights and democracy is pursued in the context of the bilateral political engagements under the Association Agreement. On 17 June 2019, the 13th EU-Jordan Association Council, co-chaired by HR/VP Mogherini and FM Safadi in the presence of Commissioner Hahn, covered *inter alia* all priority human rights issues. It also touched upon the follow-up to the EU Election Observation Mission of 2016, which highlighted an insufficient implementation of its recommendations. The 12th meeting of the EU-Jordan Subcommittee on human rights, democratisation, rule of law and governance is planned for 2020. The EU also continued to engage locally on human rights issues with the Jordanian authorities and with civil society.

**4. EU financial engagement:** Strengthening the rule of law is a focal sector for the EU financial support for Jordan under the European Neighbourhood Instrument (ENI) for the period 2017-2020. In 2019, the EU kept steadily supporting the implementation of the justice sector reform through a dedicated budget support programme. Main achievements include improved access to justice, an increase in the number of judicial inspections, and better-quality trainings by the Judicial Institute. Three courts have been equipped with videoconferencing systems supporting witnesses/victims protection pending construction of two new courts. The programme strengthened the link with law enforcement agencies, supporting the ICT interconnectivity and the sharing of data within a reinforced data protection framework. In 2019, the portfolio of the European Instrument for Democracy and Human Rights (EIDHR) in Jordan focused on women's rights. One of the ongoing projects aims at strengthening the role of civil society and community-based media in promoting human rights and democratic reform, consolidating political participation and representation with special emphasis on women’s rights. Another EIDHR project aims at guaranteeing fair trials and equal rights for women, especially in cases involving the death penalty.

**5. Multilateral context:** In 2019, Jordan decided to support 16 out of 21 pending recommendations made by the State Parties of the UN Human Rights Council at 31st session of the third Universal Periodic Review (UPR) in November 2018. These recommendations related to areas such as preventing torture, supporting freedom of expression and limiting the use of administrative detention.

## Lebanon

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Lebanon continues to develop in a challenging environment. Respect for human rights and the rule of law was generally upheld in the country during 2019. Challenges remain, such as criminal defamation laws being issued against citizens speaking out against the government; military courts' jurisdiction over civilians, or discriminatory laws on custody, marriage and divorce faced by women. Positive developments were recorded, such as the establishment of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, and the steps taken to address gaps in protection of children and juveniles, e.g. learning resources for judges on Justice for Children. Unprecedented protests erupted across the country in October 2019; security forces exercised restraint and respect for the protesters' rights to assemble and express themselves.

**2. EU action – key focus areas:** The EU has engaged in a regular political and policy dialogue with the authorities and carried out numerous activities and public outreach events to raise matters of concern, particularly as regards freedom of expression, the fight against torture and ill-treatment, women's rights, children's rights, and rights of refugees and migrants. The platform for human rights dialogue with the authorities is the EU-Lebanon Human Rights, Democracy and Governance Cluster (latest session took place in October 2018 in Beirut). The EU delegation continued to organise regular EU Human Rights Focal Points' meetings to exchange on developments and coordinate efforts with EU Member States. Key EU focus areas in 2019 were:

(i) Freedom of opinion and expression, and freedom of assembly – The EU raised its concerns in its political dialogue and public outreach events. The EU delegation co-organised the annual 'Samir Kassir Award for Freedom of the Press' ceremony to demonstrate support for freedom of expression in Lebanon and the region. International Human Rights Day on 10 December was marked by an EU-funded art exhibition centred on the unveiling of a 'Human Rights Wall of Contemplation', with graffiti pieces by artists from eleven countries. The EU organised the 25<sup>th</sup> European Film Festival and the 2<sup>nd</sup> European Theatre Festival in Lebanon, with a combined attendance of over 16,000 people. Those events have become platforms to support freedom of expression, dialogue and exchange on social and contemporary issues. Since street demonstrations broke out on 17 October, the EU has been calling on the authorities to protect the right to a peaceful protest.

(ii) The rule of law and torture prevention – EU-funded projects offered the National Preventive Mechanism against Torture technical assistance to review its draft by-laws, develop a code of conduct, design and implement a capacity-building training scheme and promote public awareness of its mandate. A training module was conducted by an EU project targeting the Beirut Bar Association of Lawyers, and training modules were prepared for the army, police and General Security on evidence-based human rights compliant interview techniques.

(iii) Death penalty – The EU continued to advocate for the abolition of the death penalty.

(iv) Women and Gender – The EU advocated for women's rights via campaigns and public events, especially on women's political participation. EU projects focused on: combatting

poverty among Lebanese women by empowering them economically; gender equality in decision-making processes, and capacity-building programmes to promote gender equality at local and national levels. The EU implemented a programme to address gender-based violence and economic empowerment. A National Gender Observatory was established to enhance and mainstream gender in national policies and to address discriminatory legislation.

(v) Rights of the child – The EU supported actions on education, including basic numeracy and literacy, technical and vocational training, and school facilities. Projects included continued support to the Ministry of Social Affairs on the implementation of the ‘National Plan to Safeguard Children and Women in Lebanon’, and strengthening the capacities of the ministry to provide protection services – addressing psychosocial consequences among children impacted by armed conflict and violence; providing trauma-relief, healing and empowerment, and restoring their wellbeing. The EU supported the improvement of justice for children through child-friendly hearing rooms, the development of a learning resource for judges as well as rehabilitation and reintegration programmes for children.

(vi) Rights of refugees and migrants – The EU advocated for returns of Syrian refugees to be voluntary, safe and dignified, and in accordance with the principles of international law. In 2019, the EU funded projects benefitting both refugees and Lebanese host communities in the fields of social assistance and protection, education, infrastructure, health, and shelter, as well as capacity-building of Lebanese institutions, community and social stability, livelihoods and resilience. The EU supported programmes in benefit of Palestinian communities, including access to health and education services. The EU addressed the discrimination of domestic migrant workers as well as Palestinian refugees in the political dialogue with the authorities. In response to UNRWA's financial crisis, the EU stepped up support to the agency.

**3. EU bilateral political engagement:** HR/VP Mogherini visited Lebanon in February 2019. The EU engaged regularly with civil society organisations to increase their participation in policy dialogue and policymaking processes, as set out in the EU Country Roadmap for Engagement with Civil Society. To support implementation of the EU 2018 Election Observation Mission’s recommendations, the EU-funded ‘Lebanese Elections Assistance Project’ (LEAP) carried out numerous activities in 2019.

**4. EU financial engagement:** Throughout 2019, the EU promoted a rights-based approach to cooperation efforts. A portfolio of 22 human rights-related projects financed under EU instruments (EIDHR, ENI) was implemented by local civil society organisations and United Nations agencies, for an overall value of EUR 21 million. The projects focused human rights and democracy needs related to children's and prisoner's rights, access to justice, the right to vote, freedom of expression, women's and youth's rights and empowerment as well as inter-cultural/religious dialogue. In addition, through the EU Regional Trust Fund in response to the Syria crisis, several projects amounting to approximately EUR 223 million aimed to address the vulnerabilities of refugees and host communities (focus on protection, education, social assistance, and livelihoods). Such support was complemented by a portfolio of projects (EUR 37 million) seeking to support the resilience of Palestinian refugees in Lebanon, including their access to health services, education, housing and employment.

**5. Multilateral context:** Lebanon will undergo a review at the 37th session of the Universal Periodic Review at the UN Human Rights Council (HRC) in November 2020.

## Libya

**1. Overview of the human rights and democracy situation:** The escalation of the conflict in Libya since April 2019 further exacerbated the profound political divisions in the country, increased instability and provoked severe human rights violations. Due to the renewed conflict, the ability of the state to provide reliable services, security to citizens and uphold the law has deteriorated. This situation is reflected in the quasi-absence of institutions and instruments aimed at guaranteeing the promotion, protection and respect of human rights. Freedom of assembly, expression and media, gender equality, the development of civil society and the protection of human rights defenders are violated and undermined across the country, especially by armed groups. Migrants and refugees are particularly vulnerable. In July, an airstrike at a detention centre in Tajoura killed at least 53 people. Women and children remain particularly affected by the conflict. Over 210 schools and kindergartens remain closed, denying more than 113,000 children the right to education.

**2. EU action - key focus areas:** The EU's development assistance towards democratic governance focused largely on institutional support to municipal councils to strengthen their ability to govern, enhance service delivery and increase the participation of citizens and local civil society organisations in municipal decision-making. Support to national-level democratic governance continues through a contribution to the programme Promoting Elections for the People of Libya and through a project with the Deutsche Welle Akademie on media sector's development. The EU supports socio-economic development at the municipal level and through projects in the context of the EU Trust Fund for Africa. Dedicated support to the justice sector, aiming at strengthening accountability and access to justice, was launched in 2019.

The EU continued to support human rights defenders (HRD), with the extension of a project financed under the EIDHR aimed at further strengthening the capacity of HRD and Civil Society Organisations (CSOs) which work on human rights in Libya and the signature of a new grant agreement to support in particular human rights defenders addressing challenges related to torture. The EU continued to implement an Action Document 'European Union for Civil Society in Libya' to strengthen democratic governance, accountability and local participatory development through empowering CSOs to become independent and participate in decision-making.

On economic integration, diversification and sustainable employment, strong emphasis has been placed on women and youth. A competition on the best business idea from Libyan women was held, as well as a specialised workshop introducing women entrepreneurs to how to use coding/computer programme skills to develop their ideas, services or products. A new project, Enhancing Women's Rights and Gender Equality supporting the fight against gender-based violence (GBV) started in 2018. The project promotes women rights and dignity through the reduction of gender inequalities and GBV in Libya. The project will enhance the local capacity to reduce the incidence of GBV in Misrata. The EU signed a new

project to be implemented by UNFPA aiming at enhancing the accessibility to integrated sexual and reproductive health and rights (SRHR) and sexual and gender-based violence (SGBV) essential services. As regards assistance to migrants and refugees, since November 2017, the EU has supported the IOM Voluntary Humanitarian Return programme, which enabled the return of 31,411 migrants to their countries of origin by the end of 2018. In 2019, the number of people returned with the EU funds is 8,644. With the support of UNHCR, 5,506 vulnerable refugees and asylum-seekers were evacuated from Libya since November 2017. In 2019, 2,427 individuals were evacuated from Libya, including 893 resettled. A number of EU programmes also aimed at capacity building of CSOs and community based groups working on migration.

**3. EU bilateral political engagement:** The EU continued to call for and work towards a political solution of the conflict, and actively raised human rights issues with Libyan authorities, political and security actors, and civil society representatives, both in Tripoli and Benghazi. The EU has pursued dialogue with Libyan authorities on the need to adopt legislation in line with international standards providing protection and space for civil. The EU at Headquarters and Delegation level has publicly reacted to grave violations of international human rights law and international humanitarian law. Following the airstrike on the Tajoura detention centre in July, the EU together with the UN and the AU established a Post-Tajoura Working Group to improve joint advocacy vis-a-vis Libyan authorities for the safety and fundamental rights of refugees and migrants, demilitarisation of detention centres, and abandonment of the policy of arbitrary detention. The EU has regularly called for the immediate release of victims of abduction and enforced disappearance in Libya, and urged for investigations into these cases, including that of Member of Parliament Siham Sergiwa. In 2019, the EU adopted the Human Rights Country Strategy for Libya. The EU delegation maintained its active outreach to Libyans by organising events together with the wider international community, such as a Film Festival in Tunis focusing on human rights and gender equality, or a two-day workshop for journalists on countering hate speech and disinformation, gender-sensitive reporting, and investigative journalism on human rights.

**4. EU financial engagement:** The EU's overall assistance strategy in Libya focuses on supporting transition towards a stable, democratic and united Libya, based on a strong partnership promoting the interest of EU and Libyan citizens alike. More than EUR 365 million in bilateral support to Libya is being provided through 43 projects ongoing across a wide range of sectors, namely: civil society, governance, health, youth and education, migration management, community stabilisation, protection, humanitarian aid, security and mediation.

**5. Multilateral context:** The EU continued to support the UN-led efforts to bring about a political solution to the conflict, underlining the importance of Libyan ownership of an inclusive political process, notably through the participation of youth, women and civil society. The EU, UN and African Union (AU) also continued their partnership through the AU - EU - UN Tripartite Task Force to better address migration challenges in close cooperation with Libyan authorities. The EU actively contributed to the preparations of the Berlin Conference; its Declaration included a section on International Humanitarian Law and International Human Rights Law.

## Syria

**1. Overview of the human rights and democracy situation:** Syria has been embroiled in civil conflict since 2011. Human rights abuses are widespread and systematic, including neglect of the right to life, extrajudicial arrests and assassinations, torture, unfair trials, indiscriminate violence against civilians, disrespect of housing, land and property rights and targeting of civilian infrastructure. Perpetrators include the regime and its allies but also the large number of armed groups and militias present on Syrian territory.

Reports of abuse come from all over the country. In the northwest, notably in Idlib, the regime and its allies conducted indiscriminate attacks in populated areas during 2019. According to OHCHR, since the launch of the offensive in April 2019, 69 medical facilities have been hit by military strikes – this number suggests that civilian structures have been deliberately targeted, a violation of International Humanitarian Law. Following jihadist group Hay'at Tahrir al-Sham's (HTS) takeover of Idlib in January 2019 arbitrary detentions, deprivations of freedom and enforced disappearances have risen at a high rate. In the northeast, further to Operation Peace Spring in October, Turkey and its allied militias incorporated as the Syrian National Army (SNA) took control of a 30-km-deep strip of land along the border. Human rights violations were reportedly committed by SNA militias, including arbitrary executions (notably of the Syrian-Kurdish politician Hevrin Khallaf, from the Future Syria party), extortion and confiscation of property. In the south, particularly in Dar'a, which was recaptured by the regime in spring 2018, there are serious human rights concerns. Civilians engaged in alternative local government arrangements (local councils, local committees) experience arrest and detention. The poor enforcement of law and order means that the level of kidnappings for extortion and theft remains high.

**2. EU action – key focus areas:** The EU has worked to improve the protections of all civilians, including in areas where conflict is still taking place and violations of human rights are more likely to be perpetrated. In this regard, the EU has participated in the work of the Humanitarian Task Force and in the Ceasefire Task Force in Geneva in order to coordinate efforts for the application of humanitarian principles and safe, rapid and unhindered access for humanitarian actors.

Concerning arbitrary arrest, detention, disappearance and torture, the EU has maintained close contacts with the UN Office of the Special Envoy for Syria (OSE), OHCHR, ICRC and other relevant organisations during 2019. Additionally, the EU is funding ICRC, OHCHR Syria and the International Commission for Missing Persons (ICMP). Nevertheless, only limited progress has been made either by the Special Envoy's office in Geneva or during the Astana guarantors' talks (Russia, Turkey, Iran) where the UN has been actively engaged in promoting human rights with the Syrian regime, armed opposition groups and international parties to the conflict.

The EU and its Member States remain firmly committed to promoting justice and accountability for the many human rights violations committed against Syrians during the conflict. The EU and its Member States are the main funder of accountability actions in Syria. The focus of such projects includes the documentation of violations of human rights and of

war crimes, transitional justice, International Humanitarian Law, and support to civil society organisations. In addition to local and international NGOs, the EU also works with international organisations such as the OHCHR, the ICMP and the Commission for International Justice and Accountability, notably in the gathering of documentation and in preparing a sustainable process of collecting data from families whose relatives are missing due to the conflict. The EU is among the original funders of the International, Impartial and Independent Mechanism (IIIM), which is expected to take a leading role in efforts to achieve justice and accountability. The EU continued to support the work of the fact-finding missions of the OPCW as well as the Commission of Inquiry (CoI).

The EU considers the empowerment of women and minorities as central to the political process intended to further the solution of the Syrian conflict. It is an EU priority to support women not only in areas of conflict but also in peace processes. In 2019, the EU concluded work on a gender profiling of Syria, an assessment of the power and equality between men and women in the Syrian society. The gender profile offered suggestions for improving gender equality, which will be taken into account in the future programming for Syria.

The EU and its Member States remain engaged in supporting Syrian civil society in its efforts to achieve a political solution. This is achieved by supporting the UN OSE-organised Civil Society Support Room (CSSR); the Women's Advisory Board (WAB); CSO consultations, and by direct cooperation with Syrian CSOs in activities that can contribute to a sustainable political solution, enhance social cohesion and strengthen communities across Syria.

**3. EU bilateral political engagement:** The EU's main objective in Syria remains to work towards the end of fighting and the commitment of all parties to engage in a political process in line with the framework outlined in UN Security Council Resolution 2254. The launch of the Constitutional Committee represents a first potential positive step towards a political solution. The EU maintains a firm stand on non-normalisation with the regime until it has engaged in a political process. The third Brussels Conference on 'Supporting the future of Syria and the region' in April 2019 focused again the attention of the international community on the Syrian conflict. The EU continued to impose restrictive measures in relation to Syria and in 2019 introduced new sanctions against individuals and entities – including military and security officials – responsible for violence and repression in Syria (including the use of chemical weapons) or associated with activities, which deny the rights of Syrians.

**4. EU financial engagement:** The EU has mobilised around EUR 17 billion since 2011, remaining the largest provider of international aid and delivering humanitarian, stabilisation and resilience assistance inside Syria and in neighbouring countries. In 2019, the EU allocated EUR 260 million to humanitarian assistance to vulnerable Syrians; EUR 170 million was spent in Syria, the rest in neighbouring countries hosting Syrian refugees. The Third Brussels Conference raised EUR 6.2 billion for 2019 and multi-year pledges of close to EUR 2.1 billion for 2020 and beyond. In addition, international financial institutions and donors announced around EUR 18.5 billion in loans on concessional terms.

**5. Multilateral context:** The EU has supported UNSC resolutions on Syria, notably the 2165 (2014) pertaining to cross-border humanitarian assistance, the UN Human Rights Council as well as of the UNGA Third Committee. In multilateral fora, the EU has also condemned the escalation of violence in the country, the use of barrel bombs by the Syrian regime and the

human rights abuses by armed extremist groups, and called on the parties in the conflict to respect their obligations under international humanitarian law and to ensure unhindered access for aid organisations in Syria.

In Geneva, the EU has actively participated in the work of the Humanitarian Task Force and the Ceasefire Task Force. The EU and its Member States welcomed the establishment of the Syrian Constitutional Committee as a door opener for a broader political process.

## Palestinian Authority (occupied Palestinian territory – oPt)

**1. Overview of the human rights and democracy situation:** Preliminary remark: A distinction needs to be drawn between the responsibilities of the Palestinian Authority (PA) and those of Israel as an occupying power. The focus of this report lies primarily on the PA's responsibilities in the West Bank and the responsibilities of the de facto authorities in Gaza (although, formally, the government in Ramallah bears responsibility for Gaza too).

Challenges remain as regards fundamental freedoms in both the West Bank and Gaza.

As regards the holding of credible, transparent and inclusive elections, even though local elections were held on 13 May 2017 in the West Bank, national elections have not been held since 2006 and the Palestinian Legislative Council, which had not convened since 2007, was dissolved in December 2018. President Abbas' announcement in December 2018 to hold elections within six months has not materialised yet, not least due to the difficulty of holding elections in East Jerusalem and Gaza and to the lack of intra-Palestinian reconciliation. Laws are adopted by presidential decree and Civil Society Organisations (CSOs) frequently report lack of transparency in the law-making process.

2019 has shown a mixed picture when it comes to respect for the freedom of expression, freedom of assembly and freedom of the media in the West Bank and Gaza. The Palestinian Authority has made a real effort to consult civil society on new policy and legislative initiatives, but social media accounts of citizens have been closed down, and journalists continue to be subject to threats and arrests by the PA security forces. In Gaza, there are many reports of issues relating to media freedoms and freedom of expression, freedom of assembly as well as the rule of law and the fact that the death penalty is still being applied. The human rights situation overall in Gaza is assessed as challenging. Although CSPs are still able to operate rather freely in the West Bank, the freedom of association is increasingly challenged, and the space for civil society has been shrinking in 2019.

Arbitrary detention continues to be a matter of concern. The Independent Commission for Human Rights has since 2016 observed deterioration concerning arbitrary detention and fair trial standards with an increase in the number of violations of the right to liberty and security of person in both the West Bank and the Gaza Strip.

With regard to the rule of law, independence of the judiciary and related matters, civil society, judges and lawyers have in recent years observed an increasing politicisation of the judiciary and judicial processes. In 2019, such trends culminated in two laws issued by Presidential decree. One of these Decree-Laws lowered the retirement age of judges from 70 to 60 without given justification and changed the criteria for appointment of high court and

appeal court judges. The other Decree-Law dissolved the High Judicial Council (HJC) and all court panels and appointed a Transitional High Judicial Council with an extensive mandate.

While freedom of religion or belief is generally well observed, discrimination against women remains a concern. The draft Family Protection Law, which is believed to provide measures to prevent and combat violence while holding perpetrators accountable, has not yet been promulgated into law. Failings in the protection of LGBTI persons continue to represent a serious concern. Despite recent amendments to the Anti-Corruption Law, corruption does nevertheless continue to represent a challenge.

**2. EU action - key focus areas:** As reflected in the European Joint Strategy in support to Palestine<sup>8</sup> (2017-2020), in 2019 the EU continued its support to Palestinian state building, rule of law and justice as well as on service delivery to most vulnerable people and on sustainable economic development. Cross-cutting issues (gender equality, youth, environment protection, human rights and support to civil society) were mainstreamed in all sectors. Another priority was the strengthening of CSOs and greater civic participation in political life. The adoption of the Joint European Roadmap for Engagement with Civil Society in Palestine 2018-2020 illustrated the importance of European engagement in contributing to an enabling environment for civil society. Advisory assistance on justice and security has also come from the EU Co-ordinating Office for Palestinian Police Support (EUPOL COPPS).

The EU continued to engage in human rights and democracy discussions with the Palestinian Authority (not with the de facto authorities in Gaza). In this regard, the EU continued its structured dialogue with the Palestinian Authority on human rights issues through European Neighbourhood Policy (ENP) mechanisms, including the EU-Palestine Liberation Organisation (PLO) Joint Committee meeting in November, preceded by the meeting of the Subcommittee on human rights, good governance and rule of law in October. The Office of the EU Representative in Jerusalem (EUREP) carried out a large number of actions at local level. These include local statements, field visits and attendance at court hearings, mainly in Israeli military courts. Issues of concern were raised at regular meetings with the Palestinian counterparts. EUREP also engaged with CSOs to obtain information and to explain and promote the EU's position.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support for human rights and democracy-related programmes and projects through the European Neighbourhood Instrument (ENI) and the European Instrument for Democracy and Human Rights (EIDHR). Overall, the European Commission has consistently committed and disbursed in support to the Palestinians more than EUR 340 million every year since 2014. Sustainable development in Palestine is supported in line with the aim of the two-state solution based on parameters set out in the Council conclusions of July 2014.

**5. Multilateral context:** Since 2012, Palestine has been a non-member observer state in the UN General Assembly. Palestine has ratified more than 50 conventions, including the seven key human rights conventions. As regards the rights of the child, the Palestinian Authority has ratified the Convention on the Rights of the Child and in some areas there has been improvement. While child labour continues to represent a problem, steps have been taken to address this issue. The UN Convention against Torture (UNCAT) was signed by Palestine in

---

<sup>8</sup> This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

March 2014 but regular complaints of torture and ill-treatment in detention centres continue in both Gaza and the West Bank. While torture is not believed to be systematic in the West Bank, the UN, civil society and the ICHR have repeatedly expressed concern about the use of torture. In 2019, two death sentences were handed down in Gaza and none in the West Bank, where a moratorium on capital punishment has been in place since 2005. As noted in paragraph 1, discrimination against women remains a concern. The PA has undertaken initiatives that aim to address these problems, such as ratifying the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

## Kingdom of Morocco

**1. Overview of the human rights and democracy situation:** In 2019, Morocco made a series of important efforts regarding the promotion and protection of human rights and fundamental freedoms in order to move ahead in the reformist human rights agenda set out in the 2011 Constitution. Results were overall uneven, however, with progress in some areas and remaining long-term challenges that still need to be tackled in some others.

Morocco advanced in its fight against corruption, through the operationalisation of the 2017 Anti-corruption Strategy and the adoption of law 31.13 on access to information. Judicial reform also continued, including with the strengthening of access to legal aid and reform of the judicial academy and the juvenile justice system. Regarding the protection of the rights of persons belonging to minorities. However, the members of the Roma community continue to be particularly vulnerable, the adoption of organic law 26.12 establishing Amazigh (Berber) as an official language and the associated law on the establishment of the Council of Moroccan Languages and Cultures, were an important step forward. Efforts to promote gender equality and fight discrimination progressed, specifically with the implementation of law 103.13 on combating violence against women and girls, which entered into force in September 2018. A National Commission was set up in September 2019, and the Prosecutor's Office has emerged as a key actor, through the publication of circulars on domestic violence and on the application of precautionary measures provided for by law. A second phase of the Government Plan for Equality began in 2019, the implementation of which remains challenging, due to the still existing discrimination, for instance in the Family Code (Moudawana), adopted in 2004, in issues such as inheritance rights, marriage and divorce. Regarding the capital punishment, Morocco has been observing an undeclared moratorium since 1993. Complete data are not available, but at least six death sentences were issued during 2019, though none of them were carried out.

However, not all areas showed similar progress and some of them call for further sustained efforts. Despite some endeavours, notably by the Prosecutor's Office, the practice of marriages of minors, allowed by the Moudawana in cases where girls are rendered to be sufficiently mature, continued in 2019. Moreover, and despite the efforts pursued to address migration issues, the situation of some migrants remains vulnerable and the asylum and migration laws, in process of adoption since 2014, have still not been enacted. In April 2019, the confirmation in appeal of severe verdicts against 43 demonstrators in connection with the Hirak protest movement, ranging from 1 to 20 years in prison, gave rise to a public

debate. The cases of journalists and citizens prosecuted for criminal offenses related to freedom of expression, including in social media, also increased in 2019. Morocco maintained last year's rank as number 135 on the 2019 World Press Freedom Index by Reporters without Borders, albeit with a slightly higher negative score this year. Freedom of assembly and association remain sensitive areas too, with the closing down of one association following a court decision in May 2019 and reported restrictions to registration.

**2. EU Action – key focus areas:** The 'EU-Morocco Action Plan implementing the advanced status' for the period 2013-2018, which was extended by two years in 2019, is the basis for EU actions in Morocco. The focus areas for dialogue and cooperation include: the strengthening of processes and institutions that guarantee democracy and the rule of the law, in particular the National Human Rights Council (CNDH); decentralisation and regionalisation; the reform of the justice system; the promotion and protection of human rights and fundamental freedoms; freedom of expression and media professionalisation and freedoms of association and assembly, promotion of women's rights and gender equality, children's rights and the rights of vulnerable people; cooperation with the Council of Europe; and the fight against corruption.

**3. EU bilateral political engagement:** After three years of standstill, political relations were relaunched in January 2019 with a visit of HR/VP Mogherini to Rabat. For the first time in four years, an Association Council subsequently took place in Brussels on 27 June 2019. On the occasion of the meeting, a Joint Political Declaration was adopted. This declaration, the first of its kind, emphasised shared values, including regarding human rights and good governance, as one of the main areas of future cooperation. In parallel, the EU delegation continued to organise regular meetings with the EU Member States to discuss ongoing developments pertaining to human rights, including through interactions with the CNDH, the Inter-ministerial Delegate for Human Rights (DIDH) and civil society. The human rights situation was also a key component in the thematic Gender Group which met periodically, co-chaired by Belgium and the EU in 2019.

**4. EU financial engagement:** In 2019, the EU provided financial and technical support to Morocco in the field of democracy and human rights through budget support to promote gender equality, good governance, the implementation of the migration policy and reform of the justice sector. The EU acknowledges the important role played by civil society, including through its support to civil society actors.

In particular, the 2019-20 Annual Action Programme (AAP) includes a specific action to support human rights in Morocco ('Hoqouq wa Himaya'), with an overall funding of EUR 5 million, which will contribute to good governance in the field of human rights by supporting the constitutional body for human rights, the National Human Rights Council, and the Inter-ministerial Delegation on Human Rights. Other complementary actions include support to the public administration reform (EUR 40 million) and support to the capacities of the Moroccan Parliament (EUR 4 million). In addition, throughout 2019 the implementation of the 'Moucharaka Mouwatina' ('Citizen Participation') programme 2018-2020, in support of civil society to promote socio-economic rights at the local level, continued in four different regions of Morocco. Its objective is to strengthen the role of civil society in the development and monitoring of public policies within the framework of the process of advanced regionalisation initiated in Morocco, along three priority lines: youth, environment and gender equality. Progress was also achieved in the implementation of the EU budget support

programme 2015-2020 in the field of justice (EUR 70 million), which contributes to significantly reinforcing the judicial system, including through capacity-building of justice actors and to raise awareness on human rights.

Finally, since 2008 the EU has also supported the national literacy strategy in Morocco, enabling about 3.5 million people to benefit from literacy programmes. This support has strengthened the capacity of trainers (around 10,000 literacy teachers per year in the targeted regions). According to the 2014 general census, 32.2% of the Moroccan population aged 10 and over is illiterate. Rates are higher for women (41.9%) and rural areas (47.7%).

**5. Multilateral context:** Morocco is a state party to all major United Nations conventions on human rights, and cooperates in the reporting cycles. Morocco was a member of the Human Rights Council (HRC) between 2014 and 2016, and is an active member of several core groups, authoring several resolutions, which promote human rights in important areas. Its last Universal Periodic Review (UPR) took place in 2017. Morocco continued to abstain from voting for the international abolition of the death penalty, when a resolution on the matter was presented to the UNGA Third Committee. The envisaged visit of the UN Special Rapporteur on the Independence of Judges and Lawyers has yet to take place.

## Western Sahara

Western Sahara is listed by the United Nations as a non-self-governing territory, whose status remains the object of a negotiation process conducted under the auspices of the UN.

This dedicated UN-led process assists the parties in achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

In this context, two roundtable meetings were held in Geneva in December 2018 and March 2019 under the auspices of the Personal Envoy of the UN Secretary-General for Western Sahara, Horst Köhler. Delegations representing Morocco, the Frente Polisario, Algeria and Mauritania took part to the meetings. However, the UN-sponsored process has remained on hold since the resignation of former Personal Envoy Köhler in May 2019 for health reasons.

The mandate of the UN peacekeeping mission in Western Sahara, MINURSO (Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental) was renewed for a period of one year by the UNSC Resolution 2494 of 31 October 2019. The EU conveyed its resolute support to the UN process and to increased regional cooperation. In line with the latest UNSC resolution, the EU welcomed the recent momentum in the political process and looks forward to the resumption of consultations between the incoming Personal Envoy and Morocco, the Frente Polisario, Algeria and Mauritania in this regard to build on the progress achieved.

The EU has repeatedly expressed concern about the long duration of the conflict and its implications for security and human rights at a regional level. The EU has consistently encouraged the parties to continue their respective efforts to enhance the promotion and protection of human rights in Western Sahara while welcoming the strengthening of the

Commissions of the National Human Rights Council (CNDH) operating in Dakhla and Laayoune.

The EU has also followed up on alleged individual cases of human rights violations through its contacts with civil society organisations, human rights defenders, the CNDH and its regional offices, particularly regarding freedom of assembly and the right to protest. According to independent sources, in 2019 local human rights NGOs continued to face obstacles to their legal registration.

## People's Democratic Republic of Algeria

**1. Overview of the human rights and democracy situation:** As of February 2019, Algeria witnessed an unprecedented protest movement (Hirak), triggered by the prospects of a fifth mandate for the ex-President Bouteflika. These mainly peaceful demonstrations in rejection of the corruption of 'the system' were taking place regularly on Fridays and Tuesdays and have continued the whole year including during the electoral processes. Overall, the reaction of security forces has been measured, even if a number of peaceful activists and participants have been arrested, especially since the summer and in the weeks leading to the elections of 12 December 2019. Nearly 80 people were subsequently released, some 200 reportedly continue to be detained in pre-trial custody. In October 2019, despite the magistrates' strike ban, the national union of judges launched a protest against mobility of judges; their slogans included also demands for the independence of the judiciary. In the context of conditions of detention, Dr Kamel Edine Fekhar, a human right activist from the M'zab region, died, reportedly due to medical negligence.

Despite the constitutional provisions, the legal status and the rights of persons belonging to minorities remained an issue, with persisting discrimination of migrants, especially Sub-Saharan. The enforcement of the 2015 law criminalising violence against women is still pending.

Criticism of the electoral process was one of the key issues between the protesters and the authorities. Despite resistance in many regions, presidential elections took place with the official participation rate of 40% and including 14% of blank and void votes. In the process of preparation of the elections, a new Independent National Electoral Authority (ANIE) was created through an organic law, along with amendments to the Electoral Code.

The fundamental freedoms, including freedom of expression, assembly and association, are enshrined in the Algerian Constitution. However, Law 12-06 requires that every association, including those having already successfully registered, registers and obtains a receipt from the Ministry of the Interior before it can operate legally. This Law has not been revised in 2019. Despite Algeria's accession to the ILO Convention n°87, activists continued to be made redundant in the working context and at times jailed and autonomous unions' registration was difficult to obtain. While the Hirak protests were a conquest of public space by the citizens, the restrictions of freedom of expression and the limitations imposed on journalists continued, including blockage of internet outlets, censorship of TV programmes, detention and harassment of journalists and media managers. In 2019, Algeria went down from 136th to 141th rank in the World Press Freedom Index by Reporters without Borders.

The fight against corruption was at the centre of attention in 2019, with the ‘clean hands’ operation targeting the political and economic circles close to the former president Bouteflika. Algeria went up in the Transparency International ranking compared to its 2018 score (35 in 2019 up from 33).

Algeria has been observing a moratorium on capital punishment since 1993 and is supporting the UN resolution for a universal moratorium on executions.

**2. EU action on Human Rights - key focus areas:** The EU-Algeria Partnership Priorities for 2017-2020, are the expression of shared commitment to the universal values of democracy, the rule of law and human rights. The focus areas for bilateral EU-Algeria cooperation include governance, participatory democracy, promoting and championing fundamental rights, enhancing the role of women in society, decentralisation, strengthening the judicial system, and enhancing the role of civil society. Support is also envisaged for the modernisation of the public administration, closer monitoring of public finances and the tax administration, tackling corruption and countering money laundering, capital flight and the financing of terrorism.

**3. EU bilateral political engagement:** The EU – Algeria Subcommittee on political dialogue, security and human rights took place in February 2019 in Algiers. The EU reiterated its availability to support the implementation of the 2016 constitutional reform and the implementation of the May 2017 Universal Periodic Review (UPR) recommendations. It also offered electoral expertise in the context of the 2019 presidential elections. However, Algeria decided not to invite any external assistance. The EU consistently stressed the need to improve the legal and operational framework for the civil society activity and to open space for freedom of expression. The expected revision of the 2012 Law on Associations could provide an opportunity to take into account the recommendations formulated at the UPR in 2017. EU remained engaged with civil society through programmes and projects. EU launched two campaigns on the subject of violence against women, and the EU stand at the Salon International du Livre d'Alger included activities related to the 30th anniversary of the UN Convention on the Rights of the Child. On 28 November 2019, the European Parliament adopted a resolution on the situation of freedoms in Algeria (2019/2927(RSP)).

**4. EU financial engagement:** In 2019, the EU continued its support to the implementation of the new constitutional provisions, including through the SPRING programme (EUR 10 million), providing assistance to a number of institutions, including the central anti-corruption office, the national body for the prevention and fight against corruption, and the National Economic and Social Council. Through implementation of two programmes related to participatory democracy (CAPDEL, EUR 8 million) and support to justice sector (PASJA, EUR 9 million), the EU and Algeria continued sustained cooperation in the area of governance and justice.

The EU maintained a dialogue with the National Council for Human Rights (CNDH) in order to identify actions for future cooperation.

Civil society initiatives were supported through bilateral programmes e.g. aiming at the better inclusion of vulnerable social groups. Through the Civil Society Facility, Algerian associations received support to strengthen their advocacy actions and dialogue on the issue

of gender equality and reserves to the CEDAW Convention. Algeria's reserves to CEDAW were discussed under the subcommittee on political dialogue, security and human rights.

**5. Multilateral context:** In December 2018 and in March 2019, Algeria participated in the UN roundtables on Western Sahara.

Algeria abstained from voting UN resolution 73/304 'Towards Torture-free trade' (adopted on 28 June 2019).

## Republic of Tunisia

**1. Overview of the human rights and democracy situation:** Tunisia continued on a positive path. The two rounds of presidential elections (on 15 September and 13 October) and the legislative elections on 6 October 2019 were considered credible, transparent and inclusive by the international observers. The electoral operations were well organised by the Instance Supérieure Indépendante pour les Elections (ISIE), in spite of the challenges of the early presidential election. These elections were a milestone in the consolidation of transition in Tunisia, which sent a strong message of democratic maturity, proving that political alternation is possible.

The Tunisian society remains tolerant and, with some punctual exceptions, there were no reports of discrimination on ethnic/religious ground. Tunisia made progress with regard to freedom of the press and has been ranked as safest country for journalists in North Africa and the Middle East by the 2019 World Press Freedom Index report.

However, there is still need for improvement, especially in Justice and Dignity (on death penalty, torture and rights of the child) areas. The reform of the Penal Code and the Penal Enforcement Code has not been completed, amendments were tabled and discussion started. However, their passage into law could not take place partly due to the 2019 electoral process; the Constitutional Court is not in place yet; the judiciary is still subject to some political pressure; and the situation in prisons raises concern.

**2. EU action - key focus areas:** Since 2011, the EU has pledged to support the Tunisian people's transition towards greater democracy, freedom and social justice. The EU-Tunisia Strategic Priorities for the period 2018-2020 confirm the particular importance that the two partners place on the democratic reform process, the promotion of good governance and rule of law, and the respect of human rights and fundamental freedoms. The Tunisian civil society, which plays a key role in the transition, will continue to be closely involved in the process. Tunisia is the only Southern neighbourhood partner with which tripartite dialogues are held ahead of all meetings.

**3. EU bilateral political engagement:** The EU deployed a fully-fledged Election Observation Mission (EOM) to observe the presidential and legislative elections (following the deployment in 2018 of an EOM for the municipal elections). In its final report, the EOM presented a comprehensive assessment of the electoral process with 27 recommendations for future elections. Among the priority recommendations are: the establishment of the

Constitutional Court; the reinforcement of the control of the expenses and the financing of the electoral campaigns; the reinforcement of the Court of Accounts; the promotion of the participation of women in political life; a more precise legal framework with regard to article 143 of the electoral law, which allows the cancellation of results by the ISIE; greater transparency of social networks in the electoral campaign; clarification between electoral advertising and electoral propaganda; simplification of the rules of access to the media as far as the candidate lists for the legislative elections are concerned and revision of the procedures of electoral litigation.

The EU continues to support the creation and operationalisation of the constitutional bodies. In the absence of a Constitutional Court key legislative provisions e.g. with regard to freedom of expression association and conscience, which are likely inconsistent with the 2014 Constitution, cannot be challenged and continue to be enforced.

Tunisia has committed to freedom of information as one of the pillars of its democratic transition and was ranked first in the Arab world by the Reporters without Borders Barometer in 2019 and moved by 15 slots to rank 72 in the world.

The EU continued to encourage Tunisia to ensure a better balance between security and human rights. The democratic control of the security forces is provided for by the Constitution, but accountability, due to the low rate of prosecution and conviction for abuse and illegitimate violence, needs to be improved. The imperative of the fight against terrorism and the prolongation of the state of emergency have a negative impact. The adoption of a police code of ethics marked progress in the reform of the security sector.

Conditions of detention remain a matter of concern, mainly due to poor infrastructures and overcrowding, and absence of alternatives to imprisonment for minor crimes. The EU remains engaged in supporting the reform of the justice system.

On anti-corruption, Tunisia continued to implement the law on the declaration of assets and fight against illicit enrichment and conflict of interest in the public sector, 182 cases being transferred to justice in the course of 2019. On the other hand, the independent constitutional body for good governance and fight against corruption (IBOGOLUCC) remains to be set up and no consensus has been reached among deputies. Transparency and accountability of the public administration with respect to citizens could be improved.

The implementation of the law related to the elimination of all forms of racial discrimination (11/2018) continued and procedures to facilitate access to documentation by foreigners are being discussed within the Council of Ministers. In 2019 hundreds of foreigners, mainly sub-Saharan, have benefited from this law. The Tunisian society remains tolerant and, with some exceptions, there were no reports of ethnic or religious groups facing discrimination.

The Truth and Dignity Authority's final report was officially presented on March 2019 but the plan to implement the recommendations has not been approved yet. The victims of human rights violations and their families place great hope in an accelerated publication of the plan, which would give it an official character and guarantee their rights.

**4. EU financial engagement:** The EU continued to provide large amounts of financial assistance to the Tunisian transition, including through a series of programmes dedicated to the promotion of women's rights (EUR 8 million), justice reform and penitentiary assistance

(EUR 60 million), decentralisation (over EUR 100 million), public administration reform (EUR 73.5 million), support to civil society and the independent institutions (EUR 20 million).

**5. Multilateral context:** Tunisia is party to eight out of nine main UN human rights treaties and all the main UN conventions, and was a member of the UN Human Rights Council in 2017-2019. The EU welcomes the good cooperation, concerning in particular thematic resolutions on women's rights and the moratorium on the death penalty. In 2019, Tunisia started preparing its non-permanent seat in the UN Security Council as from 2020 focusing on conflict prevention and peaceful settlement, enhancing participation of women and the youth in these efforts, combating terrorism, increasing effectiveness of UN peacekeeping operations, enhancing cooperation for international development and security.

## Russia and Central Asia

### Russia

**1. Overview of the human rights and democracy situation:** The situation of human rights and democracy in Russia has continued to degrade. There are unremitting limitations on fundamental freedoms, dwindling space for independent civil society and a clampdown on independent political voices. Persecution, provocation and discrediting campaigns are inherent part of the environment in which CSOs operate. Politically motivated judicial cases are meant to silence independent voices and set an example for critical voices (e.g. Yuri Dimitriev). High-profile murders of political figures remain under-investigated and the perpetrators remain unaccountable. Following Russia's illegal annexation of the Crimean peninsula, the human rights situation there deteriorated significantly, including denial of: freedom of expression, freedom of peaceful assembly, freedom of religion or belief. Russian authorities persecute those who oppose the annexation including Crimea's ethnic and religious minorities, namely Crimean Tatars (e.g. raids on their homes in March 2019, illegal detentions, and prosecutions). There was a new wave of detentions and torture of gay people in Chechnya in January 2019, leading to the deaths of two of them. Investigations into earlier persecutions of gay men in Chechnya and other human rights abuses in the Republic have not materialised, thus accountability and justice for the victims has not been assured. The ban on Jehovah's Witnesses is a grave attack on religious freedom – currently there are nearly 250 criminal cases against followers. The scope of the existing legislation on 'foreign agents' was extended in 2019 to include individual journalists and bloggers, limiting further the space for free and independent access to information. The Russian parliament continues to be a legislative body without any real political opposition present. In the run up to the September 2019 local and regional elections, the use of measures against the opposition, as well as the mass detentions and excessive sentencing of peaceful protesters seriously undermined pluralistic democracy. In spite of negative trends, Russia's civil society remained pro-active, as demonstrated by the wide interest in EU calls for proposals in the areas of democracy, human rights and civil society.

**2. EU action - key focus areas:** Support to civil society and human rights defenders was provided by both political and financial means. At political level, this was ensured by means of a number of different tools. In the absence of EU–Russia human rights consultations since November 2013, there is no formal dialogue between the EU and Russia on human rights and civil society issues. In 2019, the EU's position continued to be expressed mainly through public statements or quiet diplomacy. Meetings of the HR/VP and senior EU officials, or the EU Ambassador in Moscow with Russian authorities served to convey the EU's positions on numerous developments, legislation and individual cases of concern. Trial observation by diplomats has been an important instrument in giving visibility to activists, human rights defenders (HRDs) and NGOs under pressure. NGOs and HRDs appreciate the attention generated by international presence. In some cases, they view it as the only meaningful leverage with the Russian authorities. The EU delegation has actively supported wider dialogue and contacts between Member State embassies, NGOs, civil society, experts and HRDs. An example is a successful workshop organised with Media4Democracy.eu on Freedom of Expression online. The EU delegation and EU Principal Advisor on Gender participated at the launch in Moscow in January 2019 of the EU-funded gender project to strengthen knowledge and expertise concerning violence against women, and women's participation in public and political life. It is another example of how EU support can broaden the space for Russian civil society in their interaction with the authorities against all odds. Outreach to the Russian regions has also been a focus of the EU delegation's work.

**3. EU bilateral political engagement:** The key success story in 2019 relates to the case of Oyub Titiev, head of Chechen branch of NGO Memorial. Titiev was detained in January 2018 on trumped-up charges of drug possession and faced up to 10 years of imprisonment. The EU and Member States' diplomats followed the case since its very inception, communicating on this via social media. Against the background of a challenging security environment, the EU delegation coordinated trial observation by EU and like-minded diplomats in the town of Shali (outside of regional capital of Chechnya, Grozny) until the court approved on 10 June his conditional release.

Another noteworthy case is the one of Pavlo Hryb, a Ukrainian national, convicted by the Russian authorities of promoting terrorism. The EU delegation and Member States' diplomats followed closely the case of Hryb and observed the court hearings both in Rostov-on-Don and in Moscow. The EU repeatedly raised the concerns of the health condition of Hryb in meetings and correspondence with the Russian authorities until his release as part of the prisoner exchange between Ukraine and Russia on 7 September. On several occasions, the EU raised concerns with Russian interlocutors at all levels regarding other illegally detained Ukrainian citizens in Russia, including the Ukrainian sailors, detained in the Kerch Strait in November 2018. It coordinated monitoring activities of a number of their trials.

**4. EU financial engagement:** The EU is currently the only big international donor for Russian civil society projects. Most other international donors have been either forced to leave or left voluntarily before they could have been declared undesirable. Some Member States continue bilateral programmes in this respect. Given pressure from the authorities, Russian NGOs need support now more than ever, including funding and capacity building. The assurance of continued EU funds for civil society in Russia over the coming years is increasingly important.

Many representatives of Russian civil society have noted that the EU's support is crucial to enable Russian CSOs to continue their work in an ever more restrictive environment. In addition, the EU programmes contribute to breaking down the self-imposed isolation of Russia. They help Russian civil society activists stay connected with their European colleagues and stay within the common European agenda based on universal values.

In this respect, important contributors in connecting Russian and EU civil societies include EU-funded organisations such as the 'EU-Russia Civil Society Forum', a platform of NGOs from EU countries and the Russian Federation (RF), which aims to strengthen co-operation between NGOs from Russia and the EU, and between Russian NGOs. The Forum has been actively involved in the questions of visa regulation, development of social, environmental and human rights standards, dealing with history, and civic participation among others. Likewise, the Prague Civil Society Centre which supports civil society across Eastern Europe, Russia and Central Asia, nurtures skills and knowledge of those working on civic and social initiatives. The Centre has brought together participants from all over the region e.g. on issues such as freedom of the media. The European Endowment for Democracy, an independent grant-making organisation established by the EU, to foster democracy in the European Neighbourhood including Russia, provides flexible support to democracy advocates, civil society organisations, pro-democracy movements, civic and political activists, and media and journalists working towards a pluralistic, democratic political system.

## **5. Multilateral context**

The human rights and democracy situation in Russia has been regularly discussed at the meetings in the Council of Europe in Strasbourg and the Organisation for Security and Cooperation in Europe in Vienna. Russia's stance remains challenging in multilateral fora. Following support from the Committee of Ministers at the Helsinki Ministerial, and efforts within the Parliamentary Assembly of the Council of Europe (PACE), the Russian delegation returned to PACE last June. Nevertheless, tensions remain within the Parliamentary Assembly. In the Council conclusions on the EU Priorities in UN Human Rights Fora in 2019, concerns were expressed specifically about the human rights situations in Chechnya, in the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, and in areas of eastern Ukraine not under the control of the government. The conclusions also outlined the EU's concerns about the proper functioning of democratic institutions, the respect for the rule of law and the principles of good governance, freedom of expression, online and offline, freedom of peaceful assembly and association, and the independence of the judiciary in the Russian Federation.

## **Kazakhstan**

**1. Overview of the human rights and democracy situation:** In March 2019, after almost three decades in power, President Nazarbayev stepped down. A snap presidential election took place on 9 June and Kassym-Jomart Tokayev won an official 70-percent victory. The presidential election was tarnished by violations of fundamental freedoms, with widespread detentions of peaceful protesters and bystanders on Election Day and the following days in major cities. President Tokayev has however committed to making Kazakhstan a 'listening state' with strengthened dialogue between government and citizens. A National Council of

Public Trust has been set up to provide a platform for sharing different views and informing future policies. Strengthening of the justice system, independence of the judiciary and improving the selection and training of judges have also been prioritised. In March, the European Parliament adopted a resolution on the situation of human rights in Kazakhstan drawing attention to arbitrary arrests and detention, torture in prisons, repression of freedom of speech and the media, freedom of assembly and association. Kazakhstan continued efforts to reduce the prison population, to tackle torture and improve the general conditions in prisons, including the monitoring of detention facilities. Efforts also continued to humanise the criminal code. On 20 December 2019, in a speech delivered to the National Council for Public Trust, President Tokayev promised to introduce further reforms to the public-assembly law and to the criminal code; decriminalising Article 130 on defamation and Article 174, which penalises incitement of social, national, tribal, racial, class or religious hatred. It was also mentioned that the process for creating political parties would be simplified.

**2. EU action - key focus areas:** All projects within the EU bilateral support programme on Criminal Justice (EUCJ) were concluded before the end of 2018. Support has been continued through regional programmes, including the EU-Central Asia Rule of Law programme.

Increased cooperation and coordination with EU Member States' embassies accredited in Kazakhstan in conducting joint events and engaging together in EU human rights activities, for example, Human Rights Day reception, joint visit of political prisoners and monitoring of trials.

**3. EU bilateral political engagement:** By the end of 2019, the Enhanced Partnership and Cooperation Agreement (EPCA), signed in 2015, was ratified by all EU Member States. The EU held its annual Justice and Home Affairs subcommittee and Human rights dialogue on 18 and 19 November respectively in Nur-Sultan. The EU and Kazakhstan discussed the importance of addressing obstacles to freedom of expression and information, including Article 174 of the Criminal Code. The EU raised concerns in relation to the arrests of peaceful demonstrators, and called on Kazakhstan to continue to take steps to foster an enabling environment for human rights defenders, lawyers, journalists and NGOs. Kazakhstan informed on the ongoing review of the Law on Peaceful Assembly. The EU enquired about legislation related to trade unions and stressed in this regard the implementation of ILO Convention 87. The EU raised the importance of unhindered access to detention facilities for independent monitoring, allowing for investigation of acts of torture and rehabilitation of victims. The participants also discussed freedom of religion or belief as well as cooperation in multilateral fora, including the importance of openness to UN scrutiny, visits of UN Special Procedures, and working closely with the OSCE.

**4. EU financial engagement:** Due to its status as an Upper-Middle Income country, Kazakhstan is not receiving bilateral allocations from the Development and Cooperation Instrument since 2014. Kazakhstan is a beneficiary of thematic-funded projects in the field of human rights and democracy under the European Instrument for Democracy and Human Rights (EIDHR). There are eight on-going EIDHR and non-state actor projects addressing the rights of the child, national/country human rights action plan, strengthening human rights

non-governmental organisations networking and advocacy, rural civil society support and chemical safety, freedom of speech and human rights defenders.

On 12 November, in Brussels, the trilateral project ‘Supporting the Economic Empowerment of Afghan Women through Education and Training in Kazakhstan and Uzbekistan’ was launched. The EU has contributed EUR 2 million to the project. Kazakhstan is also by far the most active participant and beneficiary of Erasmus+ in the Central Asia region, both in terms of students and staff mobility and institutional participation.

On 27 November, the EU delegation in Nur-Sultan launched three EU-funded new regional programmes for a total amount of EUR 28 million to support rule of law as well as trade, investments and growth in Central Asia.

**5. Multilateral context:** Kazakhstan underwent the third cycle of the Universal Periodic Review (UPR) on 7 November 2019. During the review, 245 recommendations were put forward, with more than 93 countries issuing recommendations including 21 EU Member States. Growing restrictions on freedom of the media, freedom of expression and freedom of assembly and association remained of particular concern. Positive developments included ratifications of the Convention on the Rights of Persons with Disabilities and the Convention against Discrimination in Education, ongoing efforts to combat torture and efforts to tackle violence against women and children. Regarding UN Treaty Bodies, Kazakhstan was reviewed by the Committee on Economic, Social and Cultural Rights in March 2019. In May 2019, Kazakhstan received the visit of the UN Special Representative on the promotion and protection of human rights and fundamental freedoms while countering terrorism, to assess Kazakhstan’s counter-terrorism laws, policies and practices.

## The Kyrgyz Republic

**1. Overview of the human rights and democracy situation:** The overall human rights situation remained stable and is considered as the most advanced in the region. The government remained committed to its human rights agenda and adopted relevant documents for its implementation, e.g. the National Human Rights Action Plan 2019-2021. Implementation of judiciary reform, to which the EU contributes through development assistance, has been listed among priorities of the leadership. Five new codes (among which the criminal code and the criminal procedure code) entered into force on 1 January 2019, providing new tools and reducing arbitrary decisions. Another positive step was the ratification of the UN Convention on the Rights of Persons with Disabilities (CRPD) in March 2019. It is worth noting the improved rating of Kyrgyzstan in the 2019 World Press Freedom (WPF) Index – ranking 83 out of 180, up 15 ranks from the previous year. At the same time, the pressure on media significantly increased over the past few months, signalling a setback in this regard. There are still persisting shortcomings on specific human rights issues, including continued impunity for the use of torture, widespread corruption (illustrated well in the recent investigative report of a large scale corruption involving State Customs and numerous influential and well-known personalities), lack of independence and professionalism of the judicial system and general weakness of the rule of law. An area of

serious concern is also the draft Trade Union law, which would drastically limit the independence of Trade Unions and would contravene core ILO conventions. A 9% threshold put in place by the former President Atambaev might have a critical impact on the party representation in the next parliamentary elections, due in October 2020.

No measures have been taken to address the prominent case of Azimjan Askarov, notwithstanding strong international advocacy (including the UN Human Rights Committee).

**2. EU Action – key focus areas:** The negotiations of an Enhanced Partnership and Cooperation Agreement (EPCA) finalised on 6 July provided an opportunity to intensify bilateral relations, emphasised the key EU principles and values, and reinforced their reflection in the legal basis for the future cooperation. As the key priority of bilateral cooperation, the EU continued to support the strengthening of the rule of law and an effective implementation of the judiciary reform. The EU also actively supports democratic governance and fight against corruption, as well as development of the institutional framework to ensure freedom from torture and ill treatment and promotion of the rights of persons belonging to minorities as well as gender equality. Support to the education sector contributes indirectly to promoting the principles of human rights and democracy. Kyrgyzstan benefits from the enhanced generalised scheme of preferences (GSP+) of the EU. Throughout the year monitoring activities as well as discussions with the Kyrgyz partners on the country's human rights record under GSP+ commitments took place.

**3. EU bilateral political engagement:** The EU regularly engaged with authorities of the Kyrgyz Republic on human rights issues in a number of formats, including at the highest level. President Jeenbekov confirmed his commitment to democratic governance and respect for human rights and fundamental freedoms, including freedom of the media. The HR/VP raised human rights issues also with the Minister of Foreign Affairs.

The Cooperation Council took place in December at the ministerial level. The yearly human rights dialogue was held in May in Brussels and covered a wide range of issues, including judicial reform, national human rights institutions, prevention of torture, freedom of expression and freedom of association, freedom of religion or belief, rights of women and children, good governance, including rights of the members of minority groups, bilateral and international cooperation, and also GSP+ monitoring, including the failure of Kyrgyzstan to report to the ILO. The EU regularly held in Brussels and in Kyrgyzstan meetings, consultations and round-table discussions with representatives of the civil society both locally and through international organisations.

**4. EU financial engagement:** The EU continued to provide significant financial support to projects in the field related to rule of law and human rights, funded by the Development Cooperation Instrument (DCI), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Peace and Stability (IcSP).

The EU support to the Rule of Law amounts to EUR 37.72 million for the period 2014-2020. In particular the 'Rule of Law in the Kyrgyz Republic – phase 2' (May 2018-November 2022) is dedicated to supporting judiciary reform, namely, among other issues, the independence of the judiciary. The EU also has been supporting the Kyrgyz authorities' efforts to strengthen the democratic system through comprehensive electoral reform (EUR 13.13 million).

The EIDHR contributes EUR 760.000 to a three-year project on 'Supporting the State and Civil Society efforts in combating torture and other cruel, inhuman or degrading treatment or punishment in Kyrgyzstan' and EUR 800,000 to a two-and-a-half year project addressing gender based violence. Through the IcSP, the EU supported civil society actions that promoted constructive dialogues on religion and democracy, with a view to engaging also the young generation and decreasing its vulnerability to extremist rhetoric. In December 2019, the programme 'Support to media sector reform for conflict prevention in the context of the upcoming elections' started. This 18-month action aims at strengthening the capacity and responsibility of media actors to operate as drivers of democracy and to prevent potential conflicts during the 2020 legislative elections. This effort is complemented by regional programmes 'Contributing to stability and peace in Central Asia through media literacy, improved reporting and regional cooperation' and 'Strengthening resilience to Violence and Extremism (STRIVE Global)'.

**5. Multilateral context:** Since 2016, the Kyrgyz Republic has been a beneficiary of the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+). This preferential trade scheme grants full removal of tariffs on over 66% of EU tariff lines in return for the effective implementation of 27 core international conventions on human and labour rights, environmental protection and good governance. Kyrgyzstan cooperates with the UN and OSCE rapporteurs. In 2019, the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health visited Kyrgyzstan. The Human Rights Action Plan for 2019-2021 was adopted. A special Commission on Human Rights was established in the Kyrgyz Government. The next cycle of the Universal Periodic Review will take place in early 2020.

## Tajikistan

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Tajikistan in 2019 was largely shaped by the internal political agenda. While some progress could be registered (on prevention of torture and ill treatment), there was no improvement or even deterioration in the areas of political participation, freedom of expression - including media - and freedom of association. Undoubtedly, political participation remained the most closed area of human rights, giving the ruling elite's clear signals of the limits to any opening. Freedom of expression was also severely restricted, non-governmental organisations were subject to intimidation, and the internet was severely disrupted and censored. An encouraging step was that the Ministry of Foreign Affairs renewed the accreditation of seven journalists of Radio Ozodi/RFE RL on 31 October; however, a few other accreditations are still pending. It is also worth noting that Tajikistan hosted the first Penitentiary Forum in Dushanbe on 20 November, co-organised by the Ministry of Justice, the EU delegation and the OSCE.

**2. EU action - key focus areas:** EU actions promoted awareness about human rights, in particular women's rights, including criminalisation of domestic violence, children's rights and the rights of persons with disabilities, the fight against torture, freedom of expression,

freedom of association, and freedom of religion or belief. The EU engaged with civil society organisations active in Tajikistan and supported their work (such as their inclusion into the legislative process). The EU also supported protection of human rights defenders (HRDs).

**3. EU bilateral political engagement:** The EU engaged in structured human rights discussions with Tajikistan in various formats, including at the human rights dialogue held in November, during the annual Cooperation Council meeting at ministerial level in December, as well as during various high-level visits, for instance the EU Special Representative for Central Asia, Members of the European Parliament and DG Trade's GSP+ missions. These meetings allowed for open and frank exchanges on a wide range of issues of concern.

Actions by international actors, including the EU, played a significant role in the renewal of the accreditation of seven journalists of Radio Ozodi/RFE RL. The EU in collaboration with the Committee on Women and Family Affairs financed the establishment of a hotline 1313 and a resource centre as the new tools to fight domestic violence. They provide free legal and psychological support and consultations to victims of domestic violence.

In general, the EU called on Tajikistan to ensure that journalists, writers and individuals could work freely without fear of retribution for expressing their opinions, or for covering indiscriminately all social-economic topics of general interest. The EU also noted restrictions to become a lawyer in Tajikistan, as well the burdensome registration requirements for civil society organisations and media outlets.

The annual communication outreach campaign 'EU Week in Tajikistan' from 20 November to 10 December was devoted to 'Rights', and showcased through public events numerous examples of EU engagement including on the rights of the child, activism on violence against women, support to prison reform, disability, as well as conference to mark the International Human Rights Day and a new project on countering radicalisation through responsible journalism.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support to projects in the field of human rights, mainly funded by the European Instrument for Democracy and Human Rights (EIDHR). A number of new projects were being called for in the preceding year, to be funded under the EIDHR by approximately EUR 1.3 million over several years. Projects are addressing reform of penitentiary system, economic and social rights of prisoners and ex-prisoners, eradication of torture and promotion of women's rights.

A two-year project 'Human Rights Protection for prisoners and ex-prisoners' will be implemented by DVV International and aims at strengthening the capacities of ex-prisoners, as well the capacity of civil society organisations and human rights defenders working on protection of prisoners. The two-year EIDHR project 'Support for anti-torture agenda and human rights groups in Tajikistan' will be implemented by the Helsinki Foundation for Human Rights, together with three members of the NGO Coalition Against Torture in Tajikistan. A two-year project 'Promoting human rights-based approach in reforming prison system in Tajikistan' will be implemented by Penal Report International in partnership with 2 Tajikistan NGOs. The two-year project 'Righting the balance: building the resilience and relevance of independent media in Tajikistan' is implemented by the National Association of

Independent Media of Tajikistan (NANSMIT) in partnership with the 'Your Lawyer' legal defence centre and Thomson Media GmbH. The two-year project 'Supporting and strengthening the women's resource centres in Tajikistan' will be implemented by OSCE Programme Office in Dushanbe.

**5. Multilateral context:** Tajikistan is party to a number of international human rights conventions and all key conventions have been ratified. The EU encouraged the Tajik government to sign the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Tajikistan underwent its Universal Periodic Review (UPR) in September 2016 and the next review is scheduled in 2021. Tajikistan has accepted so far 153 out of the 203 recommendations made in the HRC. The EU welcomed that Tajikistan invited in 2019 the Working Group on disappearances for a five-day mission and called Tajik authorities to welcome further UN Special Procedures in the upcoming year. In addition, Tajikistan authorities participated in the Human Dimension Implementation Meeting (HDIM) of the OSCE in Warsaw in September.

## Turkmenistan

**1. Overview of the human rights and democracy situation:** In 2019, the human rights situation in Turkmenistan remained worrying. Fundamental rights and freedoms were not respected despite being formally guaranteed by the Constitution and other laws. Serious concerns remain regarding restrictions to freedom of expression and opinion, freedom of association and peaceful assembly, torture prevention and enforced disappearances in detention facilities, and freedom of movement. There is lack of enabling space for human rights defenders, independent journalists, lawyers and NGOs in the country. The Ombudsman's office established in 2017 continued its activities and in June 2019 presented its yearly activity report. However, concerns regarding its independence and ability to address cases of violations of political and human rights freedoms have not been addressed. The evaluation of the progress in the implementation of the 2016 Human Rights Action Plan remained challenging due to lack of an adequate monitoring mechanism. Crucial recommendations accepted by Turkmenistan during its third Universal Periodic Review in May 2018 have neither been reflected in the Action Plan, nor implemented. A positive step has been the approval by the President of a National Strategy for Early Child Development for 2020-2025 and a National Plan of Action to Combat Trafficking in Human Beings for 2020-2022. Further, a second round table dedicated to the freedom of religion or belief was held by the Institute of State, Law and Democracy in December 2019.

**2. EU action - key focus areas:** The EU continued to support capacity building of Turkmen public administration to enforce human rights laws and conventions, in line with the priorities of the country's National Human Rights Action Plan. Regular consultations about providing assistance to Turkmenistan's state bodies was carried out with other partners active in the area of human rights, notably with the UNDP, UNICEF, the UN Regional Centre for Preventive Diplomacy based in Ashgabat, OSCE and US. The EU continued encouraging Turkmenistan to seek advice of specialised international bodies and to study best practices

in the process of drafting or amending legislation and implementing the human rights instruments.

The EU continued to advocate for reforms of the judicial and prison systems. Following reports about cases of torture and enforced disappearances, the EU continued to encourage Turkmenistan to establish a National Preventive Mechanism for the monitoring of places of detention, and to facilitate access to prisons for independent international monitoring bodies. Despite EU's requests for the continuation of foreign diplomat's visits to local penitentiaries, no such visits could be organised in 2019.

Despite the absence of an EIDHR Country Based Support Scheme, the EU continued its support to Turkmen CSOs to reinforce their role in the society, including by facilitating their representatives' participation in the regional and Brussels-based workshops and capacity building events.

**3. EU bilateral political engagement:** The EU continued to discuss human rights and democracy related concerns with Turkmenistan in various settings. In March 2019, the 11th EU-Turkmenistan human rights dialogue took place in Ashgabat. Human rights concerns were also raised with the Turkmen authorities by the European Parliament, the EU Special Representative for Central Asia, as well as within the OSCE and UN frameworks.

The EU voiced its concerns about a number of human rights related individual cases through Verbal Notes, OSCE statements and quiet diplomacy interventions. The EU delegation to Turkmenistan, established in July 2019, coordinated actions in the field of human rights with EU Member States' embassies and like-minded partners and hosted consultations with civil society. Turkmen authorities showed timid openness to discuss concrete human rights related issues with the EU. As a result of the EU's intervention, the whereabouts of a number of people considered as disappeared could be established, and a travel ban was lifted in case of one independent journalist.

**4. EU financial engagement:** The EU continued to implement the project 'Support to Capacity Building in Public Administration', funded under DCI and launched in 2016 with a budget EUR 4.5 million. The project aims at strengthening the capacity of public administration through increasing the qualifications of civil servants, including on human rights related issues. The project involves different beneficiaries, such as the State Academy of Civil Servants and the Institute of State, Law and Democracy. Furthermore, Turkmenistan was invited to participate in the new phase of the EU-Central Asia Rule of Law Programme, designed to promote the creation of a regional common legal space between Europe and Central Asia; to enhance business integrity and compliance in the private sector; to enhance the effectiveness of anti-corruption, anti-money laundering and asset recovery systems; and to enable national counterparts to reform the national legal systems, state institutions and the judiciary. Finally, the European Instrument for Democracy and Human Rights (EIDHR) supported the capacity building of civil society.

**5. Multilateral context:** A Turkmen delegation attended the official part of the OSCE Annual Human Dimension Implementation Meeting (HDIM) in September 2019. The Minister of Labour and Social Protection attended the 108th ILO Session on 10 June 2019 in Geneva. An

ICRC delegation visited the country in June and December 2019 to discuss possible future cooperation plans. The UN High Commissioner for Human Rights for Central Asia visited Ashgabat on 3-4 April and on 11 December 2019 to discuss the preparation of a roadmap for the implementation of the recommendations accepted by Turkmenistan at the third Universal Periodic Review in the UN Human Rights Council. On 7 May 2019, Turkmenistan was elected to the three ECOSOC subsidiary bodies: Executive Board of the WFP (2020-2022), UN Commission on Population and Development (2020-2024) and UN Commission on Narcotic Drugs (2020-2023). In July 2019, Turkmenistan presented a voluntary review of the implementation of the SDGs at the High-Level Political Forum in the UN Headquarters. Since 2009, UN Special Procedures have not visited the country. In that respect, the EU has insisted on several occasions that Turkmenistan issue standing invitations to all UN Special Procedures.

## Uzbekistan

**1. Overview of the human rights and democracy situation:** Since 2016, President Mirziyoyev has pursued a programme of reforms including political reforms, aimed at progressive liberalisation of Uzbekistan's society and gradual democratisation. Further progress in this regard was made during 2019, culminating in parliamentary elections on 22 December, which were pitched as evidence of the President's reform ambitions. While there was a real improvement over previous elections, building from a low benchmark, the credibility of the elections was seriously undermined by the absence of independent opposition candidates and by some serious irregularities on the election day. 2019 saw marked progress in the respect for human rights in Uzbekistan, though serious concerns remain. The independence of the judiciary continues to be challenged, as concluded by the UN Special Rapporteur on the Independence of Judges and Lawyers who visited Uzbekistan in 2019. The criminal justice system saw some important developments, including the closure of the notorious Jaslyk prison. Despite some targeted measures by the authorities, there were some reports of torture and mistreatment of detainees. At the end of 2019, just one person listed by the EU as a prisoner of concern remained in custody. The 2019 cotton harvest saw year-on-year progress in the fight against forced labour. The reporting system for violations gained further credibility with around 3,000 reports received, leading to over 200 disciplinary actions. The EU delegation and EU Member States' embassies continued to receive reports of discrimination and hostility targeting the LGBTI community in 2019. While the authorities in Uzbekistan worked constructively with international NGOs visiting the country, independent NGOs continued to find it hard to register in 2019, and international NGOs were unable to register locally at all. Registering new groups, or registering in new locations, remained a challenging and opaque process. A welcome development in 2019 was the government's work to repatriate family members of foreign fighters from conflict zones. Progress was achieved in 2019 on the freedom of expression. The newly created Agency of Information and Mass Communication, reporting directly to the President, has helped journalists encountering difficulties with various state bodies. In 2019, Uzbekistan graduated from the 'black zone' as per the classification of freedom of media by 'Reporters without Borders'. The Parliament legislated to raise the marriage age for women from 17 to 18 years, and toughened sanctions for forced marriages. Uzbekistan worked with UNICEF in 2019 on the

psychological rehabilitation of children and on introducing international standards at detention facilities for minors. The position of the Ombudsman for Children was introduced.

**2. EU action - key focus areas:** The EU's key focus areas for human rights in Uzbekistan during 2019 included the regulatory environment for civil society, space for human rights defenders to carry out their work, and the treatment of detainees and the prevention of torture whilst in custody. Whilst acknowledging and welcoming the improvements that have been achieved during 2019, the EU remains concerned about the human rights situation in Uzbekistan. There are still significant challenges to overcome to translate laws and decrees into reality on the ground, and conflicting pressures at local level that make implementation difficult. The EU will continue to monitor the situation and stands ready to assist the efforts of the Uzbekistan's government in implementing relevant reforms.

**3. EU bilateral political engagement:** The EU has continued to raise human rights and democracy issues with the Uzbek authorities at all levels, including at the highest level during the visit of President Tusk to Tashkent in May 2019, as well as during the formal annual meetings of the human rights dialogue (held in Brussels in June 2019), the Cooperation Committee (held in Tashkent in October 2019), and the Cooperation Council (held in Brussels in November 2019). The EU delegation has regularly raised these issues with the authorities in Uzbekistan during formal and informal contacts. Human rights and democracy issues featured prominently in the negotiations for an Enhanced Partnership and Cooperation Agreement between the EU and Uzbekistan. Four formal negotiating rounds took place during 2019. The EU engaged actively with Uzbek civil society organisations and human rights defenders throughout the year.

**4. EU financial engagement:** The EU continued to provide financial support for projects funded through the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR). Two projects financed by EIDHR and three projects on Civil Society Organisations/Local Actors included total EU contribution of EUR 1.78 million. They aim to reinforce the capacity of civil society in the field of human rights, the promotion and protection of women's rights, and the protection and promotion of the social, economic and cultural rights of vulnerable groups.

**5. Multilateral Context:** Uzbekistan was reviewed in 2019 by the UN Committee on the Elimination of Racial Discrimination. In addition, the UN Committee against Torture issued concluding observations on Uzbekistan. The UN Special Rapporteur on the independence of judges visited Uzbekistan in September 2019. The Uzbek authorities also engaged actively in the Human Dimension Implementation Meeting (HDIM) of the OSCE in Warsaw in September. Uzbekistan continued to cooperate with the ILO on monitoring the cotton harvest with a view to preventing child labour and forced labour.

## Africa

### The African Union (AU) - European Union (EU)

**1. Overview of the human rights and democracy situation:** The work of the AU Human Rights organs needs to be viewed against the backdrop of an AU membership of 55 countries which in turn provides for diverse and wide-ranging circumstances ranging from comparatively peaceful, stable and open societies to ones characterised by conflicts and repression with ensuing grave human rights violations and abuses.

The four AU Human Rights organs – African Commission on Human and Peoples’ Rights (ACHPR); Pan African Parliament (PAP); African Court on Human and Peoples’ Rights (AfCHPR); and African Committee of Experts on the Rights and Welfare of the Child (ACERWC) - continued with their activities to strengthen the Pan African angle on human rights. However, the work of the AU Human Rights organs continues to face challenges. Illustrative of this was the pressure put on the ACHPR by the AU Permanent Representatives Committee (PRC) to rescind the observer status for the Coalition of African Lesbians. Another example was the heavy-handed treatment of CSO representatives by Egyptian police and security at the May 2019 session of the ACHPR in Sharm-El-Sheik. A less obvious but equally worrying step was the decision by the PRC to establish a sub-committee on Human Rights – as a measure to monitor the AU Human Rights organs. Nevertheless, the November 2019 statement on the human rights situation in Tanzania shows that the ACHPR is not intimidated to refrain from exercising its mandate.

An interesting development in 2019 was the strengthening of the African Peer Review Mechanism and its first report on the State of Governance in Africa. This body is now a fully-fledged AU institution with commensurate budgetary provisions. The APRM submitted its first ‘African Governance Report’ to the February 2019 Summit. In the long run, the development of an African-generated governance report depends on three factors. Firstly, it is necessary for the continent to take control of its own development agenda and accountability mechanism, as required by the previous decisions of the AU Assembly. Secondly, the research methodology of this report benefits considerably from consultations with AU Organs and Institutions, Regional Economic Communities, and from clear access to Member State informants and state-held data. Thirdly, the report is generated by Africans for Africa, which improves the prospects for implementation of its recommendations.

There were 19 elections across the continent in 2019 and another 18 foreseen for 2020. Overall, major violence in conjunction with elections in larger countries such as the DRC was notably absent, notwithstanding other flaws linked to the processes (unlike for instance the 2017 Kenyan elections). This positive development should in part be attributed to AU fielded Election Observation Missions which have had a deterrent effect. In this context, the African Union is playing an increasingly important role through their Election Observation Missions, including closer cooperation with EU Observation Missions. The focus of AU EOM seems to be more on preventing violent escalations of election related conflicts than on assessing national institutional frameworks and their possible improvements.

**2. EU Action and financial engagement – key focus areas:** The EU continues to support the African Governance Architecture (AGA) and in particular the African Commission on Human and People’s Rights (Banjul), the African Court on Human and Peoples’ Rights (Arusha), the African Committee of Experts on the Rights and Welfare of the Child (Addis Ababa), as well as the Pan-African Parliament (Midrand, South Africa).

A new financial support programme is currently being finalised (EUR 25 million) and will broaden the scope of AU organs supported to also include the African Peer Review Mechanism (APRM), which only recently became a formal AU organ, as well as the AU Advisory Board on Corruption. The programme also foresees to support the AUC Department of Political Affairs (DPA). One aim is to foster the implementation of AU legal instruments like the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Elections and Governance. These instruments, which are built upon the Universal Declaration of Human Rights (UDHR), reaffirm the universality of all human rights and promote a democratic notion of good governance. The AU is therefore an important ally in upholding these universal values at a time when other actors – namely China - propagate divergent concepts of governance in Africa and some AU member states try to undermine the independence of AU human rights organs.

The EU also supports AU election observation. This includes a EUR 6.5 million project 'The African Union Capacity in Election Observation (AUCapEO)', implemented by the AUC until December 2019, including methodological training and funding to electoral observation missions. The cooperation between EU and AU observation missions on the ground is generally good, with regular exchanges of information. The quality of the AU election observation missions has significantly improved in recent years.

**3. EU bilateral political engagement:** The EU delegation maintained throughout the year close contact with the actors involved with the promotion and protection of human rights in Africa. This includes CSO representatives, AUC counterparts as well as staff working in the various AU Human Rights organs.

The annual AU-EU human rights dialogue remains the single most significant opportunity for mutual engagement. The 15<sup>th</sup> AU-EU human rights dialogue took place on 19 October 2019 in Banjul, The Gambia and was co-chaired by AU Commissioner for Political Affairs, Minata Cessouma Samate and the EU Special Representative (EUSR) for Human Rights, Eamon Gilmore.

Issues discussed comprised Human Rights recent developments in Africa (presented by Commissioner Samate and respective AU Commissioners) and in Europe (addressed by the EUSR); Transitional justice, human rights promotion and protection, human rights monitoring and reporting; death penalty, torture and ill treatment, business and human rights and cooperation on electoral observation and follow-up to EOMs recommendations. The luncheon discussion was dedicated to the theme of promoting effective multilateralism in international fora.

The dialogue resulted in agreement on two areas of engagement; (i) transitional justice and (ii) business and human rights. The AU has recently adopted new policy frameworks in these areas, and there is a strong interest in exchanging experiences and identifying how to best implement these new policies at both country- and regional level. The interest materialised in the identification of follow-up actions such as an expert-level seminar on transitional justice in Europe in 2020 and a side-event on the role of regional organisations in advancing business and human rights in the margins of the UN Forum on Business and Human Rights in November 2019 in Geneva.

**4. Multilateral context:** The EU highly values its cooperation with the African group in multilateral fora. One of the most recent examples demonstrating how the EU and African partners can work together is the joint EU-African Group statement on access to medicines at the last World Health Assembly. The EU intends to build on this new relationship.

Both parties will continue to attach the greatest importance to constructive cooperation in the framework of the United Nations Human Rights Council and United Nations General Assembly. At the 15<sup>th</sup> AU-EU human rights dialogue both parties reaffirmed the importance of promoting cross-regional co-operation, based on shared values and mutual interests, as an essential element of an effective, relevant and resilient multilateral system.

## Angola

**1. Overview of the human rights and democracy situation:** Progress was made to approve, with prior consultation, a National Human Rights Strategy (2019-2022), and a National Plan for the Elimination of Child Labour in Angola (2018–2022). The Parliament also approved a new Criminal Code, which includes progressive provisions on discrimination based on gender and sexual orientation and other human rights areas. Angola went through a constructive Universal Periodic Review at the UN Human Rights Council.

President João Lourenço continued to engage in dialogue with members of the civil society, including prominent human rights activists. These actions contributed to the advancement of freedom of expression and media. The upcoming local elections in 2020 should be an opportunity to boost local participatory democracy but the administrative decentralisation process has been lagging behind. Advancement was made in national reconciliation, with the reburial of the remaining of Jonas Savimbi, historical leader of the UNITA, and a National Reconciliation Plan in memory of the victims of Political Conflicts adopted. At the same time, challenges to the fulfilment of civil and political rights in Angola persist, with difficult access to justice and reports of arbitrary arrests and pre-trial detentions, restrictions to freedom of assembly, especially in Cabinda and Luanda Norte. One major point of concern is the rights of the child, with the lack of registration at birth. Other areas to be addressed are business and human rights as well as environmental rights and compliance with the Paris Principles. The situation of migrants, refugees and asylum seekers was also precarious, with occurrences of forced labour in the mining sector and sudden repatriations and detentions in the framework of the vast 'Transparency Operation' in 2018-2019.

**2. EU action - key focus areas:** Improving access to justice and promotion of civil rights: (i) The EU worked towards the promotion of youth and women empowerment, access to justice; access to information and freedom of expression; child registration, migrants' rights and towards the fight against domestic and gender based violence. These activities contributed to awareness raising about the citizens' rights and support to those victims of violations of their rights.

(ii) Elections and decentralisation: Beyond discussions in the framework of the ongoing political dialogue and as a follow up to the 2017 Expert Mission, the EU contributed to the UNDP's Post-Elections Technical Assistance Programme. The EU has also been working with

the Angolan authorities on a programme in support to participatory local governance in the framework of the decentralisation process.

(iii) Cultural, social and economic rights: EU support has helped the government to design and implement a social transfer system to mitigate the impacts of the current macroeconomic stabilisation programme on the most vulnerable layers of the Angolan population. Measures were also taken to implement the municipalisation of social action, allowing better access to basic social services.

**3. EU bilateral political engagement:** Human rights featured in the EU-Angola political dialogue at technical, Secretary of State and ministerial level. The 4<sup>th</sup> ministerial meeting under the Joint Way Forward partnership was an opportunity to discuss issues such as the new penal code, the decentralisation process, the fight against corruption, civil registration, the fight against trafficking and human smuggling, but also to explore possible new areas for cooperation, such as business and human rights. The EU-Angola human rights working group started its work, allowing consultation, including in preparation for Angola's Universal Periodic Review and other discussions at the UN Human Rights Council. The third EU Human Rights Prize in Angola was awarded to *Épito Reporter*, an online news website whose main focus is human rights and civil society activities. A role-play on diplomacy and human rights was organised with university students.

**4. EU financial engagement:** Projects worth EUR 5.3 million were contributing to the implementation of EU human rights priorities, in line with major Angolan strategic documents such as the National Development Plan. Around thirty projects were under implementation through the European Instrument for Democracy and Human Rights (EIDHR) and the European Development Fund (EDF). They provided support to youth and women's empowerment (inheritance, employment equity and land distribution) and combating violence against women and children; promoting access to justice, access to information and freedom of expression; fighting social exclusion of homeless children and persons with disabilities; helping Angolans geographically deprived from access to basic public services and vulnerable migrants. The EU has been finalising a EUR 6 million programme to promote participatory democracy at the local level in the framework of the decentralisation process by enabling a constructive civil society participation through civic education and capacity development on advocacy and technical expertise as training in participatory budgets, local finances, and territorial management.

Other activities have also focused on supporting advocacy groups for demanding better legislation and providing practical support to those whose rights are more at risk. The project 'Documentos para Todos' (Documents for all) focused on the promotion and protection of freedom of migrants, freedom of religion or belief for African immigrants living in Angola without legal documents.

EU support has helped the government to design and implement a social transfer system to mitigate the impacts of the current macroeconomic stabilisation programme. Measures were also taken to implement the municipalisation of social action, allowing better access to basic social services for the most vulnerable members of the community.

**5. Multilateral context:** In August 2019, the Angolan parliament approved the ratification of four key UN human rights conventions on torture, racial discrimination, civil and political

rights (death penalty) and migrant workers. Angola has not yet ratified the Rome Statute (signed in 1998), the African Charter on Democracy, Elections and Governance, the Protocol on the African Court on Human and People's Rights.

Angola is currently a member of the UN Human Rights Council (until 2020), with the following priorities: human rights education; strengthening of human rights institutions and work with civil society. Angola went through a constructive Universal Periodic Review at the UN HRC on 7 November 2019. The main concerns that were raised related to: women's and children's rights (over 80 recommendations, with child labour and child marriage featuring prominently) violence, gender equality, education, access to healthcare, poverty, witchcraft, and gaps between rural and urban areas, need to enhance the effectiveness of the judiciary, to ensure the protection of all minorities and indigenous peoples, especially with regard to extractive activities and development projects. In this regard, the implementation of UN Guiding Principles of Business and Human Rights was mentioned several times.

## Benin

**1. Overview of the human rights and democracy situation:** The authoritarian tendencies of the government, although less obvious in 2018, were confirmed in 2019. The overall human rights situation in Benin has been steadily deteriorating over the last year, in the context of non-inclusive parliamentary elections held on 28 April, in which the turnout was very low (officially, 27%) and which were marred by several violent incidents. The rejection by the Constitutional Court of all the electoral claims also fuelled the political tension. The constitutional and legal frameworks underwent important changes in 2019: aside from the constitutional amendment, the Law on political parties and the Electoral Code came into force, complemented by the Law on financing of the political parties and the Law on the opposition, modifying provisions, which effectively hampered the participation of certain political groups in the last parliamentary elections. An Amnesty Law was also adopted, which allowed for the liberation of sixty people detained after the election-related manifestations and the closing of inquiries without charging the security forces agents responsible for the use of sharp bullets during the demonstrations.

The constitutional amendment brought also some positive legal guarantees, regarding: (i) limitation of the number of president's mandate to two, (ii) creation of the Court of Audit, (iii) abolition of the capital punishment, (iv) a better representation of women in the parliament. On the other hand, it also strengthened the president's powers in appointing and financing the administration. The authoritarian turn is also notable in the blatant efforts to restrict public freedoms: (i) freedom of expression - several media have been suspended or closed following the introduction of the restrictive legislation (information and communication code and digital code); (ii) freedom of manifestation – about 60 people were arrested following the post-electoral demonstrations, but subsequently set free by the Amnesty Law in November. Benin's Human Rights Commission created in December 2018 has not received sufficient funds for its functioning in 2019, which seriously affected its performance. Children's rights remain of concern, despite the adoption of the Child Code in 2015. Some persistent practices violate their rights, in particular the phenomenon of

'enfants placés' (children 'placed' to work at the receiving family, which often becomes a form of modern days slavery), their exploitation, persistence of FGM, widespread forced/early marriages, marginalisation or killings of children accused of witchcraft, and sexual abuse in schools, often entailing early pregnancies. Birth register does not cover the whole population yet. Some actions focusing on reproductive health and sexual education allowed reducing the number of cases of early pregnancies in the participating schools. The scale of gender inequality remains concerning despite the constitutional amendment promoting women's participation in the Parliament. Women suffer from various forms of violation of their rights, such as domestic violence, under-representation in public life and limited access to land property, justice and contraception. The official data on trafficking in human beings (THB), which covers over half of the country, confirmed a sharp rise (+88%) in the number of THB-related cases in 2019. In the area of economic and social rights, a number of initiatives were implemented in 2019, related to sickness insurance, mobile microcredit, and a program to boost social insertion and professional activity of the youth.

National budget adopted for 2020 foresees more spending on social services, including the education sector, employment of women and youth, and social protection. However, Benin's governance quality is still concerning. The government has made efforts to fight corruption and impunity, in line with new legislation (the constitutional reform amendment adopted in November 2019 created the Court of Audit).

**2. EU action - key focus areas:** The priorities identified in the EU 2016-2020 Strategy for Human Rights and Democracy in Benin include: rights of the child; women's rights; economic and social rights and in particular access to basic services; the fight against corruption and impunity; and access to justice.

**3. EU bilateral political engagement:** Dynamic development cooperation, political contacts and outreach initiatives offered limited opportunities for dialogue with Beninese Government and civil society on human rights related issues. Despite repeated requests of the EU delegation, the Art. 8 political dialogue did not take place in 2019. Therefore, the EU's and Member States' concerns regarding the non-inclusive parliamentary elections of April 2018, and other issues related to democracy and human rights, could not be discussed in the bilateral context foreseen by the Cotonou Agreement. The withdrawal of the agreement of the Head of the EU Delegation in November 2019 due to his alleged 'subversive activities' is also a marker of the Beninese political context.

**4. EU financial engagement:** The general objectives of the Good Governance and Development Contract between the EU and Benin (11<sup>th</sup> EDF) include poverty reduction and strengthening of governance. Transparency, fight against corruption and promotion of gender equality are among the main goals. In addition, the EU supports women's access to land rights through sectoral budget support to agriculture. In 2019, the EU delegation launched a Call for proposals to finance projects improving the living conditions of the children and the ratio of the birth registration in the least favoured areas of the country. The implementation of two projects in this regards will start as of January 2020. A 3-year project protecting women and girls against trafficking, violence and exploitation, ended in 2019. It allowed for concrete interventions in 40 villages and relied on close collaboration with local authorities, civil society and communities. Among its main achievements are the assistance

provided to 497 victims of violence, 80 supported school clubs and 126 credit associations. Under the PALIRED Programme, the evaluation of the National Integrity System (SNI) carried out by Transparency International was finalised in 2018 and has become the reference for government's fight against corruption. In 2019, the Action Plan was approved and the Ministry of Economy and Finance organised a dedicated workshop.

Since 2018, the EU supports (through the EIDHR) the National Assembly to strengthen its monitoring and initiative role on human rights. Thanks to this program, 354 observers were deployed in the parliamentary elections in April. EU-Member States Joint Roadmap to support civil society (2018-2020) aims at facilitating citizens' participation, promoting human rights and access to basic social services. The RePaSOC project (Renforcement et participation de la société civile au Bénin) aims to support civil society's capacities of advocacy, monitoring of public action, and strengthening of their partnership with the state. It also supports civil society initiatives providing basic services to the population.

In 2019, the Programme supported 49 subvention contracts including actions in the areas of governance, local economic development, and culture. The EU is also involved in the justice sector. In 2019, three professional trainings were organised for judges, court registrars and judiciary police officers in the area of fight against corruption. The EU also provided technical assistance to the judiciary inspection and internal audit. Judiciary staff also benefitted from the EU-financed trainings on violence against women. Other actions in this area included advocacy and a programme for the improvement of living conditions in detention, which brought some notable improvements.

**5. Multilateral context:** In 2019, Benin's actions in multilateral fora (notably the voting in the Third Committee of the UNGA) were on numerous occasions aligned with the EU positions.

## Republic of Botswana

**1. Overview of the human rights and democracy situation:** Botswana is a stable and well-established democracy with a legal framework and institutions designed to ensure overall respect for human rights in the society. The last general elections in 2019 were conducted in an orderly and peaceful manner. The outcome was challenged by the opposition through legal means. The challenge was eventually rejected by the Botswana High Court as well as the Court of Appeal. Media and civil society remain relatively weak due to the limited availability of financial resources and have thus only a limited capacity to play their full role in monitoring and advancing human rights agenda in the country. Botswana has nevertheless seen an improvement in 2019 – the country moved up by 4 spots in the World Press Freedom Index, from 48 to 44 out of 180 countries. Three main areas where human rights concerns continue to exist are: (i) application of death penalty; (ii) the rights of LGBTI persons and (iii) gender equality. Botswana remains one of few remaining countries in Africa, which continues to apply the death penalty for crimes of murder and treason. One execution was recorded in 2019. The country witnessed a positive development in the area of LGBTI persons' rights, with the Botswana High Court decriminalizing same sex consensual relations in 2019. The government has appealed the ruling and the final verdict is expected

in 2020. Gender-based violence and more generally the need to advance rights of women in the society, including through a stronger political representation, remains another challenge faced by country. The government has announced the establishment of a human rights department in the Office of the President in 2019 with the objective to coordinate and develop a comprehensive National Human Rights Strategy and National Action Plan to ensure implementation of country's human rights commitments and obligations. However, Botswana does not yet have a National Human Rights Institution (NHRI).

**2. EU action - key focus areas:** EU collective action in 2019 was focused on engaging with the government, non-governmental organisations and the broader Botswana society in three main areas: (i) death penalty; (ii) gender-based violence and empowerment of women; and (iii) rights of LGBTI persons. In addition, the EU and EU Member States engaged more broadly on the implementation of recommendations accepted by Botswana during the last Universal Periodic review (UPR) in 2018.

**3. EU bilateral political engagement:** With no Art. 8 political dialogue between EU and Botswana taking place in 2019, the EU delegation to Botswana and the embassies of EU Member States engaged with the government, civil society and other stakeholders on the occasion of EU outreach activities in preparation for multilateral events, as well as through project support and public diplomacy initiatives aimed at supporting Botswana in advancing its human rights agenda. The EU issued a local statement in coordination with like-minded countries on the application of capital punishment in December 2019. The EU missions continued their regular exchanges with some of the leading human rights organisations in the country and interchanged regularly with various key partners, including UN agencies. The EU continued to be the driving force behind the Gender Dialogue (nominally co-chaired with UN Women and the Gender Affairs Department in the Ministry of Immigration, Nationality and Gender) and supported communication campaign Monna Tia - Real man aimed at eliminating gender based violence in the country.

**4. EU financial engagement:** The EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR). Three projects were under implementation in 2019, focusing on (i) rights of the child, (ii) civic education and participation in political processes, and (iii) women empowerment and tackling of gender-based violence. Three additional projects focusing on elimination of gender-based violence, discrimination and respect for rights of the child also received EU support in 2019.

**5. Multilateral context:** The EU and Botswana continued constructive cooperation in the multilateral context. The country submitted its second and third periodic reports in the context of the UN Convention on the Rights of a Child and received new recommendations for follow up implementation activities. Botswana submitted its fourth periodic report in the context of the UN Convention on the Elimination of All Forms of Discrimination against Women and received recommendations for further follow up action. The UN Human Rights Council also discussed the report of the UN Special Rapporteur on Minority Issues who visited Botswana in 2018.

## Burkina Faso

**1. Overview of the human rights and democracy situation:** The human rights situation in Burkina Faso deteriorated over 2019, mainly due to the serious security and humanitarian crisis the country is undergoing. Frequent attacks in the Sahel, North, Centre-North and East regions of the country, and more sporadic violence in other regions led to a worsening of the overall security situation and the displacement of 600,000 people, and more stress over on the rural areas, already in strong demand of more state presence and basic services delivery.

Some progress has been noted in the following areas: the operationalisation of the National Human Rights Commission; a civil society contributing to democracy and the defence of fundamental rights; sustained efforts against female genital mutilation (FGM); gradual improvement in health conditions for women and children; progress on birth registration; and initiatives against radicalisation. However, challenges remain substantial in the field of security, where there is growing concern about the behaviour of the security forces in the fight against terrorism, but also on the attitude of self-defence groups in a context of stigmatisation of the Peul/Fulani community (often considered as passive allies of terrorists). Despite the relative success of the trial of the 2015 missed coup, justice remains ineffective and efforts must be continued to improve its functioning. Detention conditions remain very precarious and pre-trial detention remains a problem. The effective protection of children is a necessity, as well as the respect of the right to education, considering more than 2000 schools were closed in summer 2019 due to insecurity. The promotion and effective respect for women's rights remain a serious challenge, and more action could be taken against radicalisation and in favour of social cohesion (prevention of inter-community conflicts).

Burkina Faso has undergone a radical political transformation and democracy has made progress since the popular uprising of October 2014 that led to the fall of the Compaoré regime. After a difficult but successful transition, general elections were held in 2015 (observed by an EU mission) and considered to be in line with democratic standards. Nonetheless, the organisation of the presidential and parliamentary elections of November 2020 is a major challenge, given the context. The vote of the Burkinabe abroad will be allowed for the first time in 2020, but the new voters registered remain very few compared to the number of Burkinabe abroad (more than 2,5 million). The provisions adopted in June 2019 to control information on the security situation could limit freedom of press and information.

Regarding the fight against economic exploitation of children, human trafficking and forced labour, the authorities' action remained limited in 2019 with few concrete results, while progress in the area of strengthening women's rights has continued (although slowly), both in law and in practice.

As regards the prevention of radicalisation, the Government's will is shown by the development of actions - often coordinated with the EU and its Member States - promoting social cohesion, dialogue, education, opportunities for young people and sectors of the population particularly at risk. Nevertheless, the authorities should pay more attention to

this issue - including in the areas of inter-community relations and the creation of opportunities for young people in sensitive areas.

**2. EU action – key focus areas:** The five priority sectors in the EU Human Rights and Democracy Country Strategy for 2016-2020 in Burkina Faso are:

- Security, including self-defence groups management and struggle against impunity;
- Justice, independence and quality of the judicial system, improving detention conditions;
- Children's rights, combating economic exploitation and trafficking;
- Women's rights, combating discrimination and FGM, promoting economic rights;
- Citizenship education, including institutional strengthening, promotion of the rule of law and social cohesion, prevention of radicalisation.

**3. EU bilateral political engagement:** The EU is carrying out actions to support the country in its efforts to improve the institutional framework and governance as well as the capacity of civil society to influence and monitor public policies. The EU intervenes directly to help address some fundamental challenges for Burkina Faso citizens notably through the support of the national anti-corruption network. The EU focused its common efforts on specific aspects such as the follow-up of the Universal Periodic Review (UPR) and the monitoring of the country's international commitments, particularly as regards, economic and social rights such as education, natural resources, environment, health, etc.

**4. EU financial engagement:** In 2019, the EU continued to support the authorities and civil society in Burkina Faso in key areas for democracy and human rights:

- On security, the EU is mobilising a range of financial instruments such as the Instrument contributing to Stability and Peace (IcSP), the Emergency Trust Fund and the EDF.
- With regard to the independence of the judicial system and access to justice, the EU-funded National Justice Policy Support Programme (PAPNJ) was completed in 2019;
- In its fight against economic exploitation of children, human trafficking and forced labour, the EU is intervening with a new project for the protection of children in cotton-producing areas. Four grants (EUR 1 million) have been implemented from 2017 to 2019 in this field.
- To strengthen women's rights, the EU acts transversally through its budgetary support, each of which includes several indicators related to gender or women's rights, but also through calls for proposals to implement concrete actions in this area;
- The EU is implementing two specific projects for prevention of radicalisation (EUTF): Protection of young people in at-risk areas of Burkina Faso through education and dialogue (EUR 9 million) and Prevention of indigenous violent extremism (EUR 7 million);
- General budget support for good governance (EDF) of EUR 135 million, including specific support for the National Assembly (EDF) of EUR 2 million and for institutions that play a role in the proper functioning of the rule of law;
- Support for civil society organisations in raising awareness of human rights for their contribution to democratic governance and the monitoring of public policies, in particular through the Présimètre;
- The projects receiving funding in 2019 under the European Instrument for Democracy and Human Rights (EIDHR) take into account the priorities of the EU 2016-2020 strategy in this area (a call for proposals under the EIDHR for an amount of EUR 18 million was launched at global level and Burkina Faso is one of the eligible countries);

- The EU is also financing the Regional Project 'Bridging the Gap: inclusive policies and services for equal rights of persons with disabilities' implemented in Burkina Faso.

**5. Multilateral context:** The country continues to demonstrate its commitment to fundamental rights. However, implementation remains to be seen. The question of respect for human rights in the current security context is particularly sensitive. The government's reluctance to facilitate the strengthening of OHCHR's presence in Burkina Faso and the hesitations regarding the Human Rights G5 Joint Force compliance framework are elements of concern.

## Burundi

**1. Aperçu de la situation des droits humains et de la démocratie:** La situation des droits humains au Burundi demeure une source d'inquiétude. Les violations des droits de l'homme en 2019 se sont déroulées en grande partie dans un contexte pré-électoral. Les violations du droit à la vie, les atteintes à l'intégrité physique, les violations des libertés d'association ou de liberté de presse et de l'information ciblaient majoritairement des opposants, présumés ou vérifiés, du parti au pouvoir, notamment des militants du parti d'opposition CNL et/ou des associations et médias perçus comme critiques ou oppositionnels à l'égard du pouvoir en place au Burundi. Il a été quasiment impossible pour des organisations de la société civile ou des défenseurs des droits de l'homme d'opérer dans le domaine de la promotion et la protection des droits civils et politiques. La fermeture du bureau du Haut-Commissariat des Nations Unies aux droits de l'homme décidée par le gouvernement du Burundi et effective depuis le 1er mars 2019 complique le suivi et la vérification des droits de l'homme au pays. Le Burundi n'a toujours pas donné accès à son territoire à la commission d'enquête.

**2. Action de l'UE sur les droits humains – domaines d'action prioritaire:** L'UE a continué à prioriser et à soutenir le multilatéralisme et la coopération avec des partenaires tels que la Communauté de l'Afrique de l'Est (CAE), l'UA et l'ONU, notamment dans les domaines du suivi des droits humains. Les partenaires techniques et financiers au Burundi ont renforcé leurs mécanismes de coordination, notamment sur des questions portant sur les libertés fondamentales au pays y compris la liberté d'expression et d'association. L'UE et les Etats Membres ont continué d'apporter un soutien ciblé favorisant entre autres la défense et la protection de personnes vulnérables, la liberté des médias et les mécanismes des droits de l'homme multilatéraux.

Dans une perspective de long terme de renforcement d'une culture démocratique et de gouvernance inclusive, l'UE a continué à soutenir les organisations de la société civile, y compris dans la promotion et le respect des droits économiques, sociaux et culturels.

**3. Les engagements politiques bilatéraux de l'UE:** L'action de l'UE est guidée par la décision 2016/394 du Conseil du 14 mars 2016 au titre de l'article 96 de l'Accord de Cotonou. Cette Décision inclut des engagements attendus qui font directement référence au respect des droits humains, aux principes démocratiques et à l'Etat de droit. En 2019, tout comme en 2018 les efforts de l'UE pour relancer le dialogue sur ces engagements n'ont pas

véritablement avancé et les mesures appropriées, y compris la suspension du soutien financier direct aux autorités et aux institutions du Burundi et la continuation de l'appui direct à la population, sont restées en place. L'UE demeure déterminée à s'engager en soutien d'un développement et paix durable au pays et au dialogue avec les autorités. Tout comme d'autres partenaires, l'UE a indiqué l'importance d'un processus électoral crédible, transparent et inclusif en 2020, dans le respect des libertés de presse et d'association.

Le Conseil de l'UE a adopté, le 1er octobre 2015, des sanctions individuelles contre quatre personnes dont les activités portent atteinte à la démocratie ou font obstacle aux efforts visant à résoudre la crise politique, en particulier par des actes constitutifs de violations graves des droits de l'homme. Ces mesures ont été reconduites sur base annuelle, dont la dernière fois en octobre 2019.

**4. Les engagements financiers de l'UE:** En 2019 l'UE a engagé de nouveaux financements au titre de l'Instrument de Démocratie et des Droits de l'Homme (EIDHR). Le premier, contractualisé en décembre 2019 avec UNICEF concerne la protection des droits des enfants, avec une attention particulière aux enfants rapatriés des camps de réfugiés de la Tanzanie, mais aussi des enfants vulnérables dans les communes d'accueil, dans la province de Ruyigi. Considérant que 2020 sera une année électorale au Burundi, trois autres actions spécifiques, celles-ci financées dans le cadre du Fonds européen de Développement (FED), sont prévues par le programme visant la promotion de la culture démocratique et l'état de droit avec la société civile notamment se focalisant sur le renforcement de capacités des OSCs nationales, qui se dérouleront en période pré- et post-électorale, sans cependant constituer un soutien de l'UE aux autorités burundaises ou aux élections elles-mêmes.

Un projet transfrontalier de 30 mois soutenant les personnes vivant avec handicap en Tanzanie et au Burundi a également été mis en œuvre en 2019 avec *International Rescue Committee (IRC)*. Finalement, à l'échelle régionale, deux projets sont en cours: une action ciblant la médiation et la prévention de violence liées aux élections et un projet de dialogue inter-religieux à travers l'église anglicane.

En 2019, l'UE a continué à travailler de manière proche avec le bureau du Haut-Commissariat des Nations Unies aux droits de l'homme, notamment son bureau régional à Yaoundé depuis la fermeture du bureau à Bujumbura, ses Etats membres, des partenaires proches (Etats-Unis, Suisse) ainsi qu'avec la mission des observateurs des droits de l'homme de l'Union Africaine sur le suivi de la situation des droits de l'homme dans le pays.

**5. Contexte multilatéral:** Tant dans le contexte des Nations Unies que dans son partenariat avec l'Union africaine, l'UE a soutenu des démarches et des actions ciblant la promotion et protection des droits de l'homme et la transformation pacifique de conflits politiques.

Sur base d'une résolution proposée par l'UE, le Conseil des Droits de l'Homme lors de sa 42ième session en septembre 2019, a prolongé le mandat de la Commission d'enquête sur le Burundi d'un an. Malgré certaines difficultés, l'UE a également continué à financer le déploiement et le maintien dans le pays d'un groupe d'observateurs des droits de l'homme de l'Union africaine pour la période 2019 et 2020 par le biais de la Facilité de Paix pour l'Afrique (APF).

## Cabo Verde

**1. Overview of the human rights and democracy situation:** Cabo Verde remained in 2019 one of the countries with the best records on human rights and democratic governance in Africa thanks to stable political institutions, a functioning multiparty parliamentary democracy, and a strong legal framework that recognises and protects human rights and fundamental freedoms.

The judiciary however continued to emerge as the one constitutional branch that is in clear need of reform, as well as a strengthening of capacities. It is overburdened by a large caseload and notoriously slow. Several convictions in high-profile drug trafficking cases were successfully appealed because the rights of non-Cabo Verdean defendants had not been fully respected (no interpreters provided). The case against the Spanish-owned airline Binter CV and one of its non-Cabo Verdean pilots in November 2019, albeit probably exceptional, raised serious questions about the capacity and independence of judges, as well as national bias.

Further determined efforts and improvements are also needed in the fight against violence and discrimination against women, violations of the rights of the child including child labour, and prison conditions.

Cabo Verde continues to demonstrate political will to address these concerns and on some made significant progress in 2019. A Gender Equality Law (Lei de paridade) was adopted by Parliament on 28 October 2019 with the necessary constitutional majority. The law is intended to strengthen gender equality (min. 40%) for electoral lists to national and local parliaments, elected magistrates, and management positions in public service and state-owned companies. Actual impact remains to be seen however. With this law Cabo Verde became one of three African countries to have established quotas for women's political participation.

The implementation of national policies and strategies in a number of human rights domains continued throughout 2019. Examples include the National Plan to Fight Sexual Violence against Children and Adolescents 2017-2019 or the National Plan (2018-2023) for Human Rights and Citizenship. The Cabo Verdean authorities continued work on a National Action Plan for the Prevention and Eradication of Child Labour and the establishment of the National Committee for the Prevention of the Worst Forms of Child Labour, as well as work on a National Plan to Combat Human Trafficking and other measures to repress human trafficking, with a particular focus on women, children and migrants.

**2. EU action-key focus areas:** In 2019, the shared respect for and promotion of human rights, democracy and good governance remained a basis for the EU-Cabo Verde Special Partnership. The partners continued to hold a regular political dialogue on the consolidation of democracy and human rights in this context, and in particular on women's rights and people with disabilities, as priorities outlined in the EU Human Rights and Democratic Country Strategy of 2016 and the Gender Action Plan (GAP) for Cabo Verde for 2016-2020.

**3. EU bilateral political engagement:** In December 2019 following a call for proposals, five new NSA/LA contracts were signed that will cover human rights of arrested juveniles, children with disabilities, gender-based violence (GBV) and sexual tourism. The EU also continued to monitor the ratification and effective implementation of 27 international conventions on human rights, labour rights, environmental protection and climate change and good governance under the EU GSP+ from which Cabo Verde is a beneficiary. An assessment of the state of compliance by Cabo Verde with GSP+ Obligations was made by the EU in 2018. The assessment recognised positive efforts in the implementation and reporting on the 27 conventions, but also pointed out a number of issues on which more efforts are needed.

**4. EU financial engagement:** The EU delegation payed particular attention to gender issues in Cabo Verde defined as one of our cooperation priorities supported through Budget Support. In the framework of the mid-term review, which entails a top-up of EUR 10 million, gender issues were established as one of three budget support indicators. Through this instrument the EU has been able to carry out interventions in the 3 thematic domains of the GAP II – (i) physical and psychological integrity, (ii) social and economic empowerment and rights, and (iii) voice and participation. The gender indicator includes the implementation of the Law against GBV, including the operationalisation of a fund to support the victims; the implementation of the National Care Plan as well as the submission to Parliament of the Gender Equality Law. The EU also supports the institutional reinforcement of the Cabo Verdean Institute for Gender Equality ICIEG.

Through an EU/PALOP-TL project, the EU has continued to support a Gender-responsive budget. The 2020 state budget law again includes a chapter on gender responsive budgeting with projects already marked with a specific gender marker.

The EU continued to fund under the CSO/LA budget line sixteen projects contributing to the improvement of the rights of women, in particular in rural and remote areas and to promote the empowerment and improve the economic situation of vulnerable groups, children and people with disabilities, as well as the reinforcement of civil society, in general. Other projects involve working with youth and local authorities in various problematic urban areas. In December 2019 following a call for proposals, five new NSA/LA contracts were signed that will cover human rights of arrested juveniles, children with disabilities, GBV and sexual tourism.

Under the EIDHR, in order to promote physical and psychological integrity, social and economic empowerment, to raise the voice and participation of women and girls, and contribute to the effective guarantee of women's rights in Cabo Verde, the EU supports a project in the area of formalisation of domestic service with the Cabo Verdean Association to Fight Gender-Based Violence.

In the context of GSP+, several projects were under implementation in 2019 that support the National Human Rights Commission to comply with reporting obligations on the human-rights treaties ratified by Cabo Verde and supporting, as well as empowering civil society and social partners to monitor and advocate for improved implementation of core international human rights conventions. The EU continued to provide technical support to the Ministry of

Justice and Labour in order to meet its reporting obligations concerning human rights conventions and international labour standards.

**5. Multilateral context:** Cabo Verde has ratified most international and regional human rights instruments, and ensures their implementation and enforcement in a generally effective manner.

## Cameroon

**1. Overview of the human rights and democracy situation:** In 2019, the human rights and democracy situation in Cameroon has continued to raise serious concerns. In the regions prey to Anglophone separatist crisis (North-West and South-West) and to terrorism (Far North), numerous human rights abuses were reported, committed by both separatist armed groups, terrorist groups (Boko Haram) and national security forces. In the rest of the country, substantial progress remains to be made in human rights and democratic principles. As regards democracy and freedoms, three elections were due in 2019, but were postponed: parliamentary and municipal elections will be held in February 2020, while the date of regional elections remains to be set. The ongoing violence will heavily impact participation. Irregularities have been observed in the pre-electoral phase, such as restraints to freedoms of assembly and peaceful protest, administrative, judicial and other obstacles preventing new and young candidates from completing their files, and threats against opposition candidates or majority party young candidates. Hate speech in electoral context has intensified mostly in social media, despite criminal sanctions against it. The right to a fair trial was infringed in 2019, especially in cases related to separatist and political crises. Members of the opposition party CRM were arrested in January and June after widely peaceful political protests in Cameroon, and put to trial before ordinary and military courts, in disregard of much of the existing procedural and international laws and regulations. After the Major National Dialogue (30/9 to 4/10), more than 300 people detained in the context of the Anglophone crisis were released, as well as more than 100 political opponents, including CRM leader Maurice Kamto. However, in the run-up to February 2020 elections, CRM rallies have been banned by authorities.

Press and Media freedom is generally respected. Some print and electronic media are of good quality, including some openly critical to the government. However, certain yellow press media lacking professional and ethical standards are often manipulated and paid for by politicians. It has even targeted foreign diplomats, including EU delegation staff. Social media are also of concern, as they sometimes contribute to generating political tension by distributing fake news, hate speech etc.

In the context of the separatist crisis and counter-terrorism operations, the right to life and physical integrity has been infringed in many cases. Cases of torture and unlawful killings have been reported, committed by both security forces and armed separatist or criminal groups, as well as forced disappearances, arbitrary arrests and detention, and kidnapping with ransom. There were also reports of harassment or life threats against some human rights defenders.

The ongoing separatist crisis in the Anglophone regions has affected vulnerable groups, causing the displacement of between 530 000 (ECHO sources) and 700 000 (UN sources) people. Women and children are the first victims of this conflict. Many of them have been raped, killed, deprived of their rights to education, to health, to human dignity, or have been enrolled in armed groups or forced to prostitution. Separatist groups often declare 'ghost towns', forcing school closures and depriving civilians of free movement. For the upcoming elections, no specific measures have been taken for displaced persons to exercise their right to vote.

The Anti-Terrorism Law of 2014 has been applied against suspected Boko Haram members, but also against political opponents. A revision of the law is reportedly underway, and a draft amendment is expected to include disarmament, demobilisation and reintegration (DDR) provisions. Despite the creation of a DDR National Committee in 2018, no legal framework has been put in place for screening and prosecution of ex-fighters. Over 100 suspected former Boko Haram fighters are still detained in the MNJTF base in Mora (Far North) since 2018. As a positive signal, a trial started in August 2019 in a military tribunal against seven soldiers accused of killing women and children in the Far North.

**2. EU action: key focus areas:** EU's priorities in 2019 were:

- the consolidation of democracy and the electoral context;
- the rights of vulnerable groups, including *inter alia* women, children, ethnic minorities, and LGBTI persons;
- the fight against death penalty and the improvement of the justice system;
- increasing access to basic social services;
- enhancing social and environmental responsibility of businesses.

**3. EU bilateral political engagement:** The EU maintained in 2019 its political dialogue with the Cameroonian authorities (June and December), covering a wide range of issues including human rights in the context of the Anglophone crisis and the fight against Boko Haram, the importance of due judicial processes and the rights of prisoners, and the need to respect freedoms of expression, association and assembly.

Regarding democracy and elections, the EU held regular contact with main institutions and political actors, and provided political support, awareness-raising and training to women and youth to boost participation in the electoral process. The EU also engaged with the National Commission of Human Rights and Freedoms to create a national network for the respect of civil freedoms.

Regarding crises in Anglophone regions and the Far North, the EU continued to support civil society to promote the role of women and youth as agents of development and change. The EU and its Member States published statements on the Anglophone crisis and the EU Council adopted conclusions on Cameroon, condemning violence and calling for the respect of human rights.

The EU and Member states continued to speak and carry out demarches for the abolition of death penalty and to monitor trials of journalists and human rights defenders, as well as cooperate with civil society and authorities to improve detention conditions and judicial procedures.

**4. EU financial engagement:** The EU has provided support to civil society linked to civil society roadmap in Cameroon and to civil registry at the local level (under PROCIVIS programme), and in conflict prevention to promote a culture of tolerance and prevent radicalisation among vulnerable youth (IcSP support to a UN-implemented project in Far North). Projects selected in the framework of the EIDHR continued in 2019, including one on protection of vulnerable populations living in conflict-affected areas in the NW and SW regions. The EU and Member States supported projects on the rights of LGBTI persons and human rights defenders (France, Germany), as well as on women's and children's rights (Italy, Spain and France).

In addition, the EU Africa Trust Fund is funding a programme in the three northern regions of Cameroon to assist the population affected by Boko Haram and Central African Republic security crises. Member States have worked on governance (France), on digital access and digital rights issues (Germany), and on improving private sector commitments to responsible business conduct in the natural resource sector in forest areas.

**5. Multilateral context:** Cameroon has ratified a number of key international human rights instruments, such as the International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Some others, such as the Rome Statute, the Optional Protocol to the Convention against Torture – have been signed but not ratified yet. The signing and ratification of some other instruments such as the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims at the abolition of the death penalty, have been repeatedly rejected by Cameroon in the framework of the UPR. Cameroon has not signed the African Union Charter on democracy, governance and elections. Cameroon issued a standing invitation to all UN Special Procedures in 2014.

In the UN Human Rights Council, the EU included Cameroon in its item 2 statements in the 40<sup>th</sup>, 41<sup>st</sup> and 42<sup>nd</sup> sessions, condemning violence by both parties in the Anglophone crisis, calling for a dialogue and unimpeded access to human rights and humanitarian actors and impartial investigations into alleged human rights violations and abuses, but also expressing concern over arrests of political opponents and rise in ethnically-based hate speech.

## Central African Republic

**1. Overview of the human rights and democracy situation:** The Central African Republic (CAR) is still struggling to emerge from the long crisis it experienced for more than two decades. Throughout the country, and especially outside Bangui, massive violations of human rights were registered in 2019, in spite of the Political Agreement for Peace and Reconciliation (APPR) signed on 6 February 2019 by the government and fourteen armed groups that exercise control over most of the territory. The Agreement makes the respect for human rights a condition for an end to the crisis. It foresees several monitoring bodies at central and local levels. However, armed groups continue to violate their commitments under the APPR and seriously violate human rights. Several attacks against civilians have been recorded, most by armed groups, and a few by the security forces. The CAR

government failed to investigate these cases and to take disciplinary measures. In 2019, armed groups continued to recruit and use child soldiers. With disarmament of ex-combatants in the West, security improved, but persisting violence in the Northeast and Southeast continues to displace civilians. Some refugees voluntarily return to their country, but numbers remain limited due to the lack of security. More than half of the 4.6 million CAR population depend on humanitarian aid.

The wider public expects justice, i.e. the trial of leaders of armed groups and a political determination to fight against impunity. Despite the weakness of the judiciary, several suspects of war crimes were brought to court in 2019. The International Criminal Court (ICC) initiated proceedings against two leaders of armed groups. A Special Criminal Court (SCC, established in 2015) became operational in October 2018. Since then, it opened 22 priority investigations and registered 27 complaints submitted by individuals. Still, the Court faces problems regarding the protection of, and assistance for witnesses and victims, and the lack of legal aid. The National Assembly still deliberates the long-overdue law establishing a Commission on Justice, Truth and Reconciliation. CAR prisons are likely to see human rights violations; this adds to high rates of arbitrary arrest and abusive practice of pre-trial detention. Counter to the law, around 70% of those placed in pre-trial detention have not appeared before a court and/or do not have access to legal aid, thus spending months or even years awaiting trial, without legal assistance.

CAR is among the worst ranked countries in terms of women's political participation. A decree under the 2016 law on parity is not yet promulgated. Government is rather open to female participation in peace negotiations and in the APPR implementing bodies. In 2019, the National Election Authority (ANE) elaborated a gender strategy for elections. Access to justice remains difficult for female victims of sexual violence, and is impossible for women in areas under the control of armed groups. The problem keeps growing, with rising number of victims, impunity surrounding these crimes, social exclusion due to stigmatisation and the breakdown of family and community structures. In 2019, the CAR Government revised the 2017 National Strategy for Combating Gender-Based Violence.

Freedom of the media is formally guaranteed in CAR. However, media were often manipulated. Hate speech was recurrent in an unregulated environment. Media freedom came under pressure in numerous cases, notably with the detention of correspondents, assaults on journalists, their equipment and their property, as well as with the arbitrary suspension of radio frequencies.

**2. EU action – key focus areas:** In CAR, the rule of law and governance in all areas remain weak. Focal areas to address are therefore abuses of fundamental rights, widespread corruption, impunity and (transitional) justice. Moreover, the EU regularly brought up gender issues with the government. A specific EU project addresses gender-based and sexual violence, in particular for women prisoners. Moreover, EU sectoral budget support for the Internal Security Forces brings up gender-based violence. The EU engages frequently with women organisations in its regular outreach. In the frame of the EIDHR project, a network of sexual exploitation of women prisoners by officials working at Bimbo prison has been reported. The EU intervened in order to encourage authorities to take the necessary measures. Hundreds of detainees have benefited in 2019 from EU-sponsored legal and judicial advice.

**3. EU bilateral political engagement:** In order to keep justice in the public debate, the EU delegation created ‘a month of justice’, beginning on 17 June. The EU documented its commitment to justice through several projects. Activities ended on the Day of International Criminal Justice (17 July). For the Special Criminal Court, the EU conducted an awareness campaign (community theatre), to inform about the SCC’s role and victims' access to justice. To help setting up the Commission on Justice, Truth and Reconciliation, the EU offered assistance through the NGO Centre for Humanitarian Dialogue. For the 2020 elections, the EU launched governance programme, with a focus on female participation. Government policy vis-à-vis civil society and political opposition is inconsistent. The EU encouraged government to associate youth and civil society to promote peace in the country. With specific activities, the EU supports civil society organisations and helps them to play their roles. In the reporting year, the, EU engaged in a dialogue with public and private media, to counter disinformation and hate speech. Moreover, the EU supported the Association of Central African Bloggers. For hundreds of released child soldiers, the EU provided temporary care and integration kits, psychosocial support and integration into school. Older children benefitted from income-generating activities after vocational training. The programme also supports host families.

**4. EU financial engagement:** The EU co-funded the Special Criminal Court with EUR 2 million. UNDP implements the programme. The ‘National Strategy for Justice 2020-2024’ includes the respect for human rights and transitional justice. To make it work, the EU negotiated with the CAR government a sectorial budget support programme of EUR 10 million.

**5. Multilateral context:** Public policy deficiencies – linked to governance and state revenue issues – include the lack of protection of vulnerable groups, especially women, children and persons with disabilities. The ratifications of (i) the international Convention on the Elimination of Violence against Women and (ii) the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) are still missing. The death penalty is still foreseen and no moratorium prevents its use. Despite reforms, the legal system is flawed.

## Union des Comores

**1. Overview of the human rights and democracy situation:** The human rights situation in Comoros remains precarious. The 2018 constitutional referendum, the presidential elections in March 2019, and the recent parliamentary and local elections were marked by irregularities. Human rights violations are being constantly recorded, such as restrictions on freedom of the press, freedom of assembly and expression, freedom of movement, human trafficking, police incidents, arbitrary arrests and lengthy pretrial detention. Weaknesses in the judicial system, significant irregularities in the electoral processes, discrimination and violence against women, as well as weak children protection (various forms of abuse, forced labor, trafficking in persons) are the more visible phenomena. The phenomenon of immigration from Comoros to Mayotte but also Libya continues to cause human tragedies.

**2. EU actions - key focus areas:** The EU Human Rights and Democracy Strategy for the Comoros for the period 2016-2020 includes five priorities: (i) improving the performance of the justice system and the level of public confidence in the sector; (ii) strengthening electoral institutions to allow organising elections in line with international standards; (iii) promoting a change of mentality and habits and reduce corruption; (iv) promoting the participation of women in all sectors, as well as lift the taboo in the fight against violence against women; (v) strengthening child protection and promoting widespread awareness of children's rights.

**3. EU bilateral political engagement:** Respect for human rights is an essential element of political dialogue with the Comoros. The last session of the dialogue was held in July 2019. In focus were the harsh conditions in prisons, prolonged house arrest for former president Sambu, non-ratification of certain international conventions, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. During the dialogue, the EU praised the fact that the Comoros had ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. However, the EU expressed concern at the cancellation of the visit of the Special Rapporteur on Torture Nils Melzer, who has been unable to continue his mission. The EU underlined that continuous use of prolonged pretrial detention results in a deterioration of conditions in the sites of confinement.

**4. EU financial engagement:** Through the European Instrument for Democracy and Human Rights (EIDHR) the EU supported the implementation of the national roadmap for combating violence against women and minors 2017-2020 and a project aiming at creation of a helpline for children - victims of abuse and for abused women (total amount of EUR 500,000). Equally, the EU has supported a project strengthening the capacities of civil society as local observers for the elections (EUR 300 000). Two EU support facilities have been mobilised to support the Comorian civil society: Media4Democracy and Supporting Democracy.

**5. Multilateral context:** Comoros has signed the main treaties of United Nations concerning human rights but not all have been ratified and enacted. In January 2019, the Universal Periodic Review of the Comoros took place. Most of the 2014 UPR recommendations were not implemented. The recommendations from 2019 are very similar and relate to: abolition of capital punishment; ratifications of international instruments; creation of a constitutional chamber at the Supreme Court; strengthening the rights of women and children; fight against human trafficking; fight against early and forced marriage; protection of women against violence and discrimination; effective establishment of the Human Rights Commission; protection of freedom of expression and association; strengthening of basic services in the fields of education and health and promotion of social protection and sport and youth.

## Republic of Congo

**1. Overview of the human rights and democracy situation:** Although the fundamental freedoms of the majority of the Congolese people are respected, serious human rights

violations occurred in 2019, due to general shortfalls in the police, judiciary and penitentiary system and when dealing with minorities and vulnerable groups. A climate of impunity persists while practices of summary executions have been noted. NGOs routinely denounce the harsh conditions faced by prisoners in detention centres (including torture and severe malnutrition). Vulnerable groups, in particular women and indigenous peoples, continue to be discriminated against and are respectively subject to domestic violence and forced labour. The ratified international treaties have not been transposed into Congolese law and human rights are not effectively taken into account by the judiciary due to a lack of knowledge of the issues at stake and the means of implementation. The rights enshrined in the 2015 Constitution remain largely unenforced.

As a result, the media impose self-censorship for fear of being accused of ‘threatening the security of the state’. For the time being, the detention of journalists is not to be deplored, but the risk to them remains in a worrying pre-electoral context. Civil society in general and the traditional driving forces behind the promotion of human rights (opposition political forces, media, academic elites, diaspora) are too weakly structured, organised and supported to have any real influence.

At the 2018 Universal Periodic Review (UPR), the Republic of Congo had accepted 97 per cent of the recommendations made. A number of them, notably those regarding indigenous peoples, stateless persons, women's rights and the fight against human trafficking have already been implemented during 2019.

Important commitments were made in the framework of the International Conference for the Great Lakes Region in May 2019 concerning the ratification of international treaties, the end of impunity and respect for human rights. However, the translation of these non-binding declarations into concrete measures is lacking. In February 2019, the signature of a protocol with some twenty NGOs involved in the advancement of human rights was marked by the refusal to participate of two of them, fearing limitations in their intervention.

**2. EU action - key focus areas:** The dialogue between the Ministry of Justice and the European Union has been strengthened in line with the progress made in 2018. A ‘Justice’ sectoral political dialogue with the government on the problems of adapting Congolese law and the Congolese judicial system to human rights protection issues took place in June 2019. This dialogue will continue with a next session in March 2020, during which issues of electoral governance will also be raised. In 2019, the EU contributed to the effective functioning of the emergency mechanism of the European Instrument for Democracy and Human Rights (EIDHR) and continued to monitor the agreement signed in February between the eighteen HRDOs and the Ministry of Justice.

**3. EU bilateral political engagement:** The sectoral political dialogue with the Ministry of Justice, launched in 2018 in the framework of the (now finished) PAREDA project (‘Projet d'Actions pour le Renforcement de l'Etat de Droit et des Associations’) focused, in 2019, on the nine draft legislations concerning changes to criminal and civil law, as well as the implementation of alternative methods for dispute resolution.

The EU maintained its dialogue with civil society organisations through formal and informal venues to share views and discuss key human rights concerns. EU organised a number of events linked to Human Rights, such as the month of the Woman in partnership with the Institut Français du Congo, the fourth edition of the ‘Fortnight Week of Human Rights’ in Brazzaville and Pointe-Noire (together with France) and a competition for Law students on

the theme of Human Rights. France organised a conference on violence against women and one on the world environmental pact.

**4. EU Financial engagement:** The two EIDHR projects which started in 2018, for a combined budget of EUR 715.000, namely: i) 'Strengthening the role of civil society in the three districts of Lékoumou to promote respect for human rights and consolidate the rule of law'; and ii) 'Project to monitor and evaluate public debt in the Republic of Congo (PROSEREPCO)', continued their activities. Also supported by the EIDHR, the project PACTE ('Prévenir et Agir Contre la Torture et les Détentions Arbitraires Ensemble' – EUR 341.000) to combat torture and arbitrary detention, was launched in 2019, for a duration of three years. The 'Commissariat Modèle' (exemplary police station) initiative is currently supported by France. With regard to the defence of vulnerable groups, the project 'Strengthening capacities for the promotion and protection of the rights of the indigenous peoples of the Bouenza region – EUR 335.000' was selected and started its activities in 2019. General accompanying measures continued in 2019 with a total budget of EUR 104.000. A new Call for proposals worth EUR 972.000 will be launched in 2020.

**5. Multilateral context:** The government began the process of ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. Despite accession to the 'Hague Convention' limiting individual adoption, the submission of the report on the implementation of the Convention on the Rights of the Child in 2019 highlighted a worrying deterioration in children's rights.

The National Human Rights Commission was re-established in 2019. Suffering from a lack of financial and human resources, it has started a discussion with the United Nations Information Centre (UNIC) with a view to obtaining a training plan for its members.

## Chad

**1. Overview of the human rights and democracy situation:** In 2019, the human rights situation in Chad was adverse. The political context was characterised by centralised presidential power (ruling by decree). Legislative elections (overdue since 2015) did not take place, although some steps were taken in preparation of the electoral process. Among these, there was an evolving role of the Cadre National de Dialogue Politique (involving the ruling majority and part of the opposition), the appointment of members for the National Independent Electoral Commission, and the drafting and approval of new laws on territorial administration, on political parties, and on the electoral process. These issues gave rise to controversies and contestations by individuals and parties from the opposition, who threatened to boycott the process. The openness of political space was put in question regarding the case of Les Transformateurs, a popular movement in Ndjamena, which did not obtain formal recognition as political party, and regarding the difficulties faced by the main party of the opposition (UNRD) to hold its congress in Mongo in April. Political and technical challenges raised doubts about the electoral process.

Social and economic rights (notably healthcare and education) remained limited, illustrated by the 2018 Human Development Index ranking Chad 187 out of 189 countries. The

problems with civil liberties and fundamental rights persisted; human rights defenders confronted a difficult environment and a main activist from the Convention Tchadienne pour la Défense des Droits de l'Homme was arrested in December. A new institution (High Authority for Media and Audio-visual) imparted new dispositions on communications and issued by itself (instead of the judiciary) some penalties/fines; cases of pressure, censorship and suspensions (of media or specific individuals) affected the press, television and radio. In a positive development, nevertheless, the restriction on internet access to social media was lifted in July (after over a year of limitations). The population's perception of impunity regarding cases of abuse by security forces and the political elite led to some heated protests, for example in reaction to the death of a civilian killed by the Assembly president's bodyguard in Ndjamena in November.

Insecurity was widespread in Chad; Boko Haram attacked military but also civilians in the Lake Chad area, conflicts between farmers and cattle-owners led to dozens of deaths, and armed groups challenged authorities in the goldmining areas of Tibesti and northern Chad, or attempted to overturn the established order. A state of emergency (curtailing freedoms and endowing security forces with exceptional power) was decreed for three provinces from August onwards. Chad continued to host approximately 450,000 refugees and IDPs, notably in the border area with Darfur (Sudan), and humanitarian needs were on the rise.

**2. EU action - key focus areas:** The main areas for EU action, as agreed with Chad, targeted improvement on the human rights situation broadly conceived (including environmental rights): food security, sustainable management of natural resources, and rule of law/institutional capacity-building. Among others, the EU worked with the judiciary to improve its reporting and statistics, as well as the provision of medical services in Chadian prisons. Trainings on human rights were part of the cooperation for security sector reform.

EU engagement with civil society was also widespread and strong, including with human rights defenders. The EU focused on the protection of vulnerable groups, with an overarching approach on gender and a diversity of projects fostering women's rights. In 2019, the EU also agreed to potentially support the electoral process in Chad with a contribution to the UNDP basket fund, with a focus on further inclusivity, transparency and credibility of the electoral process, once a date for the legislative elections and a budget would be duly established.

**3. EU bilateral political engagement:** Human rights were included within EU-Chad political dialogue, and were raised for example during the Article 8 Political Dialogue session in March. Positive signs in Chad included the establishment of the National Human Rights Commission (foreseen in the 2018 Constitution) and the ambitious national provisions regarding gender equality and the promotion of women's rights, which together with youth, are a priority for the EU.

Some difficulties arose regarding EU-Chad cooperation for political and institutional reforms, where results were uneven and the main challenge remained the restrictive environment for NGOs and civil society.

**4. EU financial engagement:** Projects under the European Development Fund (EDF), under the European Instrument for Democratisation and Human Rights (EIDHR), and under the EU Emergency Trust Fund for Africa were implemented in the fields of citizen participation and dialogue, women's rights, access to justice, and training to security forces. However, some

EU projects were delayed in 2019 and implementation levels were weak. The Presidential Decrees 1917 and 1918 (adopted in December 2018) on the functioning of domestic and international NGOs in Chad involved some dispositions that were contested by Chad's international partners (including the EU); it was considered that the implementation of some provisions could be against humanitarian law and against some aspects of the EU-Chad bilateral agreements (Cotonou Agreement). This led to the suspension of EU-funded projects both regarding development cooperation and humanitarian aid. At the end of the year, the suspension (affecting contracts for up to EUR 30 million) was lifted, as Chad confirmed the non-retroactivity of the Decrees. Two working groups –on political and technical levels— gathering Chad and international partners were set up in December 2019 to continue discussions on this matter.

**5. Multilateral context:** Chad's UPR review of November 2018 led to 204 recommendations; it supported 195 of them during the 40<sup>th</sup> session of the Human Rights Council in March 2019, showing greater commitment than in the previous UPR cycle. Chad showed signs towards the abolition of the death penalty, which had figured prominently among the UPR recommendations, with a draft law to revise the current law against terrorism that still contains the death penalty. However, the Assembly has not yet adopted the law, and Chad cancelled its high-level participation in the 7<sup>th</sup> World Congress against the Death Penalty held in Brussels in February 2019.

## Côte d'Ivoire

**1. Overview of the human rights and democracy situation:** Eight years after the post-electoral crisis, the human rights situation in Côte d'Ivoire has generally improved. Nevertheless, 2019 was marked by the persistence of unresolved challenges such as access to basic social services, poor prison conditions (chronic overpopulation of more than 200%), gender inequalities, violations of freedom of expression and freedom of assembly, persistence of child labour, mainly in the agricultural and commercial sectors. Côte d'Ivoire has still to ratify the Optional Protocol to the Convention against Torture that would establish a national mechanism for the prevention of torture.

Overall, progress has been made in promoting gender parity and criminal justice. The adoption of the law promoting women running for elected assemblies constitutes progress.

Concerning the right to free and transparent elections, the National Assembly adopted on 30 July a law restructuring the Independent Electoral Commission (IEC). The law is contested by a large part of the opposition and civil society due to the lack of consensus in its development. The main criticism is related to the composition of the IEC, considered by the opposition too favourable to power, and the lack of additional guarantees as regards its administrative and financial autonomy. The new law was enacted and the IEC took office in early October 2019. In 2016, the African Union's African Court on Human and People's Rights ruled that the IEC needed to be reformed to be balanced and impartial.

The reconciliation process and transitional justice did not see significant developments in 2019. The 2018 amnesty remains challenged by civil society actors who believe that it

contributes to impunity for serious violations of international law. Consequently, it reinforced allegations of political use of justice. In view of upcoming presidential election (October 2020), increasing pressure on political opponents started building up in 2019 with judicial actions targeting several potential candidates or their supporters (e.g. Guillaume Soro, Charles Blé Goudé, and former allies of the current majority).

Judicial and parliamentary institutions enjoy limited independence. In January 2019, the National Union of Magistrates of Côte d'Ivoire and the Association syndicale de la magistrature declared that they have noticed *'a progressive deterioration in their moral and psychological working conditions as a result of recurring violations of the laws governing their corporations, threats, intimidation and interference in the performance of their duties'*.

**2. EU action - key focus areas:** The five priority sectors in the EU Human Rights and Democracy Country Strategy for 2016-2020 in Côte d'Ivoire are:

- Access to basic social services and respect for social rights: health, education, access to water, decent employment and social protection;
- Women's right: combating discrimination, FGM, economic exploitation and trafficking;
- Security and justice: promoting impartial and independent justice, fight against impunity, access to justice, support the implementation of security sector reform;
- Children's right: combating economic exploitation and trafficking;
- Strengthening democratic culture and governance: civil society consultation access to information and law, transparency and anti-corruption

**3. EU bilateral political engagement:** Since 2015, for Europe Day celebrated on 9 May, the EU delegation to Côte d'Ivoire organises each year a Europe Week, which became a Europe Month in 2019. On this occasion, several activities were organised, including a European Film Festival in several popular districts of Abidjan, a Business Forum, a photography exhibition and drawing contest with the theme of common values of the European Union and Côte d'Ivoire. Europe Month also saw the launch of the EU's first 'Magic Tour', a tour jointly organised by the European Union and the Magic System Foundation. The Head of the EU Delegation supported the 2019 edition of Abidjan's Ciné Droit Libre, a film festival dedicated to human rights and freedom of expression. The EU Head of the EU delegation intervened in November with a keynote speech before the screening of a film on democracy in the world.

**4. EU financial engagement:** In 2019, the EU and its Member States continued to support the authorities and civil society, in the form of budget support and technical assistance in the areas of good governance, security and justice:

- The EU-funded PROFORME project, implemented by ONU- DI, aims to improve vocational training and to create jobs for the youth in Ivory Coast (EUR 29 million through the EDF);
- The EU supports national intelligence community reform and national security strategy (EUR 2.5 million 2017-2019, through the IcSP);
- The EU supports the strengthening of national police information collection and sharing systems with the West African Police Information System (WAPIS, EUR 28 million through the EDF);

- IcSP Decision 2019 ‘Support for Cohesion and National Security in Côte d'Ivoire’ was launched with the objective of continuing support for Security Sector Reform (EUR 8 million);
- With regards to the justice sector, since 2019, the EU has been supporting trade justice and transparency for a total of EUR 2 million;
- The project to extend and modernise civil protection (EDF, EUR 10 million over 2017-2020) continued to provide the essential service of civil protection to Ivorians;
- Two projects under the European Instrument for Democracy and Human Rights (EIDHR) were allocated:
  - The FIACAT project (EUR 588,000) is funded by the EU to prevent torture and the abuse of preventive detention in 10 detention and houses of correction;
  - Support to the prison system in the prevention of torture and the fight against the abuse of preventive detention in six detention and houses of correction for the period 2020-2022 (EUR 521,000).
- The European Union decided in 2018 to support the civil status reform with budget support of EUR 30 million;
- The ‘Building Peace and Addressing Vulnerable Youth in Fragile Areas’ project received EUR 4 million (IcSP decision).

**5. Multilateral context:** The question of the respect for human rights in the current electoral context is particularly sensitive. Following post-election violence in 2010-11, an ICC investigation was opened in the situation of Côte d'Ivoire. The former president Laurent Gbagbo and former youth minister Charles Blé Goudé were acquitted by Trial Chamber I on 15 January 2019. Prosecutors at the International Criminal Court have appealed a ruling that acquitted Ivory Coast's former president.

## Djibouti

**1. Overview of the human rights and democracy situation:** The government passed legislation on the protection, prevention and care of women and children who are victims of violence and on gender parity. It also prepared the ratification of the Convention on the Protection of Children and Cooperation on International Adoption. The Human Rights Commission started to become more active in 2019. It published the annual report for 2016 and presented the 2017-2018 report to the president. The Commission also strengthened relations with the parliament. It is seeking compatibility with the Paris principles being aware that it needs to strengthen its independence. The government continues to work on the implementation of the Human Rights Strategic Plan for 2018-2021 and on a detailed action plan for the Human Rights Commission.

The opposition’s ability to operate is constrained. The media is controlled and freedom of assembly and association is restricted. There were allegations – which are difficult to verify – of harassment in 2019 of human rights activists, of journalists and of outspoken opponents of the government. Four Greek sailors and one Romanian sailor were held on two ships in the port of Djibouti since 15 September 2019.

Djibouti ranked 43rd out of 54 African countries screened in the Mo Ibrahim Index for governance and 124 out of 180 countries with a score of 31/100 in Transparency International's Perception of Corruption Index. It ranked 122 out of 176 countries with the exact same score - 31/100 - in 2017.

In 2019, Djibouti set up a security system across the country, using sophisticated cameras as anti-terrorist and crime prevention measures. The cameras are connected to a monitor centre managed by the Republican Guard. Once operational, the cameras could allow the government to monitor the movements of individuals in Djibouti. The cameras tend to be located at strategic junctions, including near diplomatic missions.

**2. EU action – key focus area:** One of the EU's human rights priorities in Djibouti is support for credible human rights defenders, including institutions and NGOs by giving them the means to carry out activities in the defence and promotion of human rights. The EU delegation is also working on the protection of vulnerable groups, with a particular focus on street children, migrants and refugees and the protection of the rights of women and children. The delegation engages with the Government, with the Minister for Justice and in particular with the Minister for Women and Family Affairs with a view to encourage dialogue on human rights issues and the development of civil society.

**3. EU bilateral political engagement:** Throughout 2019, Members of Parliament and parliamentary staff at the National Assembly have been the main beneficiaries of an EU project focused on human rights and gender with the aim to set up a human rights committee in the coming months (in the meantime this has happened). Parliament established a women's caucus in December.

In December 2019, the EU delegation signed a contract for an ambitious project on justice reform, which should improve access to justice and improve the conditions of detainees, especially minors and women, within the penitentiary system. The project includes capacity building for the Human Rights Commission and the Mediator.

With a view to updating standards for journalists, the EU delegation and the Union de la Presse Francophone organised an award ceremony for journalists with the Union.

Outreach on human rights took place in 2019. The Head of the EU Delegation carried out several demarches with the Minister of Justice and the Minister of Interior on various claims by opposition parties and human rights defenders. In March 2019, the EU delegation raised with the authorities the refusal to return the passport to Abdulrahman Mohamed Guelleh, a political opponent whose family lives in exile in Belgium. The following day his passport was returned.

**4. EU financial engagement:** Several projects strengthening the capacities of the civil society ranging from women's rights to rural resilience and persons with disabilities. Under the 11<sup>th</sup> EDF EUR 12 million is earmarked for civil society, decentralisation and gender equality. Other projects are financed under the European Instrument for Democracy and Human Rights (EIDHR), as well as under the budget line for non-state actors.

- Programme to consolidate democratic governance and anchor an inclusive and equitable civic culture (EUR 2 million);
- Technical assistance for enhancing capacities of the civil society to strengthen impact on development policies as well as justice, water, sanitation;
- Project focused on human rights and gender with a view to set-up a Human Rights Committee in Parliament and establish a women's parliamentary caucus (EUR 192,463);
- Project on Justice Reform to improve access and the conditions of detention, including capacity building for the national Human Rights Commission and the Mediator (EUR 4 million);
- Support for gender issues, capacity building of women and the protection of rights of women and girls, in particular against GBV (EUR 7 million).

**5. Multilateral context:** Djibouti is firmly embedded in a multilateral context with the presence of several international players and its position on the edge of one of the world's busiest trading route. It houses the seat of IGAD and participates in regional configurations.

Out of 203 recommendations made during the last UPR, Djibouti accepted 177 recommendations and noted 26.

## Democratic Republic of Congo (DRC)

**1. Overview of the human rights and democracy situation:** In 2019, the United Nations Joint Human Rights Office (UNJHRO) recorded 6.545 human rights abuses in the entire DRC territory. This is a slight decrease (-4%) compared to 2018, and breaks the trend of the two previous years (+5% in 2018 and +25% in 2017). Part of this can be explained by the fact that since taking office, president Tshisekedi has taken some positive actions in terms of human rights, such as freeing political prisoners, allowing exiled critics to return, and creating more freedom of democracy. Since January 2019, there has been a significant decrease in recorded human rights violations related to democratic space (-26%). Apart from human rights violations linked to democratic space, 2019 was marked by non-respect for the right to physical integrity, the right to liberty and security of person, the right to property, and the right to life. Abuses included widespread sexual violence, looting, extrajudicial killings by state agents, summary executions and massacres by militias, as well as forced labour. Moreover, there was a rise in the number of deaths in detention, due to severe overpopulation and consequent malnutrition in prisons throughout DRC. Lamentably, 2019 also saw a sharp increase (+38%) of sexual violence, with at least 1,054 victims compared to 650 victims in 2018.

In terms of actors, 2019 saw a decrease in human rights violations perpetrated by state agents (-15%). This can mostly be explained by a significant decrease in the number of violations perpetrated by agents of the intelligence services ANR (-55%) and of the national police PNC (-20%). Meanwhile, the number of violations committed by non-state armed actors increased (+14%), due to the proliferation and increased activism of militias in the provinces of Maniema, South Kivu and North Kivu in particular. Since most human rights

violations are linked to the precarious security situation, most violations have occurred in the conflict-ridden provinces of eastern DRC, where hundreds of armed militia continue to exist and where levels of human security are very low. Violence has spiked since the end of October 2019, as the FARDC began its offensive against the militia Allied Democratic Forces (ADF), who in turn responded with a series of massacres against civilians in the Beni area in North Kivu province. The deadliest month of civilian deaths this year was December, with 197 civilians killed in the North and South Kivu provinces in attacks mostly attributed to the ADF militia. 2019 saw the continuation of violence between the pro-Lendu militia Codeco towards the Hema community in the Djugu territory in Ituri province, which were qualified by the UNJHRO as war crimes, crimes against humanity, and, potentially, genocide.

**2. EU action - key focus areas:** The EU delegation engaged in demarches, for example when lobbying for various human rights topics in the UN General Assembly Third Committee. Such demarches were consulted broadly with Member States and like-minded states. Moreover, the EU delegation established regular and constructive contact with relevant partners. These included counterparts in national government, such as the minister of Human Rights and the minister of Justice. At these meetings, the EU delegation has brought up several of its country-specific priorities on human rights, for example concerning the need to reform the malfunctioning justice system and, in extension, ameliorate the human rights situation of prisoners.

The EU delegation has shown particular leadership in terms of the EU strategic priorities relating to women's rights. The Head of the EU Delegation attended numerous conferences and events to raise awareness about women's rights and topics such as female entrepreneurship.

**3. EU bilateral political engagement:** The Council decided on 9 December the renewal of EU sanctions on 12 Congolese officials, mostly based on human rights violations criteria. Following the adoption on the same day of the EU Council conclusions with a clear human rights dimension, the EU delegation started the preparations for the Article 8 political dialogue as set out in the Cotonou agreement that forms the framework of EU cooperation in ACP countries. The dialogue will be held at the beginning of 2020 and will be an important occasion to raise the EU human rights priorities at the highest level of government.

**4. EU financial engagement:** The EU delegation continued its support to the protection of Human Rights Defenders (HRDs), fight against sexual violence, freedom of expression, the fight against impunity of mass rights violations, the fight against torture, military and civil justice, the protection of vulnerable people working in the mines, and the electoral process.

In terms of the fight against sexual violence, the EU delegation renewed its support to the work of the Panzi Foundation and Nobel Peace Prize winner Dr Mukwege's efforts to combat the root causes of sexual violence in a holistic manner. At the end of the year, the project supporting vulnerable people working in the mines/pits in Mwenga was concluded, with more than 300 children and sex workers supported and trained to generate other kind of earnings.

In the electoral observation domain, a project to strengthen civil society structures active in electoral observation started implementation in 2015 and a second phase started in 2018. The program supported the deployment of the SYMOCEL (Synergie des Missions d'Observation citoyenne des elections) with 20 000 observers for presidential and legislative elections by end 2018. The report published in mid-2019 presented recommendations to reform the electoral law for more transparency, effectiveness and inclusiveness.

Given the volume and nature of the EU interventions in the environmental sector, the important interlinkages between environment and human rights should be highlighted. Within EU programs, support to the management of vast Protected Areas in remote locations entails risks regarding human rights abuses. The EU has reinforced its scrutiny regarding policies in place to accomplish contractual obligations on prevention of human rights abuses in these areas.

**5. Multilateral context:** The EU has continued to support the MONUSCO mandate under UN Security Council resolution 2463 (2019), which has a robust human rights dimension. The EU has been closely coordinating with the UNJHRO, and has also actively promoted adoption of the Resolutions on the DRC at the UN Human Rights Council in 2019.

## State of Eritrea

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Eritrea remains a matter of concern as some human rights practices are not in line with international standards. The internal space for independent debate and civil society continues to be limited and controlled. There is no progress on implementing the 1997 Constitution or on drafting a new Constitution as rumours, circulating in the country, have it. Certain health centres, education facilities and orphanages hitherto administered by the Catholic Church have been transferred to the state over the last two to three years, including in 2019 as only the state may run these kind of facilities. While the government indicated willingness to cooperate with the UN in certain cases, in particular on social and economic rights, it continues to refuse access for the UN Special Rapporteur on Eritrea. The latter has pointed to human rights abuses in military camps and to prisoners being held *incommunicado* (unknown location) for political reasons.

Positively, following the peace declaration with Ethiopia in July 2018, the government continued to open up to its neighbours, in particular Sudan and Somalia, and through participation in regional fora on the Red Sea. There is a general recognition by the government that the National Service – a large public work's programme, which drafts in a large portion of the country's youth – as well as the economy have to be reformed, but it seems that little has happened in practice. Nevertheless, in October the government communicated a rise in salaries, which have been brought to a level comparable to the civil service in Eritrea and its neighbours. In January, Eritrea became a member of the Human Rights Council in Geneva.

While waiting for reforms, thousands of Eritreans, mainly youth, are still fleeing the country, as demonstrated by the flow towards Ethiopia following the opening of the land borders between the second half of 2018 and the first months of 2019. Illegal cross border movement continues after the re-closure of borders, mainly to Sudan and Ethiopia. Illegal crossing of EU borders has dropped significantly as has the number of Eritreans seeking refugee status abroad. With a view to trafficking and smuggling-related issues, Eritrea has taken over the Chairmanship of the Khartoum Process in early 2019.

The country started its third cycle of the UPR process in January 2019 and accepted recommendations related to ratification of human rights convention, the legal framework, and women's rights, rights of other vulnerable groups and/or persons, civil and political rights, economic, social and cultural rights. It has made progress in the latter area – economic, social and cultural rights, - which is generally recognised. It is noteworthy that the government prefers the wording 'human dignity' instead of 'human rights'.

**2. EU action – key focus area:** The EU focused on improving the human rights situation by encouraging Eritrea to actively participate in the UPR process and cooperate with the UN system at large as well as offering its assistance in reforming the National Service. The EU is supporting Eritrea in chairing the Khartoum process and voicing concern over migration and human trafficking in the Horn of Africa region. Through its cooperation work on road rehabilitation, the EU is contributing to implementing the peace with Eritrea and socio-economic development, which should help over time, improve living standards and human rights. The EU also supports civil society.

**3. EU bilateral political engagement:** Dialogue with Eritrea on human rights expanded with two meetings of the EUSR on Human Rights with the authorities and two Political Dialogue meetings. Human rights related issues have been mainstreamed in all development cooperation programmes. The implementation of the 'Procurement for emergency road rehabilitation project' has facilitated a dialogue on the National Service, touching upon labour issues implications with a view to improve health and safety standards on the road construction sites (EUR 20 million).

In 2019, the EU continued its support to activities aiming at strengthening economic, social and cultural rights, rights of vulnerable groups, such as people living with disabilities, women and children, with the overall objective to strengthen and support the civil society.

In 2019, the EU delegation awarded three new contracts: two of them to two local civil society groups and one to an international NGO working with a local organisation. Most of the organisation are working on access to services for disadvantaged groups or are community-based organisations.

A project addressed gender issues in the higher education area. Eventually the contract was terminated due to considerable challenges and delays. The EU delegation also managed a project aimed at building capacity for emergency situation in the health sector. In October, a former Finnish police officer provided a rule of law training course to Eritrean judges, police officers and prosecutors.

For the 10<sup>th</sup> year in a row, the EU delegation celebrated the Human Rights Day in December with a focus on the rights of women and children. Government officials have attended the public event also.

**4. EU financial engagement:** Main instruments are the European Instrument for Democracy and Human Rights (EIDHR) and the thematic budget lines. In 2019, ten ongoing contracts were funded under thematic budget lines (EUR 3.4 million). Three new contracts were awarded (EUR 1 million) concerning the strengthening of civil society, including the rights of vulnerable groups. Under the road rehabilitation project (EUR 20 million) the EU engaged on the implications for human rights (better equipment and training).

**5. Multilateral context:** The EU is engaging with Eritrea as a member of the Human Rights Council through side meetings and in the framework of interactive dialogues. The EU is working closely with its international partners, in particular the United Nations, to help Eritrea improve the overall human rights situation. The EU Member States present in Asmara support small scale NGO related and multilateral projects, mainly through UN agencies.

## Eswatini

**1. Overview of the human rights and democracy situation:** In 2019, Eswatini continued to strive to fulfil its democracy and human rights obligations. Frequent protest actions by workers in the public sector took place during the year, demanding increases to their salaries, which have been frozen for the past three years. Despite the country facing a deep financial crisis, some lavish expenditures by the King and Government were observed and drew widespread criticism from the domestic and international community. The independence of the judiciary came into question again with the chief justice stating that the judiciary was under siege by political elites who want regime change. Although the government allowed the CSOs and LGBTI community to organise the pride parade in July 2019, an application for registration by an organisation 'Eswatini Sexual and Gender Minorities' has been refused by the government citing that the objectives of the association are unlawful under the Companies Act of 2009 and the Constitution. On a positive note, in August 2019, the High Court rendered unconstitutional some sections of the Marriage Act of 1964 which regarded women married in community of property as minors to their husbands. The ruling of the High Court is very important in the advancement of women rights and gender equality in the country. Towards the end of 2019, increased intolerance by the government to divergent views and opinions to the current political systems was witnessed where leaders of political parties were targeted and harassed by the police for expressing their views calling on the government to open the political space and allow multi-party democracy.

**2. EU Action – key focus areas:** Cooperation between the EU and Eswatini under the various funding instruments such as the 11<sup>th</sup> EDF, CSO-LA and the EIDHR thematic budget lines progressed very well in 2019 with a number of projects implemented under the focal sectors of agriculture, social protection, public finance management and trade. Projects implemented with CSOs focused on the promotion and protection of democratic principles, rule of law, rights and freedoms, gender equality and empowerment of women, rights of

people living with disabilities and the implementation of the Sexual Offences and Domestic Violence Act (SODVA) of 2018.

**3. EU bilateral political engagement:** The EU-Eswatini political dialogue under Article 8 of the Cotonou Agreement was not held in 2019 due to other pressing issues for the government such as reviving the economy. Bilateral dialogues however, continued between the Head of the EU Delegation and the King, the Prime Minister, Cabinet ministers and civil society organisations to discuss issues of mutual interest such as freedom of expression and association, recognition of political parties, judicial independence, anti-corruption, gender, trade, investments and business matters. The Head of the EU Delegation also engaged with His Majesty King Mswati III during a formal bilateral meeting in February 2019, notably drawing his attention to the respect of the Constitution as the supreme law of the country.

**4. EU financial engagement:** The 11 EDF social protection project implemented in collaboration with the Deputy Prime Minister's office played an important role in supporting advocacy initiatives aimed at curbing sexual offences and domestic violence in the country. The agriculture projects particularly benefitted women through community mobilisation and channelling specific activities such as recognition of customary use of land by women and widows who are disproportionately facing poverty in rural areas. In May 2019, the government launched the 2019-2022 Strategic roadmap aimed at resuscitating the ailing economy through fiscal adjustment and refocusing private sector growth. The EU has supported the government to assist in the implementation of the strategic roadmap and seize the economic rights of the population.

EU funded projects implemented by local government institutions have strengthened inclusive good governance and accountability, participatory policy making and action plans for effective service delivery at local level. Through the scorecard approach, constructive dialogue and effective action plans between the different stakeholders and service providers have been enhanced in the municipalities. The "Rights for All" project implemented by the South African Litigation Centre and COSPE and other local NGOs have also enhanced the capacity of CSOs to produce shadow reports on international human rights treaties and conventions. A project 'Albinism in Eswatini' implemented by Minerva aimed at highlighting the rights of marginalised groups such as people living with albinism is a good example of the EU's approach of targeting vulnerable groups and 'leaving no one behind' in the development agenda.

**5. Multilateral context:** Eswatini was lagging behind in terms of reporting on the various international human rights conventions and treaties, which the country had ratified. In 2019, the government set up a multi-sectoral committee that will be responsible for coordinating the reporting on international human rights instruments. Concerning the UPR, Eswatini was last screened in 2016 and its progress is due to be reviewed again in 2020. The government is yet to submit the state party report in preparation for the meeting in 2020. On the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), Eswatini was reviewed by the UN Human Rights Committee on progress made in the implementation of these conventions. In 2019, the EU supported CSOs to prepare a shadow report on the CEDAW to be submitted to the UN.

## Ethiopia

**1. Overview of the human rights and democracy situation:** The country is undergoing a transition since the newly appointed (in April 2018) Prime Minister Abiy Ahmed launched a series of economic and political reforms that are transforming the governance landscape of Ethiopia, including an increase in the release of political prisoners, and the removal of exiled political organisations from the terrorist list. Imprisoned journalists were released, and key institutions (police, prison administration, justice sector) are undergoing deep reforms. Restrictive legislation on Civil Society Organisations (CSOs) was reviewed and drastically improved. Appointments of new leaders for institutions such as the Supreme Court or the National Election Board have provided additional energy into the reform process. The very restrictive Anti-Terrorism Law has been reviewed but not approved in 2019. Daniel Bekele, former Senior Director at Human Rights Watch, was appointed as the Head of the Ethiopian Human Rights Commission (EHRC), which is undergoing a complete overhaul under his tenure.

Ethnic tensions were on the rise in 2019 leading to clashes in different part of the country, including in Amhara, Oromia, Benishangul Gumuz, Afar and Somali Regions, claiming the lives of more than 1,200 people. The large number of internally displaced persons (IDPs) remained unsolved, with numbers disputed by the government approximately amounting to 2.4 million. After a first period of denial/downplay, the government, in the attempt to reduce numbers, used humanitarian assistance to incentivise returns, which continues to raise serious human rights and humanitarian concerns. In the course of 2019, many demonstrations were denied permission and organisers were arrested. Mass arrests occurred after the Sidama referendum postponement (July 2019) and in Addis Ababa (October 2019, two days after the announcement of the Nobel Peace Prize), including (temporarily) some journalists.

**2. EU action - key focus areas:** In 2019, EU action focused on the following areas:

- Promote electoral reforms, inclusive political party dialogue and citizens' participation;
- A legal framework in line with international standards, accountable institutions, fair trials and good prison conditions;
- Promote recognition of the positive role of civil society and media in society; space for more independent and professional media and effective Human Rights Defenders (HRDs) protection mechanisms;
- Promote decent work standards, a more equitable access to social services, economic opportunities for women and youth, effective mechanisms to address corruption issues, and address land issues;
- Protection of victims of human trafficking, safe and dignified return of irregular migrants, protection of refugees in line with international standards, decent work standards for migrant workers;

**3. EU bilateral political engagement:** In May, the EU Special Representative (EUSR) for Human Rights, Eamon Gilmore, visited Ethiopia. The EUSR met with the President, the Prime Minister, the Head of the National Electoral Board, the Chief Justice of the Supreme Court,

the deputy Chair of the Peace and Reconciliation Commission, representatives from civil society and media organisations, opposition parties and humanitarian organisations. This visit focused on three topics: elections, transitional justice and the situation of IDPs.

In November, an Art.8 Dialogue was conducted with Foreign Affairs Minister Gedu Andargachew. A wide range of issues was discussed, including human rights and democratisation in Ethiopia.

**4. EU financial engagement:** The EU has designed a ‘Democratic package’ (EUR 26.8 million) including the following projects:

- i. Establishing an environment for inclusive, knowledge-based dialogue on the political process in Ethiopia, implemented by International IDEA since February 2019 (FPI/IcSP-funded project for 18 months, EUR 1 million).
- ii. Supporting the legal and justice reform in Ethiopia, implemented by the Ethiopian Lawyers Association (ELA) since April 2019 (EIDHR-funded project, 24 months, EUR 400,000).
- iii. Prevention, Mitigation and Management of Election-related Conflicts and Potential Violence in Ethiopia (PEV-ETHIOPIA), implemented by the European Centre for Electoral Support (ECES) since June 2019 (FPI/IcSP-funded, for 18 months, EUR 3.6 million).
- iv. Supporting the Ethiopian Political Parties Dialogue for political reform, implemented by the Netherlands Institute for Multiparty Democracy (NIMD) since October 2019 (FPI/IcSP-funded, for 18 months, EUR 1.8 million).
- v. European Response to Electoral Cycle Support in Ethiopia (EURECS Ethiopia), implemented by the European Centre for Electoral Support (ECES) since October 2019 (EDF-funded project, 36 months, EUR 20 million including EUR 10 million from Germany).

In early 2019, the EU-Ethiopia Civil Society Fund III (CSF III) issued a call for proposal with the total amount of EUR 11,750,000 for projects in the areas of ‘democratic governance and rule of law’, ‘service delivery and community engagement’ and ‘gender equality, women’s and girls’ empowerment and protection’. Twenty-four grants will contribute to strengthen citizens’ participation.

**5. Multilateral context:** Several EU Member States (Denmark, Finland, Ireland, Luxembourg, and Sweden) supported UN-led programmes in 2019, in various fields such as (i) Electoral process, governance and judicial reform (UNDP); (ii) Sexual and reproductive health and rights, gender equality, preventing violence against women (UNFPA and UN Women); (iii) Support to refugees and asylum seekers (UNHCR).

## Equatorial Guinea

**1. Overview of the human rights and democracy situation:** In 2019, the overall human rights situation in Equatorial Guinea remained a source of serious concern: the regime remains opaque and oppressive and human rights violations, in general, continued to be reported. Freedom of expression, association and assembly remained severely curtailed. Local activists faced intimidation, harassment and reprisals. The 2014 initiative to legalise political parties has unfortunately not yet led to a positive dynamics – the opening has been tightly controlled and opposition parties, or simple initiatives by party members, continued to suffer attacks at the slightest sign of criticism. Political space remains extremely limited and the last legislative, senatorial and municipal elections (November 2017) brought little change in the composition of the parliament, where Obiang's party (*Partido Democrático de Guinea Ecuatorial*) revalidated 99 out of 100 seats and the opposition got only 1 seat.

There was no progress in the situation of the political party C.I (*Ciudadanos por la Innovación*), banned since 2018. Moreover, the NGO CEID (*Centro de Estudios et Iniciativas para el Desarrollo*) was declared illegal in 2019 and the political party CPDS (*Convergencia para la democracia social*), was threatened with dissolution in August 2019. In April 2019, the Secretary General of CPDS, member of the International Socialist, was abducted and imprisoned - at request of the Equatorial Guinean authorities - while attending a political conference in N'Djamena (Tchad). He was later released following international diplomatic pressure. The regime tightly controlled press and television (the only private TV station is owned by President Obiang's son). Internet penetration remains low.

The space for civil society remained extremely narrow. Strict control and manipulation of the registration of organisations remains a concern. That said, abuses and violations by security forces against political activists and civil society were less systematically reported than in 2018. Small steps towards an improvement on the general human rights situation could be noted: the moratorium on death penalty established in 2014 continued to be respected and the country participated actively to the third cycle of the Universal Periodic Review (UPR), at the UN HRC in Geneva, in May 2019. A 'dialogue platform' (*Mesa de diálogo*) is in place and celebrated its 6<sup>th</sup> session in July 2018. The EU delegation was invited as observer. The dialogue allowed demands from CSOs and a number of political parties to be heard by the ruling elite, though concrete results are yet to be seen. The Justice Sector Reform, including a new criminal code, announced in 2018, is not yet being implemented. The country has, so far, maintained its commitment with IMF for a series of reforms, which will include Equatorial Guinea joining the EITI (Extractive Industry Transparency Initiative). As a result of EITI membership, Equatorial Guinea will need to submit its extractive activities to the screening of civil society actors. This may contribute to expand political space and visibility for CSOs and other Non-Governmental Actors, though they will need to acquire additional skills to exert an effective role.

**2. EU action - key focus areas:** The EU's priority is to continue support for greater freedom and civil society contributions, focusing on economic, social and cultural rights. The EU attaches great importance to the situation of political activists. Support for the role of civil society and non-governmental actors, who are weak and systematically undermined, continues to be needed, including actions underpinning the long-term security and protection of human rights defenders. Although the 2006 law on NGOs theoretically allows them to work on human rights issues, there is no registered association that explicitly works on the topic - a sign of the stigma and harsh context for human rights. In this context, the

outlawing of the NGO CEID in June 2019 and the repeated harassment of his leader was an additional source of concern. Local NGO's also need support in matter of on project cycle management and EU grants procedures. The full abolition of the death penalty (and its elimination from the Criminal Code) also remains among EU objectives (Equatorial Guinea adopted a moratorium when they became a member of the Community of Lusophone Countries-CPLP in 2014). Since then, two death penalty sentences were pronounced in September 2016 but never executed.

**3. EU bilateral political engagement:** The first session of Political Dialogue in six years, between the EU and Equatorial Guinea, took place on 26-27 November 2018. A formal follow-up session could not be held in 2019 for organisational and logistic reasons (in September 2019 the accreditation for Equatorial Guinea changed from the EU delegation to Gabon to the EU delegation to Cameroon). Nevertheless, a mission by the EU delegation in July 2019 allowed for substantive meetings with the Minister of Foreign Affairs and his deputy to follow up on the political dialogue. During bilateral diplomatic talks, both in Malabo and in HQ, the EU continued to raise questions on human rights' shortcomings, and expressed calls for greater freedoms for human rights defenders, political and civil society activists, and artists. Equatorial Guinea generally denied the existence of political persecution in the country and attributed the relevant reports to 'fake news' or 'arrestations linked to common crimes'. HR/VP statements on the November 2017 elections and, in February 2018, on the trial conducting to the outlawing of the party CI and the condemnation of 25 militants (subsequently released under a presidential pardon) were issued. The EU called on Equatorial Guinea 'to make all necessary efforts to ensure compliance with democracy and human rights, international norms and standards'. The new Head of the EU Delegation has been accredited but has not yet presented his credentials. No bilateral projects were funded from the European Development Fund (EDF) because Equatorial Guinea did not ratify, in 2011, the revised version of the Cotonou Agreement between the EU and ACP countries. Equatorial Guinea has formally expressed interest in joining the Post-Cotonou Framework when it will become effective in 2021 but, having in the meantime moved to 'upper-middle-income' status, they will not be able to benefit from bilateral grants.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR). The projects are active (i) to strengthen health rights in Sampaka; (ii) to establish a strategy promoting health and education rights in nine districts; and (iii) to protect and guarantee rights of children, adolescents and family living in conditions of extreme poverty in Bata. In 2019, two new projects (totalling EUR 452.000) were approved and both are due to start in the first quarter of 2020. In one, the NGO Transparência e Integridade – Associação Cívica (TIAC) will provide support, protection and capacity building for civil society activists and organisations working in the field of human rights promotion and good governance. In the other, Aldeas Infantiles 'SOS' Guinea Ecuatorial with the support of SOS-Kinderdörfer weltweit - Hermann-Gmeiner-Fonds Deutschland, will provide support in strengthening child protection and reducing gender violence in the slums of Malabo.

**5. Multilateral context:** Equatorial Guinea is not a state party to the International Criminal Court and it has not signed the Rome Statute. Equatorial Guinea has ratified the African Charter on Human and Peoples' Rights but not the Protocol on the Establishment of an

African Court on Human and Peoples' Rights. Moreover, Equatorial Guinea did not ratify the African Charter on Democracy, Elections and Governance either, despite repeated calls to do so over the years. Equatorial Guinea submitted to the Universal Periodic Reviews (UPR) by the Working Group of the UN Human Rights Council, in May 2019. The review noted the progress made on the recommendations made in 2014 and, in particular, the progress in the ratification of a number of international instruments/conventions. The HRC made 221 recommendations. Of these, the large majority was accepted (204 recommendations – 92%); 11 rejected; and 6 noted. Notable rejections included: the recommendations to extend a standing invitation to the UN Rapporteur on Human Rights and other special procedures; the recommendation to investigate and hold responsible security forces and government officials for human rights violations and other abuses; the recommendation to ratify the African Charter on Democracy, Elections and Governance. Equatorial Guinea supported the customary UNGA resolution for a moratorium on death penalty in December 2019. Equatorial Guinea has requested technical support for the harmonisation of legislation from the Community of Lusophone Countries-CPLP in the framework of the death penalty moratorium. A request of support from EU for the reform of the Judicial and Penitentiary System was raised during the bilateral 'dialogue session' of November 2018.

## Gabon

**1. Overview of the human rights and democracy situation:** 2019 saw the continuation of deep divisions and political and social crisis that has gripped Gabon since the 2016 presidential elections. The situation as regards democracy, civil liberties, rule of law and separation of powers remains worrying. Freedom of assembly and expression remains practically non-existent, with a systematic banning or shutting down forcefully of all political protests. Freedom of press is seriously limited. Long-term pre-trial detention of political opponents remains a concern.

Fight against corruption is one of the priorities mentioned in the President and the Prime Minister Agenda. Several government reshuffles followed major corruption scandals, albeit these and other measures were widely considered as partial and politically motivated.

Ritual crimes (abduction and murder of children) have provoked civil unrest and violence. Links with institutional figures and politicians have been reported, with one high level official being arrested

Gabon's decision to criminalise homosexual relationships in October (up to 6 months in jail and FCFA 5 million penalty) is a clear breach of the non-discrimination principle.

**2. EU action – key focus areas:** The EU aims to focus especially on the following human rights issues: (i) democracy and governance, (ii) corruption, (iii) harsh conditions in prisons and lengthy pre-trial detention, (iv) ritual crimes, (v) arbitrary detention, torture and forced disappearances. These go hand-in-hand with the concomitant aims to improve the independence of the institutions, strengthen civil society, guarantee free and fair elections, ensure the freedom of expression and association and the enjoyment of all other civil and political rights, and foster a culture of transparency and accountability. The gender dimension is mainstreamed throughout these main areas.

**3. EU bilateral political engagement:** On 11 July 2019, Gabon offered the EU to resume the intensified political dialogue (IPD) which had been suspended since October 2017 by the Gabonese authorities precisely at the session intended to deal with human rights issues. The IPD took place during the last week of November 2019 and all outstanding issues were covered (human and fundamental rights, democratic governance and elections). A working group was established to continue the analysis and to inform periodically the regular political dialogue on these issues.

The EU delegation was in regular contact with political stakeholders to promote the rule of law, fundamental freedoms, civil and political rights and good governance. The EU delegation continued to monitor closely the situation of political detainees and maintained regular contact with civil society, and with the lawyers of detainees in such cases, in order to be kept as informed as possible about the detention status of political and other prisoners, as well as the prison conditions.

The EU delegation maintained contact with the President of the National Commission for Human Rights (NCHR) and a full range of political representatives. However, the NHRC continues to not be operational due to insufficient resources and questions over its independence.

**4. EU financial engagement:** In September 2019, the EU and UNDP signed a convention to finance a Project for promotion and protection of Human Rights in Gabon, which targets capacity building of institutional and non-governmental organisations. The program has three main axes: support to the CNDH (National Commission of Human Rights) to comply with international standards; capacity building of civil society and media to be able to follow human rights violations and setting up a framework for coordination and cooperation between state and non-state actors.

Several EIDHR's projects were implemented in 2019, focusing on promotion and support of HRR in Gabon, support to civil society, protection and support of HR defenders and more specific projects on gender and children.

**5. Multilateral context:** The EU made several interventions at the Human Rights Council in Geneva (one in every session of 2019) to make a number of key and priority points on Gabon.

## Ghana

**1. Overview of the human rights and democracy situation:** Ghana is ranked 'free' in the Freedom in the World Index 2019 by Freedom House, with a score of 83 out of 100<sup>9</sup> and with a rating of 1.5.<sup>10</sup> The report lauds Ghana's competitive multiparty elections and relatively strong record of upholding civil liberties. On the negative side, discrimination against women

---

<sup>9</sup> Where 100 is completely free.

<sup>10</sup> On a scale of 1 to 7 with one representing the greatest degree of freedom and 7 the smallest degree of freedom.

and LGBTI persons, weaknesses in judicial independence and the rule of law and (political) corruption persist

Ghana declined in the World Freedom of the Press Index 2019 by Reporters without Borders, losing its status as Africa's best ranking country. Ghana ranked 27<sup>th</sup>, falling back several places from 2018 (23<sup>th</sup>). The decline stems from a string of hostile attacks on journalists since January 2018, in some cases reportedly carried out by police officers.

Corruption perception remains an important concern for Ghanaian people and media, its position in the Transparency International Index 2019 remained stable. Ghana scores 41 out of 100 in 2019 (as in 2018, being 0 a highly corrupt country) and is in 80<sup>th</sup> position out of 180 countries.

Prison overcrowding remains an issue in the penal system in the country. In Ghana impunity remains one of the major problems, especially with reference to corruption cases. A positive development was the institution of a Special Prosecutor Anti-Corruption but his office has still not been provided with adequate resources to start tangible work. For certain crimes, the death penalty still exists. It has not been carried out for a long time. There is a considerable number of cases of unlawful pre-trial detention and detention without charges.

A positive step was the passing of the Right to Information Bill in March 2019. The Bill, set to be implemented in 2020, holds that everyone has the right to file requests for access to information concerning all documentation held by or on behalf of public authorities (with some exceptions) within a reasonable timeframe. The government also rolled out an e-Justice system to replace manual filing. The system is expected to increase accountability, transparency and efficiency in the judicial system.

**2. EU action - key focus areas:** Concerning Economic and Social rights the EU continued to fund the Anti-Corruption, Rule of Law and Accountability Programme (ARAP), aimed at promoting good governance in Ghana by reducing corruption and improving accountability and compliance with the rule of law, anti-corruption, accountability and environmental governance.

As regards migration, the second meeting on the Ghana-EU Migration Dialogue, focusing on the preparation of a Joint Action Plan following the five pillars of Valletta, took place in January 2019. The EU together with France launched in 2019 a regional program on the fight against human trafficking in the states of the Gulf of Guinea. Moreover, the EU signed two national EUTF projects, one on strengthening border management and a second one on climate change and job creation. Through a joint initiative with IOM, the EU also supports migrant protection and reintegration.

Child labour is a major issue in Ghana: UNICEF estimates that 21 per cent of all children aged 5 to 17 years are involved in some form of child labour and 14 per cent are engaged in hazardous forms of labour. Mainly stemming from poverty, child labour inhibits many children from attending school. Abductions and trafficking of children also feed the phenomenon. Child labour is especially prevalent in the fishery industry, the cocoa sector and in (illegal) mining. The number of children begging in the streets has decreased since last

year's appeal by the Minister for Gender and Social Protection to the public to stop giving money to child beggars. Child hawkers on the streets remain common.

Child marriages are common: 21% of girls aged 20-24 are married before the age of 18. Other serious issues include domestic violence, other gender-based violence (including Female Genital Mutilation) and sexual abuse, trafficking, exposure of children with disabilities to inhumane and degrading treatment, relatively high levels of neo-natal, infant and under-five mortality, malnutrition, and the overall absence of a comprehensive policy and strategy on children.

Gender and effective implementation of non-discriminatory policies: currently there are only 36 women out of the 275 seats in Ghana's parliament. Women's groups attribute this low number of female representation to the lack of support by political parties, the high cost of campaigning, a generally hostile and harsh political climate and traditional attitudes as inhibiting factors to women's participation in politics. The Affirmative Action Bill prepared in August 2016 has not been passed by the Parliament, and seems to be resisted by the majority.

Adolescent pregnancies are on the rise and there is a culture of silence around sexual education. In 2019, the Ghanaian government together with UNESCO and UNFPA came out with a new Comprehensive Sexuality Education (CSE) programme to be introduced in schools. Regrettably, several religious leaders followed by the wider public met the programme with massive opposition, eventually leading to the withdrawal from the school curricula.

Discrimination against LGBTI persons continues. Same-sex sexual acts are criminalised under the Ghanaian Criminal Code. While the law is rarely if ever enforced, the social environment remains tense and issues of sexual orientation and gender identity are highly sensitive. Persecution, physical violence and psychological abuse against the LGBTI persons are common. Religious and some political leaders play a strong role in (mis)informing the public and forming the view that homosexuality is an abomination or 'Western' invention.

**3. EU bilateral political engagement:** In April 2019, the Head of the EU Delegation opened a lecture titled 'Gender Issues in Europe: Lessons for Ghana' at Ghana University, organised under the funding contract between the EU and the Centre for European Studies. The delegation also participated in the 16 days of activism against gender-based violence between October and November 2019. EU was active in UNICEF'S campaign for the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child (CRC). The Head of EU Delegation contributed to the 16 days social media campaign of the 'Enough' project, as well as to the UN campaign.

The EU Election Follow-up Mission (EFM) deployed in September conducted an assessment of the election framework and the state of play of the implementation of the 2016 EU Election Observation Mission (EOM) recommendations. The EFM also held a roundtable, bringing together key electoral stakeholders in order to exchange views and build consensus on how the EU EOM recommendations could be implemented, in the run up to the 2020 general elections. By the time of deployment of the EFM, one recommendation had been

fully addressed, related to the adoption of the Right to Information Bill. From the six EU EOM recommendations involving EC operational reforms, two have been partially addressed.<sup>11</sup>

In November 2019, the EU delegation had a gender training focused on awareness-raising and on identifying entry points for gender mainstreaming in projects funded by the EU. The Country Gender analysis for Ghana prepared in 2018 continues to guide the work of the Delegation in its work on gender equality and girls' and women's empowerment. Ghana was the main guest speaker at the European parliament event on 20 November 2019 in Brussels for the 30<sup>th</sup> anniversary of the Convention on the Rights of the Child, as it was the first country to sign it.

**4. EU financial engagement:** The EU delegation is funding a multi-year project implemented by Oxfam Ghana and WillDAF Ghana working to end gender-based violence (GBV). The 'Enough' project aims to create an enabling environment for girls and women to know, claim and exercise their rights to end GBV. In 2019, two grants contracts were signed with two civil society organisations under the European Instrument for Democracy and Human Rights call for proposals on the fight against child labour. The two civil society organisations selected work on the fight against child labour in the fishing economy in the Volta region, where children are lured and trafficked to work in disentangling fishnets under water. The CSOs will work on sensitisation and awareness-raising on the issue, building the capacity of the local communities to protect the rights of children.

**5. Multilateral context:** Ghana has signed and ratified most existing human rights instruments including International Labour Organisation (ILO) conventions. It also exist the political will from all ends of the political spectrum to honour all previously signed and ratified instruments.

## Guinea Bissau

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Guinea Bissau remained worrying in 2019. However, the general security situation was stable and progress was achieved in promoting gender parity and the rights of LGBTI persons.

In 2019, elections were finally held with parliamentary elections taking place on 10 March and presidential elections first and second round respectively on 24 November and 29 December. The result of the second round was contested and opened a period of uncertainty in terms of full respect for the constitutional order.

The freedom of the media and access to information was not guaranteed and journalists continued to censor themselves when covering the government's shortcomings, organised crime and the military's continuing influence. This situation is a consequence of the political impasse after the 2012 coup, which polarised the media and journalists, weakened them and left them vulnerable to political influence and pressure. Government interference in the

---

<sup>11</sup> The final report of the EFM to Ghana can be accessed at <http://database.eueom.eu>

state-owned media resulted in the replacement of most of directors of media outlets and some journalists fleeing abroad to escape threats and intimidation.

Access to justice continued to be seriously affected by high costs of legal services. The lack of independence of the justice system was often exploited by political and individual motivations. The penitentiary system continued to face challenges in particular as regards detainment conditions, which remained below international standards and the lack of trained staff, which entails a high risk that the rights of detainees would not be respected.

Economic, social and cultural rights, such as the rights to adequate food, housing, education, health, social security, cultural life, water and sanitation, and the right to decent work, continued to be at risk in 2019. Women and girls' rights continued to be seriously threatened by the practice of female genital mutilation and early and forced marriages, despite the legal ban and solid rejection by the State of these harmful practices.

**2. EU action - key focus areas:** The priority sectors in the strategy of the EU Human Rights and Country Democracy 2016-2020 in Guinea Bissau are:

- Promoting democracy and the rule of law;
- Supporting freedom of information;
- Improving access to justice for the victims of crime and protecting the rights of detainees;
- Raising awareness of the need to promote women's rights, notably regarding fight against domestic and sexual violence, trafficking and sexual exploitation, FGM, and to assist and preserve the dignity of the victims;
- Promoting and protecting the rights of the child, notably against violence, trafficking and sexual abuse;
- Supporting civil society countrywide to actively promote and propagate the defence of these values.

**3. EU bilateral political engagement:** In the framework the Human Rights Day celebrations on 10 December, the EU delegation supported the 'Award on Journalism and Human Rights' granted by the independent human rights institution Liga Guineense dos Direitos Humanos (LGDH). The EU delegation organised different communication activities, mostly through social media, focusing on promotion of human rights. On 25 November, the EU delegation together with the Minister of Justice celebrated the International Day for the Elimination of Violence against Women with the UN Orange campaign. On 20 November, on the Children's Rights Day, the EU delegation joined the celebrations of the 30<sup>th</sup> anniversary of the Convention on the Rights of the Child with the UN agencies and the relevant Ministers. On 9 December, the EU delegation held a speech at the opening ceremony of the ECOMIB military forces training on 'Sexual violence and the protection of women and girls in conflict environment'. The EU delegation participated in the 'Quinzena dos Direitos', between 1-15 December, gathering different activities in the areas of culture and education on rights, organised by the most relevant actors in Bissau, NGOs, diplomatic missions and agencies.

**4. EU financial engagement:** In 2019, the EU provided further financial support to projects through EDF, DCI and EIDHR, but also through the EU Trust Fund for Africa on Migration and IcSP:

- Projects including actions for the rights of children and contribution to the coherence of the public policies of social protection of the child and to the development of an inclusive society (Kumpu Tera de Mininiesa); the rights of the handicapped (advocacy, right to education);
- Innovative project promoting the right to Health ended in 2019 and a new contract to extend the CSO-managed work of the 'Gabinete do Utente (Direito a Saúde)' was signed (approximately EUR 150,000).
- Support to Guinean League for Human Rights was granted in support of key activities as running the 'House of Human Rights', raising awareness, training for activists and CSO leaders on freedom of expression and manifestation, and also supporting the Journalist Prize on Human Rights;
- Support to Democracy and prevention of violence and participation was granted via EU basket fund for elections (EUR 3.5 million);
- CSO support for the election domestic monitoring (within a regional FPI programme – about EUR 200,000), support to participation of marginalised people to elections, including accessibility of polling stations (about EUR 100,000);
- In 2019, the EUR 22 million project in health sector supporting health rights, with specific approach on women and children rights (Maternal and child Health Programme PIMI II);
- Migration related projects support the fight against irregular migration and warnings against trafficking (EUTF – EUR 2 million);
- Project to strengthen the voice of civil society as a watchdog of natural resources was signed with the same NGO (about EUR 200,000);
- Direct support to the Basket fund managed by the UNDP for the organisation and realisation of elections, with an overall contribution of EUR 3.5 million, including civil register and realisation of legislative and presidential elections.

**5. Multilateral context:** In the course of 2019, no progress was noted towards the ratification of the Rome Statute of the International Criminal Court.

## Guinea

**1. Overview of the human rights and democracy situation:** Overall, progress has been made particularly in the adoption of legislative texts (new civil code), but the human rights, democracy and rule of law situation remained worrying. The year 2019 was marked by the persistence of unresolved challenges such as access to basic social services and the fight against corruption.

Parliamentary elections, as they are to be held in conjunction with the constitutional referendum in spring 2020, are likely to exacerbate the country's political/ethnic/social cleavages. Since October 2019, the opposition organised weekly demonstrations during which clashes caused more than thirty deaths.

Civil society is largely supported by international organisations but concerns persisted on the freedom of association. Guinean law protects the right to protest. However, requiring protesters to notify local authorities before the planned demonstration, the government introduced an informal protest ban in July 2018. In the field of freedom of expression, the relationship between the government and Guinean media professionals deteriorated in 2019. A 'Law on the prevention and repression of terrorism in Guinea' promulgated in 2019 contains unclear provisions that could be used to impede freedom of expression.

Concerning access to justice and the fight against impunity, progress could be observed (adoption of a new Children's Code and Civil code). However, the penitentiary system continued to face challenges in particular as regards detainment conditions (chronic overpopulation). As part of the fight against impunity, the State supports the start of the trial to hold accountable the alleged perpetrators of the 28 September 2009 stadium massacre. However, victims have waited for justice for more than 10 years and the trial seems not to be a priority anymore.

Economic, social and cultural rights, such as the rights to adequate food, housing, education, health, social security, cultural life, water and sanitation, and the right to decent work, continued to be at risk in 2019.

Concerning gender equality, the Guinean Constitution recognises the same rights for women and men to access services and resources. With support from development partners, including the EU, the Government of Guinea has adopted various initiatives to improve girls' access to education, such as the African Girls Education Initiative (AGEI). Although the state is committed to promoting gender equality and combating violence against women and girls, the revised Civil Code still discriminates against women and does not criminalise marital rape. The Guinean Constitution prohibits torture as well as any cruel, degrading or inhuman treatment, however, 97.5% of women between the ages of 15 and 49 have undergone genital mutilation (FGM) as well as 39% of girls between the ages of 0 and 14. The 2016 Criminal Code prohibits these practices but its application is very permissive (few investigations and sanctions).

**2. EU action - key focus areas:** The priority sectors of the EU Human Rights and Democracy Country Strategy 2016-2020 in Guinea are: (i) justice and the fight against impunity; (ii) democratisation and the fight against corruption; (iii) ensuring safety; (iv) gender equality;

**3. EU bilateral political engagement:** The EU supported the Ministry of National Unity and Citizenship, which enacted the 'National Policy Letter for the Promotion and Protection of Human Rights' in July 2019. Concerning the right to justice and in the context of the dialogue with the Ministry of Justice, the EU delegation insisted on handling remand cases as a priority. The EU delegation strengthened the collaboration with civil society through regular coordination meetings.

**4. EU financial engagement:** In 2019, the EU and the Member States continued to support the authorities and civil society:

- EIDHR/CSO-LA instruments, IcSP (WANEP) and bilateral cooperation PARJU help in the follow-up of specific human rights issues with civil society and have strengthened the role of NGOs.
- The EU launched a call for proposals consisting of two lots, funded respectively by the CSO-LA and EIDHR programmes. The amount available was therefore entirely allocated to two proposals on combating violence against women, specifically against female genital mutilation, for a total of EUR 300,000;
- The EU support for security system reform is important and is continuing with the third security sector reform programme, funded by the 11th EDF (PARSS 3), launched in 2018;
- In 2019, a large number of activities for the benefit of the Ministry of Security and Civil Protection were implemented: training for police officers and officers, renovation of two central police stations, as well as ongoing support to the Human resources directorate of the Ministry;
- A regional project is addressing human trafficking in 6 countries: Benin, Côte d'Ivoire, Ghana, Guinea, Nigeria and Togo (EUTF worth EUR 17.4 million);
- To help prevent the emergence of violent extremism in Guinea through support from community and institutional actors, the EU funded the NGO Search for Common Ground Guinea in partnership with Quale as part of the project 'United in our differences! Promoting peaceful coexistence', implemented from April 2018 until October 2019.

**5. Multilateral context:** Following the 2018 political dialogue postponed to 30 January 2019, no other session of Article 8 dialogue was held in 2019 due to political tensions.

Guinea underwent the Universal Periodic Review (UPR), on 21 January 2019. During this session, Spain made recommendations related to the (i) Ratification of the Optional Protocol to the Convention against Torture and other cruel, inhuman and degrading treatment, as well as the creation of a national mechanism for prevention and investigation independent of all reports of torture; (ii) decriminalisation of same-sex adult relationships and promotion of human rights of LGBTI persons; (iii) urgent development of strategies to eradicate Female Genital Mutilation; (iv) ensuring access to sexual and reproductive health services; (v) adoption as soon as possible of a new Civil Code that removes all discriminatory provisions against women in the field of family law.

## Kenya

**1. Overview of the human rights and democracy situation:** Human rights abuses such as extra-judicial killings, disappearances and unlawful detentions continue to be reported by civil society organisations, with the police singled out as a source of a number of problems. Conflicts over land rights coupled with evictions of tribal groups from ancestral lands, allegedly sometimes in the name of business interests disguised as conservancy needs, continued to occur. 2019 was also dominated by headlines about the fight against corruption, an all-pervasive problem in Kenya, in the wake of the high profile arrests of the Treasury Minister (Cabinet Secretary) Henry Rotich and Nairobi Governor Mike Sonko. These indictments have not yet led to convictions and seizures of assets. Political discourse in

Kenya in 2019 was dominated by speculation and discussion about the purpose and substance of the Building Bridges Initiative (BBI). The BBI had been launched by President Kenyatta Raila Odinga, following their 9 March 2018 'Handshake', as a way of exploring an alternative, less conflictual approach to Kenyan politics that would lead to a reduction of violence during elections. The 159-page BBI report, the outcome of the reflection process, was published on 27 November 2019. It recommended a series of political reforms, including changes to the executive, some of which are likely to require constitutional changes. The effect of the publication of the BBI report has so far been two-fold: on the one hand, it has brought a number of the previously sceptical opposition party leaders somewhat closer to the Kenyatta camp. On the other hand, the political rift within the ruling Jubilee Party between the supporters of President Kenyatta and the supporters of his Deputy President William Ruto, which was triggered by the 'handshake', has continued. Ruto, along with several other opposition leaders, consider the BBI as vote-garnering vehicle for Odinga, his rival to the Presidency in 2022. Nevertheless, Ruto and his allies were giving signals that at the very least they could support the general substance of the BBI report, if not the form that the BBI process has taken so far.

**2. EU action - key focus areas:** The EU delegation focused on five key priorities in 2019: (i) Civic Space, (ii) Human Rights and Security Forces, (iii) Impunity and Accountability, (iv) Human Rights Defenders and (v) Women's Rights. These priorities served as a basis for both operational programming and diplomatic outreach.

**3. EU bilateral political engagement:** In autumn 2019, the Head of the EU Delegation invited a broad range of human rights CSOs during a dinner to discuss the human rights challenges in Kenya, and on another occasion in the same period met with representatives of groups defending their ancestral lands. The Head of the EU Delegation also engaged on with key actor such as the Director of Public Prosecution, the Chief Justice, the Director of Criminal investigations and the Ethics and Anti-Corruption Commission on corruption. Throughout 2019, the EU delegation and EU Member States participated in meetings with human rights defenders held (approximately bi-monthly) at the Belgian embassy which served as the EU's designated HRDs' contact point. Human Rights issues were also addressed in the first half of 2019 through the Whole of Society Dialogue.

**4. EU financial engagement:** In 2019, the EU continued implementing the Programme for Legal Empowerment and Aid Delivery (PLEAD), a five-year justice support programme of EUR 34.15 million aimed at improving access to legal aid and the expeditious delivery of justice. The programme targets the counties with the five largest urban centres and seven counties in the most marginalised areas in Kenya and is implemented through the Department of Justice (implementation of the new legal aid act), Amkeni Wakenya (UNDP led facility supporting local Civil Society Organisations contributing to the delivery of legal aid services), and UNODC (supporting Judiciary, the Office of the Director of Public Prosecutions, the Kenya Probation and Aftercare Service, the Witness Protection Agency, and the National Council on the Administration of Justice.

Following an EIDHR call for proposals a focused on 'Human Rights and law enforcement' in 2017, the following projects were being implemented in 2019:

- (a) The Danish Institute for Human Rights (EUR 410,000), working directly with the Independent Police Oversight Authority to provide training on human rights and extra-judicial killings;
- (b) The Kenya National Commission on Human Rights (EUR 387,000), focusing on institutional strengthening, monitoring of Kenya's international obligations, and investigation and redress of human rights violations related to extra-judicial killings and torture, the UPR process, training and awareness raising around torture, etc.;
- (c) Peace Brigades International (EUR 414,000), working at the grassroots level with two community-based organisations to support human rights defenders and enhance dialogue between the police and local population in Nairobi's urban settlements;
- (d) the Death Penalty Project (EUR 393,000) in providing legal assistance and support to criminal defence/human rights lawyers, capacity-building of legal and medical professionals involved in capital cases; and to campaign in favour of the abolishment of the death penalty.

In 2019, the EU launched an EIDHR call for proposals aimed at Human Right Defenders organisations in Kenya. Following this call, the EU delegation awarded grants to the following projects:

- (a) WE EFFECT (EUR 445,000) Enhancing Women Land Rights at Grassroots Level in Kakamega, Busia, Nairobi and Mombasa Counties;
- (b) Protection International Kenya (EUR 445,000): Supporting Women HRDs and their grassroots organisations in Mathare to document and prevent Extrajudicial Executions;
- (c) CESVI (EUR 445,000): Protection and promotion of children best interest in the Kenyan Juvenile Justice System;
- (d) MINORITY RIGHTS Group (EUR 440,000): Ethnic Minority Defenders: Amplifying the voices of indigenous Ogiek (Mau Forest and Mt Elgon), Sengwer (Embubut Forest), Endorois (Bogoria) and Awer (Boni Forest), to advocate for their rights to health & education (contract still to be signed).

**5. Multilateral context:** Kenya will undergo a Universal Periodic Review (UPR) in 2020. In October 2019, Kenyan civil society organisations presented their review of the human rights situation in Kenya and analysed the status of implementation of the UPR recommendations. The Kenyan government accepted 192 (76%) out of the 253 recommendations.

## Kingdom of Lesotho

**1. Overview of the human rights and democracy situation:** After some delays, the national reforms consultation process ended with the second and last Multi-Stakeholder National Dialogue (MSND) plenary session from 25 to 27 November 2019. The final report of the last MSND was handed over on 18 December 2019 in a solemn ceremony to Communications Minister Thesele Maseribane (representing the Prime Minister), opposition leader Mathibeli Mokhotu, and SADC Facilitation Team Member Mohamed Enver Surty (representing Cyril Ramaphosa). The report contains the decision of reforms adopted by the last MSND. Following this phase of consultation and negotiation, Lesotho is due to start in 2020 with the implementation of decisions taken at the second MSND. With the conclusion of the reforms dialogue, the National Reforms Authority, encompassing representatives of political parties

and various sections of society, will be guiding the implementation of constitutional, parliamentary, judicial, public sector, security sector, media and economic reforms. The reforms process also included several projects and platforms, such as the National Leaders Forum, which analysed and discussed expert reports. Despite this progress, political upheaval between and within both the government and opposition parties persists. There have been two snap elections in the past eight years, holding the country back in implementing long-delayed reforms. A remaining issue of concern in the field of human rights and democracy is repeated police brutality, including severe mistreatment and torture of detainees, which, in several cases, has led to deaths of persons in police custody. The issue was addressed in the national reforms dialogues, and resulted in the proposal to establish a Police Complaints Authority as oversight body in order to regain control over the matter. In addition, high levels of corruption persist and continue to be a serious challenge for the country.

**2. EU action – key focus areas:** EU priorities and policy dialogue on human rights and democracy focused on the issues of women’s participation, social protection, rights of LGBTI persons and strengthening of local human rights organisations. Actions identified within EU instruments focus on the reinforcement of the justice system and on improving transparency and accountability in decision-making.

**3. EU bilateral political engagement:** On 29 March, the Article 8 Political Dialogue took place between the Government of Lesotho and the European Union. Several representatives of Member States' embassies accredited to Lesotho but resident in Pretoria attended. No EU Member States have a permanent presence in Lesotho. The UK re-opened a High Commission in Maseru in May 2019.

The reforms discussions were overshadowed by the ongoing crisis in the main party of the ruling coalition, the All Basotho Convention, which underlines the importance of successfully completing the reforms. The national dialogue and reforms process remains the principal concern for the EU delegation. Its active engagement with government, opposition politicians and civil society organisations (CSOs), and support for the reforms, will continue.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support to projects funded through the European Development Fund (EDF). The EU Country Based Support Scheme (CBSS) in Lesotho has provided substantial support under the European Instrument for Democracy and Human Rights (EIDHR). The implementation of three EIDHR projects ended in early 2019 and a new call for proposals under the EIDHR is expected to be launched only in 2021.

In line with the EU commitment to supporting the establishment of a Human Rights Commission abiding by the Paris Principles, the Transformation Resource Centre (TRC) has benefitted from an EIDHR grant. TRC lodged a constitutional case challenging the validity of the current non-Paris Principles compliant Act, which was dropped when the Ministry of Law, Constitutional Affairs and Human Rights amended the act as required. Cabinet approved the draft bill; it is expected to pass Parliament in 2020. Other CSOs benefitting from EIDHR grants have been the Lesotho Council of NGOs (LCN) for promoting the rule of law and accountability, and Women in Law in Southern Africa (WILSA) for their work in preventing and eliminating child marriages and violence against LGBTI persons. In 2019, the

EU signed a further grant contract with WILSA following a Call for Proposals under the 11<sup>th</sup> EDF CSOs support programme, thereby supporting gender justice, acceleration of transformative gender policies and advancement of economic empowerment of women and girls. As part of the Participatory Initiative for Social Accountability (PISA), dialogues on political participation and gender equality, among other topics, have been organised. The EU funding for the support to social protection in Lesotho was increased from its initial EUR 8 million to 16 EUR million with a view to help building up a comprehensive and integrated social protection system led by UNICEF, in partnership and collaboration with the Ministry of Social Development.

**5. Multilateral context:** Lesotho has signed and ratified almost all of the major UN and AU instruments including conventions and protocols for the protection of human rights, with the main exceptions being the Optional Protocol to the Convention against Torture and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. Only a few of the instruments that have been signed and ratified have been codified into national law. The last Universal Periodic Review (UPR) took place in 2015, with different stakeholders engaged in the preparations. Out of a total of 169 recommendations, 137 recommendations have been supported by Lesotho, additional clarification was provided on one recommendation, and 31 were noted. The recommendations effectively rejected were mainly addressing matters such as rights of LGBTI persons or the abolition of the death penalty. The next UPR for Lesotho will take place in 2020.

## Liberia

**1. Overview of the human rights and democracy situation:** Liberia is still a fragile country and 16 years since the end of civil war root causes of conflict remain unaddressed and post-conflict reconciliation - unachieved. Liberia still needs to consolidate inclusive and accountable governance and rule of law.

The Government of President Weah, in office since January 2018, pledged to crack down on corruption and alleviate poverty in a country where poverty and inequality levels are very high. Since mid-2018, the country has been suffering a deep economic crisis, with high inflation and currency depreciation, which has severely affected the Liberian population, particularly the poor and most vulnerable.

In 2019, the Government was facing serious financial constraints, which resulted in widespread and significant delays in the payment of civil servants' salaries across the country. Several strike actions by civil servants, particularly education and health workers aggravated the already very poor functioning of public services in Liberia, fuelling social discontent and mass protests in June, where thousands of demonstrators gathered in Monrovia to protest against corruption, economic decline and bad governance. The harsh economic situation and the lack of implementation of recommendations issued by the Truth and Reconciliation Commission (TRC), particularly the creation of a 'criminal prosecution

mechanism' for war crimes, are a breeding ground for political and social unrest and for reviving old divisions in the country.

Human rights concerns remain in the areas of death penalty (de-facto moratorium), enforcement of legislation against child labour and exploitation, as well as access to justice, health and education, lengthy pre-trial detention, poor prison conditions and questions regarding the sound management of Liberia's significant natural resources. Sexual and gender based violence (SGBV) continues to be a major challenge, and impunity for such acts remains high. Female Genital Mutilation (FGM), affecting a significant part of Liberian women and girls, is not prohibited by law, and is perpetuated by secret societies through initiation rites. On 4 July 2019, the Parliament voted to pass into law the Domestic Violence Bill. The bill, among other things, is seeking tighter punishment for perpetrators of domestic violence and protection for victims/survivors. Attempts to introduce FGM in the domestic violence bill failed. Same-sex sexual conduct between consenting adults is criminalised and there have been attempts to increase penalties. Groups advocating for the rights of LGBTI persons are particularly vulnerable to harassment. Liberia's Constitution protects freedom of expression and the environment for human rights defenders (HRDs) in Liberia is generally benign, although there are incidents (harassment, detention or fines of individual HRD or journalists). The Kamara Abdullah Kamara Act on Press Freedom was signed into law on 28 February 2019. It amended the Penal Law of 1978, repealing the sections on criminal libel against the President, sedition and criminal malevolence. The police handled professionally the mass protest on 7 June 2019, when thousands of citizens demonstrated peacefully on the streets of Monrovia. However, police corruption and heavy-handed behaviour continues to be reported in the context of individual interactions with citizens. An incident of electoral violence took place on 17 August 2019, during a by-election to fill a vacancy at the House of Representatives in a district in Monrovia.

**2. EU action – key focus areas:** EU action in Liberia in the areas of human rights and democracy focused on women's rights, accountability of parliament, strengthening key autonomous institutions to monitor, enforce and promote good governance, strengthening the capacity of civil society, improving prison conditions and reducing pre-trial detention.

**3. EU bilateral political engagement:** The EU human rights dialogue with Liberia is carried out as part of the EU-Liberia Article 8 Political Dialogue. Topics raised in 2019 included the fight against FGM and SGBV, women's participation in public affairs, prison conditions, trafficking in persons, including child abuse and labour, and the need to deliver on anticorruption promises. In terms of public outreach, the EU and EU Member States participated in various events and activities to mark international human rights days.

On the 17<sup>th</sup> World Day Against the Death Penalty, the EU Ambassador delivered the keynote address and recalled the EU's firm opposition against the death penalty and calling on Liberia to abolish death penalty in its law, thereby fulfilling its international obligation as a State party to the Second Optional Protocol to the International Covenant on Civil and Political Rights. In July, the EU delegation, in collaboration with the Press Union of Liberia, convened a roundtable discussion with representatives from the media, the Ministry of Information and political parties, to address the increasing use of inflammatory messages and hate speech in the Liberian media. Several local EU-initiated or EU-supported statements were issued in the context of the 7 June protests and the protests planned on 30 December in

view of deescalating tensions, calling for peaceful manifestations and appropriate security measures for the event, and stressing the importance of inclusiveness and national dialogue. In August, the EU, Member States and the US embassies in Monrovia issued a joint statement condemning an incident of electoral violence and calling for an investigation into the events.

**4. EU financial engagement:** Good governance, including support for the electoral process, is a focal sector for the 'National Indicative Programme', which is the basis of cooperation agreed with the Government of Liberia until 2020. Practical support to address human rights concerns is provided through specific projects in areas including women's rights, children's rights and the justice sector. European Instrument for Democracy and Human Rights (EIDHR) projects in Liberia in 2019 concerned work with local CSOs to promote human rights.

The EU-UN Spotlight Programme was launched in June 2019 in Liberia, with the aim to reduce the high prevalence of SGBV in the country and increase women's and girls' access to sexual and reproductive health and rights. The four-year programme will be implemented by the UN, the Liberian Government, CSOs, traditional actors and the private sector with an EU contribution of USD 17.7 million for the first 2 years. Liberia is one of the eight African countries chosen to be a Spotlight partner. In partnership with Sweden and the UNDP, the EU provided support to improving electoral institutions and processes. Other projects supported the decentralisation process and the General Auditing Commission.

**5. Multilateral context:** Liberia has ratified the main international human rights instruments, but many still need to be integrated into domestic law. The Ministry of Justice is leading the process to follow up on Universal Periodic Review (UPR) recommendations of May 2015 and to prepare for the next UPR of Liberia foreseen in 2020.

## Madagascar

**1. Overview of the human rights and democracy situation:** Electoral processes (including presidential, parliamentary and local elections) have been generally conducted within the legal and electoral framework without political violence. However, the last elections in 2018 were contested by a number of parties that requested cancellation because of the weaknesses in the voter's registry and the disparity of resources used by the candidates.

The overall human rights situation in Madagascar remains worrying. The areas of concern are extreme poverty, governance issues, vulnerability to climate change, and insecurity in urban and rural areas, basic health and education needs. Despite certain efforts aiming at improvement of the conditions of detention, reforming the judicial and penitentiary system, guaranteeing all detainees access to a fair and equitable trial within a reasonable period remains a primary human rights concern in Madagascar. This situation is linked, i.e., to still ineffective judiciary system which suffers the crisis of trust and is affected by the corruption largely spread. The judiciary suffers from a severe lack of resources, with only one or two sessions taking place in one district each year. This is the cause for growing number of cases of the mob justice. Another significant human rights concern in Madagascar are the extrajudicial killings. It is estimated that over 4000 people have been extra judicially

executed already in Southern Madagascar by law enforcement officials, in the context of fight against so-called 'dahalo', groups of armed men stealing cattle. Although certain steps have been taken in the field of empowerment of women, their situation remains precarious. The violence against women is socially accepted: 26 % of them experienced physical violence, 24% - psychological, 11% - sexual abuse.

**2. EU-action – key focus area:** The EU Human Rights and Democracy Strategy for Madagascar has the following priorities: (i) consolidation of democracy and support for electoral processes; (ii) promotion of economic and social rights; (iii) the rights of children and women, in particular the fight against gender-based violence and sex tourism; (iv) strengthening access to justice and combating corruption and impunity.

At the same time, transversal priorities were identified, in particular the strengthening and accompanying of a committed civil society, as well as particular attention to the most vulnerable populations such as people suffering from disabilities.

The EU deployed an EU Election Observation Mission for the presidential elections in 2018, which presented the final report in April 2019. The mission made 27 recommendations touching in all aspects of the electoral process. One of the key recommendations was to address the poor participation of women in politics. At the end of 2019, only two recommendations had been implemented.

**3. EU bilateral political engagement:** Respect for human rights is an essential element of political dialogue with Madagascar. On 2 May 2019, the first political dialogue with the new administration took place, in the presence of President Rajoelina. The session provided an opportunity to highlight EU concerns about specific human rights issues, as well as to encourage the government to make further progress.

**4. EU financial commitment:** Since 2013, the EU has been implementing the Project DINKA, aiming at enforcing the civil society (EUR 10 million in 11<sup>th</sup> EDF).

Within the framework of post-crisis support, a project of EUR 17 million for the period 2014-2020, entitled 'Administration for all' aims to strengthen the efficiency and integrity of public administration: delivery and quality of public services; human resource management; support for public authorities; support for judicial follow-up to penalise the infringements noted.

Various projects for persons with disabilities, children, women, youth, families in urban areas, delinquents (women, minors) amount to more than EUR 1 million per year.

Various support (IcSP and EIDHR) to civil society in the framework of the 2018-2019 general elections (EUR 2 million over two years) in favor of a smooth electoral process.

**5. Multilateral context:** The Universal Periodic Review (UPR) of Madagascar took place in November 2019. Most delegations acknowledged the progress made by Madagascar since its last UPR review in 2014, and commended its efforts to improve the human rights situation. Amongst achievements noted were the ratification of the Optional Protocol to the

Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, and most recently of the Second Optional Protocol to the International Covenant on Civil and Political Rights, as well as the establishment of an Independent Human Rights Commission. Delegations expressed similar concerns to those raised in the 2014 UPR in key areas such as child marriage and the exploitation of children, torture and excessive use of force by security forces, gender-based violence, discrimination against women, detention and prison conditions, as well as freedom of expression and association.

## Democratic Republic of Malawi

**1. Overview of the human rights and democracy situation:** In 2019, Malawi went through a very tense electoral and post-electoral period, which had a negative effect on human rights in different ways. The pre-electoral environment registered some scenes of intimidation and violence thereby compromising free political participation of some electoral candidates notably women.

The country held tripartite elections on 21 May 2019, a sixth general election since the introduction of the multi-party system in 1994. The elections were highly competitive, particularly following the creation of a new political party ‘the United Transformation Movement’ (UTM) by the Vice President in July 2018. The post-election environment has largely been characterised by protests in form of peaceful demonstrations that sometimes registered violence leading to injuries as well as damage to property. Ultimately, lawlessness ensued in many instances leading to human rights violations.

This environment was further undermined by reports of police brutality and an increasing involvement of the military in public order management. A local human rights NGO (CHREAA) released a report accusing the police of extra judicial killings in a systematic campaign against hard-core criminals reported to have claimed over 25 lives. Another report by the Malawi Human Rights Commission released in December 2019 alleged that police officers sexually assaulted 17 women and girls (including a child) in Mpingu and M'bwatalika areas. This was immediately after police was deployed to quell riots in a close by area (Msundwe) where a police officer was stoned by the mob. Such are the incidences that continue to undermine levels of public trust in the police.

In the process, this influenced an increase in mob justice. The situation has resulted in over ten deaths blamed on mob killings. Properties of the victims of mob justice have also been damaged, further affecting families. Alleged thieves, witches and wizards have been common victims. More worrisome is the trend where the mob killings are even shot on video and shared on social media with communities standing by as ring leaders hack, stone or burn the accused. The police have been involved in arresting perpetrators but usually when the killings have already been done. Violence against persons with albinism, including killings, continued especially in the early part of the year. Four perpetrators in two court cases have been sentenced to death having been found guilty of killing persons with albinism. This entails continued existence of capital punishment in Malawi though in practice nobody has been executed since 1994.

**2. EU action – key focus areas:** In 2019, the EU delegation maintained support to some of its main human rights and democracy priorities, including:

- Strengthening access to justice through support to justice and accountability institutions helping to uphold human rights values and the rule of law.
- Empowerment of women through enhancing their representation in decision-making positions especially young women in politics. Additional focus has also been on addressing gender-based violence and promoting girls' access to education.
- Supporting disadvantaged groups especially people living with disabilities among others, advancing promotion and protection of their rights including for persons with albinism.
- Reducing cruel, inhuman or degrading treatment or punishment, including by upholding human dignity of prisoners.

**3. EU bilateral political engagement:** The EU Election Observation Mission was in Malawi from 4 April until 16 June 2019 and released its preliminary statement on 24 May 2019. A return mission was not possible in 2019 due to the political environment. The EU delegation continued to raise its concerns over various human rights issues with authorities, including on:

- prison overcrowding, inhuman treatment of prisoners and capital punishment;
- the shrinking space for civil society, as identified during an EU-CSO dialogue;
- police and judiciary accountability, and corruption within these institutions;
- the treatment of persons belonging to minorities and women in Malawi;
- violation of rights of persons with albinism.

These issues featured prominently in the article 8 Political Dialogue meetings held in January and November 2019. Additionally, the EU delegation released a statement urging swift reaction by the authorities on the allegations of rape against the police as raised by the Malawi Human Rights Commission. The EU delegation issued another statement calling for effective protection of persons with albinism, to ensure full respect of their human rights and to allow their full and active participation in the social, economic and political life of the country.

**4. EU financial engagement:** Under the umbrella programme on governance (Chilungamo Programme), the EU delegation facilitated access to justice working with the Malawi Human Rights Commission, office of the Ombudsman, the Legal Aid bureau, the Malawi Police Service, the Malawi Prison Service and the Judiciary. Additionally, the programme supported the delivery of the second tripartite elections in Malawi through the Malawi Electoral Basket Fund and continued to support national registration through the National Registration Identification System. The EU delegation has also addressed Sexual and Gender Based Violence (SGBV) through the Spotlight Initiative. Among others, the programme is facilitating establishment of safe spaces including expertise for handling SGBV cases. It is further facilitating male engagement as a strategy for dealing with SGBV.

In September 2019, the EU signed two grants with CSOs under the European Instrument for Democracy and Human Rights (EIDHR) to implement activities for two years to protect

persons with albinism in eight districts of the country. The initiative is yet to register outputs but is anticipated to enhance access to health and justice services for persons with albinism.

**5. Multilateral context:** Malawi continues to be active in the multilateral context including participating in reporting on the different conventions it has ratified. In 2019, Malawi participated in the Human Rights Council meetings in Geneva but also updated the African Commission on the status of Human Rights in Malawi. The country also drafted reports on CEDAW, the African Charter on the Rights and Welfare of the Child and is finalising its UPR report. Data collection for the same has been supported by the EU through the Chilungamo Programme. These reports are expected to be submitted soon. The next UPR session for Malawi is scheduled for 2020. One long overdue state party report on the Convention Against Torture was submitted in 2019 after over 15 years since the last submission. Other long overdue reports are however yet to be submitted and these include the Convention on Economic, Social and Cultural Rights, as well as the Convention against Racial Discrimination.

## Mali

**1. Aperçu de la situation des droits humains et de la démocratie:** La situation des droits humains s'est détériorée au Mali en 2019, à cause notamment de l'amplification de la crise sécuritaire. La combinaison des conflits communautaires, des exactions commises par les groupes armés terroristes et de la répression des forces de sécurité malienne a eu un impact dramatique sur la violence envers les civils. Ainsi, l'année 2019 a été la plus meurtrière depuis le début de la crise politique et sécuritaire en 2012, avec des centaines de civils tués (plus de 450 morts) et blessés par des groupes d'autodéfense ethniques et des groupes armés islamistes dans le Centre et le Nord du pays.

La stigmatisation des peuls, souvent considérés comme des alliés des terroristes, est une source de violations des droits humains, aussi bien par les forces de sécurité maliennes - largement visées en 2019 par les attaques terroristes - que par les milices d'auto-défense dogons. Le pire massacre que le Mali ait connu dans son histoire récente a été perpétré par des miliciens dogons le 23 mars dans le village d'Ogossagou, faisant 150 morts peuls.

En outre, la question du banditisme généralisé pose problème, notamment dans la mesure où il continue de mettre à mal les moyens de subsistance et nuit à aux capacités des agences humanitaires, victimes d'attaques en particulier à Ménaka, à apporter une aide.

La lutte contre l'impunité demeure une priorité absolue malgré quelques (lents) progrès dans l'administration de la justice. Certains progrès réalisés par les autorités maliennes en 2019 sont à noter dans l'administration de la justice (des enquêtes et poursuites sont ouvertes, les compétences du pôle judiciaire spécialisé ont été étendues notamment aux crimes graves contre l'humanité en juillet 2019). Le Dialogue National Inclusif organisé en fin décembre 2019 est dans l'ensemble bien accepté par la population fait ressortir certaines recommandations liées à la problématique des droits de l'Homme : nécessité d'accroître le rôle de la femme dans la société, l'implication des jeunes. Malgré tout, les progrès en matière de lutte contre l'impunité tardent à se faire sentir.

Plus de 150 enfants ont été tués lors de violences communautaires, par des engins explosifs ou lors d'échanges de tirs. La situation des femmes ne s'est pas améliorée au Mali en 2019. Elles restent largement victimes de violences sexuelles, de pratiques culturelles nocives et de nombreuses formes de discrimination. Pour autant, la question des droits des femmes peine à être considérée comme une priorité par l'Etat malien, qui semble tiraillé entre la nécessité de refléter dans sa législation les réalités socio-culturelles et religieuses du pays et ses engagements nationaux et internationaux à lutter contre toutes formes de discrimination à l'égard des femmes.

L'aggravation de la situation sécuritaire dans le pays a eu un impact sur la situation politique: nouvelle prorogation des élections législatives en juin 2019 et retards dans le processus de révision constitutionnelle. La tenue du Dialogue National Inclusif (DNI) en décembre dernier a cependant permis de relancer le processus politique en aboutissant aux recommandations d'organiser des élections législatives avant le 2 mai 2020<sup>12</sup> et un référendum constitutionnel courant 2020.

**2. Action de l'UE sur les droits humains – domaines d'action prioritaire:** La stratégie 2016-2020 de l'Union européenne pour les droits humains et la démocratie s'est concentrée sur trois grandes priorités :

- La justice, notamment la lutte contre l'impunité, l'égalité d'accès à la justice, l'amélioration des conditions de détention ;
- Droit des enfants, combattre leur exploitation économique notamment pour les enfants des rues, lutte contre le trafic ;
- Droits des femmes, notamment lutte contre les violences basées sur le genre;

**3. Engagements politiques bilatéraux de l'UE :** L'UE mène des actions pour soutenir les efforts du Mali dans le renforcement de son cadre institutionnel, de la gouvernance, de l'Etat de droit, et de la capacité de la société civile à influencer les politiques publiques. L'UE poursuit un dialogue avec les autorités en ce qui concerne la lutte contre les violences faites aux femmes et enfants, le retour de la sécurité dans le centre et l'éradication de la violence commise par les groupes armés, la lutte contre l'impunité, et le renforcement du cadre juridique relatif aux droits humains de manière générale.

**4. Engagements financiers de l'UE :**

- En ce qui concerne l'accès à la justice, l'UE a financé le Programme d'appui à la justice (PAJM – EUR 12 million) qui a notamment permis la construction de 9 juridictions. Sur le FED toujours, l'UE finance un nouveau projet (PAJM II – EUR 7 million) pour améliorer les conditions de détention et le respect de la dignité des personnes détenues au Mali;
- L'UE est engagée pour la consolidation de la chaîne pénale et la lutte contre l'impunité, notamment au centre du pays, avec l'instrument IcSP (EUR 3,5 million);
- Pour éliminer les violences faites aux filles et aux femmes, et lutter contre les VBG, l'UE cofinance un large projet régional dont le Mali bénéficie à hauteur de EUR 18 million (Spotlight);

---

<sup>12</sup> Le calendrier des élections législatives a depuis été annoncé par le conseil des Ministres : 1<sup>er</sup> tour le 29 mars et deuxième tour le 19 avril 2020.

- Les projets financés par l'Instrument Européen pour la Démocratie et les Droits de l'Homme (IEDDH) via l'appel à proposition de 2019 concernant la lutte contre les violences basées sur le genre, le financement d'un Observatoire citoyen contre l'impunité et pour la redevabilité, et l'assistance aux enfants en situation de rue (EUR 1,5 million). Les projets des appels précédents toujours en cours en 2019 concernent la promotion des droits des femmes, comme la lutte contre l'excision ou le soutien à leur représentativité politique (EUR 1,6 million);
- Le principal appui direct à la Société Civile est fait à travers le programme HIBISCUS du 11ème FED (EUR 5 million– 30/03/2018 - 30/03/2021). Après un processus relativement long de consultation, plusieurs contrats ont été attribués fin 2019 et des actions concrètes seront menées en 2020 par et pour les OSC (formations et accompagnement de plus de 100 OSC en fonctionnement, gouvernance interne, recherche de financement, décentralisation et genre). En 2020, l'UE entend apporter un appui aux nouveaux acteurs de la société civile (bloggeurs, réseaux sociaux), octroyer des micro-subventions aux organisations de base pour des activités en liens avec les plans de développement économique social et culturel (PDESC) des collectivités territoriales, appuyer la création d'un fonds destinés au financement de la société civile;
- De plus, des fonds de la ligne thématique CSO & LA (budgets 2018 et 2019 – EUR 3,2 million) ont été attribués en 2019 au Secours Islamique France pour une action visant à contribuer à l'action des associations des maîtres coraniques pour l'intégration des écoles coraniques dans le système éducatif formel et pour l'amélioration de la bienveillance des talibés;  
Enfin, dans le cadre de nombreux projets, les organisations de la société civile (associations, ONG, etc.) sont chargées de mettre en œuvre des activités et/ou consultées.

**5. Contexte multilatéral:** Le Mali a signé et ratifié la plupart des conventions internationales dans le domaine des droits de l'Homme. En revanche, l'insécurité, l'inefficacité du système judiciaire et le manque de volonté des autorités d'aller à l'encontre de pratiques enracinées dans la culture font que ces conventions sont mal, voire pas du tout, appliquées.

## Mauritania

**1. Overview of the human rights and democracy situation:** President Mohamed Ould Abdel Aziz kept his promise and stepped down at the end of his second mandate in accordance with the Constitution. He gave his backing to former Army Chief of Staff and Minister of Defence, Mohamed Ould Cheikh El Ghazouani, who won the presidential election on 22 June 2019 with 52% of the vote. MP and abolitionist activist Biram Dah Abeid came in second with 18.59% of the vote. The election was followed by sometimes violent demonstrations, repressed by the police. Several people were arrested and the internet was cut off for ten days. The new president took office on 2 August 2019; it was the first constitutional succession between two elected presidents since the independence of Mauritania in 1960. All detainees arrested following the post-election events in June were released in November 2019.

President Ghazouani promised to implement a programme of national unity, social cohesion and inclusive development. Improving basic social services (health, education) is the priority of the new government. The President's openness towards the opposition created a climate of political appeasement potentially facilitating the implementation of the reforms proposed in the electoral programme.

Mauritania remains at the top of the Reporters without Borders list of Arab countries when it comes to the freedom of written press and social media platforms. However, its overall ranking has continued to deteriorate, slipping from the 72<sup>nd</sup> to 94<sup>th</sup> place among 180 countries. The blogger Mohamed Cheikh Ould M'khaitir, an extrajudicial detainee since the Court of Appeal ordered his release in November 2017, was freed in July 2019 and left Mauritania.

The new president of the National Commission for Human Rights organised several caravans of information and awareness-raising on human rights in the country, speaking openly about sensitive issues such as slavery and discrimination. In October 2019, Mauritania was elected to the Human Rights Council for three years (2020-2023), which gives the country increased responsibility and visibility in this area.

Slavery remains a persistent issue in Mauritania but advances were made in 2019 with prison sentences handed out to five people in three cases by the special tribunals charged with judging cases of slavery.

Two rapists of young girls were sentenced to prison terms in December 2019: in Kaédi the rapist of a 15-year-old girl received 5 years in prison and in Nouadhibou the rapist of a 7-year-old girl received 10 years in prison. These are the first convictions for sexual violence in Mauritania where financial arrangements between families result in rapists usually not being judged. The draft law aimed at combatting gender-based violence, which had been blocked twice by the National Assembly, was under revision by the government.

**2. EU action – key focus areas:** The EU supports the four identified priority areas in the field of human rights: ensuring a functioning justice system, putting an end to practices of slavery, supporting the inclusion and rights of Mauritanian women and putting an end to torture. The EU's activities in Mauritania in 2019 focused on supporting, encouraging and accompanying the implementation of these topics, as well as helping to provide the necessary space for corresponding reforms.

**3. EU bilateral political engagement:** The EU delegation holds regular political dialogue meetings with the Mauritanian government. During these meetings, the issue of human rights is a constant feature. The EU also raises specific human rights cases directly with the government.

Various projects funded by the European Instrument for Democracy and Human Rights (EIDHR) were active in 2019 in the following fields: fight against discriminatory practices and slavery, resolution of land disputes in the Senegal River valley, improved detention conditions and reintegration of prisoners, and the prevention of sexual violence against women and girls. A specific campaign funded by the EU started in November 2019 on sexual

and reproductive health and rights, as well as on gender-based violence. Entitled ‘Alach ça?’ (Why is this?), the campaign included concerts, exhibitions, videos, flyers and other activities in Nouakchott and in Mauritania’s other regions.

The EU continued to support an IOM initiative working to protect and reintegrate migrants, financed by the Emergency Trust Fund (EUTF). Another project worked in the same vein to increase national capacities for providing protection of migrant children against trafficking in human beings and slavery.

**4. EU financial engagement:** The implementation of the Justice Strengthening Support Programme (PARJ, EUR 12.6 million from the 11<sup>th</sup> EDF) begins in January 2020 following the adoption by the Council of Ministers of the National Strategy for the justice sector in December 2019. The EIDHR envelope for Mauritania was EUR 600.000 last year. The campaign on sexual and reproductive health and rights and on gender-based violence was implemented in the framework of the EU’s Health Sector Support Programme (PASS, EUR 44 million from the 11<sup>th</sup> EDF) with a budget of EUR 260.000 over two years. The programme with the IOM has a total budget of EUR 8 million.

**5. Multilateral context:** Despite judicial and institutional progress in the human rights area, concerns remain due to the slow pace of implementing legislative measures to improve the human rights situation in Mauritania. Since the last Universal Periodic Review (UPR) in 2017, Mauritania has been working in the third UPR cycle with the EU and other international institutions (UNICEF, OHCHR) to tackle human rights issues such as gender, protection of vulnerable people, women and youth, putting an end to practices related to slavery and trafficking.

## Mauritius

**1. Overview of the human rights and democracy situation:** Mauritius has a good track record of protection and respect of human rights and remains the top ranking country in overall governance in Africa according to Mo Ibrahim Index of African Governance. However, some challenges remain in terms of gender-based violence, domestic violence, protection of children and discrimination against LGBTI persons (the 2019 Equal March took place peacefully and under safe conditions granted by the authorities).

Following the increasing number of reported acts of violence against women in 2019, the government announced the establishment of a High Level Committee on Domestic Violence under the aegis of the Prime Minister's office. The Prime Minister also announced a Gender Equality Bill for the country soon.

An electoral reform recommended by the UN Human Rights Committee (under the Optional Protocol to the International Covenant on Civil and Political Rights) and aimed at putting an end to the declaration of the candidates’ ethnicity in the Best Loser System, failed to obtain the required majority in Parliament. In November 2019, Mauritius held parliamentary elections. International observers from SADC, AU and OIF considered that the elections were peaceful and organised in a professional manner. They also listed some areas

for improvement and issued recommendations that will require close attention from all political actors, possibly leading to an inclusive reform process.

A number of pieces of legislation were still under preparation in 2019: the Financing of Political Parties Act, the Freedom of Information Act, the Gender Equality Bill and the Adoption Bill. The Children's bill was finalised in September but it was not discussed in Parliament.

**2. EU action - key focus areas:** (i) Women's rights: In 2019, the EU stepped up significantly its engagement on women rights and fight against violence on women through a number of events and awareness raising campaign for gender equality in 2019.

(ii) Children's rights and combatting child abuse: The EU continued to work with the Ministry of Gender Equality, Child Development and Family Welfare towards the finalisation of the Children's Bill and advocated its discussion and approval in Parliament. The EU also initiated work with the Ombudsperson for Children.

(iii) Rights of LGBTI persons: The EU engaged with local actors on this issue through dialogue with the authorities and civil society.

(iv) Rule of law and institutional strengthening: An EU funded project contributed to the capacity building of the National Human Rights Commission. The EU also supported Transparency Mauritius' activities on good governance and transparent public procurement.

**3. EU bilateral political engagement:** The annual Article 8 Political Dialogue held in June 2019 was an important opportunity to continue engaging with policy makers and civil society on human rights and democracy. The EU worked with all partners including the National Human Rights Commission, the Ombudsperson for Children, Transparency Mauritius as well as with civil society, to further promote human rights and especially the rights of women and children.

The EU stepped up significantly its engagement on women's rights for the year 2019. The 'Rise and Shine' Campaign' was launched on International Women's Day with a view to promote women empowerment, gender equity and the elimination of Gender-Based Violence and Human Rights. The campaign included a silent march on 23 November to raise awareness about femicides and violence against women, followed by a debate on women's rights on 25 November 2019. This gave the opportunity to engage discussion with civil society and media on actions based on international best practices.

On the International Human Rights Day on 10 December, a panel discussion was organised on women and children's rights, in collaboration with the United Nations. The High Level Policy Dialogue on Gender with the Government of Mauritius saw the adoption of a Joint Monitoring Framework to track progress in the implementation of the EU-Mauritius Gender Action Plan.

The EU continued its advocacy for the Children's Bill to be finalised and adopted as soon as possible. The draft Bill was tabled in Parliament in September 2019, but the Government committed to having it discussed in 2020.

The EU continued its advocacy for rights of LGBTI persons through regular dialogue with the policy makers (including during Article 8 Political Dialogue) and the civil society. EU Heads of Mission took part in the successful Pride march/Equality march held in June 2019.

**4. EU financial engagement:** As part of the EU funded project to strengthen the capacity of the National Human Rights Commission, more than 10 000 people in Mauritius and Rodrigues have been sensitised on the need to respect rights of women and girls since 2017.

The EU signed a project with the Ombudsperson for Children for the protection and promotion of rights of children, in particular vulnerable children. The project aims at sensitising the public at large on the issues of violence against children and other issues like sexual education in schools and the impact of child marriage.

The 'Rise and Shine Campaign' was launched on International Women's Day, targeting especially young people on gender-based violence. The campaign was complemented by a silent march against femicides and a panel discussion on human rights day in partnership with the United Nations. Work was also carried on gender equality in the framework of the EU's support to the National Human Rights Commission.

The EU also supported Transparency Mauritius's activities on good governance and transparency in public procurement. The project included awareness raising for the youth.

**5. Multilateral context:** The Political Dialogue under the art. 8 of the Cotonou agreement in June 2019 was an opportunity to reaffirm the joint commitment to multilateralism and a rules-based multilateral order.

The Universal Periodic Review for Mauritius held in November 2018 involved important recommendations, for example on the fight against discrimination based on gender, disabilities or sexual orientation. Mauritius has ratified the Rome Statute establishing the ICC in 2002.

## Republic of Mozambique

**1. Overview of the human rights and democracy situation:** The situation in Mozambique in terms of human rights and democracy remained challenging. The year was marked by an overall deterioration of political and civil rights, including in connection with the general elections in October. However, on the positive side, the Peace and Reconciliation Agreement between the government and the main opposition party RENAMO was signed on 6 August 2019 setting the parameters for disarmament, demobilisation and reintegration (DDR) of the RENAMO guerrillas.

The armed insurgency in the Cabo Delgado province deteriorated throughout the year and it has resulted in a growing number of deaths, displacements of civilians and destruction of significant infrastructure, also contributing to significant problems with food security. In this context, further to the insurgency, there were reports of severe violations of human rights, including illegal detentions of journalists and human rights defenders by the Mozambican security forces.

On 15 October 2019, Mozambique held its sixth presidential and legislative elections and

elected directly, for the first time, the governors for its 10 provinces. The incumbent, President Nyusi, and the ruling party FRELIMO won the elections in a landslide. The EU deployed an Electoral Observation Mission (EOM) to the elections, which concluded that they were marred by numerous irregularities and malpractices during the entire electoral process, including on the Election Day and in the counting process. Inter-party violence was prevalent as well as a general lack of confidence in the impartiality of the electoral management bodies and security forces. Established national observer groups experienced difficulties with accreditation, hampering the parallel vote tabulation. The EOM proposed 20 recommendations to improve the electoral process in Mozambique touching on all the shortcomings observed.

Of particular concern was the murder of a prominent national observer, Anastácio Matavel, who was murdered by a group of members of the special police force in the Gaza province, shortly before the Election Day. Moreover, numerous party delegates were arrested on the Election Day as they allegedly had fake observer accreditations, and were held in custody for forty-five days until they were released on bail. Other politically motivated murders were also reported during the electoral process. Regarding the press and the freedom of expression, known cases of intimidations, arrests, kidnapping and assaults led to an increasing self-censorship. On 31 December 2019, there was an attempt in Maputo to kidnap the Editor-in-Chief of Canal de Moçambique, a newspaper critical of the government. Nationwide, journalists continued to work in a deteriorating media environment. The silence of authorities and lack of conclusive investigations on many cases has contributed to a culture of impunity, which is also manifested in the fight against corruption.

Gender based violence remains a serious problem although Mozambique has reinforced its commitment to gender equality by approving key policies and laws in July 2019, including against early marriages. However, despite a relatively strong legal framework in line with international standards there is a general lack of implementation of these laws. An encouraging outcome from the October elections is the increase of women in the parliamentary assemblies. At the state-level, 42 % of the new deputies are women, including the Speaker of the Parliament.

**2. EU Action - key focus areas:** In 2019, the EU continued to focus on key areas such as the consolidation of peace and democracy, the rule of law and good governance, with a special emphasis on the fight against corruption and promotion of fundamental rights and freedoms. There was also a particular focus on gender related discrimination and violence through the Spotlight initiative.

**3. EU bilateral political engagement:** The human rights situation in Mozambique was discussed with the government at the Article 8 Political Dialogue in June. As a result, there is agreement in principle to hold regular dialogues between the EU and Mozambique on human rights and on issues regarding the rule of law. EU political engagement in support of the current electoral cycle contributed to the deployment of an Election Observation Mission (EOM), which formulated a series of recommendations to the government and the electoral bodies that should facilitate a dialogue with authorities on political and electoral reforms. Moreover, the EU has continually supported sustainable peace, encouraging ongoing dialogue through public and non-public communication, while announcing its commitment to effectively support the implementation of the Peace and Reconciliation Agreement signed in August. The EU has also been in regular contact with civil society in a

dialogue focusing on human rights and democracy.

**4. EU financial engagement:** As regards support to democracy and citizen's rights, further to the EU EOM deployment, the EU is supporting the electoral process in Mozambique, jointly with Austria, through an EDF project worth EUR 8.8 million implemented by International IDEA. The project, with a strong gender emphasis, covers not only support to domestic observers and to the newly elected representatives, but also is encouraging citizens' participation (including civic education) and support the reform of the electoral legislation. The EU's initiatives are complementary to EU Member States' engagement in support to the electoral process. Through MASC/Votar Moçambique civic education activities using local community radios and social media were developed. The preparation of an induction course for the newly elected deputies in the Parliamentary Assembly also started. In addition, 120 tents were delivered to be used as polling stations in areas affected by the cyclone Idai.

Several EU Member States provided specific support in the field of human rights. Ireland provided funding to the Institute for Multiparty Democracy (IMD) for the third phase of 'Promoting Democracy - Good Governance and Elections with Integrity', which included support to the election monitoring platform 'Sala da Paz' and the provision of training to national election observers. Sweden supported the elections through EISA to improve the engagement and capacity of all stakeholders in the electoral process and to improve legal and institutional framework for elections. Sweden and The Netherlands jointly supported a programme aiming at inclusive and accountable governance. Germany focused its efforts on young first time voters and prevention and resolution of electoral disputes. Finland supported the UNDP project dedicated to Electoral Authorities of Mozambique, including Information Technology support and women's participation. Italy completed the preparation of a programme aimed at modernisation of the civil registration and vital statistics system. Italy also advanced with actions to support the rights to economic and social inclusion, in the framework of the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Finland supported through the Institute for Multiparty Democracy (IMD) the strengthening of the role and capacities of the national and provincial parliaments in the field of governance issues, including human rights related to extractive industries. Finland and Denmark supported the capacities of the Ministry of Economy and Finance and the Eduardo Mondlane University to produce and use good quality research for informed decision-making. Belgium strengthened the capacities of the Ministry of Finance via a delegated cooperation with IMF. Portugal continued to support the project 'New Generation of Women Leaders' in Nampula. France supported awareness raising, with particular attention to domestic violence.

**5. Multilateral context:** Mozambique went through the review of the Committee of the Convention on the Rights of the Child (CRC) and adopted legislation against forced marriages to align itself with the CRC.

## Namibia

**1. Overview of the human rights and democracy situation:** As in previous years, the overall human rights and democracy situation in Namibia was quite satisfactory in 2019. The presidential and national assembly elections in Namibia took place on 27 November 2019. Elections were peaceful and credible even though the voting process proved particularly

lengthy. However, an unprecedented bribery scandal over fishing quotas, involving the Minister of Fisheries and the Minister of Justice, as well as high-level staff of enterprises (the so called 'fish rot' scandal) led to the resignation of two ministers and impacted on the elections outcome. Two police/military operations aiming at curbing criminality ('Hornkranz' and 'Operation Kalahari Desert') were implemented with unjustified brutality and were heavily criticised by the population. In order to address the still alarming rates of gender-based violence, several draft family laws were introduced by the government in 2019 with the aim of advancing gender equality and economic security for vulnerable women and children in marriage and divorce. The implementation of social and economic rights remains a concern. Due to persisting economic downturn and fiscal constraints, unemployment, poverty and social inequality continue to be key challenges for the country and are affecting the human rights situation. Equal access to public services such as education, health, safe drinking water and sanitation remains to be achieved. On the rights of LGBTI persons, the situation is still worrying; several cases concerning same sex marriages are pending at Namibian Courts.

**2. EU action - key focus areas:** The EU continued to raise human rights and democracy issues with Namibian counterparts in various settings with particular attention to the promotion of (i) economic, social and cultural rights; (ii) women's rights and fight against gender based violence and (iii) children's rights as well as the rights of persons belonging to minorities (with a focus on indigenous peoples/marginalised people).

**3. EU bilateral political engagement:** The Head of the EU Delegation has frequently spoken at events co-organised with other national and international stakeholders such as the World Press Freedom Day, co-organised with UNESCO. The launch and closure of projects are also used to pass important messages. The EU cooperated with the National Council and UNICEF to promote children's rights through a human rights campaign launched in June. In partnership with the Namibia Community Broadcasters Network, the EU participated in June in the launching of the 'Community Focus on 2019 Elections Programme' aiming at strengthening Voter Education through capacity building of eight community radio stations. Due to the absence of a Head of the EU Delegation from end of April until 1 September, no Article 8 Political Dialogue took place in 2019.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support to several projects funded through the European Instrument for Democracy and Human Rights (EIDHR) and other measures addressing key areas for a total amount of EUR 1,350,472. The EU is funding the following projects/programmes:

(i) The project 'Survivors speak up – No more gender based violence', has contributed to place the omnipresent human rights violation of gender-based violence (GBV) on the national media agenda. Service providers both from the government and from civil society have been trained in GBV sensitive approaches; psycho-social support and counselling has been provided to survivors,

(ii) The Museum Association of Namibia is implementing the grant 'Promoting Culture and Combating Cultural Stereotypes through Museum Development'.

(iii) The 'Protect, Preserve and promote indigenous cultures and languages' is being implemented by the Namibian University for Science and Technology.

(iv) The Legal Assistance Center of Namibia, which targets the most isolated and vulnerable communities in Namibia, where GBV and corporal punishment is most prevalent and where people don't have access to this sort of information otherwise.

(v) The 'Museum Outreach Programme' aims to contribute to community based and community-run museum development. It is implemented by the Goethe Institute Namibia and the University of Namibia and seeks to create space for dialogue and democratic participation for local communities and indigenous minorities.

A EUR 6,000,000 programme 'Enhancing Participatory Democracy in Namibia', financed by the EDF is being implemented together with the National Planning Commission. The international technical assistance is expected to be signed by March 2020.

**5. Multilateral context:** Regarding the follow up of the last Universal Periodic Review (UPR) in January 2016, out of 219 recommendations, 191 were accepted by the Government and 28 were noted. In order to deal with the UPR follow-up, the Ministry of Justice has created an Inter-ministerial Committee on Human Rights, including representatives from line Ministries and NGO's. The committee has a partner with the High Commissioner for Human Rights, who organised training for Namibian stakeholders on how to implement the recommendations.

The Government did not ensure an appropriate follow-up regarding International Criminal Court (ICC).

## Niger

**1. Overview of the human rights and democracy situation:** Niger remains at the bottom of the Human Development Index and is facing a difficult socio-economic situation that places a constant strain on the country's treasury. The current security situation that has worsened over 2019 puts an additional strain on the country's resources. The Nigerien government continues to work towards implementing its social and economic development strategy, the PDES 2017-2021 and some important progress was achieved in 2019, among others a strengthened framework for institutional transparency as well as measures aimed at strengthening the judicial capacity of the country (specifically setting up the Tahaoua appeals court). Although the security situation sets limits to the pace of progress, Niger's human rights record has steadily improved over the year.

A state of emergency has covered the entire Diffa region since 2015, the entire Tillaberi region since 2018, as well as parts of the Tahaoua region since 2017. The impact of the security situation is worrying in the context of activities of civil society groups who see their freedom of action limited in the pre-electoral period with undeclared demonstrations banned and a number of civil society actors detained. Niger will host municipal/regional elections in November 2020 and legislatives/presidential election in December 2020. If the security situation is not adequately addressed, it might continue to impact on Niger's

human rights situation. The violence that stems notably from non-state armed groups is directed mainly towards the national armed forces, however the civilian population also falls victim of kidnappings, threats, plunder and violence.

In the southern part of Niger, Boko Haram continues to pose a serious threat, and the situation is somewhat replicated in other parts of the country by other groups. In the north of the country, violence is often linked to the exploitation of goldmines, and in the Tillabery region the tendencies are mostly directed towards the Nigerien security forces (attack in Inates on 10 December cost the lives of over 70 Nigerien soldiers). At this stage, attacks take place at a bi-weekly basis, with 56 incidents having taken place in Maradi (south) between July and October – the majority of which were tied to the activities of groups coming from Nigeria. A worrying tendency has appeared with an increase in the numbers of assassinations, rapes and violence against civilians carried out by the non-state armed groups.

Because of the increased violence, the humanitarian situation has drastically worsened as high numbers of people have arrived from the border zones of neighbouring countries (primarily Nigeria). In December 2019, Niger housed 220,000 refugees – 161,000 from Nigeria, 56,000 from Mali and more than 180,000 internally displaced persons. It is estimated, that as many as 2.9 million people will be in need of humanitarian assistance within Niger in 2020 (65% increase from 2019).

Although migration flows to Niger have significantly decreased, the dynamics of instability continue to be visible – particularly in the northern regions. Niger has put in place an emergency evacuation mechanism for vulnerable refugees from Libya.

The country's performance as regards freedom of speech has suffered a setback since the fight against terrorism was initiated in 2015 (from 47<sup>th</sup> place to 60<sup>th</sup> place out of 180).

Important steps have been taken, notably with regards to reforming the judiciary. In addition, a draft decree on the fundamental principles of the penitentiary, a law proposal that determines the fundamental principles relating to handicapped persons, and a draft law relating to religious practices in Niger have seen the light. The relationship between the national armed forces and the civilian population remains stable and does not show tendencies towards increased tensions as is the case for other countries in the region.

**2. EU action – key focus areas:** The EU Human Rights and Democracy Country Strategy for Niger covering the period 2016-2020 sets the following four priorities: (i) to consolidate democratic principles and of the rule of law; (ii) to promote a swift access to an independent and just justice system for all citizens in all of Niger; (iii) to ensure the position and rights of Nigerien women; (iv) to promote the possibilities for the Nigerien population and ensure a life in peace, dignity, security with the support of accessible services provided by the state.

**3. EU action and bilateral political engagement:** The EU carries out a number of actions that support human rights in Niger and is particularly focused on the rights of women and fighting gender-based violence. The Head of the EU Delegation visited the NGO 'SOS femmes et enfants victimes de violences familiales'. Gender is an integral part of the EU development

programs and has figured extensively in the planning of programs in direct relation to the initiation of the Gender Action Program (GAP II). The cooperation with the Nigerian authorities remains excellent with regards to fighting the trafficking of people. The Joint Investigation Teams (ECI) have managed to halt more than 100 persons involved in trafficking activities in 2019.

**4. EU financial engagement:** The National Human Rights Commission (CNDH) has 'A' grade status with the UN Human Rights Council and an extended mandate under the 2010 Nigerian constitution that covers carrying out investigations within the national legal framework. The CNDH serves as the relaying organ between the international Human Rights laws and the Nigerian state and produces a yearly report on its activities with EU's financial support.

Under the EIDHR, Niger and the EU signed two contracts in December: a support program for human rights and human rights defenders, and a project with the 'Fondation Hironnelle' in support of democracy and democratisation.

Since 2016, an EIDHR project has supported Nigerian federation for Handicapped persons in improving social and legal inclusion of handicapped women. The project is seen as especially successful but has served as an example for similar regional projects (PROGRECIPH – financed through the European Commission). Niger was one among eight African countries covered by the 2019 UN-EU Spotlight Initiative program aimed at raising awareness about gender-based violence and its eradication.

**5. Multilateral context:** Despite having voted in favour of the moratorium against the death penalty in December 2018, ten death penalties were pronounced in 2019. No punishment of such judgement has been carried out since the 1970's. In 2019, the OHCHR opened an office in Niamey in order to liaise directly with the government, national human rights institutions and civil society organisations. A number of reports pertaining to special procedures would indicate important progress.

## Nigeria

**1. Overview of the human rights and democracy situation:** The human rights situation in Nigeria in 2019 remained highly complex with significant differences across regions. The year 2019 was characterised by deterioration of the insurgency in the Northeast, an escalation of conflict in the Northwest, a general worsening in violent crime and a perceived shrinking of civic spaces. In addition, continuing issues of violence by security forces, economic and social rights, the rights of women and girls, deterioration of the humanitarian situation in Northeast remain key challenges. The year 2019 also saw signs of growing religious tensions between Muslims and Christians. Security forces abuses such as beatings, arbitrary arrests, sexual violence, extortion and extrajudicial killings remain issues of concern. Efforts to address the problem through official investigations have shown little results. Killings by non-state armed actors remain the major cause of violent deaths in the country. 90% of Nigerian prisons are reportedly congested and in dire conditions.

The rights of women and girls in Nigeria have significant challenges and a lack of data. Official estimates of women and girls who have experienced sexual violence is 7%, but numbers and reports from civil society organisations point at a substantial shadow figure. Sexual and reproductive health and rights remain poor with a general low access to healthcare facilities, contraceptives and safe abortions, as well as a high prevalence of early pregnancies and child marriages. Nigeria hosts the largest number of Female Genital Mutilation (FGM) cases on the African Continent. Sexual harassment in institutions remains prevalent. Lastly, Nigeria has the lowest level of women represented in politics on the African continent, with only 6% of elective positions occupied by women. Trafficking in persons continues, with many experiencing inhumane treatment – especially on the route from Nigeria, through the Sahara, across North Africa and to Europe. Especially women are victims of forced prostitution and sexual exploitation in connection with trafficking.

Poor access to education and forceful recruitment of children by armed groups remain a problem, with an estimated 10.5 million children in the age between 5 and 14 out of school.

Despite improvements to Nigeria's democracy, the February 2019 election saw significant shortcomings in transparency, security and a low voter turnout with widespread violence and voter suppression witnessed in the states of Kogi and Bayelsa.

Nigeria's civic space is reportedly shrinking due to increased arrests of journalists and attacks on media houses. Particular worries have been expressed about an apparent tendency by the government to allow arrests without trial and ignore court orders. LGBTI persons remain victims of laws against same-sex practices and widespread gender identity stigmas. Although court cases are few, LGBTI persons reportedly suffer widespread cases of violence, extortion and threats from both state and civil society actors.

Despite passing a law in January 2019 to address discrimination against persons with disabilities, Nigeria's estimated 25 million persons with disabilities continue to face discrimination and a widespread lack of access to healthcare, housing, education and political representation.

**2. EU action-key focus areas:** The five strategic EU priorities for Nigeria remain: (i) human rights and conflict/post-conflict situations; (ii) strengthening the rule of law in compliance with international human rights instruments; (iii) elections; (iv) human rights of women; (v) rights of persons belonging to minorities and vulnerable groups, including persons with disabilities, children, LGBTI persons and ethno-religious minorities.

**3. EU bilateral political engagement:** The EU in close partnership with Member States has sought to promote and improve the respect for human rights in Nigeria through an integrated approach, combining political/diplomatic, development cooperation and public diplomacy tools to maximise impact and create synergy between the different tools and instruments.

The EU delegation has been instrumental in mobilising the relevant authorities at the appropriate levels, in order to clarify the intentions of the Nigerian authorities, particularly in addressing humanitarian access. In September 2019, the military temporarily suspended operations of the international NGOs and EU-partners including Action Against Hunger (ACF) and Mercy Corps in north-eastern Nigeria. Swift and decisive engagement from the EU and

the Member States facilitated reaching an agreement on new mechanisms for dialogue. The EU delegation, including the Head of Delegation, made significant steps in the discussions during the suspension, and worked closely with the authorities to propose the written commitments issued after the suspension was lifted.

The EU and Member States continue to jointly discuss upcoming Human Rights Council resolutions with the Nigerian Minister of Foreign Affairs (MFA) to reduce divergence of voting on important resolutions. An EU-Nigeria human rights dialogue will be held in February 2020.

The EUD and Member States have scaled up public diplomacy efforts in 2019 to amplify key human rights messages. A successful strategy has been cooperation with opinion leaders, press statements, press conferences and media interviews at strategic moments

The EU delegation and Member States made significant efforts to support Nigeria's democratic progress. In addition to providing technical support, engaging with key stakeholders and supporting civil society organisations (CSOs), an Election Observation Mission (EOM) was deployed to observe Nigeria's general election in February. Election Observation missions from international partners such as the African Union, ECOWAS, The Commonwealth and NDI/IRI were also present. In its final report, the EU EOM noted severe operational and transparency shortcomings and electoral security problems and proposed 30 recommendations to improve future electoral processes. The systemic failings identified by the EOM show the urgent need for fundamental electoral reform. Diplomatic Watch Missions to the subsequent gubernatorial elections in Bayelsa and Kogi States were also deployed.

**4. EU financial engagement:** In terms of development cooperation, EU and Member States' support focused on both strengthening institutions, supporting capacity building of civil society organisations as well as targeted human rights interventions. Key examples include projects aimed at improving civilian-military relations and security forces' compliances with human rights, human rights training for security forces (military and police), reforming the civil society regulatory framework, support to the fight against corruption and the reform of the judiciary, assisting Nigeria to strengthen rule of law-based criminal justice response to terrorism, and the abolition of infanticide. On women's rights, efforts to operationalise the joint UN-EU Spotlight Initiative continued after Nigeria was selected as a beneficiary country with a EUR 25 million contribution. The EU and the Member States also continued supporting the deepening of democracy through election and support programmes.

On the humanitarian side, the EU and the Member States have contributed substantial amounts to the humanitarian response. The EU has championed the 'call for action' on preventing GBV in emergencies with a particular focus on improving the situation in IDP sites in the Northeast.

**5. Multilateral context:** The EU and Member States are monitoring the follow-up to the Universal Periodic Review (UPR) examination of Nigeria held in November 2018. Recommendations in areas of concern included the death penalty; improved accountability including for violations by government forces; trafficking and forced labour; sexual orientation and gender identity; children and youth; women's rights and gender equality;

application and implementation of existing legislation or ratification of international instruments; electoral processes; and torture, detention and due process.

## Rwanda

**1. Overview of the human rights and democracy situation:** During 2019, the overall human rights situation in Rwanda remained unchanged. While the Rwandan government continues to show its strong developmental ambition and performance in the areas of economic and social rights. It also continues to face allegations of the most serious human rights violations – excessive use of force, extra-judicial killings, and enforced disappearances. Over the past 18 months, several members or followers of unregistered opposition movements, primarily FDU-Inkingi, either have disappeared or were killed. Representatives of this party and some human rights activists suspect official involvement in such cases, but authorities deny that and say that these cases are investigated as any other cases. Human rights advocates continue to report on arbitrary detentions and use of torture and other inhuman or degrading treatment in detention facilities and in centres where destitute individuals, including minors, are allegedly held without due process. Freedom of expression remains limited, but room for debate is expanding through online media. On rights of LGBTI persons, Rwanda remains the only country in East Africa that does not criminalise consensual same-sex sexual acts, but lacks provisions in its legal code to protect LGBTI persons from discrimination, nor does it recognise unions and partnerships between same-sex.

**2. EU action – key focus areas:** The EU and the Member States have continued to focus on two main priority areas: (i) the area of the most serious violations of human rights – i.e. enforced disappearances, arbitrary detentions and use of torture and other inhuman or degrading treatment in detention facilities, and (ii) the area with the most significant restrictions of human rights – i.e. the politically related rights, freedoms of expression, association and assembly. EU missions have also attended court hearings of political opponents. The EU delegation and EU Member States in Rwanda carried out a number of public diplomacy activities with the aim of promoting specific issues related to human rights. For instance, the EU, the Netherlands and Sweden promoted the rights of LGBTI persons through various initiatives. The rights of children were promoted throughout the year, to mark the 30th anniversary of the Convention on the Rights of the Child.

**3. EU bilateral political engagement:** The EU continued to engage on human rights and democracy with Rwanda within the framework of regular political dialogue as well as on other occasions. General concerns regarding the length of pre-trial detention, enforced disappearances and extrajudicial killings were raised with government and relevant authorities, as were individual cases. The EU and Member States missions have also undertaken several human rights-related demarches during the year, particularly with respect to the Human Rights Council agenda.

**4. EU financial engagement:** At the operational level, the EU delegation and EU Member States supported projects or initiatives that contribute to the achievement of EU human rights priorities for Rwanda. The year 2019 saw a call for proposals related to the main priorities. The four projects to be financed under this call relate to freedom of expression and the rights of journalists; the reintegration of prisoners as well as the rights of mentally and persons with intellectual disabilities. These projects will begin implementation in 2020.

In 2019, five Rwanda journalists carried out a fellowship with the Danish Union of Journalists through the EU's Media4Democracy facility.

**5. Multilateral context:** Rwanda was a member of the UN Human Rights Council until the end of 2019. The country largely voted along the lines of the EU and remained a reliable partner in the African group. Rwanda has shown strong engagement by the responsible authorities, in particular the Ministry of Justice, with respect to the UPR process by organising meetings and retreats with the civil society platform and diplomats. The third UPR review is scheduled for 2020.

## São Tomé and Príncipe

**1. Overview of the human rights and democracy situation:** The overall human rights and governance record in São Tomé and Príncipe (STP) is relatively good, especially by regional standards (the country ranks 12/54 in the 2019 Mo Ibrahim Index of African Governance).

Despite an overall positive human rights record in terms of civil and political rights, some issues of concern remain such as: gender-based discrimination and violence, including domestic violence, child labour and sexual abuse against children still need to be addressed, as well as corruption (although the indicator of the perception of corruption has significantly improved since 2012), access to justice and poor access to social services.

The year 2019 was marked by political tensions with respect to the justice system, which is not independent. During the political dialogue with the EU in May 2019, the Prime Minister pledged the government's willingness to ensure the independence of justice and expressed interest in cooperating with the EU in this field. Some of the issues are due to poor implementation of the existing legislation, the lack of faith in the legal system, the lack of capacity and slow change in the society's mentality and social norms.

Corruption is still an issue and the Prime Minister has confirmed his willingness to tackle it. In early April, the former Finance Minister (ADI) was arrested on charges of embezzlement and misappropriation of public funds. In June a training aiming to provide prosecutors, judges, criminal investigation system, banking and financial officials with specific knowledge on corruption and laundering was organised. This initiative took place within the scope of the Project to Support the Consolidation of the Rule of Law in the PALOP and East Timor (PACED), funded by the European Union and co-financed and managed by Camões, I.P.

**2. EU action: key focus areas:** The EU's priorities in Sao Tome and Principe have been: economic, social and cultural rights (including access to drinkable water); rights of the child; women's rights and gender equality; encouraging the ratification of the Rome Statute and support to the civil society's capacity to intervene constructively in order to influence policy making in various fields, including the protection of biodiversity.

**3. EU bilateral political engagement:** The EU issued welcomed the ratification by São Tomé and Príncipe of the UN Convention on Economic, Social and Cultural Rights; the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment; the UN Convention on the Protection of the Rights of All Migrants Workers and members of their Families, the UN Convention on the Elimination of all Forms of Racial Discrimination, the UN

Convention on Civil and Political Rights (ICCPR) and the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.

The regular political dialogue with the Government took place on 7 May 2019.

**4. EU financial engagement:** In 2019, a direct award of EUR 120.000 was granted to ACEP – Associação para a Cooperação Entre os Povos to implement the project called ‘Sociedade Civil pela Transparência e Integridade’ (24 months- EIDHR/2019/413-981). The overall objective of the project is to strengthen democratic control and oversight in the area of public finances in STP through the capacity building of institutional and non-governmental actors in the operationalisation of anti-corruption mechanisms and in the promotion of integrity values and transparency practices. The project is expected to start during the first trimester of 2020.

In December 2019, a EUR 2.55 million Financing Agreement was signed with the São Tomé and Príncipe government for the project ‘Combating gender inequalities and inequities and domestic and gender-based violence (GBV)’.

In February 2019, a project, ‘A sociedade civil na consolidação da governança multi atores da segurança alimentar e nutricional em STP’, started. Implemented by Instituto Marquês de Valle Flôr (IMVF), it will contribute to the realisation of the fundamental right to adequate food and nutrition, to good multi-stakeholder governance for food and nutritional security. It will focus on the strengthening of the civil society’s participation and capacities to monitor and implement public policies having an impact the management of natural resources, on the reduction of poverty and of food and nutritional insecurity.

**5. Multilateral context:** São Tomé and Príncipe has ratified almost all major UN human rights instruments after many ratifications became effective in 2017: the UN Convention on Economic, Social and Cultural Rights; the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment; the UN Convention on the Protection of the Rights of All Migrants Workers and members of their Families; the UN Convention on the Elimination of all Forms of Racial Discrimination; the UN Convention on Civil and Political Rights (ICCPR); the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty; the UN Optional Protocol to the International Covenant on Civil and Political Rights and the UN Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

Although São Tomé and Príncipe signed the Rome Statute establishing the International Criminal Court in 2000, it has not yet ratified it.

As far as regional human rights instruments are concerned, the country ratified the African Charter on Human and People’s Rights in 1986, but has not signed or ratified the corresponding Protocol on the Establishment of an African Court on Human and Peoples’ Rights. Despite having signed the African Charter on Democracy, Elections and Governance in 2010, São Tomé and Príncipe has not yet ratified it.

São Tomé and Príncipe underwent its last Universal Periodic Review (UPR) in January 2015 and the upcoming review is due in 2020. The UPR has been an important tool to engage with the government in many essential human rights issues, including, among other: ratification of Human Rights Instruments; rights of the child; gender-based and domestic violence; rights of persons with disabilities.

São Tomé and Príncipe has always been a co-sponsor of the UNGA resolution 'Moratorium on the use of the death penalty'.

São Tomé and Príncipe usually fulfils its reporting obligations before the UN treaty bodies with delays which can probably be explained by the limited capacity of the country and the fact that, due to 'batch ratifications', the reporting date is the same for many documents, a problem which will be aggravated with the numerous ratifications done in 2017.

## Senegal

**1. Overview of the human rights and democracy situation:** The overall human rights situation in Senegal remains satisfactory, particularly against the background of the situation in other countries in the region. Senegal has ratified the major conventions on human rights, and the authorities are open to discuss and engage in positive actions, especially regarding women and children's rights, even if the political agenda regarding these topics is often conditioned by social and cultural resistances and concerns about their possible impact for the social stability. Positive legislative steps have recently been taken, especially the criminalisation of rape and paedophilia. Further improvements are expected on women and children's rights (street children, early marriage, FGM), in particular for the fully implementation of the legislative framework and protective measures: national legislation on child's rights (*code de l'enfant*) remains pending, in an ongoing process to include all actors involved in the elaboration of the text; and an action plan to confront the alarming situation of street children, many of them students of koranic schools (talibé), is being finalised and should be implemented in 2020.

In December 2019, for the first time a court issued a suspended prison term on a koranic school teacher for mistreatment, but prosecution remains rare and is meeting public resistance. The adoption of the new law regulating koranic schools is pending. The situation regarding LGBTI persons is serious, the legislation remains punitive and intolerance and direct threats towards sexual minorities have increased in 2019. Hate speech and voices calling for more severe repression of LGBTI persons augmented, amplified in social media. Actions in protection of the LGBTI persons are often followed by accusations to NGOs and 'the West' of having a hidden agenda of promoting homosexuality against local values. Efforts are made to improve the poor detention conditions in Senegalese prisons, but long pre-trial detention largely responsible for overcrowding prison remain an issue. Implementation of alternatives to custody sentences remains slow.

The death penalty was abolished in 2004, but the Second Optional Protocol to ICCPR has not been endorsed. The space for freedom of expression in the media remains open, despite legal provisions in this respect, which include far-reaching powers of the executive and could therefore be used in a restrictive way. The 2010 decree Ousmane Ngom, largely restricting space for public demonstration in downtown Dakar, continues to be the basis to regularly limit demonstrations. President Sall's re-election in February 2019 took place through a peaceful and credible electoral process, despite the political distrust following the exclusion of the main opposition candidates, who had been convicted on corruption charges. The presidential majority in the parliament later adopted a new constitution, re-enforcing the powers of the President by suppressing the prime minister and the need for government

ministers to have the confidence of the parliament. The position of Senegal in the indexes of corruption remains stable, in contrast with an augmentation of the ones reflecting the public perception of corruption.

**2. EU action – key focus areas:** EU action on human rights focused on the rights of women, children and detainees; greater attention was dedicated to the rights of LGBTI persons. The EU also supported the fight against impunity, strengthened civil society organisations and promoted freedom of expression and assembly in Senegal.

**3. EU bilateral political engagement:** The EU deployed an Election Observation Mission (EOM) for the presidential election on 24 February 2019. The EOM expressed its general satisfaction with the conduct of electoral process, which was credible, transparent and inclusive and was conducted in a calm manner. The EOM recommendations were shared with all stakeholders and were met with broad agreement apart from a recommendation on the removal of an obligation of citizens' sponsorship for candidates in local elections of the elections, which was met with criticism from Senegalese authorities and citizens.

The EU delegation supported the 10<sup>th</sup> training session in international human rights law, focussed on the rights of the child organised in September together with the French embassy, the René Cassin foundation and the German Friedrich Naumann foundation.

The EU delegation participated actively in celebrations organised by the UN on the International Women's Day, on 8 March and on the International Day on Elimination of Violence against Women on 25 November.

In addition, the EU delegation implemented the joint UNICEF/EU initiative 'The Real Challenge' to mobilise youth through social media and took part in the celebration of the 30<sup>th</sup> Anniversary of the UN Convention on Rights of the Child. The EU also organised a free concert to celebrate the International Human Rights Day on 10 December.

**4. EU financial engagement:** The EU further pursued the implementation of eight projects under the European Development Fund (EDF) for a total of EUR 4.3 million supporting civil society organisations protecting and assisting children who became victims of physical and/or psychological abuse, street children, including talibé children. Under the European Instrument for Democracy and Human Rights (EIDHR), a new grant was allocated to Plan International Ireland, in view of an awareness-raising campaign in 2019 on various forms of exploitation of children in Senegal.

In the framework of the EU support to the national observatory of detention centres, EU delegation representatives participated in awareness-raising missions, prison visits and training sessions for members of the security forces on prisoners' rights in various locations in Senegal.

Financial assistance (EUR 10 million) under the 11th EDF to strengthen the rule of law continued, improving judicial administration, strengthening the respect of human rights, and fighting corruption and money laundering. The EU also provided EUR 500,000 to the national office for the fight against corruption. The same amount was provided in support to the national cell for the treatment of financial information (Cellule Nationale de Traitement des Informations Financières – CENTIF) in order to strengthen the national fight against money laundering and terrorism financing. Three grant projects were attributed in 2019 to civil society organisations concerning Access to justice, prisoner conditions and the fight against corruption and money laundering for a total amount of EUR 1.4 million and one EIDHR grant

(EUR 260,000) on the follow-up to recommendations on Disasters, Displacement and Human Rights (DDHR).

Furthermore, the EU has provided support to the Senegalese security forces to fight against terrorism and organised crime (EUR 10 million under the 11<sup>th</sup> EDF), which also aims at promoting good governance, transparency, inclusivity, accountability and human rights. The EU supported also to the construction of several court buildings to improve access to justice for the population at large.

**5. Multilateral context:** Senegal is an active member of the UN Human Rights Council for the period 2018-2021 and served as its chair in 2019. Senegal underwent its UPR in November 2018 and submitted final conclusions in November 2019. Recommendations concerned mainly women's rights, children's rights, the rights of persons with disabilities, ethnic minorities or LGBTI persons. In response, the Senegalese government highlighted its exemplarity in certain areas (economic and social rights, rights of persons with disabilities), but also stressed its limitations in relations to certain recommendations based on national traditions and culture (mainly women's rights and rights of LGBTI persons). The EU delegation will support civil society organisations participation to mid-term review and progress in implementation of recommendations.

## The Seychelles

**1. Overview of the human rights and democracy situation:** The Seychelles has a good track record of upholding human rights and ranks second in the 2018 Mo Ibrahim Index of African Governance. The country's democratic consolidation continues, with the strengthening of key human rights and governance institutions. The Truth, Reconciliation and National Unity Commission was set up and operationalised in 2019, with the mandate of investigating complaints of alleged human rights violations committed in relation to the 1977 Coup which led to a one-party state until 1993. The Commission has three years to establish the truth, recommend compensation and reparations to victims and determine whether to grant amnesty to perpetrators, with the objective of achieving national reconciliation. The Commission's hearings are broadcasted live on national TV and web streamed. The legal framework allowing the work of the Anti-Corruption Commission was also improved in 2019. The National Human Rights Commission was sworn in in 2019 but it was not fully operational by the end of the year. The Access to Information Bill was yet to be fully implemented. The main human rights issues in The Seychelles concern pre-trial detention, detention conditions, domestic violence against women and children, and migrant workers' rights and forced labour, especially in the international trade zone.

**2. EU action - key focus areas:** The EU carried out activities in the following priority areas:

- Strengthening electoral processes: An electoral governance project was implemented by the Citizens Engagement Platform Seychelles and benefitted from support by the EU delegation and EU Member States, in collaboration with the Electoral Commission. Electoral processes were also discussed in the framework of the EU-Seychelles Political dialogue.

- Institutional strengthening of human rights and governance related institutions: Besides addressing the issue during its political dialogue with national stakeholders, the EU supported the Anti-Corruption Commission and the Attorney General's office. Transparency Initiative's awareness raising activities and advocacy on accountability and corruption were also supported.
- Combatting domestic violence was among the main EU priorities through the support of activities aimed at the improvement of the quality of life and dignity of vulnerable women and through political dialogue and advocacy in favour of an enhanced legal framework.

**3. EU bilateral political engagement:** The EU continued to support human rights and democracy in The Seychelles through its Article 8 Political Dialogue held in November 2019 and cooperation programmes. All three priorities of the Human Rights Strategy were discussed during the Article 8 Political Dialogue in November 2019.

The need to enhance electoral processes was discussed, based on recommendations issued following the 2016 parliamentary elections. In view of the forthcoming presidential elections in 2020, the EU expressed its readiness to provide support to the Electoral Commission if needed.

The importance of strengthening independent institutions was at the heart of the EU's political engagement in the Seychelles with the government and with institutions such as the Anti-Corruption Commission and The Attorney General's Office, which were both supported.

Gender equality and the fight against gender-based violence were extensively discussed with local stakeholders. Joint efforts led to the finalisation of the Domestic Violence Bill in 2018, which was tabled in Parliament in 2019 for discussion in 2020. The construction by the government of another permanent shelter for women victims of domestic violence was very promising.

**4. EU financial engagement:** Thematic budget lines EIDHR and CSO-LA funded a number of activities contributing to enhanced electoral governance, strengthening of governance institutions and combating domestic violence against women.

The EIDHR funded the electoral governance project implemented by the Citizens Engagement Platform Seychelles in collaboration with the Electoral Commission in order to jointly deliver trainings to political parties on their rights, duties and obligations.

The bilateral 11th EDF envelope was used to fund support to the Anti-Corruption Commission and the Attorney General's office.

The CSO/LA budget line financed the Transparency Initiative, which carried out awareness-raising activities and advocacy on the issues of governance, accountability and corruption. Actions also included research on corruption, building a platform for advocacy and constructive dialogue/debates on how to improve a framework for enhanced governance and accountability. The project was implemented in collaboration with the Anti-Corruption Commission Seychelles to assist in prevention activities with private entities and non-state actors.

The CSO-LA grant to the Citizens Engagement Platform Seychelles covered activities aimed at the improvement of the quality of life and dignity of vulnerable women, increasing their opportunities, protection and integration in the society, including through the operationalisation of a shelter for victims of domestic violence. Advocacy work contributed to the finalisation of the Domestic Violence Bill in 2018 and its submission to parliament in 2019 for discussion in 2020.

The EU also strived to support the government's efforts to assess the situation in terms of drug abuse and trafficking, with a view to tackling this major issue for the country.

**5. Multilateral context:** The EU-Seychelles Article 8 Political Dialogue held in November 2019 confirmed a joint commitment to multilateralism and the promotion of human rights in international fora, which was also confirmed by the Seychelles' president at the 74<sup>th</sup> UN General Assembly. Seychelles was part of the Global Alliance to end trade in goods used for capital punishment and torture. The country announced its intention to join the African Peer Review Mechanism.

The Seychelles has ratified the Rome Statute in 2010 and remains committed to the International Criminal Court. The country has accepted 143 out of the 151 recommendations formulated during the 2016 UPR session.

## Sierra Leone

**1. Overview of the human rights and democracy situation:** Deepening the democratic process and ensuring inclusive governance remained a challenge in 2019, mainly due to weak government institutions, important capacity gaps and an increased ethno-regional polarisation of society. The year was marked by persistent tensions with opposition due to attempts of the ruling party to consolidate power at all costs (including through politically motivated appointments, disregard for due process, interference with the judiciary in election petition cases and intimidation leading to violence during by-elections), as well as attempts to reduce the operating space for NGOs and businesses.

Despite the government's commitments and the appointment of new Commissioners of the Sierra Leone Human Rights Commission, no significant progress was made on the human rights agenda. No progress was made on the Constitutional Review Process and little was achieved towards electoral reforms and implementation of the Election Observation Mission (EOM) recommendations. Promises to effectively have criminal libel repealed by end 2019 did not concretise. The adoption of a modern Sexual Offences Act introduced life imprisonment as maximum sentence for rape, but focus on addressing root causes and on enforcing laws remained low. Rather than putting in place measures to reduce teenage pregnancies, the discriminatory policy prohibiting pregnant girls from attending school was confirmed.

**2. EU action – key focus areas:** EU activities in 2019 focussed on mediation efforts to encourage political inclusion and cross party dialogue, support to electoral processes, observation during by-elections and follow up of EOM recommendations, defending the

rights of women and girls, addressing threats to civic space for NGOs, promoting sound economic governance, abolition of the death penalty and improved access to justice.

**3. EU bilateral political engagement:** As a result of intense mediation by the EU and local and international partners, a meeting between President Bio and former President Koroma finally materialised, which represented a strong symbolic step towards reconciliation between political parties. The Bo Peace Declaration was adopted following a retreat organised by the Parliament with support from the EU. All political parties constituting the Parliament committed to working together to promote political dialogue, consensus building and cohesiveness in the legislative process of Sierra Leone. Following Cabinet's endorsement of a controversial 'Development Cooperation Framework' which introduced an overly restrictive framework for NGOs and CSOs, the EU and international development partners repeatedly engaged authorities which led to a softened approach of the government on some of the more problematic provisions and on the date of entry into force of the new NGO policy.

To prompt the government to improve its economic governance track record, in 2019 the EU took the lead by channelling the concrete concerns of a reference group of major European investors. Key messages conveyed were the need to create a transparent and fair regulatory framework, to seek cooperation and dialogue with economic actors and to respect engagements and contracts rather than adopting a short term, political approach. A discrete but intense engagement coordinated by the EU delegation around the International Day against the Death Penalty on 10 October was followed by a public declaration of the government to continue to uphold the moratorium on the use of the death penalty and a large number of Presidential pardons including for some prisoners on death row and prisoners condemned for manslaughter.

**4. EU financial engagement:** Through its Governance support programme (EUR 27 million under the 11<sup>th</sup> EDF), the EU continued to provide substantial contributions to democratic reforms (notably electoral cycle support, facilitation of political dialogue assistance to parliament), improving public service capacity and establishing a functional civil registry in accordance with international human rights conventions. Significant technical assistance and financial aid was provided to the National Civil Registration Authority to support the establishment of an effective, decentralised, continuous and universal registry of vital events, in view to ensure everyone's fundamental right to be recognised before the law, support effective decision-making and service delivery and the future extraction of a comprehensive and reliable voter register.

Significant technical assistance was provided to the National Electoral Commission for EOM follow-up and to the Parliament to facilitate the legislative process for corresponding legal instruments. The EU Governance programme also provided parliamentary support to strengthen inter-party dialogue, the institution of legislative capacity in respect to the decentralisation review process, improve its relations with the executive, the CSOs and the general public, enhancing democratic accountability. An action worth EUR 820,000 was contracted under the EIDHR to a national woman led non-partisan organisation (the 50/50 Group), advocating and campaigning for increased political participation and equal representation of women in decision-making processes and initiatives in Sierra Leone. The action also collaborates with the Governance support programme to strengthen the capacity of the female caucus in parliament. Efforts continue under the EIDHR funded action led by the international NGO 'GOAL' in collaboration with World Hope International and the Sierra

Leone Labour Congress to promote human rights and decent work and fight human trafficking and child labour in Sierra Leone.

The authorities' declared emergency on sexual violence led to the launch of a call for proposal under the Thematic Instrument in support to CSOs to 'Prevent Sexual and Gender Based Violence against Women and Girls in Sierra Leone'. Four actions, for an overall EU contribution of EUR 2.2 million, were awarded to coalitions led by national NGOs to promote the rights of women, strengthen prevention, response and access to justice to women and girls victims of sexual violence.

Under the 11<sup>th</sup> EDF Support Programme to Civil Society and Local Authorities for local development in Sierra Leone 7 grants worth EUR 8 million were awarded to national and international NGOs to strengthen the civic space and to promote participation of CSOs in development and implementation of Local Development Plans.

**5. Multilateral context:** The EU attended a validation workshop organised by the CSO Universal Periodic Review Monitoring Group-SL (CUMG-SL) on the status of implementation of Sierra Leone's second cycle UPR recommendations. Through a range of outreaches and demarches, the EU encouraged the government of Sierra Leone to align itself on the multilateral agenda at UN and in relation to the Kimberley Initiative.

## Somalia

**1. Overview of the human rights and democracy situation:** Somalia continues to suffer from widespread insecurity, fuelled primarily by regular reoccurring attacks from Al-Shabaab, but also persistent clan rivalries and capacity weaknesses of the Somali Security Forces. The lack of security and rule of law remain major obstacles for ensuring any protection of basic human rights, with basic policing functions, access to justice and correctional facilities only being available in limited locations, mostly in Mogadishu and to varying degrees in the regional capitals.

The absence of institutions, legislative frameworks and capacity to implement them remains a key obstacle to ensure respect for and implementation of human rights. While the Federal Government has repeatedly signalled its intention to finalise a justice model, establish key institutions such as the human rights commission, judicial service commission and constitutional court, the implementation of these objectives still needs to be concretised. The fraught relationship between the Federal Government and some of the Federal Member States has not been conducive to further progress. With reference to recent legislation, in September 2019 the anti-corruption bill was signed into law by the President of Somalia. The electoral bill, which has been repeatedly delayed, is yet to be passed, with an envisaged deadline before the end of 2019. The absence of institutions and legislation governing the conduct of the different stakeholders before, during and after the elections continues to pose serious risks of human rights abuses, including occurrences of violence, at both federal and regional level.

Freedom of expression and of the press continues to be severely constrained, and attacks against journalists common. There is insufficient protection to ensure the respect of women's and girls' rights which continue to be seriously violated, with sexual and gender-

based violence pervasive. Respect for the rights of children remains a concern, with an upshot in forced recruitment of minors by Al-Shabaab being a particular concern. While Somalia has been elected to the UN Human Rights Council in 2018, the establishment of Somali institutions (such as the Human Rights Commission foreseen by the provisional Constitution) that can serve to tackle the human rights situation still needs to be concretised. Chronic instability and the focus on security issues will continue to make it difficult for the Federal Government of Somalia to implement and respect key human rights commitments.

**2. EU action – key focus areas:** The EU support to Somalia is guided by the objective to rebuild the state, improve stability and reduce poverty. EU's activities in Somalia and Somaliland in the area of human rights in 2019 focused on promoting gender equality and women's rights, ending violence against women and children, supporting the democratisation agenda, including electoral processes and improving access to justice through institutional capacity building, support to mobile courts and legal aid provision, as well as the promotion of alternative dispute resolution mechanisms. EU actions also focused on supporting community police and providing human rights training for security forces, supporting security institutions to enhance political and civilian oversight and the rule of law, strengthening the role of the media and civil society organisations to monitor and report on human rights violations, as well as improving detention conditions and access to justice by prisoners. In 2019, the EU also stepped up its support to democratisation, including for the organisation of general elections in 2020/21.

**3. EU bilateral political engagement:** The protection of human rights is an important element addressed by the EU in its regular exchanges with government counterparts at all levels. During the first Article 8 dialogue held with the Prime Minister of Somalia on 19 March 2019 the EU Heads of Mission emphasised the need to promote human rights in Somalia, including through the yet-to-be-established Human Rights Commission and the passing of relevant legislation, such as the sexual offenses bill. The EU backs this dialogue with concrete support to civil society organisations working on the promotion of human rights as well as support to build the capacities of Somali security actors to improve the respect for human rights. In its role as co-chair of the Human Rights Working Group and regular participant to the Human Rights Pillar Working Group, the EU has also been actively engaging in advocacy efforts on various human rights-related topics. Following the recent Somalia Partnership Forum, wherein a set of priorities including in the sphere of human rights, were agreed upon by the Federal Government and the International Community including the EU, the EU will continue to advocate for the implementation of human rights commitments.

**4. EU financial engagement:** In 2019, the EU pursued its financial support to a range of projects related to strengthening the respect for human rights in Somalia (including Somaliland), both through the European Instrument for Democracy and Human Rights (EIDHR) for a total of EUR 2 million, and the EU Emergency Trust Fund for Africa (EUTF), supporting projects in the areas of rule of law, corrections, and security sector reform for a total of EUR 20.3 million. In the first half of 2019, the EU further strengthened its support to democratisation and the organisation of universal elections through an additional EUR 2 million contribution in support of the UN-implemented Joint Programme for Support to

Preparations for Universal Elections in the Federal Republic of Somalia. The EU is also supporting projects implemented by civil society organisations, with a focus on enhancing political representation of women, persons belonging to minorities, internally displaced people and persons with disabilities. The EU's support to the media sector focuses, *inter alia*, on the safety and security of journalists and improving the awareness among Somali security forces on the rights and existing laws protecting journalists in Somalia.

**5. Multilateral context:** Although the Federal Government of Somalia has ratified several human rights-related international commitments, the ability of the Somali authorities to implement these remains weak. The Federal Member States are even further away from being in a position to adhere to international commitments due to extremely limited capacities. Yet with Somalia's election to the UN Human Rights Council in 2018, there has been an opportunity to reinforce the work done with key government actors in favour of a strengthened enforcement of human rights commitments. This has also provided an opportunity for civil society actors to lobby more effectively for the respect of human rights in Somalia. The Federal Government engaged in a voluntary Mid-Term Review Report on the implementation progress of the Universal Periodic Review (UPR) recommendations in January 2019. Somalia has yet to adopt and/or ratify a number of other key international commitments, including the Rome Statute for the International Criminal Court.

## South Africa

**1. Overview of the human rights and democracy situation:** South Africa is a mature and vibrant democracy with a progressive constitutional and legal framework designed to ensure strong respect for human rights in the society. The government, active and robust media, civil society and an independent judiciary all play their role in protecting human rights. Nevertheless, the country continues to face difficulties in ensuring that constitutionally guaranteed human rights can be fully enjoyed by all in South Africa. Realisation of socio-economic rights and elimination of inequalities remains a major challenge. This continues to be particularly visible in the area of gender equality, where South Africa struggles with high levels of gender based violence, cases of femicide and more broadly the ability to advance rights of women in the society. The country has also seen several outbreaks of xenophobia and violence against refugees and migrants in 2019. The government has announced an action plan to fight gender based violence and femicide, both of which were highlighted as priorities for South Africa during its 2020 presidency of the African Union. Similarly, the cabinet adopted a national action plan to combat racism, racial discrimination, xenophobia and related intolerance. Another positive development in 2019 was the ratification of the Optional Protocol of the Convention Against Torture (OPCAT).

**2. EU action - key focus areas:** EU collective action in 2019 focused on maintaining dialogue, providing support, offering assistance and engaging a broad range of stakeholders in the society in areas where South Africa continues to face most challenges in ensuring full implementation of the constitutionally guaranteed set of human rights principles. EU action thus continued to be focused on (i) rule of law, access to justice, fight against impunity and reinforcement of accountability; (ii) socio-economic rights; (iii) gender equality, women

empowerment and gender based violence; and (iv) inclusion in the areas of migration, racism, the rights of LGBTI persons and persons with disabilities.

**3. EU bilateral political engagement:** In 2019, the EU and South Africa continued to engage on human rights in a regular manner, both formally and informally. The 6<sup>th</sup> EU-South Africa human rights dialogue took place in November 2019 and covered issues of multilateral cooperation, human rights situation in EU and South Africa as well as various thematic human rights issues. EU and South Africa have agreed to work closely together in the area of women empowerment and gender equality in the run up to the 25th anniversary of the Beijing Platform for Action and the 20th Anniversary of UNSCR 1325. Other opportunities for closer follow up and coordination in the area of human rights were also discussed. The EU informed South Africa about the launch of the Good Human Rights Stories Initiative and encouraged South Africa to join the initiative. EU also invited South Africa to join the Global Alliance for Torture Free Trade. Some EU Member States have also conducted their bilateral human rights dialogues with South Africa in 2019.

In addition to formal and informal dialogues, the EU delegation and the embassies of EU Member States in South Africa engaged on human rights through their public diplomacy activities. Examples include EU participation at the Graduation Ceremony of the African Programme in Human Rights and Democratisation at the University of Pretoria, participation in police and human rights dialogue, communication campaign against gender based violence during the 16 Days of Activism as well as participation in and support of regional conference on Prevention of Violence Against Women and Girls in Southern Africa. EU Member States have pursued additional communication and public diplomacy activities around similar topics and on various specific occasions, such as the International Day against Homophobia and Transphobia, the International Conference on Population and Development, and others.

**4. EU financial engagement:** Policy dialogue, political consultations and public diplomacy engagements were further complemented by EU and EU member states financial engagement. The EU and EU Member States continued to provide resources and technical support to the government of South Africa and the civil society in their efforts to address gaps in implementation of human rights agenda in the country. The EU provided funding through the Socio-Economic Justice for All programme, to improve access to socio-economic rights in the country while also supporting civil society organisations operating in the same field. The EU also finalised preparations for the support of the South African government in the area of gender equality and women's empowerment, with the programme expected to start in 2020. EU funding was made available to the government and the civil society in the area of migration, racism and xenophobia. Through the use of the EU Dialogue Facility, the EU supported links between the government of South Africa and their counterparts in EU Member States around the development and implementation of public policies and legislation concerning the rights of transgender and intersex persons as well as operationalisation of commitments made under the Convention on the rights of persons with disabilities. The EU also continued to support the African Policing Civilian Oversight Forum (APCOF) to promote compliance by the South African Police Service (SAPS) with the international, regional and constitutional human rights protections guaranteed for persons who are deprived of their liberty through the regular and independent monitoring of

detention facilities under the management of SAPS. Several EU Member States offered their own bilateral assistance in similar areas.

**5. Multilateral context:** South Africa maintained a strong and principled position on thematic human rights issues and continued to be a cooperative partner for the EU in the multilateral context. The country was a member of the Human Rights Council in 2019 and held the presidency of the UN Security Council. It engaged actively with the EU and the group of Latin American and Caribbean Countries States in preparation of the resolution on the rights of the child and eventually co-sponsored the resolution. South Africa also worked closely with the EU and seven Latin American countries on the renewal of the mandate of the Independent Expert on Sexual Orientation and Gender Identity, took a strong stance in defence of the Death Penalty resolution, and cooperated with the EU in several other areas. The EU and South Africa continued to engage in an effort to find common ground in thematic areas where differences remain with respect to the full implementation of existing frameworks and initiation of new initiatives – namely business and human rights and racism, racial discrimination, xenophobia, and related intolerance.

## South Sudan

**1. Overview of the human rights and democracy situation:** Although a revitalised Peace Agreement was signed in September 2018, the context remains volatile and characterised by a lack of accountability for human rights violations and abuses. The rival parties have twice extended the formation of a transitional government of national unity, first in May 2019 and then in November 2019. While most military offences have been suspended since the peace agreement, the number of casualties from localised conflict have been alarmingly high. Inter-communal clashes and revenge attacks continue to result in the killing and injuring of civilians, cattle raiding and the looting of property.

Sexual violence and other forms of violence against women and girls have continued, as well as reports of recruitment and employment of child soldiers. In February 2019, the Commission for Human Rights in South Sudan concluded that violations including rape and sexual violence continue to occur and may amount to international crimes.

Capital punishment is legal, and in practice it extends to juveniles, despite this being unconstitutional. Some prisoners of war and political detainees have been released. However the space for civil society, journalists and human rights defenders, remains heavily constrained, with recurrent arbitrary arrests. There is both censorship and self-censorship in the country's media.

There have been some positive developments in 2019. In September, the South Sudanese military tribunal found 9 soldiers guilty of killing a journalist, rape, gang rape and assault of international aid workers during an attack on a compound in July 2016. Also in part thanks to EU advocacy, the main monitoring body on the ceasefire (CTSAMVM) has increased his focus and training activity on sexual and gender based violence (SGBV) with the signatory parties, and indeed the SGBV cases attributable to organised armed forces have significantly

reduced. However, the steps taken to address impunity for conflict related sexual and gender based violence are still insufficient. Work on the establishment of a hybrid court foreseen in the Peace Agreement remains stalled and an environment of impunity continues to contribute to the deterioration of the human rights situation.

South Sudan has not had a national election since independence. After the formation of the new transitional government, the subsequent transitional period is scheduled to deliver a constitutional review and the preparations for free and fair elections after three years.

In 2019, humanitarian needs have remained high, aggravated further by unprecedented heavy flooding, and attacks on aid workers have continued, although humanitarian access has in general significantly improved since the peace agreement.

It is estimated that approximately 1.5 million people are internally displaced and 2.47 million have fled as refugees to neighbouring countries. Close to 200,000 people are living in six UN 'Protection of Civilians' sites across the country.

**2. EU action – key focus areas:** The key EU priority in 2019 was to support an inclusive peace process, through financial and political support, including by funding the two main monitoring bodies led by IGAD and by being at the forefront of the diplomatic efforts to encourage all parties to implement the ceasefire agreement of December 2017 and the revitalised Peace Agreement of September 2018. The EU has also provided support to human rights defenders (HRDs), provided venues to promote freedom of expression and freedom of association and assembly, as well as promoted women's and children's rights.

**3. EU bilateral political engagement:** The bilateral political engagement is constrained at the formal level by several factors: South Sudan is not a signatory of the Cotonou agreement; in the current pre-transitional phase of implementation of the Peace Agreement the government represents only one of the parties to the peace agreement, at least until an inclusive Transitional Government of National Unity is formed. Nonetheless, the EU has advocated in all its exchanges with the government authorities for increased respect of human rights, including for an increased transparency of the public finances which links to the realisation of the fundamental economic and social rights of the population. Formal demarches were also implemented often jointly with Member States, for example on the abolition of the death penalty. The EU is also in the forefront of raising HRD issues with the wider international community in Juba, including through following individual cases and thorough facilitating regular meetings hosted by the EU Ambassador for ambassadors to liaise with HRDs. One successful event was a 'speed-dating' evening for Human Rights Day in December during which the EU facilitated 50 HRDs to meet with 50 government officials (including security officials) to help build relationships and common understanding.

**4. EU financial engagement:** In 2019, the EU continued to support the capacity of human rights defenders to protect themselves and to support HRDs at imminent risk of violence and/or with acute protection needs. In a context of a limited civic space, this support is key to ensuring that South Sudanese HRDs can continue to address and counter human rights violations. The EU is also supporting access to information and freedom of expression. EU

funds have also continued to address the marginalisation of older South Sudanese persons in situations of forced displacement in Uganda, Ethiopia and South Sudan.

In addition, the EU continued to work with civil society on enhancing Technical and Vocational Education and Training (TVET) for South Sudanese youth. The main achievement this year has been the establishment of a unified TVET curriculum in South Sudan in cooperation with all relevant Ministerial bodies. To date, some 2,000 vulnerable youth including 400 persons with disabilities have been trained and set up small scale businesses.

**5. Multilateral context:** The full implementation of human rights commitments remains a challenge. While the Government of South Sudan has acceded to or ratified most international instruments, and has acceded to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in September 2019, enforcement and implementation is a major challenge.

The Government of South Sudan has shown cooperation with several African Union bodies and various bodies of the UN Special Procedures, who are granted access during their visits to the country. As part of the UPR mid-term review in 2019, the Government of South Sudan confirmed that it is working on an initial national report on the implementation of the International Convention on Elimination of All Forms of Inhuman, Cruel and Degrading Treatment.

## Sudan

**1. Overview of the human rights and democracy situation:** In 2019, Sudan experienced tectonic political changes. Since the constitutional declaration reached between the military and the civilian opposition movement on 17 August 2019, Sudan has embarked on a complex 3-year political transition. This was preceded by sustained popular protests, which ultimately led to the ousting of the International Criminal Court (ICC)-indicted President Omar Al-Bashir – in power for 30 years – by the military in April 2019. Prior to the agreement reached, Sudan's security forces, in particular the National Intelligence and Security Service (NISS) used their extended powers to systematically restrict political and civil rights, including through intimidation, detention and torture of political activists. On 3 June, violent attacks against peaceful protestors in Khartoum resulted in the killing and injuring of many peaceful civilian protesters, as well as in sexual and gender-based violence. Before the political settlement reached in August, the situation of freedom of expression and media was in Sudan of great concern with the security authorities seizing print-runs, suspending newspapers, detaining, and fining journalists for critical writing.

Subsequent to the power-sharing agreement of August 2019, the Sovereign Council, composed of both civilian and military representatives, and a transitional civilian government, led by Prime Minister Abdalla Hamdok, were formed. The technocrat government declared reaching sustainable peace and improving the human rights situation in the country as among its priorities for the transitional period. In September, a national investigation committee into three June attacks was formed. Dr Nabil Adeeb, a prominent human rights lawyer, was later appointed to head the commission. The space for civil society

in Sudan increased considerably in the second half of 2019, with many organisations that formerly faced enormous hurdles now having more space to operate in Sudan. The same goes for independent journalism. However, the legal framework for NGOs has yet to be reviewed, in order to ensure that registration of CSOs and other bureaucratic requirements are adapted according to international standards. Similarly, the press law has yet to be reviewed.

The transitional government showed its political commitment to bring about change *inter alia* by agreeing to the opening of the Office of the UN High Commissioner for Human Rights in Sudan, repealing the repressive Public Order Law and loosening humanitarian access impediments. In October 2019, peace process between the transitional authorities and the Sudanese armed groups was launched. The transitional government also agreed to the extension of the UN-AU Mission in Darfur (UNAMID), crucial for the protection of civilians. The transitional authorities also took steps to reform NISS. Transitional justice however remained a contested issued, also in view of Bashir's arrest warrants vis-à-vis the ICC, which remained outstanding. Subject to ongoing trials, Bashir remains in prison.

**2. EU action – key focus areas:** The EU's key focus areas in Sudan continued to be (i) promotion of greater space and a safe, conducive environment for HRDs and civil society organisations (CSOs); (ii) ensuring greater freedom of expression in the press, the media and on digital platforms and freedom of speech; (iii) protection and promotion of the human rights of women and children; (iv) protection and promotion of the human rights of migrants, refugees and IDPs and (v) fostering inclusive and peaceful governance that respects human rights.

**3. EU bilateral political engagement:** Throughout 2019, the EU remained actively engaged in Sudan. The EU continued to co-chair and host the International Partners' Forum for Human Rights, a group of diplomatic representatives in Khartoum that regularly exchanges on human rights issues. The EU delegation also closely monitored specific human rights cases, observed court trials as well as raised human rights concerns and called the Sudanese authorities for action. The EU also issued several statements in 2019, including a EU28 statement issued in February 2019, calling for the lifting of restrictions placed on freedom of assembly, freedom of the media, civic space and access to the internet. The Foreign Affairs Council statement of 17 June condemned the violent attacks of 3 June, while calling for an independent and transparent investigation with the perpetrators held to account.

In July, the Minister for Foreign Affairs of Finland, Pekka Haavisto, was mandated by the HR/VP to reach out, on behalf of the EU, on both the situation in Sudan and on how the international community can accompany the country on its transition path. To that end, Haavisto visited both Sudan as well as several countries of the Red Sea and broader region. On 17 August, the EU attended the signing ceremony of the transitional agreement in Khartoum as an expression of strong political support for the civilian transition.

In November, Prime Minister Hamdok visited Brussels, at the invitation of HR/VP Mogherini, during which the EU reconfirmed its commitment to support the political transition in Sudan. The EU also adopted Council conclusions on Sudan<sup>13</sup> in December, emphasised the need for the EU to play an active role in supporting and consolidating the political transition in Sudan

---

<sup>13</sup> <http://data.consilium.europa.eu/doc/document/ST-14623-2019-INIT/en/pdf>

and accompanying the country on its path of political and economic reforms. The EU was also at the forefront of the international Friends of Sudan initiative with regular meetings bringing together major donors and international financial institutions since spring 2019.

The European Parliament adopted a resolution in 2019 on the human rights situation in Sudan<sup>14</sup>, condemning the violent response by the Sudanese security forces to peaceful protests. In April, the Parliament held a plenary debate on the situation in the country, calling for a civilian-led transition in Sudan. On the International Women's Day in March, the EU delegation organised a lunch with women rights' activists, to also discuss about further EU support in this domain. The Annual Human Rights Award of the EU delegation was dedicated in 2019 to equality and justice for all. The prize was awarded to the Sudanese people as a whole, in the honour of their peaceful struggle for a political transition and for those who lost their lives in the quest for peace, freedom and justice.

**4. EU financial engagement:** Throughout 2018, the EU continued to support a number of projects relating to human rights in Sudan through European Instrument for Democracy and Human Rights (EIDHR) and Civil Society Organisations and Local Authorities (CSO-LA) funding. The EU provided support to human rights defenders through the EIDHR emergency small grant facility. The EU also continued to provide Sudan with technical assistance relating to human rights and good governance, such as human rights capacity trainings, technical support on the rule of law and assistance in the implementation of the UN Action Plan on ending and preventing recruitment of child soldiers.

The EU supported directly the people of Sudan through actions funded by the EU Emergency Trust Fund for Africa (EUTF). The EU's cooperation mainly focuses on assisting refugees, internally displaced persons (IDPs) and host communities. The main areas of this ongoing support include education, health, food security, rural development and the fight against climate change. The EU's assistance strictly follows the 'Do-no-harm approach'. In addition, the EU continued to be instrumental in supplying humanitarian assistance to the people in need.

**5. Multilateral context:** An important milestone to foster human rights was the agreement of the transitional government to open an Office of the UN High Commissioner for Human Rights in Sudan (OHCHR). The mandate of the UN Independent Expert on human rights on Sudan was extended for a further year by the UN Human Rights Council in September 2019 until the OHCHR office in Sudan is declared fully operational.

## Tanzania

**1. Overview of the human rights and democracy situation:** Overall, the United Republic of Tanzania remains a peaceful, multi-ethnic, religiously tolerant and stable country. In 2019, some positive developments could be noted, notably the perception that petty corruption continues to be reduced, and some positive achievements related in particular to child marriage, with the Court of Appeal upholding the law banning child marriage and directing

---

<sup>14</sup> [http://www.europarl.europa.eu/doceo/document/TA-8-2019-0034\\_EN.html](http://www.europarl.europa.eu/doceo/document/TA-8-2019-0034_EN.html)

the Government to raise the legal age of marriage to 18 years within a year. However, the country faces increasing and significant challenges. As was the case already in 2018, the year 2019 was marked by growing concerns over the protection of human rights and fundamental freedoms, especially freedom of expression, association and assembly. Recent legal reforms and practices are contributing to create a non-conducive environment for civic and political rights and for fundamental rights of young girls, LGBTI persons, refugees, pastoralists, with increasing victimisation of human rights' defenders. In October 2019, both Human Rights Watch and Amnesty International published severe reports on threats to freedom of expression in Tanzania, highlighting how the application of the new laws had a distressing effect on the rights to freedom of expression, association and peaceful assembly. The local elections of November 2019 raised a number of serious concerns, in particular on the lack of transparency, the limited numbers of accreditation for elections observation and voters' education and the important number of opposition candidates declared non-eligible.

**2. EU action - key focus areas:** The EU has focused its action on improving the legal framework on human rights (with a focus on torture and death penalty) and defending and promoting the rights of women and children. During the '16 days of Activism' the EU organised public events in marginalised communities in Dar es-Salaam on the effects of gender-based violence (GBV), especially addressing women and children in families. These public events included free legal consultancy on gender and inheritance rights. The EU has continued to follow up on threats, arrests and cases against journalists and other media stakeholders, which have been on the increase. This also includes public support to human rights defenders, such as the 2019 Human Rights Defenders Award to the Distinguished Champion of Online Freedom of Speech in Tanzania, Mr Maxence Mello.

In 2019, the EU delegation chaired the Development Partners Group on Gender Equality and Women's Empowerment, which is an important platform for dialogue with national stakeholders in Tanzania. Given the Tanzanian government's priority on women's economic empowerment, the engagement with the financial and private sector was specifically in focus during 2019, including meetings and dialogue with for example the National Economic and Empowerment Council, small businesses, Financial Sector Deepening Trust and commercial banks.

**3. EU bilateral political engagement:** The EU and the Member States pursue regular outreaches with Tanzanian authorities on issues related to human rights. EU diplomats have also attended significant court cases, in line with existing EU guidelines. The EU delegation pursued throughout the year robust communication campaigns, including on social media, to mark the milestone recurrences around human rights.

**4. EU financial engagement:** In 2019, Ireland started providing core funding to the Legal Human Rights Centre (LHRC), Tanzania's leading Human Rights CSO. LHRC produces an annual human rights report including monitoring trends in relation to the death penalty and allegations of torture. LHRC works comprehensively to improve the legal framework on human rights in Tanzania.

The EU continued its financial support through various projects in favour of media, youth, women and CSOs.

**5. Multilateral context:** Together with the UNFPA, the EU ran online and offline campaign against female genital mutilation (FGM) to call for its end by 2030, in line with the SDGs. The EU also collaborated with UNICEF and the Embassy of the Kingdom of Netherlands to organise events and an online campaign around the 30th anniversary of the UN Convention on the Rights of the Child (CRC@30).

Key international days commemorated in 2019 include International Day of Zero Tolerance Against FGM, with focus on the particularly affected Mara region; International Women's Day in Mwanza Region; Day of the African Child commemorated in Zanzibar; International Day of the Child in Dar es-Salaam; and the 16 Days of Activism leading up to Human Rights Day on 10 December.

## The Gambia

**1. Overview of the human rights and democracy situation:** Since the end of 22 years of authoritarian rule in 2017, the current government has committed to implementing democratic reforms, respect of human rights and the rule of law. It has made good progress in 2018 and 2019, though legal and legislative reforms are slow to materialise, a situation compounded by the financial, economic and political legacy of former regime. In 2019, the political situation became more conflictual, triggered by the President renouncing on his election-time promise to step down after three years of transitional government. While the Constitution puts the President on firm ground for finalising his 5-year mandate, parts of the population are determined to hold him to his word, their demands being of a moral rather than a legal nature.

The establishment of the Constitutional Review Commission (CRC), the Truth, Reconciliation and Reparations Commission (TRRC) and the National Human Rights Commission (NHRC) in 2018 as part of an overarching transitional justice process, all three Commissions have delivered impressively on their mandates throughout the year 2019. Civil society is gradually strengthening its capacities to fulfil its role as a watchdog.

Hearings in front of the Truth, Reconciliation and Reparations Commission (TRRC) have continued throughout 2019 on a plethora of human rights abuses and other crimes committed under the previous regime. Witnesses, victims and alleged perpetrators have testified in front of the Commission. The emphasis should soon shift from hearings to the aspect of reparations for victims and criminal justice proceedings. In October 2019, the Gambia Government has disbursed 50 million dalasi, raised from funds recuperated from the sale of assets of former President Jammeh, to the TRRC to pay reparations to victims of human rights violations of the former regime.

On 15 November 2019, the Constitutional Review Commission (CRC) of The Gambia released to the public its draft Constitution. The process of providing the country with a new Constitution now enters its next phase, with feedback and public consultations on its first draft text. The draft is the result of a careful balancing of norms and legal obligations deriving from international treaties on the one hand, and cultural values and traditions that

are considered essential to the Gambians, on the other. While as a whole, the draft was well-received, certain topics –related to religion have led to fierce public debate. The draft Constitution will continue to be subject to public debate and it is not certain whether it will be adopted in the referendum later in 2020.

Important legal reform proposals have been submitted to the National Assembly in December 2019, including the draft Criminal Offenses and Criminal Procedure bills, bills related to freedom of expression, media and access to information, as well as regarding women's rights. The death penalty remains in the current criminal code, to be withdrawn depending on the outcome of the Constitutional review process (the death penalty does not feature in the draft Constitution). The criminal offenses bill criminalises 'aggravated homo sexuality' and The Gambia has stated in its submission to the 34th session of the UN Human Rights Council Universal Periodic Review Working Group (UPR) that it does not intend to decriminalise same-sex relationships.

In February 2019, a Ministry of Women, Children and Social Welfare was created with a view to advancing the rights of women and children. However, violence against women and girls, early and forced marriage, and Female Genital Mutilation/Cutting are still widespread in Gambian society, despite the 2016 law forbidding the latter practice.

**2. EU action - key focus areas:** The EU remains committed to supporting the ongoing democratic transition with the aim of consolidating peace by strengthening democratic institutions in full respect of human rights and the rule of law. In 2019, EU activities focused on monitoring and supporting the Security Sector Reform (SSR), as well as the ongoing legal reforms.

**3. EU bilateral political engagement:** The visit of the EU Electoral Follow-up Mission, led by former MEP Miroslav Poche in early October, put special emphasis on reforming electoral laws and on the need to support the implementation of the recommendations of the 2017 Electoral Observation Mission. The ongoing constitutional review and TRRC processes as well as the work of the National Human Rights Commission were the focus of the visit of EUSR for Human Rights Gilmore in October. Both visits provided ample opportunity to engage with the Gambian government at the highest political level.

The EU's support to the Gambian government included frequent and productive political discussions and policy dialogues at all levels. The EU continues to capitalise on its membership of steering committees for sectoral reforms – such as in the areas of SSR and Governance - to promote its positions on human rights in close co-ordination with Member States and like-minded actors.

**4. EU financial engagement:** In 2019, the EU and the Member States contributed significant financial support to The Gambia, in the form of budget support and technical assistance in the areas of good governance and democratic reforms, complemented by targeted interventions in key sectors. The second phase of the National Indicative Programme (2017-2020) under the 11th EDF includes 'governance/security/rule of law' as its first focal sector (EUR 135 million). Support under the Instrument contributing to Stability and Peace (IcSP) targeted the ongoing reform processes in the security sector. Two projects under the

European Instrument for Democracy and Human Rights (EIDHR) were allocated a total of EUR 425,000 on increasing accountability and preventing enforced disappearances and extrajudicial killings in The Gambia, as well as on building a democratic culture and tolerance through awareness raising and civic education.

**5. Multilateral context:** In September 2019, The Gambia contributed to the second edition of the EU-led 'Good Human Rights Stories Initiative' in the framework of the UN General Assembly in New York. Its story centred on access to justice for victims of human rights abuses.

In November 2019, The Gambia underwent its Universal Periodic Review (UPR) in the UN Human Rights Council. The Gambia was commended for the significant improvements it had made since its last review in 2014, *inter alia* in ratifying numerous international human rights treaties, including the UN Convention against Torture and the Second Optional Protocol to the International Covenant on Civil and Political rights, aiming at the irreversible abolition of the death penalty. Recommendations were focused and well-tailored, with capital punishment, torture and ill-treatment, freedom of expression and information, women's rights and the rights of LGBTI persons as the main issues that were highlighted.

On 11 November 2019, The Gambia filed a genocide case against Myanmar at the International Court of Justice (ICJ) in The Hague, aiming to bring the latter to justice over alleged mass killings of the Rohingya minority in 2017. Hearings were concluded in December 2019. In its recent ruling, the ICJ ruled in favour of The Gambia's request for provisional measures in accordance with the Genocide Convention.

## Togo

**1. Overview of the human rights and democracy situation:** The state of human rights in Togo is largely influenced by its recent past and its socio-economic context. In a country where 55% of the population is under the poverty line, and with significant inequality, Togo is struggling to get over its authoritarian past. In 2019, the government continued its constitutional and institutional reforms, but a lot needs to be done to consolidate democracy, the rule of law and the respect for human rights. The human rights situation did not improve significantly, and the presidential elections foreseen for early 2020 bring concerns about the chances for a credible, transparent and inclusive electoral process, let alone chances for a peaceful and democratic transition of power. Concerns persisted over political, economic and social rights, despite the existing legal framework. The improvement is hindered by weak state institutions and lack of political will of the authorities.

The political crisis, which started in August 2017, took 18 months to calm down. Some signs of opening could be noticed, albeit ambiguous:

- i) Constitutional amendment of May 2019 (the number of presidential mandates limited to two, yet not applicable to the current President who can run for the post twice more; two rounds voting in the presidential elections; parliamentary

- mandates limited to three; creation of the Senate where the ‘former presidents’ will now *de lege* become members, enjoying a life-long immunities, i.a.)
- ii) Local elections held in June 2019 (for the first time since 1987) where in order to guarantee the inclusiveness of the process, the authorities accepted to reopen the voters’ register.

Among the new legislation, the most controversial act in 2019 was the new Demonstration Law, clearly more restrictive than the previous one. According to the Government, it is necessary given the security concerns, but according the opposition (and the UN experts) it seriously violates basic civic freedoms. To note also that the Parliament has not adopted the code of criminal procedure yet.

Demonstrations of the opposition, although mostly peaceful, led to dozens of arrests, and resulted in overcrowded prisons. To alleviate the penitentiary situation, in January 2019 the President pardoned 454 criminals, and 2 of the detained human rights defenders were also freed.

Freedom of press and media is generally respected in the written press, radio and internet, less so on TV. A new law on press and communication was adopted in December 2019, including regulations on the new media.

Certain structural problems remain of concern, such as the weakness of the justice system and the situation of women and children. Prisons’ overpopulation is symptomatic, despite the presidential pardon.

Gender equality is enshrined in the Togolese laws, but not regularly practiced: women do not enjoy equal access to land property and their economic rights are not efficiently protected. Moreover, poverty in some rural areas of Togo and lack of education fuels trafficking in human beings, affecting especially women and children. Other challenges include genital mutilations, in particular in rural areas, or the discrimination of people suffering from albinism.

**2. EU action - key focus areas:** The key focus areas of the EU’s human rights and democracy engagement in Togo are the following: reform of the judicial system; support to national reconciliation; support to the modernisation of state services; professionalisation of law enforcement bodies; the implementation of the gender action plan and support to the civil society.

**3. EU bilateral political engagement:** Since the Art. 8 bilateral political dialogue session held in Lomé on 26 Nov 2019, one of the priorities has been how to ensure the level playing field in the context of the upcoming presidential elections (first round planned for 22 February 2020). The EU delegation has followed the political developments in Togo, together with its partners of the informal ‘Group of 5’ (EU, France, Germany, US, UN). The G-5 has maintained a regular dialogue with the government, political parties of the whole political spectrum, and the civil society representatives, which served to exchange on the pertinent political matters, including democracy and human rights.

The presidential pardon, announced on 11 January 2019, set 454 persons free according to two criteria: having less than 6 months to serve, or being gravely ill. The pardon was the direct result of the EU-funded project 'Support to the Judicial Sector', as it was intensively promoted, partly in response to the overpopulation in Togolese jails. This case also demonstrates the importance of the constant dialogue that the EU has kept open with the Togolese authorities during 2019, leading, *inter alia*, to an improvement of the situation with NGOs working on the national reconciliation.

**4. EU financial engagement:** In 2019, the EU-funded programme PRODEGOL was implemented, co-financed with Germany, aiming to improve the delivery of civil service, such as birth certificates and other administrative acts. Under the EU funded 'Support to the Justice Sector' (judiciary, cooperation with judicial police etc.), some results have been visible, including increased recruitments in the sector. In 2019, a new justice sector strategy was adopted, and justice houses and law clinics at two Togolese universities were opened.

Some local NGOs have received grants to raise awareness within the population, and encourage dialogue and reconciliation. The EU also financed the Civil Society Platform promoting peace and reconciliation.

The government is working on a reform of local self-government, with EU support on the delivery of public services. The National Police School opened 2017 as a centre of education and retraining of the police officers, with EU financial support.

Clear indicators were selected for various budget support programmes in various sectors (in particular: energy, water and sanitation). Additionally, training activities for women in politics have been undertaken, and awareness campaigns took place.

The EU supported the civil society through PROCEMA programme, which included activities focused on gender equality.

**5. Multilateral context:** Togo has been re-elected to the Human Rights Council for a two years mandate (2018-2020).

## Uganda

**1. Overview of the human rights and democracy situation:** The situation of Uganda in 2019 was defined by clear flaws in the functioning of democracy and constant violations of human rights, including by state operatives. There were signs that the limiting of political and civic space was at least partially triggered by the presidential and parliamentary elections to be held in early 2021. Supreme Court judges ruled to uphold the removal of the presidential age limit in the Ugandan Constitution, which had been passed by Parliament in December 2017. Key opposition politicians faced continued harassment by the police throughout the year. The use of so-called 'safe houses' by security services, most notably the Internal Security Organisation (ISO), came to public attention again in 2019. The EU has continued to speak out with one voice against breaches of freedom of expression and freedom of assembly and

excessive use of force by members of law enforcement agencies, with joint local statements issued in May and October.

**2. EU action - key focus areas:** In 2019, the EU continued to advocate for the protection of civic space in Uganda. The EU publicly called for civic freedoms to be protected in coordinated local statements in response to the suspension of journalists in May and on the situation in Makerere University in November. Similar messages were communicated as the EU marked key international days including World Free Press Day (on 3 May), Democracy Day (on 15 September), and Human Rights Day (on 10 December).

The EU continued to lend its support to anti-corruption efforts notably through an Op-Ed to mark International Anti-corruption Day on 9 December and participation in the anti-corruption walk. The EU and UK continued to co-chair the development partners' Accountability Working Group, which is the main platform for donor coordination on anti-corruption issues. The EU-funded Sector Reform Performance Contract (SRPC) on 'Justice and Accountability Reform' (JAR) gained speed during 2019, notably through the achievement of a major milestone in the form of Uganda's announcement in January that it will join the Extractive Industries Transparency Initiative (EITI).

The EU continues to support, through the Democratic Governance Facility (DGF), interventions in areas of access to justice, including transitional justice. The DGF interventions are complemented by bilateral support to the Justice, Law and Order Sector as well as the Sector Reform Performance Contract (SRPC) on 'Justice and Accountability Reform' (JAR).

During 2019, the EU delegation focal point for human rights defenders (HRDs) registered fifteen cases of people and organisations seeking human rights defender support. Responses ranged from political dialogue, formal communication with the Uganda Police Force (UPF), emergency response funding and coordination with local civil society groups and UN agencies. The EU has continued to support efforts for the abolition of the death penalty in Uganda. The EU Heads of Mission and the Ambassadors of Norway, Iceland and the Apostolic Nunciature paid a solidarity visit to death row inmates on 21 November as part of the activities to mark the international day for the abolition of the death penalty.

The EU continues to advocate for gender equality and women empowerment, as well as elimination of violence against women in their engagements with all actors whether government or non-state actors.

The EU continued to underscore the importance of respecting, protecting and fulfilling the rights of all people, with a specific focus on marginalised and vulnerable groups. Representatives of the EU delegation and Member States attended a civil society event on 17 May to celebrate the International Day against Homophobia, Transphobia and Biphobia. Despite this diplomatic presence, the police entered the venue and prevented the event from proceeding as planned.

**3. EU bilateral political engagement:** Concerns about the violations of freedoms of peaceful assembly and expression were raised during the Article 8 dialogue meetings with President Museveni in May and November. The EU addressed anti-corruption and wider accountability issues in its political outreach, notably through Article 8 dialogues. The EU continued to

engage in quiet diplomacy in support of LGBTI persons in Uganda, an approach supported by the LGBTI community itself.

**4. EU financial engagement:** The EU, along with Member States and like-minded countries continued its strong backing of the Democratic Governance Facility (DGF), which supports a range of projects aimed at improving respect for civic space in Uganda. The audits of the DGF for 2017 and 2018 have shown that civil society organisations are not immune to financial mismanagement.

The EU delegation launched an EIDHR call for proposals worth EUR 1.8 million, with a major focus on elimination of violence against women and girls in Central and South Western Uganda. Four contracts were signed in 2019.

The EU provided financial support to Africa Prisons Project (APP), a CSO working with inmates in Ugandan prisons, to further raise awareness and support death row inmates. Part of this support also went to activities to commemorate the international day for the abolition of the death penalty.

**5. Multilateral context:** The long awaited EU-UN Spotlight initiative on elimination of violence against women and girls finally started in early 2019. Uganda benefits from USD 22 million as part of this initiative, with activities already ongoing in the seven selected districts.

The EU delegation marked the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child by launching a third edition of the EU comic book, 'Tesa and Luuka', serialised across a six week period in the country's major independent daily while glossy copies of the comics were distributed to schools across the country. The series highlighted challenges of children's rights including on female genital mutilation and early child marriages.

The EU closely followed the verification exercise undertaken by the government and the UNHCR regarding the actual number of refugees hosted in Uganda, and stressed the importance of following through on the subsequent investigations on alleged cases of corruption and financial mismanagement.

## Zambia

**1. Overview of the human rights and democracy situation:** Reports of incidents that restricted the fundamental freedoms of assembly, association and expression were received throughout the year. Meanwhile, a review of the Public Order Act (as recommended also by the EU Election Observation Mission in 2016) was taken forward this year by the presentation of the Public Order Bill 2019 to Parliament. Reports of corruption continued to increase in 2019. While the government continues to pronounce itself against corruption, in practice there is very limited follow-up and prosecution of cases. According to Transparency International's 2019 Global Corruption Barometer, 70% of Zambians think that their government is doing a bad job at tackling corruption. In 2019, women's and girls' rights continued to face significant obstacles in Zambia, with a high prevalence of Sexual and Gender Based Violence (SGBV) and child marriage. The government has demonstrated leadership to reduce early child marriage both within Zambia and the international arena,

with the hope to register structural changes in the next few years. Sexual and reproductive health and rights continue to be a key issue, reflected in the country's alarmingly high adolescent pregnancy rate. Poverty and vulnerability continue to be key challenges, and children's rights to good education are severely affected in terms of quality. Consensual same sex activity continues to be criminalised. In November, two gay men who had been arrested in 2017 were convicted to 15 years of imprisonment (the minimum sentence) for 'acts against the order of nature'. There is political commitment to alleviate the conditions of prison inmates, facilitate the protection of refugees and in support of the rights of people with disabilities. In a welcome effort to further domesticate the UN Convention on the Rights of Persons with Disabilities, the government enacted the Mental Health Act in April that importantly repealed the Mental Disorders Act of 1949.

**2. EU action- key focus areas:** In 2019, the EU delegation and the resident EU Member States in Zambia supported the implementation of agreed priorities and objectives of the EU Human Rights and Democracy Country Strategy throughout the year, both at the political level and through their development relations. For the period 2016-2020 the EU Human Rights and Democracy Country Strategy for Zambia has focused its action on the following key areas:

- the advancement of women's and girls' rights, including sexual and reproductive rights and the fight against gender-based violence;
- the promotion of economic, social and cultural rights, including children and their right to good education and good health;
- the enhancement of transparent governance, including the fight against corruption, improved access to information, and freedom of expression, assembly and association;
- the promotion of a fair and efficient justice system, including the right to a fair trial, the rights of persons in detention, and the abolition of the death penalty;
- the cultivation of an environment of non-discrimination, with a focus on the rights of marginalised groups.

The EU also works to implement the follow-up plan of the recommendations of the 2016 EU Election Observation Mission (EOM), as well as the objectives of the EU Gender Action Plan and the EU CSO Roadmap 2018-2020, locally agreed with EU Member States and other donors and in consultation with Civil Society Organisations (CSOs).

**3. EU bilateral political engagement:** In the framework of the Zambia-EU 'Article 8' Political Dialogue that took place in May 2019, several core human rights and democracy issues were discussed, including women's empowerment, sexual and reproductive health and rights, corruption, freedom of assembly and expression, the eradication of political violence and the moratorium against the death penalty.

In the course of 2019, the political engagement of the EU delegation regarding human rights and democracy in Zambia took different forms and included interactions with key stakeholders as part of the ongoing political dialogue (Article 8 meeting; meetings with the president, relevant ministers, the Electoral Commission of Zambia and other senior interlocutors such as the Chief Justice; meetings with CSOs and human rights defenders) as

well as the organisation of and participation in different events (e.g.: Human Rights Day), demarches and several other activities organised as part of the delegation's public diplomacy. Moreover, an EU Election Follow-Up Mission was deployed from 27 May to 19 June 2019 to Zambia to assess, at the mid-term point in the electoral cycle, the status of implementation of the recommendations of the 2016 EU Election Observation Mission (EU EOM).

The EU delegation and the EU Member States present in Zambia advocated for EU priorities in the field of human rights and democracy throughout the year, *inter alia*, through the press, radio and social media. They seized the opportunity of National Day speeches, civil society events, launching of development projects as well as of international days such as Human Rights Day to promote relevant issues that fall under the EU priorities in this field.

**4. EU financial engagement:** The EU and the EU Member States are major development partners for Zambia. They currently support human rights and democracy via grant support to CSOs, to the national Human Rights Commission and the National Assembly, the electoral process and institutions, as well as via technical assistance to government authorities.

The EU delegation supports human rights and democracy in Zambia via the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations - Local Authorities Programme (CSO-LA). Key examples of these projects are the nation-wide campaign against the death penalty implemented by the Human Rights Commission; the programme for the promotion of prisoner's rights and their reintegration into society; the programme in favour of the inclusion of persons with disability; and the support to DRC refugees and host communities for the access to services ensuring human rights and dignity. In addition, the National Indicative Programme under the 11th European Development Fund contributes, *inter alia*, to the support of women's rights in Zambia through the large EU Programme (EUR 25 million) to prevent Sexual and Gender-Based Violence and to provide services to survivors of violence.

**5. Multilateral context:** The third Universal Periodic Review (UPR) process for Zambia took place in November 2017. In May 2018, the government released the results of its examination of the 203 recommendations. The government accepted an overwhelming majority (183) of the recommendations, while one was supported in part and 19 were noted (effectively rejected). The recommendations which were noted relate essentially to the abolition of the death penalty (9), the decriminalisation of same-sex relationships (7), access to social services, education and health for refugee and migrant children (2), and the implementation of the Marriage Act establishing the legal age for marriage as 21 years old (1).

## Zimbabwe

**1. Overview of the human rights and democracy situation:** A year and a half after the 2018 elections, the government has shown little appetite to undertake political and economic reforms. Moreover, the authorities' recourse to security forces repression and the subsequent shrinking of democratic space and rampant corruption and mismanagement led to a serious deterioration of all socio-economic and humanitarian indicators. Since January

2019, there has been a sharp increase in reported human rights violations. Beyond a series of intimidations against opposition supporters and activists, the year was marked by violent episodes of police brutalities (in January, August and November). The recommendations issued in the Motlanthe report of the Commission of inquiry to investigate the violence against civilians in the post-election period, which resulted in the death of six people in August 2018, are still to be effectively addressed by the authorities. Progress is also very slow in addressing the recommendations of the EU Electoral Observation Mission (EOM) and of the other election observation missions that were deployed in the country before 2018 elections. The human rights situation is further worsened by the ongoing economic and humanitarian crisis that resulted in a massive decrease of access to basic services for the population and is further worsening the situation of the most vulnerable communities.

**2. EU action - key focus areas:** In 2019, EU priorities in the area of human rights and democracy continued to target both institutions and civil society organisations engaged in the implementation of the 2013 Constitution. On 17 January 2019, the HR/VP Spokesperson issued a statement condemning the deadly violence further to a series of demonstrations against an increase in the price of fuel. It also voiced concerns over the internet shutdown that followed these police brutality episodes. Similarly, on 14 February 2019, the European Parliament adopted a resolution (2019/2563) condemning the violent crackdown by security forces on demonstrators, civil society, opposition members and trade unionists following the decision to increase the price of fuel by over 150%. On 7 June 2019, the EU delegation released a press statement condemning the abduction and abuse of rural teachers' union president Mr. Obert Masaraure in Harare on 6 June. On 20 August 2019, the EU delegation, the Heads of Mission of France, Germany, Greece, the Netherlands, Romania, Sweden and the United Kingdom, and the Heads of Mission of Australia, Canada and the USA issued a joint local statement on respect for human rights and freedom of assembly further to intimidation, harassment and physical attacks on human rights defenders, trade union and civil society representatives, and opposition politicians - prior to, during and following a demonstration in Harare on 16 August.

**3. EU bilateral political engagement:** The launch of a regular and official political dialogue (held on 5 June and 21 November) paved the way for a normalised high-level exchange on human rights and democracy priorities. Issues raised by the EU side were the implementation of the constitutional and legislative framework, respect and promotion of fundamental freedoms such as the freedom of the media, putting an end to police brutality and addressing the impunity gap, the promotion of gender equality and women's empowerment, and the prompt and effective implementation of the EU EOM recommendations. The progress of Zimbabwe's accession to international instruments was also raised.

**4. EU financial engagement:** Throughout 2019, the EU continued to provide support through projects funded under the European Development Fund (EDF), the Development Cooperation Instrument (DCI), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Stability and Peace (IcSP). The portfolio includes thirty-four projects, for an overall planned amount of EUR 37 million: 11 projects focus on civil and political rights and have been developed in partnership with local and international organisms such as the Zimbabwe Election Support Network or the IOM. Simultaneously, eight projects focused on the reinforcement of democratic institutions and 15 projects were

implemented in the areas of civil society support, citizen participation and peace and reconciliation.

Ongoing contracts under the EIDHR amount to EUR 1,950,000 and target mainly constitutionalism and protection of human rights, including of people with disability.

The EU, in partnership with the UN agencies (UNDP, UN Women, UNFPA, UNICEF, ILO and UNESCO) and the Government of Zimbabwe launched the Spotlight Initiative to end violence against women and girls. An amount of EUR 18.4 million has been allocated to the initiative.

**5. Multilateral context:** A voluntary mid-term report of the Universal Periodic Review to the United Nations (UN) Human Rights Council was issued in October 2019. Yet, the report shows that Zimbabwe falls short in terms of effective protection and promotion of human rights and democratic principles. The large majority of the 154 out of 263 recommendations supported by the Government of Zimbabwe are still to be effectively addressed.

Little progress was made on the accession to international instruments, despite expectations (e.g.: abolition of death penalty) and government self-declared priorities (e.g.: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention for the Protection of All Persons from Enforced Disappearance). In March 2019, the parliament approved the AU African Charter on Democracy, Elections and Governance, paving the way for the government to complete the process of Zimbabwe's becoming bound by the Charter under international law. The ratification process (president's assent) remains ongoing.

## Arabian Peninsula

### Bahrain

**1. Overview of the human rights and democracy situation:** Following the 2018 elections, in which the two dissolved major political societies (Al Wefaaq and Al Waad) were banned from running, and the gradual shrinking of political space, a new parliament has emerged in Bahrain, addressing mainly socio-economic issues.

Political and civil rights, such as freedom of expression and association, continued to be subject to an overly broad definition of terrorism in the Terrorist Act, with Bahraini authorities continuing to conduct mass trials on counter-terrorism grounds. In April 2019, a court in Bahrain convicted 139 individuals of terrorism charges after a reportedly unfair mass trial and revoked the citizenship of 138 individuals. While stripping of citizenship remains a concern, conditions under which Bahrainis can be stripped of their nationality under terrorism charges have been restricted by royal decree in April 2019 and nationality has been restored in 551 cases.

Since 2017, the number of death sentences has dramatically spiked, with currently at least eight individuals having exhausted all legal remedies. On 27 July 2019, Bahrain executed two

of its citizens, together with another unidentified individual, who were convicted in a mass trial for alleged terrorist offences, which were reportedly confessed under torture.

Allegations of torture and ill-treatment of detainees continued to be reported. Some of the complaints have been investigated by the National Institute for Human Rights and the Ombudsman's office, whose overall independence and effectiveness however remain difficult to assess.

Human rights defenders and political activists continued to be sentenced to severe prison terms. On 17 September 2019 Bahrain's High Court of Appeal refused to grant Nabeel Rajab, who was sentenced in February 2018 to five years in prison on charges of spreading false information on social media, a non-custodial sentence to which he was theoretically entitled, having completed half of his term.

Bahrain has achieved significant progress in the fight against human trafficking and kept advancing on socio-economic rights through initiatives in the areas of housing, education and health. In some of these areas, however, the Shia community continues to face instances of discriminatory treatment.

Despite advancements on gender equality, Bahraini legislation continues to discriminate against women in relation to family law such as the right to divorce and transmission of Bahraini nationality to their children. Moreover, Article 353 of the Penal Code exempts perpetrators of rape from prosecution and punishment if they marry their victims.

**2. EU action – key focus areas:** The EU and Member States continued to regularly raise human rights issues, including individual cases, in their various engagements with Bahraini authorities, mainly with the Ministry of Foreign Affairs and the national human rights institutions.

In 2019, the EEAS spokesperson issued two statements on individual human rights cases in Bahrain. Following the Supreme Court of Cassation's confirmation of the life sentence of three senior members of the dissolved Al Wefaaq party, the EEAS Spokesperson issued a statement on 28 January<sup>15</sup>, noting that the verdict marked a further step against dissenting voices, calling Bahrain to guarantee the right to a fair trial. The EU also reacted publicly to the executions of 27 July<sup>16</sup>, reiterating its unequivocal opposition to the use of capital punishment. Moreover, the EU addressed the human rights situation in Bahrain in a statement under item 2 at the 40<sup>th</sup> session of the UN Human Rights Council on 7 March 2019 in Geneva<sup>17</sup>.

**3. EU bilateral political engagement:** The EU delegation in Riyadh (covering Bahrain) and Member States continued closely monitoring trials, attend court cases in close liaison with other like-minded embassies.

The fourth informal human rights dialogue held on 7 November 2019 in Brussels represented a further important opportunity to discuss human rights issues, such as

---

<sup>15</sup> [https://eeas.europa.eu/diplomatic-network/bahrain/57287/statement-spokesperson-life-sentencing-opposition-leaders-bahrain\\_en](https://eeas.europa.eu/diplomatic-network/bahrain/57287/statement-spokesperson-life-sentencing-opposition-leaders-bahrain_en)

<sup>16</sup> [https://eeas.europa.eu/regions/asia/65976/statement-spokesperson-executions-bahrain\\_en](https://eeas.europa.eu/regions/asia/65976/statement-spokesperson-executions-bahrain_en)

<sup>17</sup> [https://eeas.europa.eu/delegations/zimbabwe/59232/node/59232\\_sq](https://eeas.europa.eu/delegations/zimbabwe/59232/node/59232_sq)

freedom of expression and association (including the situation of human rights defenders), freedom of religion or belief, fair trial, including the death penalty, and the overall human rights situation in the country. At the meeting, the EU also raised concerns on arbitrary detention and reprisal in Bahrain.

As a follow-up to this meeting, the EU proposed concrete follow-up measures to reinforce Bahraini capacity through cooperation, including sharing of expertise and best practices in several thematic areas. The yearly dialogue is followed-up throughout the year with regular exchanges, requests for information, including on individual cases, with Bahraini authorities and its human rights overseeing bodies.

**4. EU financial engagement:** There is no EU financial support provided for human rights related activities in Bahrain.

**5. Multilateral context:** Bahrain has been a member of the UN Human Rights Council since January 2019 and its term will expire in 2021. In 2019, the country was reviewed by the Committee of the Rights of the Child.

## Iraq

**1. Overview of the human rights and democracy situation:** In 2019, the overall human rights situation in Iraq remained challenging. In October, mass popular protests - initially driven by socio economic demands and later combined with calls to overhaul the political system -, were countered with violence by fragmented security forces. This led to over 500 deaths and at least 17,000 injured. Reported violations included intimidation, abductions and suppression of media freedoms and internet access. Repeated calls for accountability have been met with inconclusive investigations without limited tangible follow up.

Other enduring human rights challenges resulting from years of conflict include instances of discrimination against ethnic and religious minorities, impeded or forced returns and destruction of property of internally displaced persons (IDPs), lack of basic services in IDPs camps, lack of due process and insufficient fair trial standards, as well as gender-based violence. The death penalty continues to be imposed, notably under the Anti-Terrorism law, targeting suspects in some cases only loosely affiliated with Da'esh. Iraqi families perceived as affiliated to Da'esh have often been denied security clearances thus resulting in restrictions in freedom of movement, access to education, right to work and access to welfare benefits. Detention facilities are often overcrowded and prisoners are in certain cases held in degrading conditions. There are reports of torture in police detention centres, interrogation cells and in formal and informal prisons. The political, economic and social participation of women remains poor and the draft Anti-Domestic Violence Law remains stalled in parliament.

**2. EU action - key focus areas:** In light of the unfolding of the protest movement and the harsh response by the authorities, in 2019 EU work on human rights was to a large extent centred on the urgent pleading to halt violence against protesters while encouraging the government to address their legitimate democratic demands, including electoral reform.

In this context, the EU's work in this field remained focused on: (i) the protection of civilians in areas of conflict and easing the return of IDPs; (ii) the protection of ethnic/religious minorities, national and social reconciliation; (iii) women's empowerment; (iv) fair and transparent rule of law, including fair trial standards for Da'esh related crimes, and (v) protection of human rights defenders. The EU regularly advocates for Iraq to adhere to the core tenets of international human rights law and to accede to the Rome Statute.

**3. EU bilateral political engagement:** In 2019, the EU and its Member States, including in coordination with the United Nations Assistance Mission for Iraq (UNAMI), consistently advocated respect of human rights vis-à-vis Iraqi authorities at all levels, notably in the overall response to the protests. In this regard, various EU statements were issued (HR/VP declaration on behalf of the EU 7/11/2019<sup>18</sup> and EEAS spokesperson's statements on 3/10<sup>19</sup> and 29/11<sup>20</sup>) calling for an end to the violence on and protection of peaceful protesters, human rights activists and journalists. These efforts, despite continued human rights violations, contributed to some positive steps, including the release of arrested demonstrators, restoration of internet and social media access and lifting of curfews. In parallel, the EU continued its comprehensive outreach to all components of Iraqi society to promote national reconciliation, including through support for ad-hoc initiatives as well as the work of the International Commission on Missing Persons (ICMP) on mass graves.

The EU further emphasised the need for IDP returns to be safe, voluntary, informed and dignified. In addition, the EU supported reform programmes addressing wide-spread corruption, poor public financial management and deficient public service delivery.

The EU maintained its strong stance against the death penalty and continued its regular outreach on the matter together with local EU embassies. The reported threats that human rights defenders are facing will continue to warrant specific attention and action by the EU in 2020, including through dedicated assistance.

**4. EU financial engagement:** In 2019, the EU continued to provide financial support (around EUR 55 million) to human rights-related projects through various EU financial instruments. The four core-areas supported by EU interventions were:

- i. Reconciliation through support to dialogue, conflict reduction between IDPs and host communities, concerns related to missing persons and sectarian violence, protection of cultural heritage and diversity;
- ii. Security: rule of law, developing human-rights compliant counterterrorism legislation, digitisation of evidence in support of trials of Da'esh suspects in Iraq and Europe.
- iii. Capacity building of civil society and freedom of media.
- iv. Youth and civic engagement.

---

<sup>18</sup> <https://www.consilium.europa.eu/en/press/press-releases/2019/11/07/declaration-by-the-high-representative-on-behalf-of-the-european-union-on-ongoing-protests-in-iraq/>

<sup>19</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/68316/statement-spokesperson-situation-iraq\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/68316/statement-spokesperson-situation-iraq_en)

<sup>20</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/71509/statement-spokesperson-situation-iraq\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/71509/statement-spokesperson-situation-iraq_en)

Moreover, three flagship projects on human rights defenders, civic engagement for youth and gender education are aimed at contributing towards an improved rights-based environment.

**5. Multilateral context:** Iraq is party to a number of international human rights conventions, but many of them have not yet been ratified. Iraq is yet to accede to the 1951 UN Convention Relating to the Status of Refugees and the Convention on the non-applicability of Statutory Limitations to War Crimes. In addition, Iraq has not signed the Optional Protocols relating to complaint procedures for the Convention against Torture and the Convention on the Elimination of All Forms of Discrimination against Women, nor the Optional Protocol of the International Convention on Civil and Political Rights regarding the abolition of the death penalty. Iraq has not acceded to the Statute of the International Criminal Court. Iraq had its third Universal Periodic Review (UPR) at the United Nations Human Rights Council on 11 November 2019.

## Kuwait

**1. Overview of the human rights and democracy situation:** In the Gulf regional context, Kuwait continued to enjoy a privileged position in terms of existence of an active parliament - the oldest in the region - as well as a lively civil society and media landscape. In 2019, there were several 'grillings' of members of Cabinet by the National Assembly. A new government took office in December, after the resignation of the previous cabinet triggered by parliamentary scrutiny of two Ministers over corruption related allegations. For the first time in Kuwait's history, three women were appointed to the new government, occupying five ministries, including the first female finance minister in the Gulf.

At the same time, provisions in the constitution, the national security law, and other legislation continued to be invoked with a restrictive impact on political and civil liberties, such as freedom of speech, assembly and association, limiting the space for political dissent. In January 2019, journalist Aisha Al-Rasheed was arrested based on the Cybercrime Law following online posts in which she had denounced the corruption of government officials. She was released on bail four days later; however, charges against her were not dropped. Local press reported that there are 42 prisoners in Kuwait because of Twitter-related activity.

Despite reforms in recent years related to the rights of migrant workers, who make up two thirds of its resident population, instances continued to be reported reflecting inadequate legal protection, vulnerability to abuse, forced labour, and deportation for minor infractions mainly due to continued application of the *kafala* ('sponsorship') system and especially regarding domestic workers. In November 2019, the BBC carried reports of 'modern slavery' involving a case of online trade of a migrant domestic worker in Kuwait. In December 2019, Manila re-imposed a partial ban on its workers to Kuwait after a Philippines national was allegedly killed by her employer. The ban was subsequently removed following negotiations between the two governments.

A number of suicides among the Bidoon community, an estimated 100,000 stateless people who claim Kuwaiti nationality but are considered 'illegal residents' by the Kuwaiti

authorities, ignited peaceful protests in summer. Despite efforts by the Kuwaiti authorities in recent years to improve the registration of and services available to the Bidoon through the Central Agency for Remedying Illegal Residents' Status, their situation remains legally uncertain. A draft law submitted to the National Assembly in November 2019 suggests granting Kuwaiti citizenship to those Bidoon who are deemed eligible, and 'special' 5-year renewable residency for others, provided they reveal their original nationality. Rights groups warn that the draft law does not provide for a transparent and fair process to address the citizenship concerns of the Bidoon. Two out of sixteen Bidoon activists, arrested during the protests in July, were sentenced to ten years in prison and one defendant in absentia to life in prison – for threatening to overthrow the state, and for violating the 1979 Public Gatherings Law, which bars non-Kuwaitis from participating in public gatherings.

Women were still subject to discrimination with regard to laws on inheritance, marriage, child custody, and their inability to transfer their citizenship to their children. Kuwait has no laws prohibiting domestic violence or marital rape. A draft law on eliminating violence against women is under discussion in the National Assembly. Adultery and extramarital sexual intercourse are criminalised.

Kuwait maintains the death penalty for non-violent offenses, including drug-related charges. No executions were reported since 2017, without declaration of a formal moratorium.

**2. EU action - key focus areas:** With the establishment of the delegation of the EU to the State of Kuwait in July 2019 the EU intensified its level of engagement with the Kuwaiti authorities including on issues related to human rights. The EU delegation also engages regularly with Kuwaiti institutions dealing with human rights and local NGOs. In parallel, the EU delegation is working closely with EU Member States, like-minded countries, and international organisations to encourage further advancement of human rights in Kuwait.

**3. EU bilateral political engagement:** The EU and Kuwait discussed human rights in a dedicated meeting addressing a wide range of issues, including migrant rights, freedom of expression, elimination of statelessness and women's rights. Consultations were held with civil society organisations represented in Brussels before the first session. The EU also continues to raise with its Kuwaiti counterparts pertinent human rights issues during working and High Level visits.

**4. EU financial engagement:** In the course of 2019, the EU supported education activities focused on different aspects of human rights in Kuwait, in partnership with local civil society organisations. A workshop was co-organised on 'Political Empowerment of Women in Kuwait' that triggered a comprehensive debate among participants and resulted in drafting a list of recommendations submitted to the Kuwaiti Parliament. Another workshop on 'Anti-bullying Policies and Actions' resulted in an anti-bullying handbook for teachers and an anti-bullying policy document for schools. Finally, a further workshop on 'Environmental Aspects of Human Rights' facilitated a discussion on the interlinkage environmental/ human rights commitments on the basis of the EU experience. In addition, the EU granted EUR 20.000 to support a local NGOs efforts to engage Kuwaiti youth in creative expression through art and dance, under the umbrella of an annual Festival of Art and Dance.

**5. Multilateral context:** Kuwait maintains a constructive dialogue with its international counterparts. The third cycle of the Universal Periodic Review (UPR) of Kuwait took place as scheduled in early 2020. When presenting its own assessment of the human rights situation and the developments since the last review in 2015, the Kuwaiti delegation particularly

highlighted efforts to combat trafficking in persons, promote gender equality, advance the rights of persons with disabilities and those of the child, as well as measures undertaken to protect migrants and domestic workers. Notwithstanding recognised progress made in the last five years, most of the recommendations in this cycle were related to these very same topics of the previous one. They predominantly concerned violence and discrimination against women, particularly as regards the gender bias in the provisions on nationality, the need to ensure the rights of domestic and other foreign workers, the situation of the stateless, abolition of the death penalty and freedom of expression and assembly.

Preparations for the UNGA Third Committee sessions provided the opportunity for outreach to the Kuwaiti Ministry of Foreign Affairs. These included EU-led resolutions (DPRK, Myanmar, rights of the child and freedom of religion or belief) and resolutions that the EU supports (human rights in Crimea and Syria, integration of gender equality through the UNGA Third Committee work and Countering the Use of Information and Communications Technologies for Criminal Purposes).

## Oman

**1. Overview of the human rights and democracy situation:** In 2019, there was still limited space for political debate and freedom of expression, freedom of assembly and media in Oman, with the authorities striving to maintain a delicate balance between the more conservative and the more progressive elements of Omani society. The authorities showed respect for individual rights and the judiciary was generally impartial with lenient sentencing. There were no reports of systematic torture and the de-facto moratorium on the death penalty since 2001 continued.

Despite political turbulences in the region, Oman remained politically stable throughout 2019. After Sultan Qaboos passed away, the transition of power to the new Sultan Haitham, a first cousin of Qaboos, went smoothly with the new Sultan continuing the policies of his predecessor. A new board for the Human Rights Commission was appointed by a Royal Decree. The Human Rights Commission enabled citizens to submit complaints via WhatsApp.

Elections for the Majlis A'Shura took place in October. The Shura Council is the lower house of the Council of Oman and serves as an advisory body to the ruler. In 2011, the mandate of the Shura Council was extended. According to data released from the Ministry of Interior, 349,680 of Oman's 713,335 registered voters took part in the October election across 110 voting centres. This represents a 20% increase in comparison to the previous election in 2015. There was also a significant increase in the number of female voters, with 337,534 women taking part in this election. On this basis, the ninth session of the Majlis Al Shura now includes 84 men and two women: Tahira al Lawatiya and Fadhila Abdullah Suleiman al Ruaili (compared to one woman elected in 2015). Overall, 637 candidates ran for office (597 men and 40 women).

Socio-economic rights were generally well respected in the Sultanate, especially for Omani nationals. Comparatively, expatriate workers were treated better than in the rest of the region although Oman's *kafala* ('sponsorship') immigrant labour system and lack of labour law protection (despite the 2016 reforms) leaves the country's more than 140,000 migrant

domestic workers -who are excluded from labour law protection - vulnerable to abuse and exploitation by employers, whose consent they need to change jobs.

Thanks to the special attention given by late Sultan Qaboos to the emancipation of women, Oman made progress in this area, although men and women do not still enjoy equal rights in family and nationality law.

**2. EU action - key focus areas:** The EU delegation to Saudi Arabia – co-accredited to Oman – was in regular contact with resident EU Heads of Mission, coordinating EU positions on human rights matters and liaising with the authorities in Muscat.

**3. EU bilateral political engagement:** Oman is an important EU partner and there is an on-going political dialogue at many different levels, including on sectorial issues. Following the signature in September 2018 of a Cooperation Arrangement between the EEAS and Oman’s MFA, a first Senior Official Meeting took place in Brussels on 19 September 2019 encompassing an enhanced political dialogue component and sectoral policy cooperation discussions.

**4. Multilateral context:** Oman is not a party to some of the most relevant international human rights instruments<sup>21</sup>.

Oman’s human rights record was last reviewed in the framework of the Human Rights Council (HRC) Universal Periodic Review (UPR) in 2015. The next UPR cycle for Oman is scheduled to take place in 2021.

## Qatar

**1. Overview of the human rights and democracy situation:** Throughout 2019, Qatar continued to emphasise in multilateral fora the human rights implications it suffered from the blockade imposed by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates since June 2017. Cases of forced separation of families and the impossibility for Qataris to travel to Mecca for hajj were the main issues regularly denounced by Doha.

The international exposure of Qatar due to the hosting of the 2022 FIFA World Cup and other major events have enhanced the government’s commitment and efforts to improve labour conditions for migrant workers who represent 77% of the country’s 2.6 million population.

In 2019, Qatar entered into its third year of cooperation with the International Labour Organisation’s Office in Doha (ILO). In October 2019, Qatar’s Council of Ministers endorsed

---

<sup>21</sup> Oman is not a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the Convention on the Protection of All Persons from Enforced Disappearance, the International Covenant on Economic, Social and Cultural Rights, or the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families.

Oman is a party to the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and its two Optional Protocols, and the Convention on the Rights of Persons with Disabilities.

new legislation allowing domestic workers to leave Qatar, either temporarily or permanently during their employment contract, if they desire to do so.<sup>22</sup> Essentially this represented extending the end of the exit visa to workers not previously covered by the Labour Law, mainly domestic workers.<sup>23</sup> The measure constitutes another key step towards the dismantlement of the *kafala* ('sponsorship') system governing the employment of migrant workers, where employers enjoy extensive control over the worker. In October 2019, new legislation to establish a non-discriminatory minimum wage was also announced.

Qatar continued to enforce outdoor seasonal restrictions aimed at protecting workers in open areas during the summer. Qatar has not yet made public meaningful data on migrant worker deaths that would allow public scrutiny on deceases involving heat stress. Nonetheless, new medical research published in July 2019 concluded that heatstroke is a likely cause of cardiovascular fatalities among migrant workers in Qatar.

Political and civil liberties, such as freedom of speech and press, assembly and association continued to be subject to certain restrictions. Legislation limiting freedom of speech remains in place. The main examples are the Law on Combating Cybercrime, which regulates digital speech in a manner, which is inimical to free expression; Article 138 of the Penal Code which allows for the imprisonment of anyone insulting Qatar's flag or the flags of allied states, and Article 278 bis, 2, which authorises temporary closure of newspapers for raising funds without permission.

Despite the fact that gender equality is protected by the Constitution, Qatari women continued to face instances of domestic violence and discrimination in some forms – notably inability to transfer citizenship to their children, and regarding inheritance rights. Gender equality and women's empowerment continued to draw increased attention, especially since their inclusion in the Qatar National Vision 2030.

Out of 45 Shura (Advisory) Council Members, 4 are women, and one woman serves presently in the cabinet of the Minister of Public Health. Another woman,<sup>24</sup> had been appointed as the official spokesperson for the Ministry of Foreign Affairs, thus becoming the first Qatari woman assigned to such a position. She has been also promoted to the position of Assistant Foreign Minister in addition to her duties as spokesperson.

**2. EU action - key focus areas:** The EU delegation to Kuwait – co-accredited to Qatar – was in regular contact with resident EU Member States Heads of Mission, coordinating EU positions on human rights matters and liaising with the authorities in Doha. Notably during high-level visits, the EU continued to raise with its Qatari counterparts pertinent human rights issues, mainly labour rights and the freedom of expression, including digital rights.

**3. EU bilateral political engagement:** The second human rights dialogue between the EU and Qatar took place in December 2019 in Brussels. The discussion touched upon a number of topics including labour rights, freedom of expression and media freedoms, right to education or cooperation in multilateral fora. Given the shared willingness to complement the dialogue with deliverables, concrete actions were identified and agreed for joint follow-up. Throughout 2019, high-level visits took place including several by the Chairman of Qatar's

---

<sup>22</sup> The legislation came into force in January 2020

<sup>23</sup> The majority of workers whose contracts are covered by the Labour Law saw the exit visa removed in 2018

<sup>24</sup> Mrs Lolwah Rashid Al-Khater

Human Rights Commission to Brussels where he met the EUSR for Human Rights and intervened at the DROI committee in the European Parliament.

**4. Multilateral context:** Following its 2017 re-election, Qatar will remain in the Human Rights Council (HRC) for the period 2018 – 2020. Qatar did not ratify any of international covenants in 2019 to which it is not yet a party. To date, it had ratified seven out of nine core international human rights conventions.

Qatar Human Rights record was reviewed in the framework of the HRC Universal Periodic Review in May 2019. At its third report review, the State of Qatar received 270 recommendations. According to Qatar, it had supported 178 recommendations.<sup>25</sup>

Following the recommendation of the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, the National Human Rights Commission of Qatar remained fully compliant with the Paris Principles, which certify the independence of national human rights institutions. In 2019, the National Human Rights Commission continued to be instrumental in referring complaints by migrant workers to the relevant bodies and making recommendations to cabinet for the improvement of human rights.

## Kingdom of Saudi Arabia

**1. Overview of the human rights and democracy situation:** In 2019, socio-economic reforms continued in parallel to a shrinking political space.

The enjoyment of certain rights improved, especially those related to women empowerment through the removal of the most visible expressions of societal oppression (e.g. revision male guardianship system) and the opening up of the entertainment sector, accompanied by a gradual end of gender segregation in public places.

However, political space remained tightly controlled, unavailable to dissenting voices on either side of the spectrum, liberal or conservative. Detentions of activists, clerics and academics – combined with alleged surveillance and harassment to family members continued. Cases of ill-treatment and torture of detainees were reported. The Counter-terrorism Law and the Specialised Criminal Court continued to be used to trial civilians. Capital punishment attained a five-year record with 184 executions registered in 2019, including a simultaneous execution of 37 people on 23 April. The verdicts of the trial on the killing of journalist Jamal Khashoggi, still subject to appeal, were announced in December – five individuals were sentenced to death and three others to jail terms.

The status and protections of migrant workers remained a concern. The ‘Saudisation’ of the workforce has seen more assertive rhetoric aimed at foreign workers. Over the last two years one million individuals were reportedly deported, including 250.000 Ethiopians. The

---

<sup>25</sup> <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/session42/Pages/ListReports.aspx>

*kafala* ('sponsorship') system governing the employment of migrant workers, which gives employers excessive control over them, remains in force. The worrying figures of people reportedly affected by human trafficking did not improved.

Restrictions on freedom of religion persisted. In the area of inter-religious dialogue, however, significant efforts were made to reach out to other faiths (mainly Christian and Jewish). Citizens from the Eastern provinces, home to the Shia Muslim minority, regularly expressed the need for an improvement of their living and economic conditions.

**2. EU action - key focus areas:** The EU continued to raise human rights issues in various engagements with the Kingdom of Saudi Arabia (KSA) authorities, mainly with the Ministry of Foreign Affairs and the Human Right Commission. Recurrent topics in those discussions were the fate of the women activists still detained (e.g. Loujain al Hathloul), the discontinuation of trial attendance by diplomats, the use of the Specialised Criminal Court for civilian trials, the use of the death penalty and the trial on and other measures taken in relation to the killing of Jamal Khashoggi.

The EU reacted publicly to the execution of 4 and 37 people in April. The statements issued by the EEAS Spokesperson<sup>26 27</sup> underlined the negative trend on the use of death penalty in KSA in stark contrast with the growing abolitionist movement worldwide. As regards the execution of 37 people on 23 April, the EU stressed that mass executions consistently raise serious doubts about the respect of the right to fair trial in Saudi Arabia.

Following the announcement of the verdicts on the killing of the Saudi journalist Jamal Khashoggi on 23 December, the EU reacted<sup>28</sup> reiterating its unequivocal opposition to the use of capital punishment, as well as the need to fully ensure accountability and prosecution of all those responsible for and involved in his killing on 2 October 2018 at the Saudi consulate in Istanbul.

**3. EU bilateral political engagement:** In line with established practice with partner countries, the EU continued engaging with Saudi interlocutors with a view to launching structured discussions on human rights, as part of the overall political relations between the EU and KSA.

Such exchanges involved in particular the EU Special Representative for Human Rights and the Chairman of the Saudi Human Rights Commission during the latter's visit to Brussels in December 2019.

The EU delegation, in close contact with EU Member States' embassies in Riyadh, continued to coordinate closely locally exchanging information and agreeing positions, which allowed for common EU messages to be transmitted bilaterally to KSA authorities at different levels.

---

<sup>26</sup> [https://eeas.europa.eu/delegations/saudi-arabia/60542/statement-spokesperson-recent-executions-carried-out-kingdom-saudi-arabia\\_en](https://eeas.europa.eu/delegations/saudi-arabia/60542/statement-spokesperson-recent-executions-carried-out-kingdom-saudi-arabia_en)

<sup>27</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/61388/statement-executions-kingdom-saudi-arabia\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/61388/statement-executions-kingdom-saudi-arabia_en)

<sup>28</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/72591/Saudi%20Arabia:%20Statement%20by%20the%20Spokesperson%20on%20the%20verdicts%20in%20the%20Khashoggi%20case](https://eeas.europa.eu/headquarters/headquarters-homepage_en/72591/Saudi%20Arabia:%20Statement%20by%20the%20Spokesperson%20on%20the%20verdicts%20in%20the%20Khashoggi%20case)

**4. EU financial engagement:** There is no EU financial support provided for human-rights related activities in KSA.

**5. Multilateral context:** In the context of the Human Rights Council, the EU called repeatedly for increased protection for civil society, including journalists and activists, stressing the important role they are meant to play in the process of reform, which the Kingdom is pursuing. Issues relating to women's rights, death penalty, ill-treatment and arbitrary and unlawful detention, were also the subject of EU positions and statements. All EU Member States endorsed a statement tabled by Iceland on Human Rights in KSA during the 40th session of the HRC (07/3/2019).

In May, the UN Committee on the Rights of Persons with Disabilities commended the initial steps taken by KSA to put in place legislation, mechanisms and programmes to promote and protect the rights of persons with disabilities.

## United Arab Emirates

**1. Overview of the human rights and democracy situation:** Some positive steps taken by the country's leadership - notably with regards to women's and youth empowerment – contributed to improving the country human rights situation. The 1-3 October 2019 elections for the Federal National Council (FNC), the UAE representative body, produced gender parity based on a combination of public suffrage and appointments by the authorities. Half of the newly appointed/elected members of the FNC are now women. In addition, in October 2019 an Arab Charter on Women's Rights was launched in Abu Dhabi.

Marking the year of tolerance by the UAE leadership, 2019 witnessed the historic visit of Pope Francis and the signing of the Abu Dhabi Declaration on 'human fraternity for world peace and living together'. In relation to that, the leadership ordered the construction of an Abrahamic Family House in Abu Dhabi, where a church, a mosque and a synagogue are to be located.

Nevertheless, important challenges remained in the field of civil and political rights. Of particular concern were the enduring restrictions on freedom of expression and assembly, allegations of arbitrary detentions and torture, ill-treatment and issues related to human trafficking and labour rights. Political parties and trade unions remained forbidden, civil society underdeveloped and under strict government control. Concerns also continued to with regard to the right of fair trial and due process, including for foreign nationals held in detention. A case in point prompting international scrutiny was the situation of several prominent human rights defenders who remained in detention and whose long prison sentences were upheld.

With the upcoming EXPO 2020 in Dubai on the horizon, there was an increasing focus on labour rights. Due to the magnitude of the event, the international community closely monitored the welfare conditions of foreign workers. Visiting delegations from participating countries expressed satisfaction with the overall situation, but also underlined that EXPO 2020 should trigger more systemic improvements for foreign workers in the country.

**2. EU action - key focus areas:** Working closely with EU Member States and like-minded embassies, the EU monitored the human rights situation in the country throughout 2019, including individual cases, labour issues and human trafficking. The judicial developments regarding human rights defender Ahmed Mansour and others were addressed consistently with the UAE authorities.

The EU focused on the importance of the right to a fair trial, access to family and lawyers, and sustaining good health conditions. The EU also repeatedly reached out on the case of the terminally-ill prisoner Alia Abdulnour, requesting clarifications on the charges against her and on allegations of her degrading treatment during detention, and calling for her release on those grounds.

In 2019, the EEAS Spokesperson issued two statements on individual human rights cases in the UAE. On 1 January in reaction to the final verdict of the Federal Supreme Court upholding a ten-year sentence against Ahmed Mansour<sup>29</sup>, calling for upholding the freedom of opinion and expression in the UAE. On 7 May, following the passing of Alia Abdulnour<sup>30</sup>, the EU recalled the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

In 2019, the Chaillot Prize for Human Rights in the GCC countries was awarded to two Emirati organisations – the Dubai Foundations for Women and Children and the Higher Committee for Special Olympics. It was the first time the Chaillot Prize came to the UAE.

**3. EU bilateral political engagement:** The UAE was the first country in the Gulf region with which the EU set up a comprehensive dialogue on human rights. For planning reasons, the ninth UAE-EU human rights informal working group did not take place in 2019 but will be held in Brussels in early 2020. The dialogue provides a platform for the EU and the UAE to hold an open and frank dialogue on most salient human rights issues. The EU consistently stresses that respecting international human rights obligations and the rule of law, including international humanitarian law, is a guarantee for long term and sustainable stability and prosperity.

Specifically, when addressing the situation of human rights activists, the EU continues to highlight the importance of the right to a fair trial, access to a lawyer, the right to information, the presumption of innocence, and the need not to trigger confessions through torture and ill-treatment. Furthermore, the EU has continuously underlined the importance to respect the rights to freedom of expression and association, and to freedom of religion or belief. To note that the UAE has not ratified the International Covenant for Civil and Political Rights (ICCPR).

**4. Multilateral context:** The next UPR review for the UAE will be in 2023. As in the past, the preparations for the UNGA Third Committee sessions provided the opportunity for further dialogue and outreach with the UAE Ministry of Foreign Affairs and International Cooperation, including on EU-led resolutions (DPRK, Myanmar, rights of the child and freedom of religion or belief) and resolutions that the EU supports (human rights in Crimea,

---

<sup>29</sup> [https://eeas.europa.eu/delegations/iran/56111/statement-spokesperson-case-ahmed-mansoor\\_en](https://eeas.europa.eu/delegations/iran/56111/statement-spokesperson-case-ahmed-mansoor_en)

<sup>30</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/61934/statement-spokesperson-passing-alia-abdulnour-uae\\_id](https://eeas.europa.eu/headquarters/headquarters-homepage/61934/statement-spokesperson-passing-alia-abdulnour-uae_id)

human rights in Syria, the integration of gender equality through the UNGA Third Committee work).

In 2019, the EU delegation marked the international day against the death penalty with a statement and its presence on social media.

The UAE pledged USD 65 million during the EU-UN co-chaired 'Third Brussels Conference on the future of Syria and the region' held in Brussels on 14 March 2019.

## Yemen

**1. Overview of the human rights and democracy situation:** In 2019, Yemen continued to be the world's worst humanitarian crisis. The number of people in acute need reached 14.3 million – a 27% increase from 2018 – and as many as 4.3 million were displaced. The Group of International and Regional Eminent Experts on Yemen, created by the UN Human Rights Council, released a report on September 2019, detailing a host of possible war crimes committed by various parties to the conflict over the past five years. Civilians continued to bear the brunt of the suffering, with estimates of conflict-related fatalities rising to over 91.000 since 2015. Children and women remained one of the most vulnerable groups – around 7.4 million children need humanitarian assistance-. Widespread abuse of migrants was also reported. The conflict has added layers of vulnerability for women and girls and exacerbated existing gender inequalities, and in 2019 Yemen continued to rank at the bottom of the Gender Gap Index (153rd out of 153 countries). Religious persecution continued to exist in Yemen during 2019: the Bahá'í community of Yemen faces persecution by the Houthis in Sana'a.

### **2. EU action - key focus areas:**

(i) Freedom of the press - Yemen ranked 168<sup>th</sup> in MSF's 2019 World Press Freedom Index, one position below 2018. Journalists have struggled to cover the war from its onset. Access is a huge problem and remains unpredictable and arbitrary. The EU and the French media development agency 'CFImedias' have launched the Yemen Media Emergency Response (YMER+), an integrated initiative that aims to build the capacities of the local media on humanitarian journalism and improve the flow of humanitarian information in Yemen.

(ii) Human rights advocacy through cultural programming – ensuring Economic, Social and Cultural Rights - In Yemen's current state of fragility, space for independent cultural programming is scarce and shrinking. The EU has promoted the creation of the 'Yemen window' in the context of the Karama Human Rights Film festival in Amman, showcasing the production of several Yemeni film-makers. It now aims to promote such initiative in Yemen, as well as more engagement of cultural and civil society actors in the implementation of EU-funded/UN-led programmes.

(iii) Transitional justice - Ensuring a thorough reconciliation process is vital for Yemeni society to come to terms with past abuses of human rights, whilst simultaneously furthering the EU's broader aim of supporting the political process in Yemen, and particularly the work of

UN Special Envoy Martin Griffiths, towards a lasting and inclusive political solution for the benefit of all Yemenis.

**3. EU bilateral political engagement:** On 7 March 2019, the Head of the EU delegation received the visit of two MEPs, Anna Maria Corazza-Bildt and Caterina Chinnici, to discuss the rights of women and children in Yemen. Also in March, the EU delegation initiated the Human Rights Bracelet Campaign to show its commitment for Human Rights in Yemen and to accompany the Universal Periodic Review (UPR). The 6-months negotiation process in Geneva was thoroughly supported by the EU, in close coordination with Member States.

In October 2019, Yemen was included in the EU list of priority countries on Children and Armed Conflict (CAAC). As a consequence of this, CAAC action will take a more pre-eminent place in the work the EU is doing in Yemen, including external communications and political dialogues. In November, the EU partnered with UNICEF in its media campaign on occasion of the 30th anniversary of the Convention on the Rights of the Child.

The EU continued to advocate for the improvement of Human Rights in Yemen through its regional engagements, notably in Aden, Riyadh, Abu Dhabi and Muscat. However, the main challenge for EU action on human rights in Yemen continues to be the country's war situation, where all parties regard human rights as a luxury, not a priority.

**4. EU financial engagement:** The EU is funding several human rights-related interventions: to promote women's rights and reduce gender-based violence in Yemen (EUR 2.1 million); to support judicial system reform (EUR 1 million); to provide emergency assistance, life-saving reproductive health and protection services to women and girls in Yemen (EUR 6 million). The EU is also promoting the participation of women in the UN-led process; the monitoring on human rights violations in Yemen; and the production of good quality humanitarian journalism.

**5. Multilateral context:** The UN Security Council received monthly briefings by the UN Special Envoy to Yemen, Martin Griffiths, occasionally accompanied by the UN Under-Secretary General for Humanitarian Affairs, Mark Lowcock, or OCHA's Director Rajasingham, on the UN-led process and the situation in the country.

In June, the UN Security Council issued its report on 'Children in armed conflict in Yemen', pursuant to UNSC Resolution 1612 (2005). The UN verified 11,779 grave violations against children in Yemen between 2013 and 2018. Killing and maiming was the most prevalent violation, primarily because of air strikes (47 per cent of the total number of incidents) and ground fighting (40 per cent).

The Group of Eminent Experts (GEE) on Yemen continued its work on human rights violations. A briefing by the Chairman of the GEE took place at the European Parliament in January. However, the GEE was prevented from briefing the UNSC in October 2019 and were instead hosted by the EU.

In 2019, Yemen underwent the Universal Periodic Review of the UN Human Rights Council (HRC). Its recommendations revolved around the need for all parties to fully respect International Humanitarian Law and Human Rights Law.

The Head of the Middle East and North Africa department in the OHCHR visited Brussels in December and discussed the implementation of mandates of the HRC-related mechanisms (the GEE for Yemen).

## Asia

### Afghanistan

**1. Overview of the human rights and democracy situation:** The human rights situation continued to face many challenges. The government is committed to improving the human rights and has adopted relevant legislation as well as put in place an institutional framework, including an independent human rights commission. However, implementation throughout the country remains weak and progress is limited by insufficient capacity and resources, as well as enduring cultural traditions. Afghans still suffer widespread human rights violations and abuses, partly because of the on-going armed conflict. Among particular concerns are discrimination and violence against women and children and impunity and lack of access to justice. Afghan media enjoys a high degree of freedom, but threats and attacks against media workers remains at a high level.<sup>31</sup> Human rights defenders also face continued threats and attacks. Civilian casualties, including among children, have also remained at a high level and insecurity continues to impede normal life for citizens, including their access to education and health care. Presidential elections took place in 2019. Voter turnout was very low and finalisation of the result was delayed for many months amidst political competition, technical failures, and lack of competence and transparency of the election administration.

**2. EU action - key focus areas:** EU priorities in 2019 continued to be the rights of the child, women's rights, human rights defenders (HRDs), the fight against torture and ill-treatment, the death penalty, civilian casualties, access to justice, freedom of expression, socially vulnerable groups, including persons with disabilities, returnees and Internally Displaced Persons (IDPs). The EU was also active in supporting the fight against corruption and the development of democratic institutions, particularly in the context of the presidential elections.

**3. EU bilateral political engagement:** During 2019, the EU remained engaged in promoting human rights and democracy in Afghanistan, including through political dialogue and public outreach. Human rights and democracy were discussed in the framework of the Cooperation Agreement on Partnership and Development (CAPD). The second meeting of the EU-Afghanistan Joint Commission and the second Special Working Group on Human Rights, Good Governance and Migration took place in Kabul in May 2019.

The EU regularly raised its concerns with the Afghan authorities regarding women's rights, both on issues of legislation and policies as well as with respect to individual cases. The inclusion of women in the peace process, ensuring that women have equal opportunities for campaigning, candidacy and voting, prevention of violence against women and girls, implementation of legislation against violence against women and the national Action Plan

---

<sup>31</sup> From 1 January to 30 September 2019, UNAMA documented 8,239 civilian casualties (2,563 deaths and 5,676 injured), similar to the same period in 2018. Forty-one per cent of all civilian casualties were women and children.

on Women, Peace and Security (UN SCR 1325) were some of the main topics. The EU has also continued to support public events that promote women's rights.

As regards children's rights, the Child Protection Act, including provisions for the recruitment and use of children and sexual violence against children, such as *bacha bazi* – a long-standing practice of hiring boys or adolescents as dancers or for sexual exploitation, had been pending approval by the parliament for several years and had been adopted by the presidential decree in March 2019. The EU has advocated for the speedy adoption of the Child Protection Act by the parliament, while also underlining the importance of implementing legislation protecting children from forced marriage, child labour and protection from sexual abuse, including effective enforcement of the Penal Code provision that criminalises the practice of *bacha bazi*, as well as preventing child casualties in the conflict and recruitment of child soldiers. The EU also worked for a thorough and independent investigation into alleged large-scale sexual abuse of schoolboys in Logar province.

The EU continued to encourage the Afghan authorities to respect the role of human rights defenders, especially women HRDs, to protect them from attacks and threats from non-state actors and to work to increase the knowledge by law enforcement officials of the state's obligations in this field. The EU specially asked the government for implementation of the National Action Plan on Protection of Human Rights Defenders and started work to revise its own EU+ Local Strategy for HRDs in Afghanistan. The EU also raised the issue of the arbitrary detention of two of civil society activists who reported the Logar case.

The EU-Afghanistan dialogue also addressed reforms in *the* judicial system, including on the right to a fair trial and on the prevention of torture and ill treatment. The death penalty was also a subject of discussion, with the EU and its Member States repeating the call for a moratorium. Afghan authorities underlined that there had been a decrease in the number of death penalties (70%) in the recent years. In the field of anti-corruption, there is good legislation but the EU called for an updated anti-corruption strategy with clear benchmarks and for establishment of the planned anti-corruption commission. The EU also highlighted the need for concrete results to enhance the population's confidence in the system. Enforcement of judicial decisions remains a key challenge. The EU organised its fourth annual Anti-Corruption campaign; followed by a high-level Anti-Corruption conference in April.

The EU has continued to engage with broad range of actors, including the Afghan government, political parties and groups, as well as civil society, emphasising the need to respect the Afghan Constitution, fundamental principles of democratic governance and the need to hold periodic elections according to the Constitution and the Electoral Law. During the year, the EU also advocated for the holding of the presidential elections, worked for improving the electoral framework, and continuously engaged with the election management bodies on providing accurate and timely information to the public on the election process. In addition, the EU called on candidates to respect the relevant laws and codes of conducts.

In its political dialogue the EU also called on all stakeholders to ensure an inclusive peace process, representing the views of all segments of the Afghan population and supported a number of civil society organisations working to make progress in this area.

**4. EU financial engagement:** As in previous years, in 2019 the EU continued to be a key donor in Afghanistan. The EU delegation in Kabul implemented six projects in support of civil society, human rights, gender and media. The projects put a special focus on the support of human rights and their defenders; the role of civil society in promoting human rights and democratic reform; and enabling vulnerable children and women in conflict with the law to avoid unnecessary detention, reduce reoffending through rehabilitation and successful reintegration into society.

In addition, the EU delegation signed two new contracts in 2019. One project will focus on strengthening the rights of people with disabilities and their participation in local governance processes that lead to the delivery of improved and equitable services. The other project will aim at promoting meaningful and structured participation of CSOs in domestic policies by strengthening their capacities to effectively perform their roles as watchdogs and independent development actors.

**5. Multilateral context:** Afghanistan is a member of Human Rights Council (HRC) for the term 2018-2020. At the meeting of the Special Working Group on Human Rights, Good Governance and Migration the EU called for strengthening the cooperation between EU and Afghanistan in multilateral fora, including on specific resolutions. During the year, the EU also conducted regular demarches with the government on its priorities in relation to meetings of the Human Rights Council. Afghanistan co-sponsored the EU-led initiative on the situation of human rights in Myanmar during HRC 40. As in earlier years, the EU once again had a constructive engagement with the Organisation of Islamic Cooperation (OIC) on the resolutions on Freedom of Religion or Belief and the 16/18 resolution on the fight against religious intolerance – which led to the consensual adoption of both resolutions at HRC 40.

The last Universal Periodic Review (UPR) of Afghanistan in January 2019 concluded with a total of 224 received recommendations, out of which 189 were accepted and 35 noted (a total of 85 recommendations were issued by EU Member States, of which 61 were accepted and 24 noted).

The main recommendations concerned lack of effective implementation of international human rights obligations and Afghan laws, as well as the persistence of harmful practices and child and forced marriages, honour killings, trafficking and domestic violence. Afghanistan received 9 recommendations calling for the abolition of the death penalty or a moratorium on its execution, 5 of them from EU Member States. These recommendations were noted. Women's rights also featured prominently in the dialogue, with many delegations deploring the lack of implementation of the law against violence against women – a widespread phenomenon, and the limited progress in the fight against discrimination against women since the first review. Concerns were raised over the lack of accountability for violations of women's rights, targeted killings of female figures and HRDs, prosecution of girls for running away and for moral crimes, early and forced marriage, punishment of victims of trafficking, low participation of women in political and public life and the lack of women in decision making positions, honour killings, and discriminatory laws.

## People's Republic of Bangladesh

**1. Overview of the human rights and democracy situation:** Bangladesh has been extraordinarily successful in reducing poverty and increasing access to primary education in the last decades. However, a quarter of the population is still living below the poverty line and income inequality remains a serious challenge to inclusive development.

Throughout 2019, Bangladesh continued to host the largest refugee camp in the world, providing shelter to 840 000 Rohingya refugees. Two and a half years into the crisis, issues such as access to health and communication services, justice, and education need to be revisited and addressed. The EU supports Bangladesh in alleviating this refugee crisis, through contributions to the Joint Response Plan (JRP) and the development of a peace-humanitarian-development nexus.

The current government of the Awami League party has been in office since 2008. Following the December 2018 national election (where the Awami League alliance won 96% of parliamentary seats - despite the main opposition party breaking with the previous boycott and participating in the elections), the EU expressed concerns regarding the reported irregularities and violence during the elections period.

The civil and political rights environment in Bangladesh is increasingly restrictive with a general climate of intolerance and cases of repression. The shrinking space for civil society, the self-censorship of the media, and the marginalised opposition have been increasingly unable to freely express differing views and discontent.

Extrajudicial killings remain at high rate and are insufficiently investigated. During the first half of 2019, at least 204 people were reported as killed 'in crossfire' and 'gunfights' by law enforcement agencies. One local human rights organisation estimated that 388 such killings took place in 2019. Between January and September 2019, 24 cases of enforced disappearances were reported. In many cases, victims or their family members alleged the involvement of people identifying themselves as law enforcers. Often, 'disappeared' people turned out to be in police custody after a certain period.

According to a 2017 UNICEF Report, Bangladesh is in the top five countries in the world in child marriage prevalence. The legal framework in Bangladesh does not sufficiently guarantee the protection of religious, ethnic and decent-based minorities and marginalised groups (including LGBTI). The Chittagong Hill Tracts (CHT) Peace Accord was signed in 1997. However, to date, peace and stability remain fragile in the CHT due to the slow implementation of the Accord.

There is no official policy on suspending the application of capital punishment in Bangladesh, although death sentences are often converted to life imprisonment. In 2019, one execution was carried out in Bangladesh.

**2. EU action - key focus areas:** Transparency, accountability, governance, rule of law, access to justice, freedom of expression and freedom of assembly, fundamental social and economic rights (especially labour rights and workers' safety standards), gender equality and women and children's rights, protection of religious, ethnic, decent-based minorities and of marginalised groups (including LGBTI), the death penalty and cooperation at UN remain the main areas of EU actions focus in Bangladesh.

Bangladesh has made progress in the area of workers' safety under the EU-led Sustainability Compact. Still, there are important labour rights violations, as regards the freedom of association, and child labour in the informal sector. Bangladesh needs to intensify efforts to increase compliance with the ratified UN treaties.

The EU-led diplomatic demarches on media freedom. According to the 2019 World Press Freedom Index Bangladesh ranked 150th, which is a 4 points decline from the previous year. Media and civil society are under pressure and operate under a legal framework that is not in line with international standards, e.g. the new Digital Security Act (DSA) of 2018, which contains disproportionately restrictive provisions.

**3. EU bilateral political engagement:** In June 2019, the EU Special Representative for Human Rights (EUSR) Eamon Gilmore visited Bangladesh (Dhaka and Cox's Bazar Rohingya refugee camp). It was the first ever visit of an EUSR for Human Rights to Bangladesh.

The EU-Bangladesh Subgroup on Human Rights and Good Governance took place on 17 October 2019 as preparatory meeting to the 9th EU-Bangladesh Joint Commission, which took place on 21 October in Dhaka. Both meetings allowed for extensive discussions on human rights. The Everything But Arms (EBA) Enhanced Engagement mission took place between 14-16 October in Dhaka and reported the need for the Government of Bangladesh to urgently align the labour rights laws in Bangladesh with the relevant UN conventions.

In July 2019, the EU delegation led a demarche to the Law Minister, together with Member States' and like-minded countries' ambassadors, to reiterate concerns over the provisions and initial application of the Digital Security Act. The meeting further served the purpose of flagging the potential adverse consequences of the draft Volunteer Social Welfare Organisations (Registration and Control) Act.

Throughout the year, the EU delegation continued scrutinising developments in labour rights in the framework of the Sustainability Compact, stressing at meetings with Bangladeshi authorities the urgent need for aligning labour legislation with ILO standards and fully allowing for the freedom of association.

**4. EU financial engagement:** For several decades, Bangladesh has been bearing the burden of hosting a fluctuating number of Rohingya refugees from neighbouring Myanmar. The unprecedented influx since August 2017 has brought the number of refugees close to 840 000. Their presence in Cox's Bazar, one of the poorest districts of Bangladesh, is putting enormous pressure on the land, local communities and the government. In spite of a bilateral agreement signed between Myanmar and Bangladesh in November 2017, no Rohingya return has taken place up to date, and the likelihood of a protracted refugee crisis is very high. The European Union and the EU Member States have contributed more than EUR 570 million since 2017 in both the camps and the host communities to support Bangladesh in the response to the Rohingya crisis.

In 2019, the European Commission contracted five new actions for a total amount of EUR 1.8 million in support of human rights, democratic participation and civil society. In the period 2014-2019, the European Commission disbursed over EUR 35 million in support of actions in human rights, democratic participation and civil society, labour rights and ending violence against women in Bangladesh (including EUR 4 million accounted for in 2019).

**5. Multilateral context:** At the 2019 EU-Bangladesh Joint Commission, the EU side stressed the importance of Bangladesh's Government to adopt a National Action Plan for the implementation of the recommendations from the Universal Periodic Review (UPR).

The UN Committee Against Torture reviewed Bangladesh in 2019 and raised concerns over allegations of widespread use of torture and ill-treatment for the purpose of obtaining confessions or soliciting bribes. The Committee found that complaints of torture are often ignored, and that there are no adequate mechanisms in place to investigate and address ill-treatment by law enforcement officials.

## Kingdom of Bhutan

**1. Overview of the human rights and democracy situation:** Since 2008, Bhutan has made significant progress in its democratisation process. Its constitution and laws are largely in line with international standards and no incidents of serious human rights violations had been reported in 2019. The opposition became more vocal and critical of the government on multiple issues in 2019, which also showed a democracy that was maturing.

Bhutan accelerated the promotion of human rights through policy and legislative measures, examples of which included the decision to decriminalise homosexuality by amending sections 213 and 214 of the Penal Code. In June 2019, the National Assembly passed a motion on the need for separate health facilities and separate employment opportunities for persons with disabilities. A broad legal sector programme was started in December 2019 under the coordination of the Gross National Happiness Commission (GNHC) in order to improve equal access to an effective justice system.

In the 2018 elections, the political participation of the Lhotsampa community living in Bhutan was high and resulted in nine members being elected to the national assembly of whom two members hold important Cabinet portfolios. However, there was still no movement on granting permission for the remaining Lhotsampa minority in Nepalese refugee camps to return to Bhutan.

Bhutan has one of the lowest rankings in the world on gender equality. The rankings of the Global Gender Gap Index 2020 showed a slippage of 9 points as compared to 2018. The country ranks 131 out of 153 with the lowest scores registered in economic participation and opportunity as well as political empowerment of women. A first GNHC-endorsed national gender equality policy promoted significant steps towards creating gender equality, one of which advocated for the upholding of the rights of commercial sex workers. The need for combating trafficking of persons also became a widely discussed topic in Bhutan in 2019.

**2. EU action - key focus areas:** The key focus areas for the EU action remained:

- supporting the Bhutanese government's efforts to strengthen democracy through the empowerment of local authorities and the creation of a vibrant civil society;
- assisting Bhutan's efforts to protect women's and children's rights, and promoting gender equality;
- calling for ending discriminatory treatment of persons belonging to minorities.

**3. EU bilateral political engagement:** The intensified engagement with Bhutan through an increased number of visits, and the goodwill created as a result, gave the EU the opportunity to raise a number of human rights-related issues in their bilateral contacts with the Bhutanese authorities. These include, notably, regular visits by the Head of the EU Delegation and EU Ambassadors to Bhutan; PM Lotay Tshering's visit to Brussels in June 2019 and his meetings with President Juncker and Commissioners Mimica and Stylianides. Moreover, a number of EU project visits took place and the EU-Bhutan Biennial Consultations were held on 5 November 2019. During bilateral meetings held in the margins of the Biennial Consultations, the Bhutanese side showed willingness to address also sensitive human rights issues and take into consideration the EU's concerns.

**4. EU financial engagement:** The EU's ongoing project on Support to Civil Society (EUR 2.5 million for 2017 to 2021) continues to contribute to capacity building of civil society organisations (CSOs) in their operational capacity, internal governance, managing grant funds and in improving their engagement in sustainable development by creating an enabling environment. In 2019, the EU was able to increase its political engagement with Bhutan through a number of high level visits and with the positive environment created both sides agreed to upgrade their biennial consultations (since 2005) to annual consultations starting in 2020.

In line with the EU key focus areas of action, several projects continued to be implemented in 2019. The EU's ongoing project on Support to Civil Society provided grant funding to address specific issues, for example to create civic awareness and citizen's participation, women's political and social empowerment, socio-economic empowerment initiatives and vulnerability reduction initiatives. This project involved a number of important stakeholders representing the government, Dzongkhag (district) planning officers, CSOs, and community based organisations (CBOs). EU's implementing partner Helvetas launched two calls for proposals and received 86 project proposals, out of which 20 projects are currently ongoing and benefit 14 Dzongkhags (District Authorities). The 2019 mid-term evaluation of the project revealed some limitations with respect to the project that dealt with creating an enabling environment for CSO engagement in policy dialogue and advocacy. It is a fact that CSOs are closely regulated, centrally monitored and audited by the government.

**5. Multilateral context:** Bhutan positively interacted with the Universal Periodic Review (UPR) of the Human Rights Council in May 2019 where it received 220 recommendations, of which it accepted 157 and noted 63. These recommendations mainly covered the rights of LGBTI persons, gender-based violence and gender equality, rights of persons belonging to minorities. However, the members of the Roma community continue to be particularly vulnerable, children's rights and trafficking in persons. Bhutan took note of the UPR recommendation on ratifying more human rights conventions.

Bhutan informed that it will be soon ratifying the UN Convention on Rights of Persons with Disabilities and that it will consider ratifying the remaining human rights conventions including the setting up of a National Human Rights Commission, as suggested by the EU.

Gender-based violence against children continues to be a challenge; however, the efforts by the government, with the support of partners such as UNICEF, Save the Children International and Austrian Development Agency to tackle violence against children seem to be yielding results. The Austrian Development Cooperation (ADC) office financed a study on the causes of gender-based violence in Bhutan, which was published by the UNDP in 2019.

## Brunei Darussalam

**1. Overview of the human rights and democracy situation:** Brunei Darussalam is a de facto absolute monarchy ruled by the Sultan as the Head of State and Government with full executive powers, a position he has held since 1967. The legal system is based on common law. A parallel Sharia law system was fully implemented in 2019, which now should apply to both Muslims and non-Muslims. There remains some lack of clarity about the legal route, which should be followed where offences exist under both penal codes. In May 2019, the Sultan announced that the moratorium on the death penalty would apply to the crimes under the amendments to the Sharia Criminal Code. Brunei confirmed this decision during the Universal Periodic Review, where it also indicated that it would continue to uphold its obligations and adhere to the international treaties to which it is a party.

The Sharia Penal Code is the culmination of years of Islamisation of Brunei's laws based on the specific concept of Malay Islamic Monarchy (Melaya Islam Beraja/MIB). Freedom of religion or belief remains a key issue. Islam – Shafi'i Islam, other forms are banned – is Brunei's official religion and four other religions (Buddhism, Christianity - Catholic and Anglican-, Hinduism and Taoism) are officially recognised although their practice is considerably restricted. For instance, Christian schools are not permitted to teach their religion; new construction of religious buildings and places of worship is not allowed; and public religious services and celebrations are illegal, even though Christmas remains a public holiday. Non-Muslims suffer discrimination by the State (e.g. social benefits, access to the army or the public administration). These discrimination practises are primarily enforced at the government level, while ordinary Muslims in Brunei remain largely tolerant. The Common Law criminal code stipulates harsh physical punishments such as whipping, which are regularly used. The new Sharia Penal Code introduced potential punishments such as death by stoning and amputation, although they have not been used. However, the Sultan announced a moratorium on the use of the death penalty in May 2019.

Other serious human rights issues relate to civil and political rights, most notably the absence of free and fair elections. There is a Legislative Council, whose members have been appointed by the Sultan, which meets once a year for one month. There is an independent Judiciary, with two parallel systems: one based on common law and one (mostly for family matters) based on Sharia.

**2. EU action - key focus areas:** The EU uses its bilateral meetings with Brunei's authorities to raise human rights issues and has regularly urged Brunei to accede to further core UN human rights conventions. There is no dialogue on human rights with Brunei but human rights concerns are regularly raised by the local EU representation and during the annual visit of the non-resident Head of EU Delegation, the most recent of which took place on 26 February – 1 March 2019.

In 2019, the EU raised the issue of the new Sharia Penal Code with the authorities of Brunei-Darussalam, by issuing a statement of the EEAS Spokesperson on 3 April and by conducting a

demarche in May 2019. The issue was also raised during the Universal Periodic Review on Brunei-Darussalam at the United Nations Human Rights Council.

**3. EU bilateral political engagement:** Bilateral relations are very limited given the fact that the negotiations for a Partnership and Cooperation Agreement (PCA) remains on hold.

**4. Multilateral context:** In May 2019, Brunei appeared before the UN Human Rights Council as part of the third cycle of the Universal Periodic Review (UPR). It received 220 recommendations out of which it supported 108 (an increase of 16% with respect to the second UPR cycle). The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was signed in 2015, but remains not ratified. During the UPR, Brunei indicated that it was working on the ratification of the Convention. Also in 2019, the Sultan publicly committed to its ratification.

## Kingdom of Cambodia

**1. Overview of the human rights and democracy situation:** The human rights situation in Cambodia continued to be a matter of concern during 2019, in particular regarding civil and political rights. The lack of meaningful progress to improve the human rights situation throughout 2018 and early 2019 led to the launch by the European Commission, in February 2019, of a formal procedure to temporarily withdraw tariff preferences granted to Cambodia under the Everything But Arms (EBA) trade scheme. A final decision will be taken by the Commission within twelve months from the initiation of the procedure (by 12 February 2020).

Since the court-ordered dissolution of the main opposition party (the Cambodian National Rescue Party - CNRP) in 2017, the Cambodian People's Party (CPP) is now ruling alone at the National Assembly, and almost with no opposition in the Senate and at local level. The CPP position was further consolidated through the indirect District Council election that took place in May 2019.

The situation of former opposition members remains critical. Former CNRP President Kem Sokha, accused in 2017 of 'conspiring to commit treason', remained on bail under strict court supervision for most of the year. On 10 November 2019, a Cambodian court relaxed his bail conditions. In December 2019, it was announced that his trial would begin on 15 January 2020. An amendment to the Law on Political Parties introduced the possibility for individuals banned from political activities to seek the restoration of their political rights by the king upon request to the prime minister. However, as of May 2019, only nine former CNRP members have successfully invoked this amendment. Former opposition members and supporters continued to face judicial harassment. In March 2019, an arrest warrant was issued against eight leading members of the CNRP who fled Cambodia. They were formally charged in September 2019. Between January and May 2019, over one hundred court and police summonses were issued against former CNRP members and supporters, mostly on allegations of violating the Supreme Court ruling that dissolved CNRP. In addition, following self-exiled opposition leader Sam Rainsy's announcement of his intention to return to Cambodia on 9 November 2019, over 50 political activists were arrested on charges of 'plotting against the state' (most of these individuals were later released on bail). The Cambodian Ministry of Foreign Affairs has also

revoked the passports of 27 opposition members who had fled the country, some of whom remaining abroad undocumented.

The operating environment for civil society organisations remained restrictive in 2019. Some small progress was noted, in particular in relation to the initiation of a dialogue at national and provincial level as well as with the launch of discussions to amend the contested 2015 Law on Associations and Non-Governmental Organisations (LANGO). However, the situation remains challenging for advocacy organisations, particularly those working on human rights, environment, land and freedom of expression, with numerous reports of events being monitored by local authorities and policy as well as cumbersome controls from authorities.

Cambodia ranked 143rd out of 180 countries in the 2019 World Press Freedom Index, dropping by one position in comparison to the previous year. The case of two Radio Free Asia journalists accused of espionage and pornography is still ongoing and the Municipal Court decided in August 2019 to reinvestigate both cases. Free media are still restricted albeit Voice of America was allowed to return. The new independent journalist association CambodJA was registered in October 2019 and in December, they were allowed to start publishing news on their English news site.

According to the World Justice Project's Rule of Law Index 2019, Cambodia ranked 125 out of 126 countries in terms of rule of law. The judicial system continues to be used as a tool to target political opponents, rights activists, journalists and critical social media users.

Cambodia took some actions to address major labour rights complaints. In May 2019, the Appeal Court acquitted six union leaders of all charges, after they had been given suspended jail terms for leading anti-government protests in 2013 and 2014. Amendments to widely criticised Law on Trade Unions were adopted in December 2019. They addressed some of the problems but according to 36 independent local and international NGOs and trade unions, the changes did not go far enough in addressing freedom of association and the rights to organise and collective bargaining.

The Cambodian government has taken some steps to resolve long-standing disputes on Economic Land Concessions, notably those related to sugar plantations in Koh Kong and Oddar Meanchey Provinces. There has been some improvement in land registration but access to land for the most vulnerable, including for indigenous communities, still remains a challenge.

**2. EU action - key focus areas:** In February 2019, the EU launched the procedure for the possible temporarily withdrawal of tariff preferences granted to Cambodia under the Everything But Arms (EBA) preferential trade scheme due to a lack of compliance with a number of UN Human Rights Conventions and ILO Conventions. An EU monitoring mission visited Cambodia in June 2019 to assess the human and labour rights situation. The dialogue with the government, civil society and other stakeholders continued during the year. Following a 6-month monitoring period, the European Commission transmitted to the Cambodian Government its report of findings in November 2019.

**3. EU bilateral political engagement:** In line with the priorities set out in the EU Human Rights and Democracy Country Strategy as well as the European Roadmap for Engagement with Civil Society in Cambodia, the EU delegation to Cambodia has implemented a number of actions to contribute to the protection of human rights and democracy in the country. Several CSO

consultations took place in the framework of the EBA monitoring period and as a follow up to the UN Universal Periodic Review process on Cambodia (held in January 2019). The EU delegation organised a dedicated meeting with LGBTI organisations on the International Day against Homophobia, and co-organised the celebrations of Human Right Day with OHCHR Cambodia.

**4. EU financial engagement:** The EU continued to support human rights and democracy mainly via its cooperation instruments in support of civil society and OHCHR. The EU delegation managed grants under the EIDHR and CSO-LA instruments covering broad range of issues including freedom of expression, land issues, rights of migrants, gender equality and child protection. The EU delegation also launched in the first part of 2019 a combined CSO-EIDHR call for proposals with the total budget of EUR 8.4 million. As far as human rights are concerned, six projects were awarded under EIDHR focusing on freedom of expression, land security and tenure, as well as addressing illegal migration and human trafficking. The EU has continued to provide financial support to the Extraordinary Chambers in the Courts of Cambodia (ECCC) to judge crimes against humanity under the Khmer Rouge regime.

**5. Multilateral context:** Cambodia was reviewed under the UN Universal Period Review process in January 2019. In September 2019, the situation in Cambodia was discussed during the 42nd Session of the Human Rights Council where the UN Special Rapporteur on Cambodia, Rhona Smith, presented her fourth substantive report on the human rights situation in Cambodia. The Human Rights Council also adopted a resolution on Advisory services and technical assistance for Cambodia, which underlined the challenges in the country and provided for the extension of the UN Special Rapporteur mandate. Finally, Cambodia presented its report to the UN Committee on the Elimination of Discrimination against Women with the findings of the Committee, published in November 2019.

## People's Republic of China

**1. Overview of the human rights and democracy situation:** During 2019, the human rights situation in China continued to be of significant concern. While there has been progress in economic and social rights, civil and political rights continue to be severely challenged. China promoted its vision of human rights, affirming that human rights should take in consideration national characteristics, the degree of development of the country, and the 'development path' chosen, thus defying the principles of universality and indivisibility of human rights. This position was expressed in international fora, as well as in official 'white papers'.

Numerous violations were reported in particular in the areas of: freedom of expression, freedom of religion or belief, freedoms of association and assembly, as well as on arbitrary detention and the right to due process of law. The space for civil society continued to shrink, with NGOs, social organisations, religious organisations and academia able to function only under strict supervision by government structures.

Regarding freedom of religion or belief in particular, a large number of Protestant churches were shut down and many of their leaders and followers were detained. Protestant Pastor Wang Yi was sentenced to nine years in prison in December 2019 for activities linked to his

advocacy for freedom of religion. Several Christian, Buddhist and Islamic religious buildings and religious sites were defaced or destroyed. The religious organisations approved by the authorities continued to have the obligation to act in accordance with Chinese Communist Party ideology. Reports about the 'sinicisation' of religions continued, with a particular focus on Xinjiang ('de-arabisation', i.e. removal of Arabic inscriptions from mosques and minarets) and Tibet (inclusion of Communist Party representatives in the management of monasteries).

Several human rights activists and lawyers were detained or tried without observing due process, and without access to defence lawyers of their choice. Numerous instances of secret detention and trial; physical and non-physical torture; denial of medical aid to detainees in terminal conditions; forced medication and other forms of violence; and harassment of the family members of the detained activists were reported throughout 2019. The EU continued to express concern about the detention of EU citizen, Gui Minhai and asked for his immediate release.

On media freedom, foreign news sites were blocked; foreign correspondents have reported harassment and administrative obstacles to their work. The use of social media was also strictly monitored and limited. There have been reports of visas of foreign correspondents being delayed, refused, not extended or extended only for very short periods.

The situation in Xinjiang Uighur Autonomous Region remained a major concern. In November 2019, Twelve UN Special Procedures Mandate Holders assessed that the application of the counter-terrorism law in Xinjiang raised serious concerns regarding arbitrary detention, enforced disappearance, absence of judicial oversight, restrictions on the freedom of expression, of thought, of conscience and religion, of the right to education and the freedom of movement for persons belonging to minorities. Although no unsupervised access to Xinjiang was possible for foreign diplomats, journalists and experts (including UN and independent observers), reliable reports indicate that a wide network of political re-education camps is still operating and intrusive surveillance is still widespread. Allegations on the use of forced labour in Xinjiang were also made and harassment of members of the Uighurs diaspora reported.

In the Tibetan Autonomous Region and the Tibetan inhabited territories, the year was marked by more detentions of monks and human rights activists, restrictions to religious activities, destruction of religious sites, most notably at Yachen Gar Tibetan Buddhist Centre, and another self-immolation (bringing the number to 156 since 2009). Aside from few strictly controlled visits, Tibet remained inaccessible for foreign diplomats, journalists and experts.

**2. EU action - key focus areas:** The EU continued to pursue its commitments to promote the universality, indivisibility and interdependence of human rights based on the UN Charter and standards, highlighting the need to give equal weight to political and civil rights (as compared to economic and social rights), and to improve the human rights situation in China.

The EU's main priorities regarding the human rights situation in China were supporting freedom of expression; providing support to civil society, human rights defenders and persons belonging to ethnic and religious minorities; promoting the rule of law; supporting

freedom of religion or belief; and raising concerns related to the death penalty and gender equality in China. The EU continued to call on China to fulfil its obligations under the UN Charter and international law, which are also reflected in China's Constitution. The EU also urged China to mark the 21st anniversary of the signature of the international covenant on civil and political rights by ratifying it. The EU continued working with the Chinese government on improving the living standards of China's citizens, gradually improving access to basic social services such as healthcare and education, and eradicating poverty.

**3. EU bilateral political engagement:** The 37th round of the EU-China human rights dialogue was held in Brussels on 1-2 April 2019. The two-day programme covered a wide range of human rights issues, and discussions of possible future cooperation on issues related to gender rights, rights of the child, business and human rights, and rights of persons with disabilities. While acknowledging China's progress on economic and social rights, the EU emphasised the universality, indivisibility and interdependence of human rights. The EU also conveyed its concerns related to the deteriorating situation of civil and political rights in China. The EU submitted to the Chinese side a list of more than 500 individual cases.

The EU, the EU Member States, and China continued to conduct technical exchanges on human rights issues, such as business and human rights and the rights of vulnerable groups. During the UN Human Rights Council sessions and the UNGA Third Committee, the EU and its Member States raised their concern about China's human rights situation, including on Xinjiang, Tibet and arbitrary detentions.

During 2019, the EU issued several statements, including: an HR/VP statement on the anniversary of the Tianamen Square event (in June), a statement by the HR/VP Spokesperson on the anniversary of the 907 crackdown on Human Rights Defenders (in July), as well as an HR/VP Spokesperson statement on the trial of Human Rights Defender Yu Wensheng (in May). The European Parliament discussed the situation of ethnic minorities in China in April and the situation of Uighurs in December.

**4. EU financial engagement:** The EU has, in line with its global human rights priorities, worked to improve China's human rights situation through official government cooperation, using the EIDHR, and through grassroots support. A special focus of the cooperation was the rule of law, which is in line with China's own priorities. Other topics the EU has supported were women's and children's rights, and rights of vulnerable groups. On the occasion of international days throughout the year, the EU delegation in China and the EU Member States organised and supported a number of public diplomacy activities by marking the most significant human rights anniversaries.

**5. Multilateral context:** The EU referred to the human rights situation in China in its item 4 statements issued during the March, June and September sessions of the UN Human Rights Council (HRC), as well as during the October UN General Assembly Third Committee. While acknowledging the progress made on a number of areas of social and economic rights in China, the EU raised its concerns about the detention of a number of human rights defenders including EU national Gui Minhai, Wang Quanzhang, Li Yuhan, Huang Qi, Yu Wensheng, Wu Gan, Gao Zhisheng, Ilham Tohti, Qin Yongmin, Li Yuhan, and Tashi Wangchuk. It also called on China to abide by its international obligations, ratify the international covenant on civil and political rights, and respect freedom of religion or belief and freedom of expression, as well as the rights of persons belonging to ethnic minorities.

The EU also expressed concerns related to Xinjiang, referring particularly to the existence of re-education camps, widespread surveillance and restrictions on freedom of religion or belief.

## Hong Kong Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation:** 2019 has been an exceptionally challenging year for human rights in Hong Kong and concerns have intensified about the erosion of the 'one country, two systems' principle and Hong Kong autonomy.

Since the government's attempts to introduce the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation Bill ('Extradition' Bill) in February 2019, Hong Kong has faced social unrest, with several large demonstrations during the course of the year attracting hundreds of thousands of protesters. Whilst many gatherings were peaceful, violence by protesters has been a recurrent feature, including the throwing of petrol bombs, other projectiles and attacks on public buildings and businesses, reprisal attacks on protesters and documented reports of excessive use of force by security forces. The siege of several universities raised serious concerns, including on humanitarian grounds.

The invocation of emergency powers by the Hong Kong authorities to impose limitations on the wearing of face masks was challenged in the courts, including on the grounds of its compatibility with the Basic Law and human rights norms. A final adjudication in the case is awaited.

In term of democracy, the peaceful conduct of the District Council elections on 24 November, with a turnout of 71.2%, fostered hopes of a de-escalation of violence. Demonstrators continued to call for the introduction of universal suffrage for the Chief Executive and Legislative Council elections.

**2. EU action - key focus areas:** The EU constantly called for calm and restraint; highlighted the importance of dialogue; and reaffirmed its support to the 'one country, two systems' principle. This was done in bilateral contacts with Hong Kong authorities as well as publicly, in several statements (detailed below) issued during 2019.

**3. EU bilateral political engagement:** During 2019, the HR/VP spokesperson made three statements on the situation in Hong Kong (on 12 June, 1 July and 13 August). The HR/VP made three declarations on behalf of the European Union. On 17 August, the HR/VP recalled the EU close relations with Hong Kong under the 'one country, two systems' principle, and its strong stake in its continued stability and prosperity, rejecting violence and calling for engagement in a process of inclusive dialogue, involving all key stakeholders. Following the escalation of violence, a further HR/VP declaration on behalf of the EU was issued on 2 October. It recalled the position that restraint, de-escalation and dialogue are the only way forward; called for fundamental freedoms, including the right of assembly, of Hong Kongers to be upheld and the possibility to hold peaceful demonstrations ensured; rejected violence as unacceptable and called for any action by the law enforcement authorities to be strictly

proportionate. The third EU declaration on Hong Kong was issued on 18 November. It called for restraint and de-escalation, underlining that only confidence building measures, including an inclusive and sincere dialogue, reconciliation and community engagement, can lead to a sustainable solution. The EU expressed its willingness to support all those who would work towards de-escalation and establishing such a dialogue.

On 28 November, the EU-Hong Kong structured dialogue took place in Hong Kong. The dialogue provided an opportunity to discuss cooperation in an extensive range of fields, including trade, financial services, investment, procurement, customs, innovation technology and trafficking in human beings, as well as the current situation in both the EU and Hong Kong.

**4. Multilateral context:** In Geneva, at the Human Rights Council, the EU made two statements raising its concern regarding the situation in Hong Kong under item 2 on 10 September and under item 4 on 17 September.

## Macao Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation:** The rights and fundamental freedoms of the people of Macao continued to be generally respected and the rule of law has been upheld under the 'one country, two systems' principle enshrined in the Basic Law of Macao.

Macao's media continued to express a broad range of views, though there were concerns about increasing self-censorship. The Macao Journalists Association raised concerns ahead of the visit of President Xi Jinping in December on the occasion of the 20<sup>th</sup> anniversary of the transfer of sovereignty of Macau from Portugal to the People's Republic of China (PRC), referring to instances of local reporters being warned to be careful about what they report and asserting that such instances were 'unprecedented'.<sup>32</sup> The Association also condemned editorial interference in reporting about the Hong Kong protests on 22 August.<sup>33</sup>

Denial of entry to Macao on security grounds continued to take place, targeting on several occasions journalists, civil society activists and public figures, including from Hong Kong. Around the time of the visit of President Xi Jinping in December, several journalists travelling from Hong Kong were refused entry to Macao. Public safety and public order concerns were cited as the rationale for the refusal. A case attracting media attention was the denial of entry to the Chairman of the American Chamber of Commerce (AmCham) from Hong Kong in December. Little explanation was provided for the refusal. Media linked it to the wider state of US-China relations.

---

<sup>32</sup> [https://m.facebook.com/story.php?story\\_fbid=2704795789586464&id=570780646321333&\\_tn\\_=%2AW-R](https://m.facebook.com/story.php?story_fbid=2704795789586464&id=570780646321333&_tn_=%2AW-R)

<sup>33</sup> <https://www.facebook.com/ja.macao/posts/2468049749927737>

Freedom of assembly is generally respected in Macao. However, demonstrations in support of the ongoing protests in Hong Kong have not been authorised, with small-scale gatherings quickly dispersed by police and individuals from Hong Kong associated with the protest movement denied entry to Macao.

Macao is a destination country for human trafficking. Efforts by the authorities are being made to address trafficking in human beings, including through anti-trafficking training for government officials and the investigation of suspected cases of forced labour. Macao was upgraded to a Tier 2 country in the US Annual Trafficking in Persons report. In March, the government completed an anti-trafficking national action plan.

On 8 July, the Legislative Assembly approved the draft of the government-initiated bill for a statutory minimum wage for all workers except domestic helpers and employees with disabilities. Macao has not effectively enforced freedom of association and collective bargaining as enshrined in International Labour Organisation (ILO) conventions.

Discrimination on the grounds of gender identity and sexual orientation continues to cause concern, notably in the fields of employment, education and healthcare. In 2014, the UN Committee on Economic, Social and Cultural rights urged Macao to adopt comprehensive anti-discrimination legislation<sup>34</sup>.

**2. EU action - key focus areas:** EU key focus areas in Macao are the fight against human trafficking and the rights of LGBTI persons.

## Taiwan

**1. Overview of the human rights and democracy situation:** Taiwan is a vibrant democracy with a system of governance based on the rule of law and the respect of fundamental freedoms. The situation of human rights is one of the most advanced in Asia and Taiwan is a pioneer in the field of rights of LGBTI persons in the region. In 2019, Taiwan became the first in Asia to legalize same-sex marriages. It also adopted legislation to establish an independent National Human Rights Institution (NHRI). The death penalty remains an issue of concern but no executions took place in 2019. Taiwan is working on the domestication of the ILO Work in Fishing Convention (C 188) but further efforts are needed to improve the protection of migrant workers' rights.

**2. EU action - key focus areas:** The EU continued its consultations with Taiwan on several human rights issues with a focus on the death penalty, detention conditions and non-discrimination against vulnerable groups. The EU remained in contact with several agencies in charge of human-rights related issues. Contacts with major Civil Society Organisations also continued and allowed to exchange information and gather ideas on how to further promote human rights issues in Taiwan.

---

<sup>34</sup>

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4sIQ6QSmIBEDzFEovLCuW%2BALqOml1btoJd4YxREVF2VW58oMDPLAMUILqfo6v%2B47B8DRJbTAIMbcvgyEKXPdGsEnfi5eWE%2BWbfziSl6SiVeI%2FJnjrlrdBib9a4aoakRm>

**3. EU bilateral political engagement:** The second EU-Taiwan human rights consultations took place on 14 May and provided an opportunity to discuss the death penalty in Taiwan, migrant workers' rights, conditions of detention of foreign prisoners in Taiwan, LGBTI issues, gender equality and the process of establishment of an independent Human Rights Institution in Taiwan. In June, the EU and Taiwan held a 3-day workshop on gender equality. In October, the European Economic and Trade Office (EETO) co-organised a two-day EU-Taiwan seminar on the rights of LGBTI persons, with high-level Taiwanese participation. The EETO also participated in the Taiwan Pride Parade, the largest of its kind in Asia.

Given its commitment to the abolition of the death penalty, the EU has raised this issue on a regular basis with Taiwanese counterparts, including the Minister of Justice. The EETO also supported the Taiwan Alliance to End the Death Penalty to conduct public deliberation sessions on possible alternatives to the death penalty. This initiative has raised awareness in Taiwan and encouraged public debate on this problem.

The EU continued to provide support in the domestication of ILO Convention 188. The European Commission (DG EMPL) co-organised with the Taiwanese Fisheries Agency a workshop on decent working and living conditions for fishers, and organised a study visit of Taiwanese officials to the French administration.

Within the framework of the 2019 EU-Taiwan judicial exchange programme, in March an EU delegation led by a judge from the European Court of Human Rights visited Taiwan and met Taiwanese officials, legislators, lawyers, academics and NGOs.

**4. EU financial engagement:** In 2019, around EUR 35,000 of the EETO's press and information budget was used to organise, host, promote or support events and initiatives on human rights. The EU also co-sponsored the EU-Taiwan seminar on the rights of LGBTI persons. These activities have resulted in increased public awareness in Taiwan and enhanced exchanges between the EU and Taiwan, both with the Taiwanese agencies and the NGOs.

**5. Multilateral context:** Although Taiwan is not a member of the UN, it has voluntarily incorporated the provisions of six of the UN's nine human rights treaties into its domestic laws. NGOs are invited to participate in the Presidential Office Human Rights Consultative Committee to follow up and make sure necessary actions are taken and progress is made according to the observations and recommendations of the international panel.

## Iran

**1. Overview of the human rights and democracy situation:** The situation of human rights in Iran remained a matter of concern in 2019. An encouraging development was the significant reduction in drug-related executions as compared to the number in 2017, thanks to the amended Anti-Narcotics law, which was adopted in October 2017. The authorities also continue to discuss the introduction of reforms aimed at combating violence against women. Iran also continued to accommodate millions of mainly Afghan refugees within its borders and provide them with healthcare and education. At the same time, restrictions to civil

freedoms persisted, notably lack of guarantees of fair trial, violations of freedom of expression, religion or belief and of women's and girls' rights. Abuse and torture in prison and the detention and conviction of dual nationals remained matters of serious concern. Furthermore, in November 2019 the Iranian security forces' disproportionate response to widespread demonstrations led to high numbers of deaths, injuries and arrests, with Iran deciding to shut down internet access to global networks for more than a week.

**2. EU action - key focus areas:** The EU continued to closely follow the situation of human rights in Iran and voiced concerns using a variety of formal and informal, bilateral and multilateral tools, as established within the February 2019 Foreign Affairs Council conclusions on Iran. As in previous years, the EU supported the resolution on the human rights situation in Iran tabled by Canada during the United Nations General Assembly in New York. In its bilateral contacts the EU focused on issues of particular concern such as individual cases and the use of death penalty and continued to issue statements in particular on the execution of juvenile offenders.

**3. EU bilateral political engagement:** The EU continued to address human rights issues and concerns with Iran during bilateral meetings, including at high level. Through this channel of communication and engagement at political level the EU will progressively address its concerns. Human rights are part of a broad and comprehensive agenda of cooperation with Iran which is based on the Joint Statement agreed on 16 April 2016.

**4. Multilateral context:** The Government of Iran received a total of 329 recommendations following Iran's Universal Periodic Review (UPR) in November 2019 – including from 26 EU Member States - and asserted that most of the recommendations from its UPR in 2014 had been implemented. Iran is due to provide a formal response to these 329 recommendations by no later than the 43<sup>rd</sup> session of the Human Rights Council, which will be convened from 24 February – 20 March 2020.

## Republic of Korea

**1. Overview of the human rights and democracy situation:** The Republic of Korea is an established democracy with a clear separation of powers, offering a high level of protection of human rights. Freedoms of expression and assembly allow for robust political debate between parts of society with different opinions, in a polarised society. In 2019, the government pursued its efforts to modernise the national welfare system amidst a widespread public desire to ensure social justice and reduced inequalities. There was intense public debate over government proposals to reform the role of public prosecution. The government engaged in consultations on how to address the issue of online hate speech, which is seen as a growing problem. Constitutional Court decisions led to the decriminalisation of abortion and a new law to allow conscientious objectors to military service to opt instead to serve as prison warders. The government asked the National Assembly to ratify three of the four ILO Fundamental Conventions to which the Republic of Korea is not yet party. Civil society organisations raised concerns over the lack of government action to transform the de facto moratorium on the death penalty into a de jure abolition of the

capital punishment and over the continuing absence of an overall anti-discrimination law, which is blocked due to disagreement over the issue of sexual orientation. Gender inequality with regard to a gender pay gap and the proportion of women in political and economic decision-making positions remains an issue. The government and civil society are working to address violence against women, including online gender-based violence.

**2. EU action - key focus areas:** EU action in the Republic of Korea in 2019 focused on the following priorities:

- Freedom of association, especially in regard to ILO Fundamental Conventions;
- Gender equality and addressing violence against women;
- Anti-discrimination and tackling hate speech;
- De jure abolition of the death penalty.

**3. EU bilateral political engagement:** The EU delegation in Seoul maintained its role as a centre for facilitating contact between government and civil society organisations working on human rights issues and the wider diplomatic community. The EU insisted that the Republic of Korea make progress in ratifying the four ILO Fundamental Conventions to which it is not yet a party. A Panel was requested under the EU- Republic of Korea Free Trade Agreement Chapter on Trade and Sustainable Development. The Republic of Korea government submitted the ratification documents for three of the conventions for parliamentary approval. The EU engaged with organisations promoting the rights of LGBTI persons and Member State embassies expanded their participation to provincial as well as the Seoul Pride Festival in a move that significantly strengthened the provincial events. The EU also continues to engage on the promotion of the rights of persons with disabilities. The EU encouraged the authorities to legislate for a general anti-discrimination law and exchanged experiences in addressing online hate speech. Exchanges continued to take place on a diverse range of topics regarding gender equality and tackling violence against women and minors. EU public diplomacy kept the spotlight on the need to maintain the moratorium on executions and abolish capital punishment.

**4. EU financial engagement:** Under the Partnership Instrument Public Diplomacy Project, the EU delegation launched a civil society platform designed to build cooperation between EU and Republic of Korea civil society organisations (CSOs), and facilitated the participation of Korean CSOs in the civic forum organised by the European Economic and Social Committee in Brussels.

**5. Multilateral context:** The Republic of Korea participated for the second time in the EU-led 'Good Human Rights Stories Initiative' at the UNGA.

The voting record of the Republic of Korea in the UN human rights fora remained very similar to that of the EU, demonstrating like-minded values in most areas. The Republic of Korea decided not to co-sponsor resolutions on the human rights situation in the DPRK.

## Democratic People's Republic of Korea (DPRK)

**1. Overview of the human rights and democracy situation:** The grave human rights situation in the Democratic People's Republic of Korea (DPRK) remained unchanged in 2019. Reportedly, the government continued to maintain strong control over its population. According to reports, the government carried out enforced relocations, used forced labour, made arbitrary arrests and maintained political prison camps. Basic civil and political liberties for citizens, including the absence of access to a fair trial, freedom of expression, religion, association and assembly remained practically non-existing.

Independent media and civil society organisations and organised political opposition remained prohibited. Children were used for unpaid labour and were subject to physical violence and punishment. Women faced sexual harassment and abuse, including in detention. Women and girls who left the DPRK faced the risk of becoming victims of trafficking, sexual abuse and forced marriage. Persons, who are repatriated to the DPRK, in contravention of the principle of non-refoulement, were often severely punished.

In addition to grave human rights violations, the general living conditions remained very difficult, including chronic food insecurity, widespread malnutrition and lack of access to safe drinking water and sanitation.

Access to verifiable information continued to be a challenge given the limited access to the DPRK. The UN's Special Rapporteur on the situation of human rights in the DPRK, Tomás Ojea Quintana, continues to await to be granted access to the country.

**2. EU action - key focus areas:** The EU maintains a policy of Critical Engagement towards the DPRK, which combines pressure through sanctions and other measures while keeping communication and dialogue channels open. The EU remains committed to achieving the goal of the complete, verifiable and irreversible dismantlement by North Korea of its nuclear and other weapons of mass destruction and its ballistic missile programmes of all ranges, the upholding of the global non-proliferation regime, and the improvement of human rights and humanitarian situation in the DPRK.

**3. EU bilateral political engagement:** The EU has no delegation in the DPRK. EU Member States with diplomatic presence in the country take turn every 6 months to represent the EU locally. Due to unfavourable political circumstances, the EU last held its political dialogue with the DPRK in 2015.

The EU regularly interacted with the UN's Special Rapporteur on the Situation of Human Rights in the DPRK.

**4. EU financial engagement:** In 2019, the EU provided assistance to the DPRK mainly in the area of food security. Some projects also addressed social inclusion of people with disabilities and the elderly, while others tackle disaster preparedness in rural communities. All these activities were of direct benefit to those among the most vulnerable people in the DPRK.

**5. Multilateral context:** In 2019, the EU tabled resolutions on the situation of human rights in DPRK at the 74<sup>th</sup> session of UNGA and the 40<sup>th</sup> session of UN HRC respectively. The EU Member States also actively participated in the Universal Periodic Review (UPR) of the DPRK in May 2019 and provided a number of recommendations.

## India

**1. Overview of the human rights and democracy situation:** India is a democratic and pluralist country where the 1950 Constitution, relevant legislation and robust institutions warrant citizens' rights, along the core principles of secularism and equality. Multiple laws and policies are aimed at improving the situation of disadvantaged and poor people and independent judicial institutions, an active civil society and a vibrant media seek government accountability and action. However, structural issues such as institutional capacities, unequal distribution of resource and access to services, as well as deeply engrained cultural mind-sets remained as impediments towards the full implementation of human rights.

In this context, national human rights institutions such as the National Human Rights Commission (NHRC) and the State Human Rights Commissions with their promotion and protection mandate continue to play an important role. Moreover, the National Commission for Minorities and the National Commission for Women, the National Commission for the Protection of Child Rights as well as States Human Rights Commissions are key players towards achieving the Sustainable Development Goals to which India is fully committed.

While the government remained actively committed to improving social conditions with many schemes and announcements benefitting the poorer segments of the society, 2019 was also marked by concerns on a number of topics. Most notably, the decision on 5 August 2019 to repeal article 370 of the Indian constitution that had granted a special status to the former state of Jammu and Kashmir. This decision was accompanied by the detention of politicians and activists in Jammu and Kashmir, including curfews as well as suspension of internet and both fixed and mobile telephone lines. Although several politicians have been released, concerns remain on restrictions to the internet connection and continued detention of political leaders. Access to the valley for media and NGOs also remained restricted.

Furthermore, the second draft of the National Register of Citizens for Assam (NRC) published in August 2019 excluded 1.9 million people from the list of citizens. Those excluded have the right to access legal redress.

The Citizenship Amendment Act (CAA) of 11 December 2019 sparked controversy in India feeding a wave of sometimes violent protests around the country and has been contested since in the Indian Supreme Court. The law provides for provisions facilitating naturalisation of irregular immigrants from Afghanistan, Bangladesh and Pakistan who entered India before 31 December 2014 and are of Christian, Sikh, Buddhist, Jain, Parsi or Hindu faith, thus excluding immigrants from these three countries of any faith other than the above mentioned or of no faith.

**2. EU action - key focus areas:** EU's activities and events regularly promote all human rights policy priority areas of relevance to India. Based on its global human rights priorities, the EU attaches particular attention and seeks to promote EU-India cooperation on defending the integrity of the person, combatting discrimination and inequality, promoting gender equality, promoting children's rights and supporting domestic institutional and individual Human Rights Defenders rights, among others.

In 2019, the EU continued to engage with multiple stakeholders in India, not least the civil society, in various formats and at various levels, including meetings, parliamentary visits and

events organised by the EU delegation, EU Member States or EU sponsored projects.

**3. EU bilateral political engagement:** In view of the implementation of the Human Rights Strategy, the EU continues to engage stakeholders in India in various formats and at various levels, including internal meetings, during parliamentary visits, and through events organised by the EU delegation, EU Member States or EU-sponsored projects. This offers opportunities to reach out to officials, dedicated human rights institutions, civil society representatives and the broader public.

In the absence of a regular structured interaction, the EU delegation raised the range of issues in an ad-hoc meeting with the Chairperson of the National Human Rights Commission in December 2019.

**4. EU financial engagement:** The EU provides practical support to furthering human rights and the work of civil society actors through its programs and projects. The EU delegation, together with EU Member States, supported a large number of projects contributing to the above-mentioned priorities. Under the European Instrument for Democracy and Human Rights (EIDHR), the implementation of five new projects for EUR 1.78 million began in 2018 with a focus on the rights of the urban homeless and manual scavengers; access to justice for children; rights of LGBTI persons; and accountability in the criminal justice institutions with particular focus on torture, prisoners with mental illnesses, economically disadvantaged persons dependent on legal aid and persons on a death row. Five more projects for a total amount of EUR 3.6 million also started with a focus on Women Human Rights Defenders, Torture elimination and rehabilitation, and ending violence and discrimination against Dalits, persons belonging to minorities and LGBTI communities.

The EU and UN Women jointly launched in March 2019 a 3-year WeEmpower Asia programme to encourage the private sector to expand economic participation and business opportunities for women in seven Asian countries including India. It will promote dialogue among women's groups and the public and private sector to enable a business environment that empowers women, provide skills for female entrepreneurs to engage with businesses, policy-makers and decision makers.

In the framework of the Partnership Instrument, two 3-year projects were continued in 2019 with the focus on enhancing engagement between EU and Indian Civil Society Organisations focusing on disabilities, private sector action on sustainable development goals, and confidence-building.

**5. Multilateral context:** India is a party to major international human rights instruments and committed to United Nations human rights bodies such as the UN Human Rights Council. India resumed membership of the UN Human Rights Council on 1 January 2019.

After the repeal of article 370, the situation in Kashmir was raised in both the United Nations Security Council and the Human Rights Council, mainly as the result of initiatives by Pakistan. The Office of the United Nations High Commissioner for Human Rights presented an update on the situation of human rights in Indian-Administered Kashmir and in Pakistan Administered Kashmir in July 2019.

**1. Overview of the human rights and democracy situation:** Indonesia's track-record on human rights has improved over the last years, with pluralism, fundamental freedoms, diverse media and vibrant civil society as key features of this progress.

In April 2019, presidential and legislative elections took place concurrently for the first time, in a peaceful and orderly manner.

Yet, several human rights issues persist. The new proposed Criminal Code raised major concerns by restricting fundamental freedoms and human rights that would violate the rights of women, religious minorities, and LGBTI persons, as well as freedom of speech and association, drawing considerable criticism domestically and the attention of the international community. Following large-scale protests, Indonesia's President Widodo announced at the end of September 2019 the postponement of the vote on the revision of the new proposed Criminal Code, referring the debate to the new Parliament, in place since 1 October 2019.

The European Parliament adopted on 24 October 2019 a resolution in the framework of an urgency debate on the new proposed Criminal Code. The EP expressed concerns about discrimination against LGBTI people, intolerance towards ethnic and religious minorities, the application of the blasphemy law and freedom of the press, including restriction to freedom of expression in Papua.

In September 2019, the Parliament adopted a new law weakening the Corruption Eradication Commission, affecting the independence of the body and undermining the fight against corruption, largely spread all over the Indonesian society.

During protests in the Papua province in summer 2019, at least 53 people were killed and hundreds were arrested. Human Rights Defenders, notably those working on environmental issues and land rights, reported an increase in harassment and intimidation. In 2019, 53 cases of violence against journalists were recorded with 30 of them involving police officers. The LGBTI community faced important discrimination, including in the labour market, with non-heterosexual orientation put forward as a criterion of ineligibility for recruitment by certain government agencies.

Concerning the death penalty, although no executions were carried out in 2019, at least 69 people, particularly drug offenders, were sentenced to death in 2019.

**2. EU action - key focus areas:** The EU continued its action in favour of the abolition of the death penalty and called upon the Indonesian government to consider establishing a de facto moratorium on executions (as one of the recommendations accepted by Indonesia in the last cycle of the Universal Periodic Review in 2017) with a view to abolishing the death penalty.

The EU continued to monitor the revision of the Criminal Code through regular meetings with government, parliament, civil society and international partners.

Non-discrimination and the protection of minority groups is a further key area of EU engagement. The EU closely followed-up the enforcement of the blasphemy law and kept regular contact with victims of discrimination and intolerance throughout 2019, including

with representatives of LGBTI organisations, ethnic minorities and religious minority groups. The EU encouraged Indonesia to engage with the UN Special Rapporteur on Freedom of Religion or Belief (FoRB). Ján Figel, EU Special Envoy for the promotion of FoRB, visited Jakarta in November 2019.

Throughout the year, the EU continued to promote the universality of human rights on several occasions such as the International Women's Day, the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child, the 16 Days Campaign against Gender-Based Violence, and on International Human Rights Day. Initiatives included the '100% Human' Film Festival, the 'Think Equal, Think Girls' comic and cartoon competition, various panel discussions and 'He-for-She' pledges made by EU Heads of Mission.

**3. EU bilateral political engagement:** The EU and Indonesia held the eighth human rights dialogue in November 2019 in Brussels. During the meeting, a wide range of human rights matters were discussed, including the death penalty, access to justice, rights of indigenous peoples and persons belonging to minorities, rights of LGBTI persons, freedom of expression, freedom of association and cooperation in the multilateral framework. For the first time, the human rights dialogue was preceded by the Civil Society Organisations' Forum, bringing together representatives from both European and Indonesian civil society.

On 5-6 December 2019, the EU delegation and Member States' representatives participated in the annual Bali Democracy Forum where key messages were delivered on good governance, human rights and multilateralism.

**4. EU financial engagement:** Under the EIDHR thematic programme, the EU delegation managed six projects in 2019 (for an overall value of approximately EUR 3.3 million). These projects addressed notably matters such as business and human rights, non-discrimination based on disability and gender identity (including LGBTI orientation), prevention of torture and other inhuman treatment and limitation of the use of the death penalty. The EU also awarded grants to civil society organisations with a particular focus on fighting gender-based violence in Indonesia (EUR 0.8 million). The project aims to provide legal assistance to women in several provinces in Indonesia, advocating at the same time for a gender-sensitive approach to the criminal justice system.

**5. Multilateral context:** In follow-up to the 2017 Universal Periodic Review (UPR), the EU continues to monitor Indonesia's commitments made in its acceptance of 167 out of 225 recommendations.

The EU continues to lend its support to the UN Office of the High Commissioner for Human Rights, and monitors Indonesia's activities as a member of the UN Security Council (2019-2020) and UN Human Rights Council (2020-2022).

## Japan

**1. Overview of the human rights and democracy situation:** Japan is an established and well-functioning democracy, which in general terms ensures a high level of respect for human rights. Japan is also advocating worldwide promotion of those values and the respect of

international obligations, including in international fora. Japan plays an important role in the Human Rights Council, in which it was re-elected until 2022, and in the UN General Assembly 3<sup>rd</sup> Committee.

However, the retention of the death penalty in Japan remains a major concern for the EU. Three executions took place in 2019. Despite government efforts to address the issue in recent years, gender equality remains behind most major developed economies. The issue of child abduction by parents persists in spite of the adoption of domestic legislation. The rights of LGBTI persons are not widely debated publicly, but progress has taken place at local government level. The entry into force in 2019 of the EU-Japan Economic Partnership Agreement renews hopes of the ratification by Japan of the ILO conventions on forced labour and discrimination.

The EU and Japan hold dedicated human rights consultations, but did not hold any regular meeting in 2019, although ad-hoc discussions took place. Human rights issues continued to be discussed at all levels of the relationship, reinforced by the provisional application since February 2019 of the EU-Japan Strategic Partnership Agreement.

**2. EU action - key focus areas:** The EU action in Japan in 2019 focused on the death penalty, gender equality, non-discrimination (LGBTI issues), rights of the child, criminal justice and prisoner's rights, and support to civil society.

**3. EU bilateral political engagement:** The EU continued to take a firm stance against the persisting use of death penalty in Japan, and expressed its position through local statements, as Japan conducted three executions in August and December 2019. The EU also encouraged public debate on the issue and supported the participation of two Japanese attorneys to the World Congress against the Death Penalty held in Brussels. On prisoner's rights, the EU delegation and the Finnish Presidency organised a presentation by three officials from the Justice Ministry on the topic 'Japanese prisons and foreign inmates prison conditions'.

As regards gender equality, on the occasion of HR/VP Mogherini's visit to Japan to attend the G20 Foreign Ministers' meeting in November, a high level event on the 'Role of Women and Youth in Peace and Security' was organised by the EU delegation with the participation of Japanese Defense Minister Kono. During the visit to Japan of the Council of Europe in May 2019, an informal exchange meeting with the Advisory Group members and other experts was organised on the topic of Istanbul Convention. On 21 December, the Head of the EU Delegation took part, as one of the panellists, in a symposium titled 'Women can change the World', organised by the Showa Women's University.

Public diplomacy remained an important component of the EU's work on human rights in Japan. On 28 April, the EU delegation and embassies of the EU Member States took part in the parade and other elements of the popular Tokyo Rainbow Pride event, which attracted the largest ever 200,000 visitors. The EU delegation also engaged young Japanese social media influencers who created their own videos on TikTok to address important issues such as family unity, bullying and equality, to celebrate the 30th anniversary of the Convention on Rights of the Child. The EU delegation's magazine also published an article explaining how the EU has addressed the promotion of the rights with focus on the child abduction issue and on the right to family unity. The EU delegation continued to support the strengthening of Japanese civil society, by engaging civil society at various occasions during the year, including by holding networking events.

**4. EU financial engagement:** The EU delegation manages a two-year, EUR 222,000 Partnership Instrument project, 'Engagement with Civil Society in Japan on Fundamental Rights: Death Penalty and the Criminal Justice System', to support civil society-led activities to promote awareness of the criminal justice system in relation to the death penalty in Japan. The project partner 'Center for prisoner's rights' has created a website that provides pedagogical material on issues related to criminal justice in Japan, including arrest, detention and prosecution.

In the field of gender equality, the 'WE EMPOWER' project, benefits from EUR 1.5 million in Japan aiming to support sustainable, inclusive and equitable economic growth through: (i) advocacy and multi-stakeholder policy dialogues; and (ii) building capacity in the private sector in line with internationally agreed Women Empowerment Principles. The Advisory Group of the project met three times in 2019 to provide project guidance and facilitate engagement with industry and government representatives. The project will focus on gender-lens investing and women in workplace. In March, WE EMPOWER organised a session, as part of Women 20 (W20) held in Tokyo, on the topic 'Gender Lens Investing: Emerging Global Trends' where the EEAS Principal Advisor on Gender, Mara Marinaki, gave an opening speech.

In 2019, the project supported by the EU together with the OECD and the ILO 'Responsible Supply Chains in Asia' made progress in all three components of research, outreach and training. Among others, surveys were carried out to measure awareness and actual implementation of responsible business practices in supply chains; several workshops and technical seminars have been organised targeting trade unions, cooperatives, industry associations and research institutions. Key materials and guidance on responsible business practices were translated into Japanese.

**5. Multilateral context:** The EU and Japan continued to cooperate closely, but sometimes faced challenges in agreeing on joint approaches in UN fora. Japan did not co-author the resolution on DPRK with the EU in the 40<sup>th</sup> session of the UN Human Rights Council as it usually does, but eventually agreed to co-sponsor the resolution on DPRK in the UN General Assembly. Japan also abstained on the resolution on Sri Lanka and on the resolution extending the mandate of the Special Rapporteur on Myanmar, and opposed the death penalty resolution.

The ratification of the ILO conventions on forced labour and discrimination continues to be part of the EU engagement with Japan, in particular in light of the entry into force of the Economic Partnership Agreement. The Plenary of the House of Representatives adopted a 'Resolution on Japan's further commitment toward ILO, on the occasion of 100 year anniversary of ILO' on 26 June, just before the G20 Summit in Osaka.

## Lao People's Democratic Republic (Lao PDR)

**1. Overview of the human rights and democracy situation:** The Lao PDR did not make significant progress in 2019 towards the national objective to establish a genuine rule of law State.

Laos is still lagging behind in terms of effective implementation of its international human rights obligations in several areas.

The Lao PDR has a weak regulatory environment, law enforcement and accountability. Corruption remains a main challenge for the government which has adopted (but enforced with uneven results) several reform policies regarding fiscal transparency, forestry and wildlife trafficking.

The rights to freedom of expression, association and peaceful assembly remained restricted, and the state continue to exercise a close control over media and civil society. There was no progress on investigations into a number of enforced disappearances.

**2. EU action - key focus areas:** The EU continued to pursue its efforts in promoting an independent Lao civil society and in advocating for Human Rights Defenders, in light of a worrying trend of disappearances and imprisonments.

**3. EU bilateral political engagement:** The EU continued to engage with the government authorities notably through the human rights and governance dialogue held in March 2019 in Vientiane. Topics ranged from civil, political, economic, social and cultural rights to fundamental freedoms and the rights of women, children, ethnic and vulnerable groups. The dialogue also touched upon the three UN Treaty-Bodies' reviews undertaken by Laos in 2018 and the next UPR cycle.

The round table meeting held in November 2019 brought together government agencies and development partners, including representatives from the civil society and the private sector. It highlighted the nexus between human Rights and sustainable development. This was also an opportunity to raise the EU's concerns about the slow pace of implementation and the recent trend of worrying cross-border disappearances.

The EU, a member of the governance sector working group, co-chaired in 2019 the sub-working group on legal and institutional oversight that allows for policy dialogue between the government and international donors.

In 2019, the EU participated in the quarterly civil society working groups meetings between CSOs, the government and donors, and broadening its engagement and dialogue with CSOs partners.

**4. EU financial engagement:** Both the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society organisations-Local Authorities (CSO-LA) remain two significant tools to support civil society's activities and CSOs capacity-building initiatives.

On-going projects address, *inter alia*, the promotion and protection of the rights of women and children, people with disabilities, labour rights, victims of trafficking and ethnic groups as well as their participation in policy shaping and access to public services. Two calls for Proposals were launched in 2019 under the CSO (EUR 3 million) and EIDHR (EUR 2 million) thematic funds, opening up to Lao CSOs with a special, dedicated lot under the EIDHR Call.

In 2019, the EU financial and operational support to the governance sector continued to be shaped in the framework of the 'Citizen Engagement for Good Governance, Accountability and the Rule of Law (CEGGA)', co-funded by the EU together with Switzerland and Germany. This programme promoted civil society engagement, contributed to strengthen core parliamentary functions, and the implementation of the rule of law and human rights.

**5. Multilateral context:** Upon invitation of the Lao government, the UN Special Rapporteur on Extreme Poverty visited the country in March 2019. While acknowledging major progress in the field of poverty alleviation over the last decades, his report highlighted the uneven prioritisation of the economic and infrastructure projects that did not lead to a 'commensurate reduction in poverty'.

The third Universal Periodic Review (UPR) for the Lao PDR set for January 2020 allows to assess the 2030 Agenda achievements, and to share best practices in tracking the country's human rights obligations.

## Malaysia

**1. Overview of the human rights and democracy situation:** Almost two years after the elections in May 2018, Malaysia's human rights situation has improved in some respects, but has a long way to go in fulfilling the spirit of reform in the ruling coalition's election manifesto. Malaysia made progress in some areas, such as lowering the voting age, strengthening the independence of the parliament and of the courts and the freedom of expression. Other commitments were not fulfilled though: the government withdrew from the Rome Statute of the International Criminal Court (ICC) in April 2019, after filing its accession. Following the Malaysian Cabinet decision to abolish the death penalty in its entirety (October 2018) and the introduction of a de facto moratorium on executions, in March 2019 the Government announced that it would keep the focus only on the elimination of the mandatory application of death penalty and only for some crimes.

Freedom of expression, including in the media, constitutes an area of quantifiable improvement when compared with the situation pre-2018 election. The government initiated the formation of a Malaysian Media Council and a guiding code of conduct. The Anti-Fake News Act 2018 (Act 803) was finally abolished in December 2019.

The 2018 National Human Rights Commission's (SUHAKAM) annual report was debated and adopted in parliament in 2019, for the first time, since the creation of SUHAKAM in 1999. The Minister for Law, Liew Vui Keong, announced the establishment of the Law Commission and Ombudsman Malaysia as part of the continuous effort in law reform. Civil society is particularly critical of the number of existing laws severely curtailing the civil and human rights, labelled by the human rights defenders as 'draconian legislation'. However, none of these laws was abolished or reformed in 2019.

The LGBTI community continues to face serious discrimination in Malaysia, with same-sex relationships being criminalised. The HR/VP Spokesperson issued a statement regarding the sentencing of five men to caning in Malaysia in November 2019. Malaysia remained in Tier 2 Watch List in the United States TIP 2019 Report.

On protecting the rights of indigenous peoples, the government took a historic step by instituting legal action against one of the states of the federation (Kelantan), in seeking legal recognition of native land rights of the Temiar Orang Asli.

**2. EU action - key focus areas:** One of the key focus areas for EU action was on the death penalty. The EU continued the project 'Accompanying Parliamentarians, National Institutions and Civil Society for the Abolition of Death Penalty in Central Africa and Southeast Asia'. A documentary showing how a death penalty sentence can affect the families in Malaysia, 'Menunggu Masa' (Waiting for the Time) was presented at the Freedom Film Festival in Malaysia and in Brussels (27 February – 1 March 2019) at the World Congress against the Death Penalty.

Another important area was the protection of women's rights. During 2019, the EIDHR-funded project 'Protecting Women Human Rights Defenders by Expanding the Space for Public Discourse on Islam and Women's Rights' finalised the national survey on the acceptance of the rule of religious law and the awareness of its impact on fundamental and women's rights, and justice in Malaysia. The survey was presented at the international conference in Kuala Lumpur, in October 2019.

**3. EU bilateral political engagement:** The National Human Rights Commission of Malaysia (SUHAKAM) organised, through EU funding, the Regional Dialogue on Malaysia's Accession to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), in July 2019. The regional dialogue was established as a platform for the exchange of best practices among relevant ASEAN and OIC countries, to learn of the UNCAT's implication on state parties, to discuss on contemporary concerns, as well as to promote better understanding of the convention among stakeholders. Extended dialogues between leading experts in this field and the relevant Malaysian agencies took place.

**4. EU financial engagement:** In addition to the projects that supported the key focus areas for EU action (death penalty; women's rights), the EU also funded projects supporting women migrant workers, in cooperation with ILO. Activities included the organisation of a training on gender equality and elimination of violence against women in the context of labour migration.

Preparatory work started for two projects aiming to increase the space for dialogue between journalists, citizens and local authorities and to advance a strong, independent and diverse media. Another new project relates to strengthening women's rights, in particular reproductive rights.

**5. Multilateral context:** During its third UPR in 2018, Malaysia received 268 recommendations put forward by 108 UN Member States. After internal consultations, in 2019, Malaysia accepted 147 recommendations in full (outright) and 37 recommendations in part. Among the recommendations accepted (which later were not fully implemented or stalled), were the ones related to ratifying all remaining core international human rights instruments, abolition of the death penalty, and the rights of migrant workers.

The government did not follow its policy commitments to accede to all six international core human rights conventions not yet ratified by Malaysia, in particular the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Malaysia is a

party to CEDAW, CRC and CRPD. For the time being, Malaysia has not withdrawn its reservations to CEDAW, CRC and CRPD and has not fully implemented the CEDAW and CRC Committees' recommendations.

## Maldives

**1. Overview of the human rights and democracy situation:** Following the landslide victory of the Maldivian Democratic Party (MDP) in the Parliamentary Elections in April, several laws were passed or amended by the MDP majority party with the aim of improving the country's human rights and political situation. This includes the Presidential Commissions Bill, which granted legal authority to the Commission on Corruption and Asset Recovery, and the Commission on Unresolved Murders and Disappearances. A gender quota was introduced, reserving one-third of the 980 seats for female candidates for the upcoming Local Council Elections (April 2020). The government announced new regulations that would allow six months paid maternity leave and one month paid paternity leave. Two bills related to the protection of children and adolescents were also ratified. Positive steps were taken for civil society and media through the ratification of the Bill on Protection of Whistle-blowers and improvements in media freedoms.

As judicial reform was a key campaign pledge ahead of both the presidential and the parliamentary elections, several judges were assessed or investigated by the reorganised oversight body Judicial Services Commission (JSC). Several court cases targeted corruption. Former President Abdulla Yameen was convicted of money laundering and sentenced to 5 years in prison and fined USD 5 million in November. The Anti-Corruption Commission released a detailed investigation report on the country's largest corruption case, exposing the theft of over USD 90 million from state coffers.

Following reports of abuse in prisons, the Home Ministry vowed to end torture and inhumane treatment. The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment conducted a visit and submitted preliminary findings in November. This visit confirmed the government's willingness to engage with the international community on reform. The Maldives has since signed the declaration in relation to Article 22 of the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment.

At the same time, certain developments have caused particular concern. Leading human rights NGO Maldivian Democracy Network (MDN) was dissolved over allegations that its 2016 report 'Preliminary Assessment on Radicalisation in Maldives' contained content deemed contrary to the tenets of Islam. Hate speech appeared on social media after the Supreme Court overturned a death by stoning verdict issued by an island magistrate to a woman charged with giving birth out of wedlock.

**2. EU action - key focus areas:** In 2019, the EU actions and activities in the Maldives focused on the EU priority areas for political engagement and development cooperation and notably on:

- (i) Promoting transparent, inclusive and credible elections: In January, the EU Election Follow-up Mission (EFM) conducted a mid-term assessment of the election framework and the state of play of the implementation of the 2014 EU Election Observation Mission (EOM) recommendations. The EU and Member States partially funded the local chapter of Transparency International in its nationwide election observation effort in September;
- (ii) Strengthening the respect for civil and political rights: The EU and Member States continued to work closely with civil society, having regular meetings with CSOs, human rights defenders and media during all visits. Since February 2017, the EU has funded a Transparency International (partnering with Transparency Maldives) project aiming at building capacity and empowering local authorities and civil society actors;
- (iii) Reinforcing the rule of law, the independence of judiciary and the separation of powers: the EU urged authorities both publically and privately to restore the normal functioning of the parliament, and offered assistance for judicial reform. In October, the EU offered the President-Elect assistance in areas such as reform of the judiciary, strengthening respect for human rights, and the rule of law;
- (iv) Promoting the political representation and economic empowerment of women, the advancement of women's rights and ending discrimination, abuse and violence against women: the EU and Member States continued to work closely with civil society actors and human rights defenders working on women's issues through regular meetings.

**3. EU bilateral political engagement:** In June 2019, the EU Foreign Affairs Council decided to revoke the framework for restrictive measures against the Maldives that it adopted in July 2018. The decision was taken in light of the improvement in the political situation and the government's commitment to consolidate democracy, ensure good governance, and promote respect for human rights. Political dialogue was therefore framed around expressing support to help Maldives consolidate democracy and strengthen its human rights situation.

Several high-level political dialogues took place throughout the year by EU and Member States officials. The fourth annual EU-Maldives policy dialogue took place in March 2019 with the participation of 11 Heads of Mission. A number of thematic areas related to the priorities were discussed, including democracy and governance, strengthening the justice sector, promotion and protection of human rights and the environment. EU and Member States were also present at the Maldives Partnership Forum in June, where the government elaborated on its key priorities and challenges. During the EU Counter-Terrorism Coordinator's visit to the Maldives in July 2019, meetings were held with government representatives focusing on security and human rights. HR/VP Mogherini visited the Maldives in August 2019 for high level political dialogues including with the President, and addressed members of the Parliament. The HR/VP announced the allocation of EUR 2.5 million for the Maldives to counter-terrorism and violent extremism, and underlined EU's ongoing support and readiness to provide support to strengthen Maldives' institutions provided that these efforts are compliant with international human rights standards.

**4. EU financial engagement:** As an upper middle income country, the Maldives have graduated from EU's bilateral development assistance but can benefit from other financial instruments. The Maldives benefits from a project on climate change (EUR 10.5 million)

where gender is mainstreamed and promotes equal access for women to participate in governance processes, education and economic opportunities.

## Mongolia

**1. Overview of the human rights and democracy situation:** Mongolia celebrated the 30<sup>th</sup> anniversary of its democratic transition in 2019 against the backdrop of crucial legislative developments. In November, the parliament passed the second revision of the Constitution since 1992, significantly altering the political system of Mongolia and tilting the balance of power from the president to the prime minister. During 2019, debates continued on the possible reintroduction of the death penalty for sexual abuses against minors (a proposal that had been made by the President in 2018). While child abuse is a prevalent issue in Mongolia, the re-introduction of the death penalty would be in contradiction with Mongolia's commitment to the International Covenant on Civil and Political rights. While Mongolia has been able to maintain its democratic form of governance and has a solid track-record of safeguarding human rights, a number of important issues (such as children's rights, worker's rights, status of human rights defenders, independence of the judiciary, anti-discrimination) need to be addressed by establishing a comprehensive legal framework. The independence of the judiciary was put into question when the parliament passed legislation in March 2019, granting the National Security Council, consisting of the president, the prime minister and the speaker of the parliament, authority to propose the dismissal of judges, the Head of the Independent Authority Against Corruption and the Prosecutor General. On this issue, the UN Special Rapporteur on the Situation of Human Rights Defenders and the UN Special Rapporteur on the Independence of Judges and Lawyers issued a joint letter in May 2019, voicing concerns over this procedure.<sup>35</sup> The 2019 mission of the United Nations Special Rapporteur on Human Rights Defenders concluded that Mongolia was a relatively safe country for human rights defenders. At the same time, it noted, obstacles such as stigma, intimidation, discrimination, harassment of human rights defenders (including LGBTI rights defenders and children rights defenders), and reports of cases of attacks and abuses against human rights defenders.<sup>36</sup> Draft laws on Non-Governmental Organisations and Human Rights Defenders were under discussion at the end of 2019. In September 2019, the UN Committee on the elimination of racial discrimination raised concerns about the lack of adequate funding and human resources for the National Human Rights Commission<sup>37</sup>. Progress was made on children's rights with legislation adopted and budgets increased. The government adopted a biannual action plan 2018-2019 to implement the National Program on Children's Development and Protection 2017-2021. Child labour continues to persist, especially in rural areas. A revision of the Labour Code, introducing additional rules and controls, is expected to address this issue. The current Criminal Code does not consider sexual harassment a crime and the Labour Law Code does not include any provisions on the

---

<sup>35</sup> [https://www.ohchr.org/Documents/Issues/IJudiciary/Communications/OL\\_MNG\\_14.05.19\\_1.2019.pdf](https://www.ohchr.org/Documents/Issues/IJudiciary/Communications/OL_MNG_14.05.19_1.2019.pdf)

<sup>36</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24603&LangID=E>

<sup>37</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/MNG/CO/23-24&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/MNG/CO/23-24&Lang=En)

prohibition of sexual harassment at the workplace. Both Laws are currently in the process of revision.

**2. EU action – key focus areas:** The EU continued to support Mongolia in a number of focus areas related to human rights and democracy. For 2019, the priorities focused on improving political finance regulatory frameworks and empowering women and youth leadership, supporting the capacity of civil society organisations, and economic, social and cultural rights of vulnerable groups.

**3. EU bilateral political engagement:** During 2019, the 30<sup>th</sup> anniversary of the establishment of diplomatic relations between the EU and Mongolia was celebrated both in Ulaanbaatar and in Brussels with the organisation of dedicated events.

The visit of EU Heads of Mission (HoMs) took place in May 2019 and included public events as well as high-level meetings. During the meetings with the President and the Minister of Justice, human rights issues were extensively discussed, in particular the death penalty, the draft Law on Religion, draft Law on Non-Governmental Organisations, torture and independence of the judiciary. The HoMs exchanged views on the situation of human rights in Mongolia with international organisations, local NGOs and social partners.

The third EU-Mongolia human rights dialogue took place back-to-back with the joint committee in Ulaanbaatar in June 2019 and allowed to discuss recent human rights developments, including the debate around possible reintroduction of the death penalty for which the EU expressed concern, children rights, the fight against torture and the risk that the independence of the judiciary could be undermined.

**4. EU financial engagement:** The EU and its Member States continued to finance several projects focussing on actions in the field of the rule of law; actions in support of civil society and human rights defenders (including support to civil society in rural areas); support to vulnerable groups (women, children and people with disabilities) and the fight against discrimination; and actions in the field of economic, social and cultural rights (health, education, labour rights).

The EU co-funded a project to improve political finance regulatory frameworks, which built on existing momentum in Mongolia by offering inter-party dialogue especially targeting parties' leadership, as well as women and youth leaders, to build consensus on the legal and policy frameworks affecting political party financing.

The EU funded a project on a rights-based approach towards independent living for people with disabilities, implemented by Tegsh Nigem Association.

The EU financed the 'Right to Breathe (R2B)' project (implemented by People in Need), which aimed at strengthening access to information, awareness and monitoring of the situation and corresponding actions addressing air pollution in urban Mongolia. It contributed to a strong domestic accountability system and CSOs engagement in guaranteeing transparency alongside the Parliament, audit institution and media.

In 2019, the EU supported the Parliamentary Sub-Committee on Human Rights of Mongolia to organise a roundtable discussion on 'Workplace – Harassment Free Environment' to address the need to include provisions on sexual harassment, the implementation of ILO

conventions, and to translate the ILO recommendations, including on non-discrimination, under these conventions.

Under the framework of the EU-financed ILO/EU GSP+2 project, training and workshops were organised with social partners on the informal economy, on fundamental principles and rights at work. Under the GSP+3 project, a training seminar on international labour standards and research to examine the gap between national legislation, policies and programmes were funded.

**5. Multilateral context:** Mongolia remains committed to inspecting complaints of torture and established a national preventive mechanism against torture, as recommended by the UN Committee against Torture in December 2018. During the 2015 Universal Period Review, Mongolia accepted a high number of recommendations. The upcoming review in 2020 will be an opportunity to review actions taken by Mongolia to improve the human rights situations and to fulfil its human rights obligations.

Mongolia has continued to support the Global Alliance for Torture-free Trade Initiative launched at the UNGA two years ago, and is currently working with the EU on ways to implement the Initiative in the best possible way.

## Myanmar/Burma

**1. Overview of the human rights and democracy situation:** As Myanmar enters the electoral cycle with a view to the second elections of the political transition in November 2020, its democratic space continued to shrink, notwithstanding the emergence of new political parties. 631 people were serving sentences or awaiting trial in politically motivated cases at the end of 2019<sup>38</sup>. Myanmar slipped to 138 on the World Press Freedom Index, down one spot from 2018. While the number of imprisoned journalists went down to one in 2019<sup>39</sup>, the use of intimidation and threats of violence against journalists, human rights defenders and political activists was extensive<sup>40</sup>. In particular, the military and the government made systematic use of defamation laws (section 66(d) of the Telecommunications Law and section 505 of the penal code) to stifle criticism.

A positive development was the release in May 2019 of the two Reuters journalists who exposed the killings of 10 Rohingya men during military operations in northern Rakhine State in September 2017, after more than 500 days in prison. However, it was subsequently revealed that the soldiers jailed for the killings had also been released already at the end of the 2018 after serving less than a year in prison.

In January 2019, the ruling NLD Party established a Joint Constitutional Amendment Committee. On 15 July, the committee presented 3,765 recommendations to the parliament, and has since worked towards a consolidated Constitutional Amendment Bill. Military MPs refused to submit any proposals in the committee.

---

<sup>38</sup> <https://aappb.org/>

<sup>39</sup> <https://cpj.org/asia/myanmar/>

<sup>40</sup> Freedom House and Free Expression Myanmar;

<https://www.freedomonthenet.org/country/myanmar/freedom-on-the-net/2019>

The Tatmadaw's unilateral ceasefire in its five regional commands, announced in December 2018, was extended three times during 2019. However, clashes between the Tatmadaw and various ethnic armed organisations escalated in 2019. This resulted in new population displacements, particularly in northern Shan and Rakhine States. A number of organisations alleged human rights abuses by both the Tatmadaw and ethnic armed groups in northern Shan State<sup>41</sup> <sup>42</sup>. UNICEF recorded 16 children killed and 36 seriously injured across the country in 2019 by landmines and explosive remnants of war<sup>43</sup>.

The deteriorating situation in Rakhine State, due to escalating clashes between the Arakan Army and the Tatmadaw, is of particular concern. In 2019 fighting spread to nine townships in Rakhine and to Paletwa township in Chin State, displacing 40,000 people. On 21 June, the government suspended internet services and introduced a curfew in the townships affected by the conflict. The Internet shutdown was partially lifted in four townships in Rakhine State and in Chin State in September 2019.

Further human rights abuses were reported in Rakhine State<sup>44</sup>, including killing of civilians, arbitrary arrests, torture and forced labour. Schools and cultural heritage sites (notably the ancient temples in Mrauk-U) were appropriated by the Tatmadaw for military purposes. Abuses committed by the Arakan Army were also recorded, including kidnapping. Citing increasing security concerns, in January 2019 the Rakhine State Government further restricted aid providers to urban centers only. The procedure for obtaining travel authorisation has become lengthier and more unpredictable.

In July and December 2019, Myanmar sent two delegations to Cox's Bazaar, Bangladesh, accompanied by officials from the ASEAN Secretariat and the AHA Center, to facilitate the return of Rohingya refugees. However, repatriation attempts in July and August failed, as Myanmar is yet to create conditions conducive for voluntary, dignified and sustainable returns. At the same time, around 500 refugees reportedly returned to Rakhine State on their own volition during the year. There are reports of Rohingya being detained for attempting to illegally leave Myanmar, and of Rohingya (including children) being arrested, charged and imprisoned for travelling without correct documentation<sup>45</sup>.

In November 2019, the government of Myanmar released the National Camp Closure Strategy that aims to find durable solutions for internally displaced persons (IDPs) in Kachin, Kayin, Rakhine and Shan States. The Strategy represents a positive – if belated – step towards sustainable return of IDPs. However, it presents several elements of concern, and remains to be detailed and implemented.

As regards accountability, the mandate of Myanmar's Independent Commission of Enquiry (ICoE) to investigate the events in August-September 2017 in Rakhine, was extended. Until the end of 2019, the ICoE did not interview any refugee in Bangladesh and was yet to release its final report.

---

<sup>41</sup> 'Caught in the Middle: Abuses Against Civilians Amid Conflict in Myanmar's Northern Shan State'. Amnesty International, October 2019, <https://www.amnesty.org/en/documents/asa16/1142/2019/en/>

<sup>42</sup> <https://kachinwomen.com/no-justice-for-ongoing-burma-army-crimes-in-northern-shan-state-briefing-paper-by-the-kachin-womens-association-thailand/?fbclid=IwAR1zSE1-4ipxIQXISsq9fS-Pz2e2QAzmihfYq7D265k4FMzYI7W0CesTJJ4>

<sup>43</sup> <https://www.unicef.org/myanmar/press-releases/unicef-statement-death-four-children-due-explosion-rakhine-state-myanmar>

<sup>44</sup> 'No One Can Protect Us: War Crimes and Abuses in Myanmar's Rakhine State'

<sup>45</sup> Minors are sent to vocational training schools and/ or rehabilitation centres.

In March, the Tatmadaw established its own investigation court to scrutinise incidents reported by the UN Human Rights Council's Fact Finding Mission (UNFFM) and by international human rights organisations. On 26 November, the Tatmadaw began court martial proceedings for troops accused of violating military regulations in Gu Dar Pyin.

On 11 November, The Gambia instituted proceedings against Myanmar and asked provisional measures for violations of the Genocide Convention, in relation to the treatment of the Rohingya and the 2017 events. On 10 December, the initial public hearing was held.

In February 2019, Myanmar's Parliament adopted a new Child rights' law. The law is largely in line with the UN Convention on the Rights of the Child, and provides all children born Myanmar the right to birth registration. However, it falls short of recognising citizenship rights.

In October 2019, following an internal capacity assessment, the Myanmar National Human Rights Commission released a new Strategic Plan and its 2020 Operational Plan. Although an improvement, a number of weaknesses remain, especially in relation to the appointment of Commissioners.

**2. EU action – key focus areas:** The four general priority areas for EU action on human rights in Myanmar remain: i) non-discrimination; ii) fundamental freedoms; iii) economic and social rights and iv) strengthening democracy and the rule of law. The EU's main concerns include: accountability for crimes under international law; continued institutionalised discrimination against the Rohingya; respect of civil and political rights, notably freedom of expression, media, association and assembly, including in the upcoming 2020 elections. Access to basic services (education and health care) and livelihoods, freedom of movement and elimination of statelessness and access to citizenship remain concerns. The EU also repeated calls for unfettered humanitarian access to conflict affected populations.

**3. EU bilateral political engagement:** Human rights remained a priority in EU's political dialogue with Myanmar. The EU continued to remind Myanmar of its obligations under the 'Everything But Arms' (EBA) trade-preference scheme. A monitoring mission to assess the country's compliance with fundamental human rights and labour laws and standards took place in February 2019. The first EU-Myanmar Senior Officials Meeting (SOM) was held in Brussels on 16 May 2019<sup>46</sup>. The EU Special Representative for Human Rights led the fifth EU-Myanmar human rights dialogue in Naypyidaw on 14 June 2019. During its education policy dialogue, the EU advocated for non-discriminatory access to education, especially in Rakhine State, and for the rolling out of the Myanmar curricula for the refugees in Cox's Bazaar.

In April 2019, the EU Foreign Affairs Council extended for another year its restrictive measures on Myanmar and expanded the list of individuals subjected to travel ban and asset freeze<sup>47</sup>. The EU keeps the restrictive measures under constant review.

The former Chief Observer of the EU Election Observation Mission (EOM) in 2015 returned to Myanmar in April 2019 to review progress on electoral reform. In October 2019, the Chairman of the Union Election Commission invited the EU to deploy another EOM for the

---

<sup>46</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/62548/eu-and-myanmar-hold-their-first-senior-officials-meeting\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/62548/eu-and-myanmar-hold-their-first-senior-officials-meeting_en)

<sup>47</sup> <https://www.consilium.europa.eu/en/press/press-releases/2019/06/05/declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-alignment-of-certain-countries-concerning-restrictive-measures-against-myanmar-burma/>

general elections in 2020. The EU has been supporting technical assistance to the Union Election Commission and, more widely, to the democratic processes.

In coordination with the EU Member States, the EU delegation attended court hearings of human rights defenders and journalists, and monitored around 30 cases. Specific cases were raised with the Myanmar Government.

**4. EU financial engagement:** In 2019, a number of human rights, good governance, women's empowerment, labour rights, access to justice, police reform, and democracy-related projects were financed. This included support to human rights defenders, civil society organisations, women, ethnic minority communities, along with reform of the police and justice sector. A project to strengthen the child protection system started. Its operation was affected by the new Child Rights law, whereby children under 18 cannot be sentenced to prison; this resulted in large numbers of minors released from prison, thus overstressing of the capacities of training schools. Engagement on the shrinking space for civil society in the country, and on land issues in Kachin state was increased.

Two projects supporting freedom of speech also began in 2019. The first supports mitigation of online hate speech and social media-induced violence. The second focuses on the protection of journalists and content producers by training and building capacity of the police and military, law and policy makers.

The Rights4All project, aimed at empowering human rights defenders and civil society organisations to promote and protect the human rights of the most vulnerable groups, was completed at the end of 2019. The first phase of the MyJustice programme was completed and a second phase (EUR 20 million) is to begin in January 2020. MyJustice supports awareness of legal rights, access to justice, and policy reforms. The MyPol project, which aims to modernise the Myanmar Police Force by applying international best practices and respect for human rights, continued in 2019. In December 2019, a memorandum of understanding was signed with the parliament, paving the way for closer activities.

EU support for electoral reform continued with the first full year of the implementation of the phase II of the STEP Democracy project (2018-2021). A focus area is on working with the Union Election Commission, CSOs and political parties, and on the implementation of the recommendations of the EU Election Observation Mission in 2015.

The EU provided support to UNFPA's 'Women and Girls' First' programme, which focuses on gender-based violence in conflict areas, and to UN Women-ILO 'Safe and Fair' regional migration project.

**5. Multilateral context:** The adoption of the Child Rights' law allowed Myanmar to ratify the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict in 2019. In November 2019, Myanmar's Parliament also ratified ILO Convention 138. Myanmar continued to cooperate with the UN Secretary General's Special Envoy, but regrettably continued to refuse cooperation with the UN Special Rapporteur on Human Rights in Myanmar. The country remained on the agenda of the UN Security Council and of the Governing Body of the ILO<sup>48</sup>.

---

<sup>48</sup> [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_722185.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_722185.pdf)

The mandate of the UN Independent International Fact-Finding Mission (IIFFM) ended in September 2019 and its collected evidence was handed over to the UN Independent Investigative Mechanism for Myanmar (IIMM). During 2019, the FFM published three reports (on the Tatmadaw's economic interests, on the Tatmadaw's use of sexual and gender-based violence and its final report). The final report, released on 16 September, concluded that due to lack of accountability for the perpetrators, as well as consistent impunity in Myanmar, there is a 'serious risk that genocidal actions may occur or recur'.

During 2019, Myanmar was subject to three international judicial processes for its treatment of its Rohingya population. The Gambia instituted proceedings against Myanmar before the International Court of Justice (ICJ), alleging violations of the Convention on the Prevention and Punishment of the Crime of Genocide. In Argentina, a group of NGOs, submitted a lawsuit under the principle of 'universal jurisdiction', alleging 'existential threat' to the Rohingya by the Myanmar Government. The International Criminal Court's (ICC) Pre-Trial Chamber authorised the ICC prosecutor to investigate alleged crimes within the ICC's jurisdiction in Bangladesh.

In March 2019, the EU tabled a resolution on Myanmar in the UN Human Rights Council, extending the mandate of the UN Special Rapporteur and in September 2019, it jointly sponsored another resolution with the Organisation of Islamic Cooperation (OIC) in the Human Rights Council, as well as in the UN General Assembly Third Committee.

## Federal Democratic Republic of Nepal

**1. Overview of the human rights and democracy situation:** The current government is in office since February 2018 with a strong parliamentary majority, and has promised stability, governance reforms, development and prosperity.

The 2015 Constitution enshrines a number of fundamental rights and the parliament adopted in 2018 the bills on fundamental rights. Furthermore, the constitution ensures participation and representation of women and marginalised groups through quotas and commissions. However, the regulations to enable their implementation are still lacking.

Thirteen years after the end of the armed conflict and the signing of the peace agreement, the transitional justice process is still uncertain and the reform of the Law on Transitional Justice, as required by the Supreme Court decision from 2015, has not yet taken place. While the Law on Transitional Justice amended in early 2019 extended the tenure of the transitional justice commissions, it neither extended the tenure of the Commissioners, nor did it make their role more effective. A procedure for appointing new transitional justice commissions was initiated in April 2019 and after nine months of deliberations new commissioners were appointed. These appointments were criticised by civil society as politicised. Foreign Minister Gyawali at the 74<sup>th</sup> UNGA reiterated the government's commitment to adhere to the Supreme Court ruling, international obligations and the constitutional provisions.

The EU deployed an Election Observation Mission (EOM) to follow the House of Representatives and Provincial Assembly Elections in 2017, which produced 29 recommendations aiming at improving the future electoral processes. Despite initial

criticism to the EOM report, the environment has since improved significantly. EOM recommendations have been taken into consideration in the preparations for by-elections.

**2. EU action - key focus areas:** In 2019, the EU actions and activities in Nepal focused on the following priorities: (i) Rule of Law; (ii) Gender; (iii) Non-discrimination; (iv) Economic and social rights; and (v) Children's rights.

**3. EU bilateral political engagement:** In 2019, the EU delegation continued to actively participate in the work of the International Development Partners' Group, the Gender Equality and Social Inclusion working group, the Election working group, the Human Rights Core Group as well as the EU Human Rights Defenders working group with all these mechanisms providing fora for looking into and assessing the human rights situation, including transitional justice matters. Furthermore, the Head of the EU Delegation to Nepal acted as the Gender Champion in the first half of 2019 (followed by Finland for the 2<sup>nd</sup> half), where the support for opportunities for women and girls, women entrepreneurship and women in sports were highlighted.

Regarding transitional justice, in January 2019 ahead of the extension of the transitional justice commissions, the EU issued a joint statement together with EU Member States, Australia, Norway, Switzerland, the US and the UN urging the government to clarify publicly its plans to take the transitional justice process forward.

The 11th EU-Nepal Joint Commission took place on 8 November and discussed, *inter alia*, democracy, good governance, human rights, women empowerment, social inclusion and social justice, non-discrimination, rights of the children and women's rights as well as rule of law and transitional justice.

**4. EU financial engagement:** In 2019, the EU delegation together with Member States supported a large number of projects contributing to the above-mentioned priorities of the Human Rights and Democracy Country Strategy 2016-2020.

In the area of rule of law and governance, the EU delegation through a budget support programme and technical support contributed to promoting rule of law and governance. A project focused on reviewing the commitment of the government of Nepal towards human rights and fundamental freedoms including detailed consultations in different parts of the country. The comprehensive reports resulting from this project are submitted as part of the preparations for the upcoming Universal Periodic Review of Nepal. Furthermore, the strengthening of the institutional capacity and delivery of the Election Commission through the UNDP Election Support Programme continued until the end of 2019 and a new project selected through a call for proposals will focus on media freedom, accountability as well as transparency of government mechanisms.

Regarding the focus on gender and children's rights, the EU delegation has pursued gender equality as a cross cutting issue in all development cooperation programmes with several CSO projects directly addressing the issue of gender equality. A new project is scheduled to focus on the issue of women victims in the armed conflict in Nepal and the documentation of their digital stories. The EU delegation also organised a training event on the gender responsive right based approach.

Relating to non-discrimination and economic and social rights, the EU delegation supported CSOs towards combating all kinds of discriminations, notably caste based discriminations. A new project is scheduled to focus on the issues of marginalised communities.

**5. Multilateral context:** As Nepal has been elected as a member of the UN Human Rights Council for the term 2018-2020, the government outlined its foreign policy priorities such as creating an enabling environment for the enjoyment of human rights by attaining economic development and providing means of implementation of human rights obligations. The government is planning to put forward its candidacy for another turn in the Human Rights Council.

Nepal has so far completed two Universal Periodic Review (UPR) cycles (2011 and 2015) and the next review is foreseen for 2020.

## Pakistan

**1. Overview of the human rights and democracy situation:** The first full year in office of the Government of Pakistan after the general elections in July 2018 showed a mixed picture in the area of human rights and democracy.

Pakistan continued to make some progress related to women's and children's rights, through the adoption of legislations and national awareness-raising campaigns. The launch of a nation-wide child labour survey was an important development. In the area of Freedom of Religion or Belief, the procedure to file a case of blasphemy was reviewed in an attempt to address the excessive misuse of blasphemy laws. While the review of the categories of crimes carrying the death penalty did not take place, the procedure of mercy petitions was reformed. The number of executions continued to show a decreasing tendency.

The dynamism of the Ministry of Law and Justice and the Ministry of Human Rights, as well as efforts towards capacity-building at both federal and provincial levels, were instrumental towards achieving more effective implementation of Pakistan's international human rights commitments. Pakistan began to address the need for better data collection on human rights and using these towards improved reporting to the United Nations Treaty Bodies.

The collaboration between the EU and the provincial parliaments in Pakistan was productive with all four provincial assemblies expressing the wish to continue working with the EU in the upcoming programme in support of parliamentary reforms in Pakistan.

However, the status of the National Commission for Human Rights (NCHR) was a matter of concern as of May 2019 when the tenure of the commissioners expired, and the appointment of new commissioners was being delayed throughout the year.

Freedom of expression, however, experienced a negative trend, with increasing pressure by security forces, with the tacit approval of the government, on those representing dissenting views, including media representatives and human rights defenders. The regulatory framework for the registration of International Non-Governmental Organisations (INGOs) continued to be broad and vague, with reasons for rejection of registration not clearly provided to the concerned INGOs. An anti-torture bill was submitted to parliament but its adoption was being delayed. There was no tangible progress on a planned legislation on enforced disappearances either.

In the area of democracy and accountability, the anti-corruption agenda of the government remained prominent throughout 2019, but seemed to target mainly the political opposition.

Although Pakistan made major efforts in addressing a number of the recommendations from the 2013 EU Election Observation Mission (EOM), the implementation of the 30 recommendations from the 2018 EU EOM remained a challenge.

**2. EU action - key focus areas:** The human rights public diplomacy activities of the EU delegation, relayed on social media and in the local press, generated widespread debate on human rights. Urdu language messaging, including tweets by the Head of the EU Delegation in Urdu were introduced with the intention to make the EU known to a broader audience as a partner to Pakistan in the protection and promotion of human rights.

Some of the highlights of 2019 included the Women's Film Festival (4-9 March), and IDAHOT (May 17) when the EU delegation organised a film screening and discussion with representatives from Pakistani sexual minority communities. On the Universal Children's Day (20 November), the Head of the EU Delegation visited a school for disadvantaged children and a ten-day awareness campaign and a video were produced and promoted on the EU delegation's social media channels.

To commemorate the International Day for the Elimination of Violence against Women (25 November), the Federal Ministry of Law and Justice in collaboration with the EU delegation hosted a special event at the President's Secretariat in Islamabad, to launch the #TimeForRealHonour movement. The President of Pakistan Dr. Arif Alvi graced the occasion as Chief Guest. The launch of #TimeForRealHonour endeavoured to initiate a multi-stakeholder dialogue against honour killings across the country and to define more informed methods for the implementation of anti-honour killing laws. To further raise awareness, two short films were produced on the theme of 'honour' killing.

The EU delegation, in partnership with the United Nations, sixteen EU and UN Member States, as well as educational and cultural institutions across Pakistan, organised a ten-day Human Rights Reel Film Festival (1-10 December), in 10 cities and 27 universities. It coincided with the annual 16 Days of Activism against Gender-Based Violence. The Human Rights Reel Film Festival reached out to 15,000 individuals (mainly university students) and marked a 30% increase in attendance compared to the previous year. The film festival presented 29 award winning films and documentaries from around the world on human rights issues such as freedom of expression, gender equality, access to justice, the rights of persons belonging to minorities. However, the members of the Roma community continue to be particularly vulnerable, the death penalty, etc.

**3. EU bilateral political engagement:** The signature of the EU-Pakistan Strategic Engagement Plan (SEP) in June 2019 was a major milestone in bilateral relations. The extensive chapter of the SEP on Democracy, Rule of Law, Good Governance, and Human Rights, testifies the importance that the two sides attach to these areas. The progressive implementation of the SEP will be in the focus of EU-Pakistan relations in the years to come.

In March 2019, two high-level consultations took place, the EU-Pakistan political dialogue in Brussels, and the Pakistan-EU strategic dialogue in Islamabad, both preparing the ground for the signature of the SEP and providing an opportunity to discuss matters of common interest, including in the area of human rights and democracy.

Pakistan is a beneficiary of the EU's Generalised Scheme of Preferences (GSP+) preferential trade regime, and in that context, intensive exchanges took place throughout 2019 in follow-up to the recommendations of the EU's GSP+ monitoring mission in October 2018, and, in

preparation of the 2018-2019 biennial GSP+ implementation report. Besides human rights, the scope of GSP+ also addresses international labour rights, environmental and good governance commitments.

The 10<sup>th</sup> meeting of the EU-Pakistan Joint Commission and its Sub-group on Democracy, Governance, Rule of Law and Human Rights in November 2019 provided for a substantial and constructive exchange of views between the parties on progress made and challenges requiring continued or increased attention. The agenda of the Sub-group included for the first time a dedicated item on labour rights.

**4. EU financial engagement:** In January 2019, the EU started implementing the ‘Promotion of Human Rights Program’ of EUR 7.89 million. The project aims at the institutional capacity development of the Ministry of Human Rights and the provincial departments, as well as the Independent Commissions and strengthening the awareness of the general public in the field of human rights. The achievements of the year included the completion of institutional capacity need assessments of key federal and provincial human rights stakeholders and the development of a capacity-building program.

Additionally, visits of Pakistani senior governance officials to European and international human rights fora were facilitated, 60 judges and 35 police officers were trained on women's, and, transgender rights, and two country-wide awareness raising campaigns carried out on children's rights and protection under the lead of the Ministry of Human Rights. An innovative element included the outreach to Pakistani celebrities on the awareness raising campaigns, which ensured a wide media coverage.

The EU also supported seven civil society organisations through the European Instrument for Democracy and Human Rights (EIDHR).

**5. Multilateral context:** Pakistan's membership of the Human Rights Council (HRC) from 2018 until 2020 provides an opportunity for the country to engage with the EU and the wider international community on human rights issues in international fora. Pakistan continued to act as a coordinator on behalf of the Organisation of Islamic Cooperation (OIC) in Geneva, and in this capacity, cooperated very constructively with the EU.

The EU continues to encourage Pakistan to accept individual complaint procedures under those UN conventions that provide for them, and to issue a standing invitation to UN Special Procedure mandate holders and to expedite decisions on pending requests for visits.

## Philippines

**1. Overview of the human rights and democracy situation:** In 2019, the way the campaign against illegal drugs was conducted remained of serious concern. According to verifiable information, the ‘war on drugs’ resulted in a significant number of drug-related killings during law-enforcement operations (although the numbers seem to have slightly receded in comparison with 2018), a lack of investigations and convictions for wrongful deaths and overcrowding in jails while the supply side remained largely unaddressed.

The fight against impunity is eroded by an ill-functioning judicial system. The withdrawal of the Philippines from the International Criminal Court (ICC) in March adds to that negative

trend. In accordance with the constitution, President Duterte was in a position to make appointments for the Supreme Court. Following the mid-term elections in May, President Duterte is supported by a 'super-majority' in both chambers of Congress.

There is also a worrying shrinking space for civil society where human rights defenders are under attack and a high number are killed. 2019 saw an increase of 'red-tagging' of organisations and a more restrictive regulatory framework for CSOs.

As regards poverty reduction, the statistics published in late 2019 by the Philippine Statistics Authority show a remarkable progress, with the poverty incidence dropping to 16.6 % of the population in 2018 from 23.3 % in 2015 (i.e. nearly 6 million Filipinos lifted out of poverty). The Philippines has advanced in social and economic rights introducing the universal healthcare act, magna carta for the poor and an extended maternity leave. Children rights have been further upheld with the Special Protection of Children in Situations of Armed Conflict Act but legislative work aiming at lowering the age for criminal responsibility from 15 to 12 years old is of concern.

The death penalty was not reintroduced, nor was the age for criminal responsibility reduced.

The approval of Bangsamoro Organic Law and the creation of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) is a significant milestone in the history of the Philippines and a step towards lasting peace, sustainable development and prosperity in this region. A ceasefire with the communists for the Christmas period may signal a possible resumption of the peace negotiations with the government.

The Third National Human Rights' Plan (2018-2022) has not been adopted yet, even though work is ongoing.

**2. EU action - key focus areas:** The EU has been a staunch supporter of the Mindanao Peace Process throughout the years and welcomed the peaceful conduct of the referendum early 2019. The EU remains committed to supporting the BARMM through its different instruments.

In December, the EU delegation in Manila welcomed the Quezon City Regional Trial Court decision regarding a case of mass execution of 58 people (32 of them journalists) in Maguindanao; 53 of the perpetrators were convicted after 10 years.

**3. EU bilateral political engagement:** The EU delegation and several EU Member States' embassies had public speaking engagements and development cooperation projects on human rights. There were meetings with human rights defenders, including NGO representatives, journalists and the Commission of the Human Rights, to get updates on the human rights situation in the Philippines, as well as to share views on possible contributions from the international community to improve the general situation of human rights in the country.

During 2019, the EU worked at the finalisation of the GSP+ country Report for the Philippines (2018-2019), which has subsequently been published.

**4. EU financial engagement:** The EU financial engagement in the field of human rights remained in line with the EU's priorities for the year. They included the extension of a

successful programme (GOJUST) in the area of justice reform and support to national human rights institutions; support to CSOs through calls for proposals under the EIDHR and CSO/LA instruments; and support to the Mindanao Peace Process through the Instrument contributing to Stability and Peace (for a total budget of EUR 16 million).

**5. Multilateral context:** The Philippines started its fifth term as a member of the Human Rights Council (HRC) for the period 2019-2021. In 2019, no UN human rights special procedures visited the country, nor any invitation was issued.

In June, 11 UN Special Rapporteurs stated that they ‘recorded a staggering number of unlawful deaths and police killings in the context of the so-called war on drugs, as well as killings of human rights defenders’ and that ‘very few independent and effective investigations have taken place’.<sup>49</sup>

In July, the human rights situation of the Philippines was the subject (for the first time) of a HRC Resolution 42/1<sup>50</sup> that was supported by 27 EU Member States. The resolution called for a comprehensive report on the country's human rights situation to be presented in 2020. On the occasion of the adoption of this resolution, the EU reiterated its concerns on the human rights situation in the Philippines, including the high death toll and the severe conditions in detention associated with the campaign against illegal drugs and called for prompt, effective, impartial and transparent investigations of all cases of death. The resolution triggered an unprecedented reprisal by the government to the countries that had supported the resolution, including the suspension of grants/loans and the boycott by government officials of national days.

The ICC has yet to determine if there is a reasonable basis to proceed with an investigation on the war on drugs after the Prosecutor initiated a preliminary examination, which started in 2018 and has not yet been concluded.

## Singapore

**1. Overview of the human rights and democracy situation:** Singapore remains committed to a national model that emphasises a strong government, peaceful coexistence between social groups and economic growth. While this model has delivered on all three aspects, questions remain as to the limits it imposes on fundamental freedoms, including freedom of expression, freedom of the media, and the right to political participation. Singaporean opposition parties state that they are limited in their ability to contest elections, while civil society actors argue that strong defamation legislation and the legal right of the government to correct false information are part of a toolbox used to censor independent media. The death penalty also remains in use in Singapore and its use remains largely uncontested, in the absence of public debate. Male homosexuality remains criminalised. The EU engages

---

<sup>49</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24679&LangID=E>

<sup>50</sup> Resolution adopted by the Human Rights Council on 11 July 2019, Promotion and protection of human rights in the Philippines

<https://undocs.org/A/HRC/RES/41/2>

constructively with Singapore on the above issues in order to cooperate towards guaranteeing the human rights of each person.

**2. EU action – key focus areas:** EU actions focused on cooperation with Singaporean counterparts to advance the implementation of human rights commitments, and to support the ratification of core international human rights agreements to which Singapore is not yet a party. EU actions also aimed at raising awareness about the founding values of the Union, including freedom of expression, freedom of the media and political participation, and to facilitate discussion about and increase understanding of these values in Singapore. Moreover, the EU continuously advocated for a moratorium on the death penalty in statements issued in relation to executions.

**3. EU bilateral political engagement:** The EU maintained a role as a key convenor for discussions on human rights in Singapore. The EU organised the annual human rights day seminar on 12 December, together with Singapore's Representative to the ASEAN Intergovernmental Commission on Human Rights. The theme of the seminar in 2019 was the strengthening of social cohesion in the context of counterterrorism and the countering of violent extremism. Another avenue of engagement was a regular dialogue with Singaporean authorities on the implementation of the 'Trade and sustainable development' (TSD) chapter of the newly launched EU-Singapore Free Trade agreement.

**4. EU financial engagement:** Financing civil society organisations by foreign entities remained prohibited in Singapore. The EU delegation's activities consisted of monitoring and reporting, coordinating closely with Member States, as well as organising meetings with prominent members of Singapore's civil society and supporting the discussion on human rights in Singapore through advocacy efforts.

**5. Multilateral context:** 2019 saw the review of Singapore's progress in implementing the UN Convention on the Rights of the Child (CRC). The observations by the UN Committee on the Rights of the Child noted a series of positive developments, while also expressing concern on a number of aspects. The next major multilateral development on human rights will be the country's Universal Periodic Review during 2020.

## Sri Lanka

**1. Overview of the human rights and democracy situation:** 2019 proved to be a challenging year for Sri Lanka in the area of human rights and democracy. Despite the progress made following the 2015 elections, progress in implementing UN Human Rights Council resolution 30/1 continued to be slow. The Easter Sunday terror attacks in April 2019 had a significant impact on the protection of human rights and democracy in Sri Lanka, as well as on the country's political trajectory. In the aftermath of the attacks, the government declared a State of Emergency and issued Emergency Regulations (ERs) to address the security situation (later lifted in August). The Emergency Regulations imposed restrictions on certain fundamental rights guaranteed by the Constitution and a number of rights stemming from other laws including the right to equality before the law and non-discrimination.

The Easter Sunday terror attacks further degraded the already-brittle relations between Sri Lanka's Sinhala majority and Muslim minority, and led to several serious incidents of anti-Muslim violence and discrimination including against Muslim refugees and asylum seekers. Tensions also increased between the Muslim community and other religious and ethnic minorities.

Presidential elections were held in November 2019, in the presence of an EU Election Observation Mission, which was widely welcomed in its statements and recommendations. Former Defence Secretary Gotabaya Rajapaksa was elected, an outcome that clearly illustrated the majority-minority divide and contributed to further strengthening post-election nationalist fervour, which is likely to further impact Sri Lanka's ethno-religious minorities. A significant policy decision of the new president and his interim government is the decision to retain the Prevention of Terrorism Act (PTA) and withdraw the counter-terror legislation proposed to replace it. Repealing the PTA was a commitment made by Sri Lanka to the EU in the lead up to its readmission to the Generalised Scheme of Preferences (GSP+) as well as to the UN Human Rights Council.

In April 2019, award-winning writer Shakthika Sathkumara was arrested, following complaints by Buddhist groups claiming that he defamed Buddhism in a story posted on his Facebook page. Attempts to resume executions by the previous President, bringing an end to the moratorium in place since 1976, were blocked by the country's Supreme Court in October 2019. The Court issued an interim order preventing all executions until it rules on a fundamental rights petition filed by one of the four people scheduled to hang. In July 2019, 13 military personnel suspected of killing five Tamil boys in 2006 (the Trinco 5 case) were discharged by the court due to the non-availability of sufficient evidence to continue the case in a satisfactory manner.

The previous administration's commitment to reconciliation was called into question following the appointment of Lieutenant-General Shavendra Silva as Army Commander, given the allegations of grave human rights and humanitarian law violations against him. In November 2019, an incident involving a local staff member of the Swiss Embassy resulted in serious tensions between the Swiss and Sri Lankan governments. The staff member, who said she was detained, assaulted, and threatened at gunpoint to reveal embassy-related information, was arrested on charges of stoking anti-government sentiment and fabricating evidence.

The UN Subcommittee on Prevention of Torture completed its first visit to Sri Lanka in April 2019 where it examined the treatment of people deprived of their liberty and the safeguards in place for their protection against torture and ill-treatment. The Subcommittee is expected to submit a confidential report to the government containing its observations and recommendations arising from the visit. The Special Rapporteur on the rights to peaceful assembly and association, who visited the country in July 2019, was daunted by the widespread fear expressed by all sectors of society of setbacks in the democratic gains, and called on Sri Lankans to act together in favour of sustained democracy. Following his mission to Sri Lanka in August 2019, the UN Special Rapporteur on Freedom of Religion or Belief noted the serious trust deficit among ethno-religious communities. The prevalence of violence against women is high and widespread but is underreported.

**2. EU action - key focus areas:** The EU continued to:

- Support to the implementation of the UNHRC resolution through support to resettlement, transitional justice, non-recurrence and constitutional reform;
- Advance women's political, economic and civic rights and rights and physical and psychological integrity.

**3. EU bilateral political engagement:** A number of political dialogues were held throughout the year with the president, prime minister, and other representatives of the government on issues impacting long-term peace and stability in Sri Lanka, particularly in the wake of the Easter Sunday bombings.

A bilateral meeting also took place between HR/VP Federica Mogherini and the then Sri Lanka Foreign Minister on the margins of the ASEAN Regional Forum in August 2019. The HR/VP stressed the EU's solidarity with Sri Lanka following the Easter Sunday attacks and underlined the EU's readiness to help prevent and counter violent extremism. The EU counterterrorism coordinator visited Sri Lanka in July 2019 during which he met government representatives, international organisations, and civil society. A GSP+ monitoring mission which visited Sri Lanka in September 2019 focused on issues including the PTA and the implementation of the UNHRC resolution, as did the fourth meeting of the Working Group on Governance, Rule of Law and Human Rights in August 2019.

The EU delegation jointly with Member States conducted a number of meetings with government representatives, which centred on human rights and political issues including the death penalty and minority issues. The political dialogues were sometimes followed by the issuing of joint public statements.

**4. EU financial engagement:** The EU funds several projects aiming to support reconciliation processes, peacebuilding, transitional justice and civil society, as well as the justice system with particular emphasis on vulnerable groups.

**5. Multilateral context:** There was limited progress in implementing the 2015 UN Human Rights Council (UNHRC) resolution 30/1 on Promoting reconciliation, accountability, and human rights, co-sponsored by the previous administration. The resolution was extended through Human Rights Council resolution 34/1 in March 2017 and resolution 40/1 in March 2019.

## Thailand

**1. Overview of the human rights and democracy situation:** Even though an elected civilian government took office following the March 2019 general elections, restrictions on freedom of expression and peaceful assembly remained. Criminal defamation, sedition, computer crime, and unlawful public assembly charges continued to restrict free speech and peaceful demonstrations, including by dissidents, opposition politicians, academic critics, and human rights defenders (HRDs). Although the National Council for Peace and Order (NCPO) repealed a large number of orders issued during its five-year rule, NCPO Order No 3/2015 authorising

security officials to carry out searches, detentions, and arrests without judicial oversight remains in effect.

In early 2019, the Thai government earned international praise for allowing two high-profile asylum-seekers, Bahraini football player Hakeem al-Araibi and Saudi teenager Rahaf Mohammed al-Qunun, to leave Thailand to return and resettle in a safe third country. However, in other cases, the treatment of political asylum-seekers from neighbouring countries has raised concerns. Two dissidents from Vietnam and Laos have reportedly gone missing in Bangkok as they sought assistance from the UNHCR. The Vietnamese dissident, journalist Truong Duy Nhat, is now behind bars in Hanoi, while Laotian activist Od Sayavong is still missing. Furthermore, human rights organisations highlighted the enforced disappearance of Thai dissidents abroad and forced repatriations of asylum-seekers in Thailand as major concerns in 2019. Three Thai political activists went missing from Vietnam in May 2019. They are widely believed to have been sent back to Thailand although their whereabouts remain unknown.

HRDs and political activists continue to report being subjected to intimidation, abduction, violent attacks, and judicial harassment. In June 2019, a prominent pro-democracy activist was attacked and severely beaten on two occasions. In October 2019, the army filed sedition charges against 12 opposition MPs, academics, and political activists, accusing them of stirring unrest by participating in a public forum advocating in favour of constitutional amendments. Furthermore, various state and non-state actors filed at least six new defamation lawsuits against HRDs.

In October 2019, Thailand became the first country in Asia to adopt a National Action Plan on Business and Human Rights (NAP). CSOs have, however, expressed disappointment that the NAP does not provide adequate measures to protect HRDs and communities affected by harmful business operations.

The Royal Thai Government remains committed to suppressing forced labour, child labour, and the trafficking of migrant workers in the fishing and seafood processing sectors. After becoming the first country in Asia to ratify the ILO Work in Fishing Convention (C188) in January 2019, Thailand passed amendments to the 2008 Anti-Trafficking Act to impose harsher penalties for traffickers and adding 'forced labour or service' as a criminal offense.

**2. EU action – key focus areas:** The EU continues to encourage the government to pass the legislation to criminalise torture and enforced disappearances and take steps to reduce offences punishable by death in the Thai penal code. EU advocacy and coordination of observation of up-coming hearings and trials will continue to focus on freedom of expression and assembly, political pluralism, as well as on strategic lawsuits against public participation (SLAPP).

**3. EU bilateral political engagement:** The EU delegation to Thailand has implemented a number of actions to contribute to the protection of human rights and democracy in the country. This included the observation of several human rights-relevant judicial proceedings, including police hearings, prosecutors' decisions and trials, and the outreach with the Royal Thai Police regarding the discontinuation of enrolment of female police cadets and the exclusion of women from becoming investigators. In terms of participation in events, the EU addressed speeches at an EU-funded Human Rights Defenders School, as well as at the

Global Campus of Human Rights at Mahidol University, and at a seminar on the prevention of torture and enforced disappearance at Thammasat University. Other activities included: the organisation of a human rights seminar for journalists, participation in an informal dialogue on human rights hosted by the Thai ministry of Foreign Affairs and a visit to Chiang Mai province to review the implementation of an EU-funded programme for migrant children. The EU engaged with local activists and rights advocates in the North East of Thailand in a dialogue on political freedoms and human rights in the region during a visit to Khon Kaen. Dialogue with the authorities also included exchanges with the House of Representatives (Standing Committee on Legal Affairs, Justice and Human Rights), and with the Justice Minister (on business and human rights; prevention of torture and enforced disappearance; civil partnership and death penalty). The EU delegation hosted an event to mark Human Rights Day on 10 December 2019.

**4. EU financial engagement:** Through different EU programmes (e.g. the EU's Aid to Uprooted People (AUP); and the EIDHR), the EU supported projects focussing on human rights of the Myanmar Muslim and host communities in Thailand (EUR 2.5 million) and of Cambodian workers (EUR 954,000). The EU also funded an OHCHR project aimed at strengthening HRDs capacity and at providing technical support to the Royal Thai Government to address human rights issues. An ILO-implemented project (with a total budget of EUR 4.2 million) addressed the prevention of forced labour, child labour and other unacceptable forms of work in the Thai fishing and seafood processing sectors. In 2019, the EU delegation continued to manage several CSOs projects aimed at strengthening different aspects of human rights in Thailand, in particular: strengthen women's groups; promote women empowerment; focus on workers in informal sectors. Finally, in 2019, the EU delegation announced a partnership agreement with UNDP to jointly implement a regional programme in the area of business and human rights.

**5. Multilateral context:** Thailand submitted its Universal Periodic Review (UPR) Second Cycle Mid-term Report (2016-2018) to the OHCHR in March 2019.

In October 2019, Thailand became the first country in Asia and the 23<sup>rd</sup> in the world to adopt a National Action Plan on Business and Human Rights, which lays down guidelines for local companies and state agencies to follow the UN Guiding Principles on Business and Human Rights.

In December 2019, the Thai Cabinet approved the establishment of a screening mechanism to distinguish people in need of international protection from economic migrants. The screening mechanism may help regularise the stay of persons in need of protection and lend predictability to the asylum space. As such, it was welcomed by UNHCR. As Thailand has not signed the 1951 Refugee Convention and does not have specific asylum legislation, refugees and asylum-seekers who do not have a legal right to stay in Thailand are currently treated as illegal immigrants.

In October 2019, UN human rights experts expressed serious concerns about the disappearance of a prominent Lao human rights defender who went missing in Thailand just months after meeting a UN special rapporteur.

## Timor-Leste

**1. Overview of the human rights and democracy situation:** In 2019, Timor-Leste celebrated the 20<sup>th</sup> anniversary of the referendum that led to its independence, developing into a democratic country in South East Asia region. Despite the well organised elections in 2018, Presidency/Government disagreements over the non-approval of ministerial appointments on corruption allegations persisted, resulting in delays in the adoption of the State budget (with huge impact, given the importance of the government action), also affecting the most vulnerable.

Human rights are overall well respected. However, gender based and domestic violence (GBV) persists, children's rights remain unaddressed, access to justice remains problematic and persons with disabilities face a challenging environment. Domestic violence against women and girls is the most common form of GBV. The efforts of Timor-Leste continued to be based on the National Action Plan against GBV for 2017-2021, aiming at prevention, access to justice for victims, coordination, monitoring and evaluation.

There were incidences of recourse to physical force by law enforcement during demonstrations in the capital. Youth unemployment, poverty, malnutrition, stunting, difficult access to markets, low agricultural productivity and harsh weather conditions remained challenging.

For the UN Special Rapporteur on the Rights of Indigenous Peoples, who visited Timor-Leste on 8-16 April 2019, while Timor-Leste could offer lessons learnt to other countries, customary justice practices needed to be amended to comply with international human rights standards. Timor-Leste improved access to justice by establishing mobile courts, increased prosecutor/court/public defender cooperation and capacity building, by training judicial personnel, including language training.

Since 2003 when Timor-Leste ratified the UN Convention on the Rights of the Child, child and maternal mortality has dropped, immunisation of children has improved, children's nutrition has increased. However, half of all children under five years continue to suffer from stunting, are subject to domestic and school violence, lack adequate access to quality education and health services.

The EU deployed an Election Observation Mission (EOM) for the presidential and legislative elections in 2017 and a smaller Expert Mission (EEM) for the early legislative elections in 2018. In the five months period in between, Timor-Leste made serious efforts to address some of the 22 EOM recommendations. An election follow-up Mission is envisaged for 2020 to continue the work on implementing the EOM recommendations.

**2. EU action- key focus areas:** Following a civil society organisations mapping exercise in 2019, the EU mainstreamed its support to CSOs in its two areas of good governance and rural development including nutrition. As a global champion of SDG 16, as a stand-alone goal, Timor-Leste hosted a 16+ Third Forum Annual Showcase, held on 11-14 November 2019 in Dili, where CSOs demonstrated innovative approaches in implementing SDGs. The EU encouraged networking, structured discussions and consultation over EU aid to Timor-Leste with a view to monitor the implementation of the 2016-2020 EU Roadmap for Engagement with Civil Society in Timor-Leste.

**3. EU bilateral political engagement:** The EU continued throughout 2019 to work on the improvement of public financial oversight with a view to increasing capacity and strengthening the institutional framework in Timor-Leste through its increased cooperation with the public administration, justice sector, the national parliament and CSOs.

The fifth EU - Timor-Leste political dialogue was held on 21 May 2019 in Dili. Human rights and democracy issues were discussed, including: efforts in fighting corruption; an update on the improvement of access to justice; the state of play of ratification of international human rights conventions on the basis of the Timor-Leste Universal Periodic Review at the UN HRC; the follow-up to the recommendations of the 2017 EU Electoral Observation and 2018 expert missions and the dispatch of an Election Follow up Mission in 2020; priority to address gender equality and persisting GBV with relevant applicable legislation, i.e. the law against domestic violence and the Timor-Leste national action plan on GBV; information on the EU/UN 'Spotlight Initiative', aimed at eliminating GBV, also due to benefit Timor-Leste.

**4. EU financial engagement:** The EU continued to support its engagement through the funding of projects. The 'European Film Festival and Human rights', included the screening of documentaries, and while underlining the relationship between art and human rights, raised issues related to the rights of indigenous peoples and refugees.

Under the project 'Development of Human Rights Education and Research at the National University of Timor-Leste', the first Human Rights Centre at the National University of Timor-Leste was inaugurated in August 2019. The overall project will last for 23 months and focus on capacity building (EU financed and led by the Global Campus of Human Rights, the world's largest network of universities), aiming at contributing to the promotion of human rights, democracy and development, through post-graduate training on human rights. The project 'Say No to Gender-Based Violence in Timor-Leste' (EU/Plan International Finland, implemented from July 2018 to June 2021) contributes to the creation of an enabling environment for women and girls to claim their rights for a life free from GBV; aiming to develop a replicable model to prevent and fight against GBV. TL will receive EUR 12 million under the project 'Spotlight Initiative' (EU/UN), aiming at achieving globally significant improvements in the lives of women and girls focusing on ending GBV. The EU cosponsored the campaign 'Generation Equality: 16 Days of Activism Against Gender-Based Violence' from 25 November to 10 December 2019. A video titled 'I Have Rights!' was launched by the EU and UNICEF on 20 November 2019, to celebrate the Universal Children's Day and the 30th Anniversary of the UN Convention on the Rights of the Child, on the universality of children's rights.

**5. Multilateral context:** Timor-Leste maintains a close relationship with the UN system placing a strong emphasis on multilateralism and with agencies such as the UNDP, WFP, IFC, UNICEF, ILO present in the country. Timor-Leste is party to seven of the nine core UN human rights treaties, but has still not taken action to sign or ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Convention on the Rights for Persons with Disabilities (CPRD), besides the Optional Protocol Under the Convention Against Torture (Op-CAT) and the Optional Protocol Under the Convention on the Rights of the Child on a communications procedure (OP-CRC—IC). Implementation remains weak, mainly due to capacity constraints.

At the UN Human Rights Council, the second Universal Periodic Review of Timor-Leste, held in November 2016 to March 2017, led to 154 recommendations, 146 of which were

accepted by Timor-Leste. The UPR process also provided a useful platform for a joint group of CSOs to express their views including the issue of justice regarding past human rights abuses.

## Vietnam

**1. Overview of the human rights and democracy situation:** In 2019, Vietnam expanded its legal framework in line with international standards, particularly in the field of labour rights. However, the trend of shrinking the space for civil society continued.

The new cyber security law, which entered into force in January, provide the opportunity for restricting freedom of expression online.

The relevant authorities continue to harass, intimidate, apply travel bans, physically attack, arbitrarily detain and imprison political and human rights defenders, journalists and bloggers for peacefully expressing their opinion, either online or offline. Human rights defenders face harsh conditions in detention, including denial of access to medical care, legal counsel and family contact, transfer to remote prisons as well as lengthy sentences. Freedom of assembly is also arbitrarily curtailed. Deaths in police custody remain a serious concern.

**2. EU action - key focus areas:** The EU's priorities for 2019 continued to be on freedom of expression (online and offline), freedom of assembly, labour rights, freedom of religion or belief, abolition of the death penalty and fight against human trafficking. The EU advocated curbing the emerging trend of intimidation and criminalisation of environmental defenders. The EU also focussed on the implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and on the follow up to the recommendations of the third cycle of the Universal Periodic Review (UPR).

**3. EU bilateral political engagement:** Human rights featured prominently across bilateral discussions with Vietnamese authorities at all levels. The EU commented draft legislation and offered technical input. The EU–Vietnam human rights dialogue took place on 19 February in Hanoi.

The EU substantially advocated and provided technical assistance for the revision of the labour code and the ratification of all core ILO Conventions and their implementation. The Government of Vietnam ratified the Core ILO Convention 98 on freedom of association. Moreover, the National Assembly adopted the new labour code, which contains the main principles of core ILO Conventions. Vietnam also committed to ratify the pending ILO Conventions 105 on forced labour in 2020 and 87 on freedom of association by 2023.

In bilateral discussions as well as at the human rights dialogue, the EU expressed serious concerns about the situation of human rights defenders and the negative trend of detentions, travel bans, arrests and sentencing meant to restrict freedom of expression both online and offline. The EU repeatedly called the Vietnamese authorities to immediately release all bloggers and human right activists imprisoned for having peacefully expressed their views.

Finally, the EU regularly requested the possibility to observe the trials of human rights defenders and insisted on access to legal aid, medical support and family visits for prisoners.

**4. EU financial engagement:** Civil society organisations' actions are supported through grants in the domains of children's rights, gender equality and prevention of gender based violence, empowerment of civil society, business and human rights, as well as cultural rights.

In addition, the EU and the relevant Vietnamese authorities implemented activities on the prevention of human trafficking.

**5. Multilateral context:** In January 2019, during the 3<sup>rd</sup> cycle of the Universal Periodic Review, Vietnam received 291 recommendations: it fully accepted 220 recommendations and 21 partially.

Following the third periodic report to the International Covenant of Civil and Political Rights, the Human Rights Committee adopted recommendations in August 2019. Vietnam is expected to report on the implementation of these recommendations by March 2021.

## Oceania

### Australia

**1. Overview of the human rights and democracy situation:** Australia continues to have a very positive and solid human rights record and is very engaged in advocating progress on human rights issues in the Asia-Pacific region and beyond. The main human rights challenges at domestic level remain:

(i) the overall condition of Australia's indigenous population which remains dramatically behind on many social indicators, such as education, health, percentage of the overall the prison population;

(ii) the unresolved status and condition of migrants caught trying to enter Australia by sea (including refugees/asylum seekers);

(iii) the occasional long periods of administrative detention of migrants.

The accumulation of security legislation over the years has raised a numbers of concerns, most recently on their potential impact on the freedom of the press. The robust debate thereon is a testimony to the strength of democracy and human rights in Australia.

**2. EU action - key focus areas:** The main actions of the EU focussed on engaging with Australian officials on human rights issues through high level meetings/dialogues, demarches and outreach for common actions at international level. The EU engagement with Australia on human rights and development issues in the region continued, including through the EU-Australia-New Zealand trilateral dialogue on the Pacific.

**3. EU bilateral political engagement:** The EU regularly engages with the Australian government, the country's human rights agencies and bodies, and NGOs to promote good

human rights policies and support initiatives to counter racism, gender equality, and other human rights promotion activities. Two examples of this action include support to the Australian Human Rights Commission (the independent statutory organisation responsible for the observance of human rights in the country) by sponsoring their Annual Award for 'Racism. It Stops With Me'. This award recognises the contribution of an organisation / person to reduce and prevent racism in Australia.

Another example is the organisation of an EU Trivia Night with a fund-raising activity in favour of an organisation promoting or advocating human rights. This year the funds raised went to a Not-For-Profit community organisation that provides therapeutic horse facilitated programs and activities for children with disabilities.

**4. EU financial engagement:** EU delegation's sponsorship of the above-mentioned award amounts to approx. EUR 4,400.

**5. Multilateral context:** Australia continues to play an active part as a Human Rights Council member, following the key priorities it identified when elected to the Council (gender equality, good governance, freedom of expression, the rights of indigenous peoples, and strong national human rights institutions and capacity building). Its stance is very similar to that of the EU and the EU Member States.

## Fiji

**1. Overview of the human rights and democracy situation:** Fiji last held general elections in November 2018. According to the final report of the Multinational Observer Group issued in February 2019, the election process was well-administered, with voting and counting being transparent and credible. The Multinational Observer Group has made 21 recommendations in its final report to assist the Fijian Elections Office to build on the achievements of this election. In October 2018, Fiji was elected to the UN Human Rights Council for a three-year term (2019 – 2021) which should give further impetus to strengthening the rule of law and ensuring protection of human rights and freedoms in the country. In 2019, Fiji has become the first and only Pacific Island State, which acceded to all the nine core international human rights instruments. However, a number of human rights challenges persist in the country. Gender violence, freedom of expression, freedom of assembly and allegations of police brutality constitute Fiji's most relevant human rights issues in 2019.

**2. EU action - key focus areas:** The key focus areas of EU action were, *inter alia*, follow-up to the fourth EU-Fiji high-level political dialogue under Article 8 of the ACP-EU Partnership Agreement of May 2019. The EU continued to promote access to justice and respect to human rights. The EU has also supported diversified market-driven agriculture, promoting alternative livelihoods and income generating activities and alleviating risks to natural disasters.

**3. EU bilateral political engagement:** The fourth high-level political dialogue with Fiji was held in May 2019 in Brussels and discussed the Multilateral Observer Group recommendations following 2018 election; accession to the international human rights instruments; priorities of Fiji in its capacity of the UNHRC Vice-President; legislation and measures by the authorities in the area of media environment; freedom of expression, as

well as domestic violence. During the year, the EU delegation for the Pacific carried out demarches and outreach activities inviting Fiji to support EU human rights initiatives and priorities at the UN level. Throughout the Pacific region, including Fiji, climate change and human rights are closely intertwined. The EU delegation for the Pacific actively promotes climate change awareness.

**4. EU financial engagement:** The 11th EDF-funded 'Access to Justice' Programme aims at enhancing institutional capacity and service delivery of the Judicial department as well as by the Legal Aid Commission (LAC) and provide initial support to Fiji's Human Rights and Anti-Discrimination Commission (HRADC). The programme focuses at improving access to justice for the population, with particular emphasis on poor and marginalised people.

The EU-funded project 'Upholding Citizens' Constitutional Rights for Democratic Consolidation in Fiji' implemented by the International Institute for Democracy and Electoral Assistance (International IDEA) in consortium with four Fijian CSOs, has contributed to facilitating engagement between the state institutions, notably the Fijian Elections Office (FEO), and Fiji based CSOs. Activities in the post-election period included dialogues and other interactive activities in communities. A major National Forum on Women in Politics (in October 2019), brought together women MPs, officials from the Ministry of Women, CSOs representatives, aspiring women interested in politics and academics, who discussed outcomes of Fiji 2018 elections, challenges related to women's participation and touched upon the issue of Temporary Special Measures for getting more women in Parliament.

The 'Pacific Partnership to End Violence Against Women and Girls', a regional project bringing together governments, CSOs, communities and other partners, continued to be implemented in 2019. The programme is funded primarily by the EU with targeted support from the Australian Government and UN Women. Priorities for Fiji, which has become one of the focus countries, include prevention work aiming to address harmful social norms, improving access to essential services for survivors of gender-based violence and monitoring and reporting on government commitments to gender equality and elimination of violence against women and girls.

Human rights advocacy in relation to Fiji's international commitments to media independence has been supported under the project 'Valuing Voices – Digital Dialogue and Citizen's Stories (alternative forms of story-telling to advance rights and freedoms)', implemented by the British Council. The activities included workshops, bringing together journalists, social-media, artists and human rights defenders. Improving capacities of CSOs to foster democratic governance and accountability, sustained participation of civil society in policy making was supported in 2019 through Yadrayadravi Accountability and Monitoring Programme implemented by ADRA and Participative Democracy and Accountability Action, implemented by The Citizens' Constitutional Forum.

'Fiji in Transition: Towards a Sustainable Constitutional Democracy' project, implemented by The Citizens' Constitutional Forum (CCF), focused on creating dialogue with the government on human rights and the rule of law (through civic education, research and advocacy) to respond to the needs identified at the UPR 2014. In 2019, the project contributed to CSO advocacy during the 40th HRC session in Geneva, and supported joint CSOs submission to Fiji's Universal Periodic Review (UPR) in 2019.

**5. Multilateral context:** Following accession in August 2019 to the Convention for the Protection of All Persons from Enforced Disappearance (CED) and to the International

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), Fiji has become a party to all nine core international human rights treaties.

Fiji has signed but not yet ratified the Optional Protocols of the CRC, on the involvement of children in armed conflict (CRC-OP-AC) and on the sale of children, child prostitution and child pornography (CRC-OP-SC). Fiji is still to announce outcome of the internal discussions on the withdrawal of the reservations to the UN Convention against Torture (CAT). Reports to the Committees of CAT, CERD and CRPD are pending.

Fiji is currently a member of the UN Human Rights Council, its term expiring in 2021. Fiji's Permanent Representative to the United Nations in Geneva is Vice-President of the Human Rights Council. Fiji has extended a standing invitation to the special procedures of the Human Rights Council and has outstanding visit requests from the Special Rapporteurs on independence of judges, and on freedom of assembly, as well as from the Working Group on business and human rights.

Fiji had its last UPR in November 2019. States' recommendations mainly focused on issues related to freedom of speech and assembly. Next UPR for Fiji is scheduled to take place in November 2024.

## The Federated States of Micronesia

**1. Overview of the human rights and democracy situation:** The Federated States of Micronesia (FSM) holds regular and free elections. On 5 March 2019, Parliamentary and State elections were held in FSM, alongside a referendum for calling a Constitutional Convention. However, the Chuuk secessionist movement threatens the country's unity and destabilises its international relations, especially with the US and the renegotiation of the 'Compact of Free Association'. The judiciary is independent, and civil liberties are generally respected. In October 2019, the Acting Attorney-General of the State of Yap, a specialist human rights lawyer well known for combatting sex trafficking and member of the Yap State 'Human Trafficking Task Force' was shot dead. Multiple suspects were arrested in late October and charged with murder. Climate change has become the greatest human rights issue in FSM (especially for women) – being a low-lying atoll country makes it particularly vulnerable to its effects. No labour unions exist, though there are no laws against their formation. The right to strike and bargain collectively is not legally recognised.

Gender rights, domestic violence and human trafficking, as well as exploitation of migrant workers, remain areas of concern. There are no laws criminalising consensual same-sex sexual conduct between adults. There are no known reports of violence, official or societal discrimination, or workplace discrimination against LGBTI persons. However, culture stigmatises public acknowledgement or discussion of certain sexual matters including sexual orientation and gender identity. In spite of the 'Human Trafficking Act of 2012', FSM remains a source country for forced labour and sex trafficking. Many sex trafficking cases remain unreported due to victims' fear of shame and embarrassment in FSM's insular communities. As part of a larger awareness campaign, the government implemented a national action plan to combat trafficking.

**2. EU action - key focus areas:** Ongoing human rights concerns include gender rights, domestic violence and human trafficking, as well as exploitation of migrant workers. EU actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women rights, and supporting CSOs engagement.

Women are well represented in the middle and lower ranks of government at both the federal and state level, but are scarcer in the upper ranks. No female candidates participated at the last election. All of the 14 members of Congress are men. FSM remains one of the few countries in the world with no women in the legislature.

Women enjoy equal rights under the law, including those regarding property ownership and employment. The legal rights of women are protected under the FSM National Constitution and the constitutions of the four states, all of which prohibit discrimination on the grounds of sex. However, socio-economic discrimination and violence against women continue to be the most prevalent human rights problem in the country. There is no national legislation criminalizing sexual assault. All states have identical legislation criminalising sexual assault against, and sexual relations with, girls under the age of 13. Cases of domestic violence often go unreported because of family pressure or inaction by the authorities. Offenders rarely face trial, and those found guilty usually receive light sentences.

**3. EU bilateral political engagement:** In 2019, the EU delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States to support EU human rights initiatives and priorities at the UN level. The EU Delegation for the Pacific continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential elements for the implementation of the regional roadmap for CSOs in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11<sup>th</sup> EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

In December 2016, with the support of an EU funded project, FSM ratified the 'Convention on the Rights of Persons with Disabilities' and is working on its Disability Policy. However, a large number of the core international Human Rights Conventions remain to be ratified by FSM. Furthermore, the country has a number of overdue reports. With the support of the EU funded project, FSM organised consultations and prepared a report on the implementation of the 'Convention on the Rights of the Child (CRC)'.

The EU has been working with the FSM government on the domestic violence legislation for each of the States. Currently two of the States (Pohnpei and Kosrae) have passed their legislation and the other two States (Chuuk and Yap) have drafted Bills.

**5. Multilateral context:** FSM underwent its second Universal Periodic Review in November 2015. FSM's reservations to the 'Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)', raised by some delegations as a concern on that occasion, remain. FSM's third UPR is scheduled to take place in 2021.

FSM has ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of Persons with Disabilities (CRPD), and the Convention on the Rights of the Child (CRC) and its two the Optional Protocols – on the

involvement of children in armed conflict (CRC-OP-AC) and on the sale of children, child prostitution and child pornography (CRC-OP-SC).

FSM signed the Convention against Torture (CAT) in September 2005, but has not yet ratified it.

FSM has not extended a standing invitation to the Special Procedures of the UN Human Rights Council and has an outstanding visit request by the Working Group on discrimination against women since 2015.

FSM is not a party to the Rome Statute of the International Criminal Court.

## Republic of Kiribati

**1. Overview of the human rights and democracy situation:** The overall human rights situation in the country continues to improve and there is no systematic abuse of human rights. Kiribati acceded on 22 July 2019 to the 'UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)'. Gender-based violence continues to be a concern, as it is deeply rooted in behavioural norms. Human rights violations in Kiribati typically include violence against women such as spousal abuse, child abuse and sexual exploitation of children that remain serious challenges in spite of the national legislation condemning it. Violence against children and child malnutrition remain serious concerns. Kiribati's biggest challenge remains climate change. The country is at risk of becoming uninhabitable by the end of the century, which will lead to migration issues.

The accession of Kiribati to the 'UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)' on 22 July 2019 reinforces the country's commitment to the promotion of human rights. The accession follows the Kiribati Government's commitment during its 2015 Universal Periodic Review to thoroughly examine UNCAT and its capacity to implement the Convention. Kiribati has become the 6th Pacific nation to accede to the UNCAT and the 167th State party internationally. Kiribati's accession also sends an important signal to the Pacific region, which has strategic importance in accelerating ratification and active implementation of the UNCAT within the overarching aspiration to achieve its universal ratification.

**2. EU action - key focus areas:** The fight against climate change is the priority in EU-Kiribati cooperation. Kiribati is vulnerable to climate change as sea level rise threatens the country's existence. The EU delegation in Fiji continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

EU actions also focus on the eradication of domestic and gender-based violence, Kiribati being a focus country under the Pacific Partnership to End Violence against Women and Girls.

**3. EU bilateral political engagement:** During 2019, the EU delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including Kiribati, to support EU human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** The Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the

Pacific, signed in the margins of the Pacific Islands Forum Leaders' meeting in Apia in September 2017, continued being implemented.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for Civil Societies Organisations (CSOs) in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11<sup>th</sup> EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million). The support to CSOs is **implemented by the Pacific Islands Forum Secretariat** for which the EU allocated for Kiribati EUR 0.3 million. CSOs are empowered to effectively monitor implementation of national gender equality policies, primary prevention actions plans and challenge social norms and behaviours.

The EU also funds the Pacific Islands Forum Secretariat (PIFS) human rights-related initiatives.

**5. Multilateral context:** Kiribati is a party to five of the core International Human Rights Treaties, and notably to: the 'Convention against Torture (CAT)', the 'Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)', the 'Convention on the Rights of the Child (CRC)', and the 'Convention on the Rights of Persons with Disabilities (CRPD)'. Kiribati has also acceded to the two optional protocols of the CRC – on the involvement of children in armed conflict (CRC-OP-AC), and on the sale of children child prostitution and child pornography (CRC-OP-SC). Kiribati acceded on 22 July 2019 to the 'UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment' (UNCAT).

Despite this, legal protection of human rights remains weak. This is primarily due to poor incorporation of human rights treaties into domestic law and a lack of domestic legislative provisions for human rights protection. Kiribati's capacity to implement international human rights treaties is constrained by financial considerations, as well as by the reporting burden. Nevertheless, in February 2019, Kiribati finally submitted its reports to the CEDAW Committee, the CRC Committee, and the Committee on the Rights of Persons with Disabilities, which were due since 2005, 2011 and 2015 respectively.

Kiribati is yet to accede to the 'International Covenant on Civil and Political Rights (CCPR)', the 'Convention for the Protection of All Persons from Enforced Disappearance (CED)', the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)', the 'International Covenant on Economic, Social and Cultural Rights (CESCR)', and the 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)'.

Kiribati has not extended a Standing Invitation to the UN Special Procedures, nor acceded to the Rome Statute of the International Criminal Court. The second Universal Periodic Review (UPR) for Kiribati took place in January 2015 and its third UPR, as scheduled in January 2020.

## Nauru

**1. Overview of the human rights and democracy situation:** Nauru's mixed track record with regards to democracy, the rule of law and human rights continued during 2019. Credible,

transparent and inclusive parliamentary elections were held on 24 August 2019, to which the Pacific Islands Forum Secretariat deployed an electoral observer team. Baron Waqa, who had been the President for the past six years, lost his seat. The Parliament elected lawyer Lionel Aingimea as President on 27 August. However, the resumption and outcome of the trial against the 'Nauru 19' in November/December 2019 – a group of former MPs that the government accused of rioting outside parliament in 2015 – continues to affect domestic reconciliation and stability. The 12 remaining members of the group who appeared in court were delivered a guilty verdict at Nauru's Supreme Court on 11 December 2019, and subsequently sentenced to prison terms from three to 11 months on counts of rioting and disorderly behaviour. The group was denied legal aid, and appeared in court without legal representation. The overall situation for the around 560 remaining refugees and asylum seekers in the regional Offshore Processing Centre (OPC) has slightly improved given that the Government has decided to allow refugees to live in town or to move and work during the day and use the OPC as a residence. In addition, the majority of children have now been evacuated from the OPC, and cases of depression and self-harming decreased consistently. Corruption remains a serious challenge; other human rights issues included climate change and related problems.

**2. EU action - key focus areas:** Through an EU-funded project, the EU promoted human rights and gender equality, in particular with regard to drafting the 'Family Protection Bill'. The EU holds regular political and policy dialogues with the authorities.

Human rights related issues are primarily connected to the 'Offshore Processing Centre' refugees and climate change challenges.

A 'Working Group on Treaties' has been recently set up within the Ministry of Foreign Affairs to deal with Human Rights-related Treaties and Conventions. Nauru has not yet established a National Human Rights Institution (NHRI).

**3. EU bilateral political engagement:** During 2019, the EU delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States, including Nauru, to support EU human rights initiatives and priorities at the UN level. Nauru abolished the death penalty and decriminalised homosexuality in 2016. However, the EU delegation raised concerns over the recent criminalisation of criticism towards Nauru's ruling administration. The EU delegation for the Pacific continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for CSOs in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11<sup>th</sup> EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

**5. Multilateral context:** Nauru has signed and ratified four of the core International Human Rights Treaties, (namely CAT, CEDAW, CRC and CRPD). Despite this, legal protection of human rights remains weak. This is primarily due to poor incorporation of human rights treaties into domestic law and a lack of domestic legislative provisions for human rights protection. Nauru's capacity to implement international human rights treaties is constrained by financial considerations as well as by the reporting burden.

The second Universal Periodic Review (UPR) for Nauru took place in November 2015 and pointed to challenges in the areas of freedom of expression, access of journalists to the country, physical conditions of asylum seekers, and ratification of certain international instruments. On a positive note, Nauru was commended for efforts to improve women and children's rights and for the ratification of CAT and CRPD. Nauru has signed but not yet ratified the International Covenant on Civil and Political Rights (CCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict (CRC-OP-AC) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children child prostitution and child pornography (CRC-OP-SC).

The next UPR for Nauru is expected to take place in 2021 and will focus on matters that still need to be addressed, such as refugees' living conditions in the OPC, access of journalists to the country and ongoing international processes. The review of the Constitution, which was frequently cited by Nauruan representatives during the previous UPR, has not been completed.

The situation of asylum seekers and refugees slightly improved since the government of Nauru decided for an open-door camp policy. Although the situation remains difficult for many refugees and asylum seekers, cases of depression and self-harming decreased consistently following the easing of the detention conditions.

## New Zealand

**1. Overview of the human rights and democracy situation:** The protection of human rights and the promotion of democracy are values, which are deeply embedded in both New Zealand politics and in its society as a whole. New Zealand is among the best performing countries in most rankings relating to a country's democratic achievements and human rights situation. Despite this, problematic areas remain; seven percent of working families live in poverty and minorities (especially Maori and Pasifica) are disproportionately affected by socio-economic issues (suicide and imprisonment rate, health, children abuse and domestic violence and significantly inequitable education outcomes). New Zealand has the highest rate of domestic violence in the OECD; around 12% of the population are directly affected by family violence each year. The government actively pursues improvements on these issues. For example, New Zealand officially opened its first ever Suicide Prevention Office in November 2019. The Christchurch Attack on 15 March, which killed 51 and injured 50, incited a national debate about the state of racism while also posing a challenge with regard to complying with the perpetrator's basic human rights (imprisonment conditions, etc.).

**2. EU action - key focus areas:** The EU delegation exchanges priorities with New Zealand government ahead of the UN General Assembly and human rights agendas at the UNGA Third Committee. Cooperation also exists with regard to humanitarian issues in the Pacific, specifically on disaster response and mitigation policy.

**3. EU bilateral political engagement:** The EU delegation met with the independent Human Rights Commission on several occasions to discuss New Zealand's third Universal Periodic Review in January, the overall situation in New Zealand, as well as on race and religious hate

crimes. The EU delegation also met with the New Zealand Refugee Council to discuss the recent experience. In addition, the EU delegation supported and worked with New Zealand on its Christchurch Call initiative.

**4. EU financial engagement:** The EU delegation provided financial support (around EUR 1,500) to the Council for International Development (CID) Annual Conference 2019. The Conference focused on development aid strategies by New Zealand stakeholders towards the Pacific with a focus on gender issues and domestic violence.

**5. Multilateral context:** New Zealand puts an emphasis on multilateral engagements to advance the universality of human rights. This includes New Zealand's engagement in the annual UN Social, Humanitarian and Cultural Committee 3C and its active participation in the UN Human Rights Council's three sessions. Regionally and bilaterally, New Zealand considers joint demarches, the release of public statements, or the raising of issues in appropriate settings as its tools to advocate for human rights issues. During its third Universal Periodic Review, New Zealand received 160 recommendations, 126 of which were accepted. New Zealand is a party to seven of the nine core human rights treaties outlined by the Universal Declaration on Human Rights. New Zealand has launched its first International Human Rights Action Plan (2019-2023), which focuses, *inter alia*, on the rights of persons with disabilities and on women's empowerment.

## Palau

**1. Overview of the human rights and democracy situation:** Regular transparent, credible and inclusive elections, combined with an independent judiciary and media ensure that basic human rights are respected in Palau. The next elections are scheduled for 2020. The government generally respects the human rights of the citizens. However, there are human rights' concerns that still demand attention, such as assuring rights of children, addressing gender-based violence and tackling human trafficking, including due care of trafficked persons, migrants and asylum seekers. Although the Palauan society is matriarchal and matrilineal, women are still under-represented in the national Congress, the Cabinet and in the higher levels of the civil service. Women have close to equal status in public and private sector employment, education, as well as in public participation. Sexual harassment and rape, including spousal rape, are illegal. Domestic violence is not covered by specific legislation and remains a challenge. However, the government conducted public education efforts to combat abuse against women and children. Palau still has to ratify CEDAW. Steps taken towards ratification of CEDAW have focused on awareness programmes and consultations with key stakeholders, including traditional women's groups. There are no laws addressing sexual orientation and gender identity, although same-sex sexual activity was legalised in 2014. Palau's new Penal Code includes trafficking as well as child exploitation offences.

Palau's legislation does not provide for the granting of asylum or refugee status and the government has not established a formal system for providing protection to refugees. In practice, the government nevertheless provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. Children born to non-citizens inherit their parents' citizenship.

Climate change has also become a human rights issue in Palau. The establishment of a National Human Rights Institution is in progress.

**2. EU action - key focus areas:** EU actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women rights and supporting CSOs engagement with the Government of Palau on policy dialogue and governance.

**3. EU bilateral political engagement:** During 2019, the EU delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including Palau, to support EU human rights initiatives and priorities at the UN level. Gender equality and human rights are shared values and common challenges between the EU and Palau in the framework of the Sustainable Development Goals dialogue. The EU delegation for the Pacific continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors are an essential element for the implementation of the regional roadmap for CSOs in the Pacific. For this purpose, the EU worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11th EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million). The EU granted Palau EUR 0.2 million to support civil society organisations.

**5. Multilateral context:** Palau is a party to two of the core international human rights treaties – the 'Convention on the Rights of the Child (CRC)' and the 'Convention on the Rights of Persons with Disabilities (CRPD)'. Legal protection of human rights remains weak. This is primarily due to poor incorporation of human rights treaties into domestic law and a lack of domestic legislative provisions for human rights protection. Palau's capacity to implement international human rights treaties is constrained by financial considerations. Palau is in line with its reporting duties with the CRC and CRPD Committees, and has accepted the individual complaints procedure before the CRPD Committee.

The second Universal Periodic Review (UPR) for Palau took place in January 2016 and pointed to challenges such as tackling domestic violence and violence against women. The next UPR for Palau is expected to take place in 2021.

Palau has signed but not yet ratified the 'Convention against Torture (CAT)', the 'International Covenant on Civil and Political Rights (CCPR)', the 'Convention for the Protection of All Persons from Enforced Disappearance (CED)', the 'Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)', the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)', the 'International Covenant on Economic, Social and Cultural Rights (CESCR)' and the 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)'.

Palau has extended a standing invitation to the Special Procedures of the UN Human Rights Council. Palau is not a party to the Rome Statute of the International Criminal Court.

## Independent State of Papua New Guinea

**1. Overview of the human rights and democracy situation:** In 2019, Papua New Guinea has seen an upward trend in the number of cases related to police brutality and killings, revenge killings between tribes (communal and inter-communal violence) and ethnic groupings, as well as violence against women and girls and abuse of minors. As a result of these conflicts, people have been displaced and the cost of doing business has increased dramatically.

The de facto moratorium on the death penalty continued in spite of an expressed political will by Minister for Justice/Deputy PM Davis Steven to adopt a protocol for executions and implement it on the ten or so convicts who have been on death row for more than 10 years. PM James Marape expressed a different view on the issue in an interview last July, in which he noted that the death penalty should be abolished and life-long imprisonment should be the most severe punishment. Towards the end of the year both the PM and the DPM had stated the intention to put the death penalty issue forward for public consultation.

The Bougainville Referendum on Independence ran from 23 November to 7 December and resulted in an overwhelming vote in favour of self-rule. While formal reports are still to be issued, there is a clear indication that international observers generally agree that the poll was robust and meeting good standards. Self-determination was often heard in political rhetoric as a basic human right, which justified the referendum. No human rights violations were reported during the polling period.

**2. EU action - key focus areas:** In the advent of the Spotlight Initiative (EUR 19 million allocated to Papua New Guinea, scheduled to start in early 2020) the EU work strongly focused on the fight against gender-based violence. Key issues for discussion with the Papua New Guinea government, development partners and civil society were the engagement of women in the informal economy and how partners can work together to support the formalisation of this sector and promote women entrepreneurs, as well as the protection of victims/survivors of gender-based violence. Together with the University of Papua New Guinea and a major local media company, the EU produced a series of TV and radio spots for a nationwide campaign to raise awareness about gender-based violence.

Throughout the year, the EU has consistently been raising the need to establish an Independent Human Rights Commission (HRC), which is long overdue (1996 government commitment) in various forums and bilateral meetings. The EU met several times with the Minister of Justice and raised this issue on each occasion. Although in 2019 concrete steps were taken towards the finalisation of the legislative framework for the establishment of an independent Human Rights Commission, concerns emerged towards the end of the year that it might be difficult to secure funding, given budgetary constraints. In order to address the concerns raised by the EU, the Justice Department has started exploring ways to enhance the efficiency of already existing structures, notably the Human Rights Secretariat.

In 2019, the EU supported again the Human Rights Film Festival, now at its 10<sup>th</sup> edition. This is a UN initiative running in Port Moresby, Madang, the Autonomous Region of Bougainville and Goroka. The Festival has meanwhile established a strong reputation for itself and enjoys increasingly good visibility.

**3. EU bilateral political engagement:** While the Papua New Guinea government is generally open to engaging with the EU across the spectrum of human rights topics, the weak capacity of the administration to coordinate across various departments and agencies or to

implement policies remains a challenge. Therefore, the overall governance performance remains stagnant and will continue to hold back the development of the country.

**4. EU financial engagement:** Implementation of several projects started during 2019, with a focus on combating gender-based violence, promoting peace, fighting against violence, and supporting electoral processes. The 3-year project 'Combating Violence Against Women in Papua New Guinea' started in August and aims to achieve (i) crime prevention through social development, (ii) strengthening the institutional capacities of formal community justice systems, (iii) increasing access to justice and support services for crime and violence prevention and prosecution. The project is expected to have a direct impact on communities affected by tribal and ethnic violence and substance violence in Wabag and Wosera Gawi. The project 'Prevent Violence, Promote Peace' commenced in September 2019 and aims at raising awareness and advocate on addressing violence among youth by training 240 youth as peer educators. The project furthermore provides training to District and Village Court officials and is focused on Central Province, National Capital District and Lae District in Morobe Province. The 'Respect Yourself, Respect Others and Let's Stand United' project started in December 2019 and will run in Lae District to train 600 in-school youths, 60 teachers and counsellors and 600 out-of-school youths in the prevention, management and resolution of conflict and violence. 'Bougainville Capacities for Peace' – a project signed in August 2019 and jointly funded by the EU and Australia, targets leaders and peacebuilders in Bougainville and Papua New Guinea to ensure they work effectively and collaboratively to address Bougainville's peace and stability challenges. This project is expected to directly support the Bougainville post-referendum period. A 'Communication campaign on violence against women in Papua New Guinea' was launched on 25 November 2019. The EU also funded the '2019 Bougainville Referendum Transparency International PNG Domestic Observation Mission', which aimed at electoral observation during the polling period and at counting of the votes.

**5. Multilateral context:** Lack of institutional capacity causes Papua New Guinea to fail meeting its obligations to report to the UN Treaty Bodies of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the UN Convention on the Rights of the Child (CRC) and the Convention on the Rights of People Living with Disability (CRPD). A considerable number of the 101 recommendations from the second UPR remain outstanding.

In spite of public statements by the Minister of Justice dating back to 2017 that progress was being made on establishing an independent Human Rights Commission (a commitment since 1996), the necessary legislation has not yet reached the parliament. Recent steps by the government to downsize the administration put in question the establishment of a Human Rights Commission during 2020. According to government sources, the Human Rights Commission would be among the new agencies to be considered once the present downsizing exercise has been completed. The EU will continue to engage the government of Papua New Guinea on this important subject.

## Republic of Marshall Islands

**1. Overview of the human rights and democracy situation:** Regular democratic elections, combined with an independent judiciary and media ensure that basic human rights are respected in the Republic of Marshall Islands (RMI). The country held its last parliamentary elections on 18 November 2019. The ban of offshore postal voting, later declared unconstitutional by RMI's Supreme Court, was a controversial issue during the process. Following this ruling, postal ballot voting will return to RMI as from the next election. RMI is viewed as a promoter of human rights in the Pacific region, especially as regards to climate change (to which it is particularly vulnerable), and anti-nuclear testing, and has been elected as member of the UN Human Rights Council this year. However, human rights' concerns remain, and encompass gender-based violence, domestic violence, child abuse and cases of human trafficking. Parliament has since passed the 'Domestic Violence Prevention and Protection Act', and the government approved the 'National Gender Mainstreaming Policy'. While RMI passed the 'Child Rights Protection Act in 2015', there is a low awareness of issues pertaining to children's rights. Corporal punishment is illegal in schools, but is still permitted at home. There is no minimum age for employment for children. Only 80% of students who attend primary school reach eighth grade and only 70%-75% of those enter high school. There are few services for the protection of children, and the Human Rights Office in the Ministry of Internal Affairs is understaffed. Although the government has been reported to be making significant efforts to meet the minimum standards for the elimination of human trafficking, a recent case involved a US citizen charged with running a human smuggling scheme which brought pregnant women from RMI to the US to give birth and paid them to give up their children for adoption. Presently, RMI has been reported not to fully meet the minimum standards for the elimination of trafficking in persons.

**2. EU action - key focus areas:** EU actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, elimination and prevention of violence against women and girls and supporting CSOs engagement with the Government of the Republic of Marshall Islands on policy dialogue and governance.

**3. EU bilateral political engagement:** During 2019, the EU delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Islands States including RMI, to support EU human rights initiatives and priorities at the UN level. The EU delegation for the Pacific continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' meeting in Apia in September 2017.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for CSOs in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11th EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

**5. Multilateral context:** In 2019, RMI was elected as a new member to the UN Human Rights Council. It will serve a term of three years as of January 2022. The then RMI President Hilda Heine, particularly noted the capacity of RMI to contribute on 'the complex issues of human rights and climate change and nuclear testing'.

RMI has signed and ratified a good number of the core human rights treaties. Nonetheless, legal protection of human rights remains weak. This is primarily due to poor incorporation of human rights treaties into domestic law and a lack of domestic legislative provisions for human rights protection. RMI's capacity to implement international human rights treaties is constrained by financial considerations as well as by the reporting burden.

The second Universal Periodic Review (UPR) for RMI took place in May 2015, and the next UPR will take place in 2020.

RMI is a party to the 'Convention against Torture (CAT)', the 'International Covenant on Civil and Political Rights (CCPR)', the 'Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)', the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)', the 'International Covenant on Economic, Social and Cultural Rights (CESCR)', the 'Convention on the Rights of Persons with Disabilities (CRPD)', and the 'Convention on the Rights of the Child (CRC)', and one of its Optional Protocols – on the sale of children child prostitution and child pornography (CRC-OP-SC). RMI is party to the Rome Statue of the International Criminal Court.

RMI has accepted the individual complaints procedures of both the CEDAW and CRC Committees. RMI is compliant with its reporting duties to the CEDAW, CERD, CRC and CRPD Committees, and has due reports to the Committees of CESCR (June 2019), CCPR (June 2019), and CAT (April 2019). RMI has extended a Standing Invitation to the Special Procedures of the UN Human Rights Council.

RMI has not yet signed nor ratified the 'Optional Protocol of the Convention against Torture (CAT-OP)', the 'Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty (CCPR-OP2-DP)', the 'Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC)', the 'Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography (CRC-OP-SC)', the 'Convention for the Protection of All Persons from Enforced Disappearance (CED)', the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)' and the 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)'.

RMI has expressed interest in joining the UN's 'Human Rights Recommendations Database (NRTD)'.

## Samoa

**1. Overview of the human rights and democracy situation:** Samoa's Government generally respects and enforces human rights provisions of the country's Constitution and legislative framework and is strongly committed to continue improving human rights standards. There are, however, persisting human rights' concerns that need to be addressed, particularly gender based / domestic violence. Consenting relationship between adults of the same sex is still criminalised in Samoa (no reports of the law enforcement). There is a potential pressure on freedom of religion following amendment in June 2017 of the Constitution to transform the country from a secular to a Christian state. A traditional system of governance co-exists

with democratic process in Samoa, affecting the participation of women in politics and public decision-making. While there is universal suffrage for all Samoan citizens aged 21 and over, still only chiefs of villages (matai) may contest the elections. The number of women holding matai title remains low, which constitutes a barrier to increasing number of women candidates in the elections. Women's participation in the village council decision-making is mainly indirect. A constitutional amendment, which introduced a 10 % parliamentary quota for female MPs in 2013, resulted in five female MPs (out of total 50 MPs) in the current parliament.

**2. EU Action - key focus areas:** Through dialogue with the government and non-state actors in conjunction with various financial instruments, the EU has been promoting human rights, gender equality and increased participation of women in decision-making.

**3. EU bilateral political engagement:** Meetings at various levels were used as a platform to promote respect for human rights and gender equality in the Pacific region including Samoa. The EU bilateral engagement followed up on issues discussed in the enhanced EU-Samoa Political Dialogue under Article 8 of the Cotonou Agreement, held in Apia in October 2016, where human rights and democracy issues, as well as policy measures taken by the authorities, were addressed. Samoa committed to continue its active engagement in the discussion of human rights issues with CSOs, which were represented at the political dialogue, and the development partners. The EU invited Samoa to accede to the International Covenant on Economic, Social and Cultural Rights, and invited Samoa to examine the possibility of decriminalising male homosexuality.

In the Pacific region, including Samoa, climate change and human rights are closely intertwined. In this regard, the EU delegation for the Pacific will continue actively promoting climate change awareness.

**4. EU financial engagement:** The EU provides support to the Samoan civil society to strengthen engagement between the civil society and the Government of Samoa in strategic planning, implementation and oversight along the key sectors of the Strategy for the Development of Samoa. Human rights and gender related issues are addressed through support to CSOs working with communities, village councils, government institutions and the NHRI in order to challenge gender stereotyping, increase public awareness of existing legal rights, as well as protection offered to victims, contributing to the reduction of violence against women and greater empowerment of women in Samoan society.

Samoa is a focus country under the new regional Pacific Partnership to End Violence against Women and Girls programme, launched in November 2018 and funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. The action is implemented in partnership with government, CSOs, communities and other partners to promote gender equality, prevent violence against women and girls, and increase access to quality response services for survivors. The activities under the programme will support, *inter alia*, the implementation of key recommendations from the National Inquiry into Family Violence Report 2018; working out a violence prevention approach; linking Samoan partners to a regional Community of Practice that encourages knowledge sharing; assisting survivors of gender based violence, especially in remote and hard to access locations around Samoa.

**5. Multilateral context:** Samoa has been actively and positively engaging in the UN for a. The country makes efforts to implement the UPR recommendations and has a leading role in the

construction of Pacific regionalism. On 28 March 2019, Samoa acceded to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT).

The next UPR for Samoa is expected in 2021.

## Solomon Islands

**1. Overview of the human rights and democracy situation:** On 3 April 2019, the Solomon Islands conducted the first peaceful and efficient election since the Regional Assistance Mission to the Solomon Islands (RAMSI)<sup>51</sup> departed in 2017. The election was seen as a key success. Apart from that, the Solomon Islands has yet to enact a comprehensive human rights policy, and successful implementation of the Acts remains a challenge. In 2019, discrimination and violence (physical and sexual) against women and girls, gender inequalities (including gender-based violence - GBV) - combined with endemic corruption - remain the most significant human rights abuses in the Solomon Islands. Donors have taken initiatives but the number of rape and incest cases continues to be alarming. Other human rights issues included climate change and related problems.

The Solomon Islands' work on a legislative package of reforms, aiming at improving political stability, access of women to parliament, fight against corruption and protection of whistle-blowers, has moved forward. The government recently launched an 'Independent Commission against Corruption'.

**2. EU action - key focus areas:** EU's actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women rights, and supporting CSOs engagement with the government on policy dialogue and governance.

**3. EU bilateral political engagement:** The 7<sup>th</sup> EU- Solomon Islands political dialogue was held in October 2019, during which the EU urged the government to sign and ratify important human rights instruments, including the ratification of the Rome Statute of the International Criminal Court. The EU has invited the country to legally protect the rights of the LGBTI community, although there were no reports of violence or discrimination against persons based on sexual orientation or gender identity. The EU is committed to supporting government and non-state actor efforts to reduce gender-based violence. Regarding the fight against corruption, the EU delegation in Fiji manages an on-going Budget Support programme that applies a vigilant monitoring of government spending, in particular the Constituency Development Funds (CDFs). The EU, together with other donors, meets regularly with the government, commends its fight against corruption and openly discusses the CDF situation. The EU delegation in Fiji will continue to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** A Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific was signed in the margins of the Pacific Islands Forum Leaders' meeting in Apia in September 2017. The EU is currently financing an action on 'Support to initiatives and actions on the protection of children against sexual exploitation and sexual abuse'. The EU has also funded

---

<sup>51</sup> <https://www.ramsi.org/>

projects on women's rights, violence against women, women's empowerment and women's participation. The EU delegation in Fiji continued a close dialogue with the country's CSOs, which are supported by thematic budget lines (EUR 0.6 million from the EIDHR and EUR 1.5 million from the CSO-LA). There are 68 non-governmental organisations (NGOs) currently registered with the Pacific Islands Association of Non-Governmental Organisations.

**5. Multilateral context:** The cooperation of the Solomon Islands with UN agencies is considered satisfactory. The Solomon Islands has completed the second Universal Periodic Review (UPR) cycle in the UN Human Rights Council. The Solomon Islands' next UPR is scheduled for January 2021. Since the country's second UPR in January 2016, the government has enacted a number of national laws related to the protection of human rights, but has been slow in signing and ratifying international human rights treaties.

The Solomon Islands has ratified the 'Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)', the 'International Covenant on Economic, Social and Cultural Rights (CESCR)', the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)' and the 'Convention on the Rights of the Child (CRC)'. The Solomon Islands has signed but not yet ratified the 'Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict (CRC-OP-AC)', the 'Optional Protocol to the Convention on the Rights of the Child on the Sale of Children child prostitution and child pornography (CRC-OP-SC)' and the 'Convention on the Rights of Persons with Disabilities (CRPD)'. The government has not yet signed the 'Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT)' and its Optional Protocol, the 'International Covenant on Civil and Political Rights (ICCPR)', the 'International Convention for the Protection of All Persons from Enforced Disappearance (CED)' and 'International Convention on the Protection of Migrant Workers and Members of their Families (CMW)'.

## Tonga

**1. Overview of the human rights and democracy situation:** Tonga's Constitution, the oldest in the Pacific, provides for the protection of certain fundamental rights and freedoms. International observers acknowledged that the 2017 elections were generally credible, transparent and inclusive. However, there is no full equality of suffrage and not all the seats of the parliament are directly elected. This is not in line with the Universal Declaration of Human Rights, the ICCPR, and other international standards. The level of domestic violence remains a critical human rights issue in Tonga and has been identified by the government as a major impediment to gender equality. Necessary measures have to be taken to effectively implement provisions of the national Family Protection Act of 2013, which recognises domestic violence as a legal offence and provides legal framework for preventing domestic violence. In 2019, the government launched its first gender statistics publication titled 'Gender Equality: Where do we stand?' along with the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019-2025, and the Gender Mainstreaming Handbook. Since 2019, Ministry of Internal Affairs Woman Affairs Division, together with civil society and partners, is leading on developing Tonga's National Service Delivery Protocol for Responding to Gender Based Violence.

While there is no discriminatory legislation concerning participation of women in politics, the traditional system and cultural factors limit participation of women in political processes and local government. Women also face challenges concerning the full enjoyment of economic rights, particularly inheritance and land rights. Ratification of CEDAW by Tonga remains stalled. The legal status of same-sex relationships is not recognised in Tonga and consenting same-sex relationships between adults remain criminalised by the law (there are no reports of the law enforcement). The level of ratification of key Human Rights Conventions remains low. A de facto moratorium on the application of the death penalty is in place since 1982.

**2. EU action - key focus areas:** EU actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core Human Rights Conventions, promoting gender equality and women rights and supporting CSOs engagement with the Government of Tonga on policy dialogue and governance.

**3. EU bilateral political engagement:** The EU bilateral engagement continues to focus on issues discussed in the first high-level Enhanced Political Dialogue under Article 8 of the Cotonou Agreement in Nuku'alofa in April 2017. In the area of human rights, the EU urged Tonga to abolish the death penalty, to ratify (or accede to) the Rome Statute and core Human Rights Conventions, and to decriminalise same sex relations. The EU carried out demarches and outreach activities inviting Tonga to support human rights initiatives and priorities at the UN level.

In the Pacific region, including Tonga, climate change and human rights are closely intertwined. The EU delegation for the Pacific will continue to actively promote climate change awareness.

**4. EU financial engagement:** Tonga is covered under a regional roadmap for CSOs in the Pacific, with the purpose of ensuring a more structured and effective dialogue with CSOs, as well as to intensify the linkages between CSOs, local authorities and the government. EU financial support was devoted to capacity building of CSOs, strengthening CSOs role on advocacy towards gender equality and women's rights and addressing the problem of domestic violence and its impact on families and the development of the society. In November 2018, a Mapping Report on Civil Society Organisations (CSOs) was launched. The conclusions of this mapping provided a range of recommendations aiming at empowerment of the civil society, share information, develop synergies and for the government to consider a CSO project management unit as centralised repository.

The Family Protection Act 2013 became the first legislation to specifically address domestic violence in Tonga. The 'Experiences and Needs of Children and Children with Disability in Tonga' project, aimed at advancement of children's rights, contributed to understanding violence against children and children with disability in Tonga and to improving conditions for children by providing an action-oriented study to serve as a baseline for the government, civil society and the community to develop and implement immediate and long term protection and prevention measures against violence on children. A number of recommendations have been issued, ranging from development of risks and protective factors framework to assessing the long and short term effects of violence on the children; the need for national policies and laws to address violence against children; strengthening rights of children in decision making processes; surveys for awareness and understanding of issue of violence against children in schools; calling the Government of Tonga to ratify the

Convention on the Rights of Persons with Disabilities and making changes to the current domestic policies and practices.

Tonga has remained a focus country under the new regional 'Pacific Partnership to End Violence against Women and Girls' programme, launched in November 2018 and funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. The action is implemented in partnership with the government, CSOs, communities and other partners towards transforming harmful social norms to prevent violence against women and girls, improving access to quality services for survivors of gender-based violence and monitoring and reporting on government's commitments to gender equality and elimination of violence against women and girls. The activities under the programme will address, *inter alia*, working with the states bodies and faith leaders on the development of a national prevention strategy; supporting technical review of the National Policy on Gender and Development 2014-2018; supporting the Women and Children Crisis Centre, supporting awareness and further implementation of the Family Protection Act 2013.

**5. Multilateral context:** Tonga has ratified only two of the core UN Human Rights Conventions - the International Convention on Elimination of All Forms of Racial Discrimination (ICERD) in 1972 and the Convention on the Rights of the Child (CRC) in 1955. Since these ratifications, the government of Tonga has submitted some national reports on ICERD.

UPR recommendations from 2018, which Tonga accepted, include, *inter alia*, improving record of reporting to the UN bodies, establishment of a NHRI, prioritising gender equality and adopting legislative measures to combat discrimination against women. Tonga will examine recommendations to continue efforts to ratify core international human rights treaties, particularly CEDAW, CRPD, CAT, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, to introduce legislation to provide equal protection to vulnerable groups and on all grounds, including sexual orientation, and to formally abolish the death penalty.

The next UPR for Tonga is expected to take place in 2023. Tonga has extended a standing invitation to the special procedures of the UN Human Rights Council. Tonga is not a party to the Rome Statute of the International Criminal Court.

## Tuvalu

**1. Overview of the human rights and democracy situation:** There have been no reports of systematic violation of human rights in Tuvalu in 2019. Phenomena such as violence against women are often accepted as social norms and practices and are deeply rooted in the patriarchal power imbalance. They often remain unreported due to the 'culture of silence'. Tuvalu has a normative framework in place to address violence against women and a Domestic Violence Unit has been established within the police. However, women's rights and gender equality require further improvement, including, *inter alia*, employment discrimination, land inheritance aspects or local governance arrangements. Legislation does not prohibit discrimination based on gender or sexual orientation. Consensual same-sex

relations between men remain criminalised under the Penal Code, although there are no reports of law enforcement.

A Constitutional review, initiated to address the pertaining issues and conducted through a participatory approach, has been facing challenges and is still on-going. The review provides an opportunity to strengthen the protection and enforcement of human rights and fundamental freedoms to ensure alignment with international human rights standards. The government has been reviewing a bill on child protection policy and a policy to protect people with disabilities. Tuvalu held its four-yearly parliamentary election on 9 September 2019 with a large turnout. Political transition was peaceful and orderly.

**2. EU action - key focus areas:** Gender based and domestic violence are among the key human rights' concerns.

Tuvalu is one of the most environmentally fragile countries in the Pacific. An adverse impact of climate change on the ecosystem, sources of livelihoods, infrastructure and, most importantly, the population, is affecting human rights such as, *inter alia*, the rights to life, development, food, health, housing, water and sanitation.

**3. EU bilateral political engagement:** On 26 April 2019, the EU and Tuvalu held their second high-level Enhanced Political Dialogue under Article 8 of the Cotonou Agreement in Funafuti. The parties discussed, *inter alia*, preparation to the general election, progress in the area of human rights, accession to the core Human Rights Conventions and some outstanding human rights issues in Tuvalu, including domestic violence and empowerment of women, as well as the impact of climate change challenges on human rights. Tuvalu's Human Rights National Action Plan 2016-2020, first in the Pacific, was developed with EU co-funding. Areas for political engagement have been further discussed in the bilateral meetings at various levels, including in the margins of the Pacific Islands Forum summit in Tuvalu in August 2019.

The EU carried out demarches and outreach activities inviting Tuvalu to support human rights initiatives and priorities at the UN level.

**4. EU financial engagement:** Awareness-raising and support to civil society and non-state actors were essential elements for the implementation of the regional roadmap for CSOs in the Pacific. One of the focal areas for EU assistance to Tuvalu is environmental protection, more specifically waste management. This assistance is implemented through the 'Sustainable Waste Programme in Tuvalu', in the form of sector budget support of EUR 5.9 million. A complimentary support provides EUR 300,000 for the engagement of civil society, to actively engage in the programme and promote its sustainability, and is currently under tendering process with a foreseen start in mid-2020. The activities aim to encourage participation and involvement from civil society, especially community-based groups, women and youth, in awareness activities, promotion and support of behavioural change. CSOs participation includes involvement in monitoring of the Integrated Waste Action Plan and other national strategic documents. The programme addresses, *inter alia*, limited capacities of CSOs and weak linkages between CSOs and the government in development cooperation.

Tuvalu has become a focus country under the regional programme 'Pacific Partnership to End Violence Against Women and Girls', launched in November 2018 and bringing together governments, CSO, communities and other partners to promote gender equality, prevent violence against women and girls and increase access to quality response services for

survivors. This regional programme is funded primarily by the EU with targeted support from the Australian Government and cost-sharing from UN Women. Tuvalu, in particular, benefits under the components focusing on enhancement of formal in-school and informal education on gender equality and prevention of violence against women and girls, and on empowering national and regional CSOs to advocate, monitor and report on regional institutions and government commitments to enhance gender equality and prevent violence.

**5. Multilateral context:** Tuvalu is a party to three core international human rights instruments: the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD). The recommendation to increase efforts to ratify fundamental human rights treaties, which Tuvalu has accepted, is yet to be implemented.

Recommendations from its third Universal Period Review (from May 2018) focus largely on increase the accession to the core human rights treaties, introducing into legislation, including at constitutional level, of a prohibition against discrimination based on gender, disability and sexual orientation, proceeding with establishment of the national human rights institution, implementing policies aimed at mitigation of the effects of climate change, taking into consideration a focus on human rights, decriminalisation of homosexuality and full implementation of the national Human Rights Action Plan. The next UPR for Tuvalu is scheduled for 2023.

There is limited potential for administrative capacity due to the low population (10,000), and this creates particular constraints with regard to the supplying of regular reports under UN instruments. Tuvalu's report to the CEDAW Committee is due since March 2019.

Tuvalu has extended a standing invitation to the special procedures of the UN Human Rights Council and in September 2019 received the visit of the Special Rapporteur on Cultural Rights. Tuvalu is not a party to the Rome Statute of the International Criminal Court.

## Vanuatu

**1. Overview of the human rights and democracy situation:** Vanuatu holds regular democratic elections, but suffers from a pattern of unstable coalition governments that do not complete their full terms. Corruption continues to be a problem, but the independent judiciary is balancing the situation. Legislative frameworks are in place in Vanuatu for the implementation of the human rights instruments to which the country is a party. Enforcement mechanisms are often missing and implementation is therefore hampered – especially in outer lying remote islands. The lack of technical, human and economic capacity within public institutions also contributes to this. During 2019, discrimination and violence against women remained the most significant human rights concern in Vanuatu. Although Vanuatu ratified the 'Convention on the Elimination of All forms of Discrimination against Women (CEDAW)' in 1995, the Convention has not yet been fully incorporated into domestic legislation. Although no laws limit participation of women and/or members of minorities in the political process, traditional attitudes regarding male dominance and customary familial

roles have hampered women's participation in political life. While the percentage of women in Pacific parliaments currently hovers at 7.2%, no women serve in Vanuatu's current 52-member parliament. Attempts for constitutional reforms allowing for greater participation of women in politics have not been successful so far.

In 2019, Vanuatu was reported - for the first time ever - as a country of destination for victims of trafficking. Authorities identified over one hundred male victims of forced labour of Bangladeshi origin in construction and administration allegedly employed by the same company. Vanuatu's government refusal to reconsider the job's permit refusal of the editor of the local newspaper 'Daily Post', Dan McGarry, raised concerns as regards the freedom of press. In July 2019, the arrest and deportation of six Chinese citizens following the request of Chinese authorities – four of whom held Vanuatu passports – raised issues as regards the rights to due process. Climate change has also become a serious human rights issue in Vanuatu.

**2. EU action - key focus areas:** The EU's priority is the establishment of a fully-fledged National Human Rights Institution in accordance with the Paris Principles (to guarantee the equality of women and girls and persons with disabilities) and the signature and ratification of the 'Optional Protocol to the Convention Against Torture'.

EU actions also focus on supporting the ratification of or accession to the remaining core human rights conventions and on promoting gender equality and women rights.

**3. EU bilateral political engagement:** The fifth High Level Enhanced EU-Vanuatu political dialogue under Article 8 of the Cotonou Agreement was held in Port Vila on 15 April 2019. The parties discussed human rights matters including Vanuatu's political parties reform package, implementation of third UPR recommendations to Vanuatu, ratification and accession to human rights instruments, establishment of a National Human Rights Institution, and policies related to gender equality and gender-based violence.

Following the closure of the EU delegation in the Solomon Islands in August 2018, the EU delegation in Fiji is responsible for the EU cooperation with Vanuatu. The EU delegation in Fiji continued to actively promote climate change awareness. In the Pacific region, climate change and human rights are closely intertwined.

**4. EU financial engagement:** The Regional Financing Agreement worth EUR 13 million to tackle the root causes of gender inequality and violence against women and girls in the Pacific, signed in the margins of the Pacific Islands Forum Leaders' meeting in Apia in September 2017, continued to be implemented.

Awareness-raising and support to civil society and non-state actors were essential element for the implementation of the regional roadmap for CSOs in the Pacific. To this purpose, the EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11<sup>th</sup> EDF, a specific financial allocation has been set aside for CSOs (EUR 1 million).

In 2019, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), with rural development as a focal sector. Agricultural activities can play an important role in stimulating growth, creating jobs and improving livelihoods in rural areas. They can help fight poverty in Vanuatu and limit urban drift and other undesirable consequences, such as urban unemployment, drugs use and violence.

**5. Multilateral context:** Vanuatu's cooperation with UN agencies is considered satisfactory. The country successfully completed its third UPR in January 2019. Vanuatu supported recommendations regarding the establishment of a National Human Rights Institution compliant with the Paris Principles and the prevention of discrimination and violence against women and girls. Its next UPR is scheduled to take place in 2024.

Vanuatu is a party to five of the core international human rights instruments: the 'Convention against Torture (CAT)', the 'International Covenant on Civil and Political Rights (CCPR)', the 'Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)', the 'Convention on the Rights of Persons with Disabilities (CRPD)', and the 'Convention on the Rights of the Child (CRC)' and its two Optional Protocols – on the involvement of Children in Armed Conflict (CRC-OP-AC) and on the Sale of Children child prostitution and child pornography (CRC-OP-SC). Vanuatu is a party to the Rome Statute of the International Criminal Court, and has accepted the individual complaints procedure of the CEDAW Committee.

Vanuatu is a signatory to the 'Convention for the Protection of All Persons from Enforced Disappearance (CED)', although it has not yet ratified it.

Vanuatu is yet to accede to the 'International Convention on the Elimination of All Forms of Racial Discrimination (CERD)', the 'International Covenant on Economic, Social and Cultural Rights (CESCR)', and the 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)'.

Vanuatu is in line with its reporting obligations as regards the CRPC and CRC Committees, although it has reports due to the Committees of the CCPR and CAT since 2010 and 2012, respectively.

Vanuatu has extended a standing invitation to the Special Procedures of the UN Human Rights Council and is responsive to visit requests by Special Rapporteurs.

## The Americas

### Belize

**1. Overview of the human rights and democracy situation:** A major highlight and a positive development for Belize in 2019 was the much anticipated referendum that approved bringing the long-standing border dispute between Belize and Guatemala to the International Court in The Hague for final settlement. Other developments included the ruling by the Belize Court of Appeal on 30 December 2019 that confirmation the 2016 ruling that the law, which criminalises same-sex intercourse is unconstitutional and a violation of the freedom of expression guaranteed under the Constitution of Belize. The Court of Appeal's ruling represents an important milestone for the rights of LGBTI persons and human rights in general in Belize.

High levels of crime remain a concern. According to the UN Office on Drugs and Crime, Belize has the fifth highest homicide rate in the world. Gang violence and crime associated with drug trafficking remain a challenge for Belize. Belize Police Department data indicating fewer

murders (134) in 2019 than in the previous year (143) is encouraging. Belize was not ranked on the Transparency International's Corruption Perception Index for the 10th consecutive year because of an absence of data. Media reports have suggested that corruption remains a major problem for the authorities. The IMF has urged the authorities to pursue structural reforms to fight corruption, crime and other challenges in order to promote inclusive economic growth.

**2. EU action – key focus areas:** The EU has consistently supported a peaceful and mutually agreeable solution to the long lasting border dispute between Guatemala and Belize, both politically and financially. Likewise, through a combination of political and human rights dialogues, awareness-raising activities and financial assistance, the EU continues to support efforts to address discrimination and violence including sexual violence in Belize.

**3. EU bilateral political engagement:** Human rights issues are brought up in formal as well as informal meetings with government officials and civil society. A formal political dialogue was held in September 2019 at which the EU continued to advocate in favour of abolition of the death penalty and raised other human rights topics including the rights of children, women and the rights of LGBTI persons.

**4. EU financial engagement:** Belize is among the countries in the Caribbean set to benefit from the Spotlight Initiative to end gender-based violence; the sum of EUR 3 million has been approved for Belize. In addition, the EU delegation through the European Instrument for Democracy and Human Rights (EIDHR) is supporting civil society organisations including the Young Women's Christian Association (YWCA) to educate vulnerable women and girls about human rights and to equip them to protect themselves. Under the EIDHR, funding has also been provided to UNICEF for a project aimed at changing social norms to end violence against girls and boys. Support has been provided to the NGO Humana People to People Belize (HPPB) to advance its work with immigrants, indigenous communities (Mayan), persons with disabilities and undocumented persons.

**5. Multilateral context:** Belize underwent the last Universal Periodic Review (UPR) in the framework of the UN Human Rights Council in November 2018. The next UPR is expected in 2023.

## United States of America

**1. Overview of the human rights and democracy situation:** In 2019, the main human rights related issues in the US included the death penalty, the use of the detention facility in Guantanamo, the protection of the rights of migrants and refugees, and the prioritisation of religious freedom over other rights such as the rights of LGBTI persons and women's rights.

While the US has continued its disengagement on human rights issues at multilateral fora, and notably at the UN, the administration has been particularly active targeting select human rights abusers around the world through restrictive measures and setting up parallel multilateral-type mechanism on preferred human rights topics (such as freedom of religion or belief), outside the established UN structures. The creation of a Commission on

Unalienable Rights to review the role of human rights in US foreign policy has worried human rights groups. The reason is that it could inject US 'cultural relativism' that could undermine the universality of human rights and represent a setback for a number of rights, including the rights of LGBTI persons, women's rights and economic, social and cultural rights, and for the US international human rights commitments in general.

As regards abolition of the death penalty, the overall trend was positive with significant advances at state level: New Hampshire became the 21st state to abolish the death penalty in May, Governor Gavin Newsom of California declared a moratorium, and republican support advanced legislations in several states, including Wyoming, Colorado and Nevada. Executions and new death sentences remained near historic lows for the fifth consecutive year, with 22 executions in 2019 (down from 25 in 2018 and 23 in 2017), and 35 new death sentences (down from 41 last year). However, the Department of Justice announced in July the resumption of executions at federal level, although a court temporarily blocked the executions from happening because of concerns with the lethal injection protocol. Public support for the death penalty remains steady, at 56%, however, for the first time a majority of Americans (60%) believe that life in prison without parole is a better option for punishing convicted murderers than the death penalty.

Since President Trump revoked the 2009 Executive Order on the closure of the detention facilities at US Naval Station Guantánamo Bay in 2018, the facility remains open but without changes in the number of detainees (40 inmates remained in detention, including 5 cleared for release and 26 not charged with a crime). In March, the State Department announced that the US will implement a policy of visa restrictions on individuals directly responsible for any International Criminal Court (ICC) investigations on US personnel. The visa restrictions are also intended to deter ICC efforts to pursue allied personnel, including Israelis, without their consent, and the US has threatened additional measures if the ICC does not change its course.

In 2019, the administration introduced several changes to the US migration and asylum system aimed at curbing the influx of migrants and asylum seekers arriving at the US southern border. These include the adoption of the Migrant Protection Protocols (MPP) forcing asylum seekers to wait in Mexico for the duration of their legal proceedings in the US, bilateral agreements with Central American countries resembling 'safe third-country' agreements, and expedited removal proceedings. Poor conditions in detention centres, including overcrowding and lack of proper food and hygiene in facilities holding children, were extensively reported in the media. Moreover, negative narrative about migrants has contributed to unwelcoming attitudes towards migrants and asylum seekers, and migrant human rights groups. New historically low annual cap of 18,000 individuals was set for the US refugee resettlement program in 2020. At the same time, negative rhetoric against journalists and media outlets is undermining public trust.

The US focus on protecting religious freedom has had a negative impact on the rights of LGBTI persons and their access to services, as well as on sexual and reproductive health and rights (SRHR). In this regard, the administration rejects previously agreed language on SRHR in multilateral fora and expanded the so-called Global Gag Rule/Mexico City Policy, which requires US NGOs to ensure that foreign NGOs receiving any funding from them do not engage in abortion-related activities. In an attempt to challenge *Roe vs Wade*, the US

Supreme Court ruling that protects abortion rights, many US states have passed so-called 'heartbeats bills' that seek to restrict abortion and impose disproportionate sentences on women and healthcare professionals. At the same time, the administration is seeking to roll back protections for LGBTI persons put in place by the Obama administration, impacting access of LGBTI persons to healthcare, housing, adoption and other services.

**2. EU action - key focus areas:** The European Union remains the most engaged international actor on the abolition of the death penalty in the United States with the active support of Member States embassies and consulates across the country. The EU made 6 demarches in death penalty cases in 2019 (down from 7 in 2018) mostly in Texas and Tennessee, as well as three interventions to Governors unrelated to individual cases, including congratulating Governor Gavin Newsom for declaring a moratorium on executions in California. The EU also organised a fact finding mission on the use of the death penalty to Carlson City and Reno, Nevada, in May 2019 with a group of 10 human rights counsellors from 6 Member States, the EU delegation, Norway, Iceland and Switzerland to meet with local authorities, legislators, academia and NGOs. On the World and Europe Day Against the Death Penalty, the Head of the EU Delegation to the United States, Ambassador Stavros Lambrinidis, gave a keynote speech at an event in the Vatican embassy and participated in the EU delegation's event at the American University. The event featured the screening of the documentary 'In the Executioner's Shadow' and a panel discussion with the director and producer of the film, and several of the individuals whose personal stories appeared in the movie, including the mother of a murder victim and a former executioner.

The EU delegation highlighted the EU's commitment to equality and non-discrimination of LGBTI persons through official participation, for the first time, in the Capital Pride Parade in June, together with a number of Member States, through the organisation of a panel discussion entitled 'LGBT+ Entrepreneurship: A Transatlantic Conversation' and a reception honouring the 2019 Front Line Defenders awardees for their work advancing the rights of LGBTI persons around the world.

The EU delegation sought to elevate the profile of the EU as a supporter of women's rights by hosting the launch of the annual report of UNFPA, by organising an exhibition featuring photographs of women around the world by an acclaimed Romanian photographer, and by highlighting women's rights at an event co-organised with the embassy of the Netherlands to mark International Human Rights Day on 10 December where the Head of the EU Delegation, Stavros Lambrinidis, spoke together with Afghan Ambassador Roya Rahmani.

The EU Special Representative for Human Rights, Eamon Gilmore, conducted his first working visit to the US in July 2019 and had meetings with the White House, the State Department, as well as with think tanks and civil society. His visit provided an opportunity to assess developments in the US as perceived by civil society, and to explore synergies with the administration, while also conveying EU concerns on some aspects of US policy. In December, the EU and the US relaunched the human rights consultations in Brussels, reaffirming their strong commitment to democratic principles and human rights.

## Antigua and Barbuda

**1. Overview of the human rights and democracy situation:** Antigua and Barbuda is a parliamentary democracy, where fundamental freedoms are generally respected. Antigua and Barbuda retains the death penalty although it has a 'de facto moratorium' as no executions have been carried out since 1991. The country's legislation still allows corporal punishment of children as a disciplinary tool in schools but the government continues to promote better educational standards and enhance the rights of the child through the Child-Friendly Schools initiative. Domestic violence and child abuse are prevalent. The country's only prison continues to suffer from overcrowding. Same-sex sexual activity remains illegal and members of the LGBTI community continue to face violence, social stigma and discrimination in a variety of settings, including access to healthcare or the labour market. LGBTI teenagers evicted by their families make up a considerable part of the homeless youth.

Following the passage of Hurricane Irma in September 2017, which completely devastated Barbuda, its population of nearly 1,700 persons, had to be evacuated mainly to Antigua. In its efforts to boost development, particularly investment and tourism, the government continued in 2019 to challenge the longstanding scheme of communal land rights in Barbuda, amid growing opposition by former residents.

## **2. EU action - key focus areas:**

- **Rights of LGBTI persons:** Antigua and Barbuda is one of the Caribbean countries where the possibility of repealing discriminatory laws towards LGBTI community is at least being discussed openly. There have been LGBTI sensitivity trainings for police officers through civil society groups to reinforce the principles of community policing, human rights, professionalism, ethics, and their practical application vis-a-vis the LGBTI community. There are also active civil society groups in the region, including the Eastern Caribbean Alliance for Diversity and Equality (ECADE), an umbrella body for human rights groups within the Eastern Caribbean. It serves as a regional hub for the coordination of trainings, strategy meetings, and thematic conferences.
- **Child Abuse:** Corporal punishment of children is lawful at home, day care settings, schools and penal institutions. In 2019, the government continued to promote better educational quality standards and enhance the rights of the child, including the implementation of the UNICEF Child-Friendly Schools initiative. However, no other specific actions were taken to prohibit all corporal punishment of children, as recommended in the 2016 Universal Periodic Review (UPR).
- **Gender Violence:** A Sexual Violence Model Court was set up in January 2019 to introduce specialised procedures to remedy the deficiencies in the handling of sexual offences.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Antigua and Barbuda's public authorities and stakeholders, civil society organisations as well as the media. Formal political dialogues are held in the context of CARIFORUM. The last political dialogue with CARIFORUM was held in November 2018.

**4. EU financial engagement:** Antigua and Barbuda, as part of the Eastern Caribbean sub-region, benefits from EU assistance under the European Instrument for Democracy and Human Rights and the Civil Society Organisations programme. One of those projects, aiming to increase employment opportunities for at-risk and incarcerated youth in Antigua and Barbuda, and reducing recidivism among them through vocational training, job placements, diversion and re-entry programmes (worth approximately EUR 350,000) came to an end in early 2019.

Two projects (each worth EUR 400,000) which have started in February 2018 (one under the CSO-Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes, and another under the EIDHR-Programme, which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty) are targeting all countries that were eligible under the last respective calls for proposals (of 2017), and as such will also be implemented in Antigua and Barbuda.

A new project on discrimination of LGBTI citizens and child abuse in Antigua and Barbuda was contracted in December 2019 (worth approximately EUR 375,000).

Last but not least, the country benefits indirectly from regional outreach and best practices developed by projects that were being implemented in neighbouring countries, especially in the area of domestic violence (e.g. a pro-social game intervention that was made available to education settings across the region to facilitate attitude and behaviour change; research findings; guidelines for Domestic Violence Acts and/or action plans and harmonised protocols for reporting for key stakeholders etc.).

**5. Multilateral context:** On 9 May 2016, Antigua and Barbuda was reviewed under the UPR of the UN Human Rights Council. The government rejected recommendations to establish a formal moratorium on the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, with a view to abolishing capital punishment both in practice and in law. Antigua and Barbuda has a de facto moratorium and the last execution was in 1991. By the end of 2019, there was no person in the death row.

## Canada

**1. Overview of the human rights and democracy situation:** Canada's human rights protection framework remains one of the most robust worldwide, with solid basis in place at all levels. The current government has engaged continuously on human rights, both abroad, especially through its feminist foreign policy and global initiatives, and at home, where it has committed to the reconciliation process with Indigenous peoples. Indigenous populations in Canada nevertheless continue to face social disparities, including disproportionate incarceration numbers, higher unemployment rates, lower levels of education and higher number of health issues.

**2. EU action – key focus areas:** Promoting principles of gender equality and women's empowerment is one of the key focus areas of the EU delegation to Canada through a number of activities and projects (notably with FPI funding). The We Empower project

managed by UN Women in G7 countries conducted a series of events in Canada with the direct involvement of the EU delegation (International Women's Day, Women Deliver (with the participation of the EU's principal advisor on gender), webinars on women in trade, etc). Other events involving youth, notably with Oxfam Quebec, also had gender as a focal issue. Finally, the EU delegation participated in events organised by EU Member States putting a spotlight on women entrepreneurs and women human rights defenders.

The Chargé d'Affaires engaged with young activists working on two projects funded by the FPI and managed by the Goethe Institute and Oxfam Quebec. These projects established trans-Atlantic dialogues between youths in Europe and Canada to foster people-to-people exchanges and offer them a forum to discuss and find solutions to a wide range of issues they face on a daily basis and with links to human rights, such as gender issues, democracy, education, health etc.

Indigenous rights remains an area of focus of the EU delegation in its exchanges with Canadian counterparts, notably with regard to the implementation of UNDRIP. Indigenous issues were also raised by the Amplify project with Oxfam Quebec, highlighted above.

In an effort to promote people-to-people knowledge and exchanges, the EU delegation, together with the embassies of Sweden and Finland selected three Sami youth and one Sami supervisor to participate in the Students on Ice expedition in the Canadian north, giving them a chance to learn about living conditions of indigenous populations in the Canadian north, while also raising awareness of their own culture.

**3. EU bilateral political engagement:** EU and Canadian leaders reaffirmed their principled stand to promote and protect human rights and fundamental freedoms at all levels during the Canada-EU Summit in Montreal in July 2019. As part of their commitment to protecting and reforming the rules-based international order, Canada and the EU reiterated their engagement to advance democratic principles, to support the International Criminal Court, and implement the Beijing Platform for Action. Their shared engagement also extends to the full implementation of the Women, Peace and Security (WPS) agenda with respective WPS Ambassadors working closely together.

The leaders also agreed that the Strategic Partnership Agreement (SPA) gives Canada and the EU a good platform for cooperation on issues of common interest such as human rights.

The EU and Canada conducted bilateral consultations both in Brussels and in Ottawa following the detention of Canadian citizens (Michael Spavor and Michael Kovrig) in China. The EU delegation, through the Head of the EU Delegation, also developed regular contacts with the families of Michael Kovrig. EU representatives raised the plight of these two Canadian citizens regularly in encounters with Chinese counterparts.

The EU delegation met with Yonah Diamond, a human rights lawyer and defender, Legal Counsel for the Raoul Wallenberg Centre for Human Rights, who works to free prisoners of conscience, such as Sakharov Prize laureate Raif Badawi. He took part in the 2019 edition of the Sakharov Fellowship for human rights defenders on 1-13 April. The two-week programme offered every year by the European Parliament to 14 human rights defenders

from around the world aims to help them learn more about EU human rights policies and to enhance their capacity to advocate for human rights.

**4. EU financial engagement:** FPI funding has been crucial in supporting the EU delegation's involvement in the area of human rights:

- The Partnership Instrument WE EMPOWER Project continues to promote EU's values of gender equality, notably with the participation of the EU's principal advisor on gender in the Women Deliver Conference in Vancouver where she shared the EU's perspective on 'Women in the 21st century workplace'.
- The Transatlantic Dialogues (Goethe Institute) and the Amplify Youth Voices (Oxfam Quebec) projects, both financed by the FPI, offer young activists in Europe and Canada the opportunity to work together to learn, collaborate and engage, while coming up with policy proposals.
- The Head of the EU Delegation participated in various high profile and business related events, highlighting EU gender policies as well as the importance of gender considerations during trade, in light of CETA.

**5. Multilateral context:** The EU has played an active role in the G7 Rapid Response Mechanism (RRM) established under the Canadian G7 Presidency in 2018. The RRM is aimed at defending democracy from foreign threats and supporting the integrity of democratic societies around the globe.

## Commonwealth of Dominica

**1. Overview of the human rights and democracy situation:** Dominica is a stable parliamentary democracy and civil liberties are generally upheld. The country retains the death penalty but has a de facto moratorium (last execution was in 1986). Domestic violence, corporal punishment and child abuse remain a challenge. Discrimination of LGBTI persons is mainly due to the criminalisation of buggery, but also due to the historic and cultural stigma associated with homophobia in the country. Another major challenge is the judicial backlog. Dominica is the only country in the Eastern Caribbean to have an indigenous Amerindian community. General elections were held in December 2019 and were considered by international observers as credible, transparent and inclusive, although they reiterated the call for an electoral reform, to increase the transparency and accountability of the electoral system.

**2. EU action - key focus areas:**

- **Death penalty:** The death penalty remains on the books in Dominica, even though the last execution was in 1986. The country has 'de facto moratorium'.
- **Gender-based violence and child abuse:** Incidences of gender-based violence and child abuse remain pervasive in Dominica. Corporal punishment is still legal but the government continues to promote better educational standards to enhance the rights of the child.

- The rights of persons belonging to minorities: Dominica is home to the largest indigenous Carib (officially referred to as Kalinago) population in the Eastern Caribbean, estimated at 3,500 persons. Their rights are protected by law and Kalinagos actively participate in decision-making that directly affects them. In August 2019, the Kalinagos elected their Chief and the six-member Council that will assist the Chief. Despite improvements, the Kalinago people continue to experience some societal discrimination and economic hurdles.
- Rights of LGBTI persons: Consensual same-sex sexual activity for both sexes remains illegal. Strong societal and employment discrimination against LGBTI persons due to their real or perceived sexual orientation or gender identity is common. Many LGBTI youths are homeless, as families often not accept and evict their LGBTI offspring, thus making them further vulnerable. In trend with other Caribbean Countries, a case challenging the country's law that criminalises buggery and other sexual activity between same sex consenting partners has been filed in the High Court of Justice in July 2019.

**3. EU bilateral political engagement:** The EU delegation has regular contacts with political authorities, civil society, including the media on human rights issues. The formal political dialogue with Dominica is carried out within the CARIFORUM setup. Specific demarches regarding human rights are carried out in the context of annual UN General Assembly meetings.

**4. EU financial engagement:** Dominica, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights and the Civil Society Organisations Programme. Of those projects, none is centred in the country or has a local (co-) implementer from Dominica. However, two projects (one under the CSO-Programme to fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes, and another under the EIDHR-Programme which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty) are targeting the eligible countries under the last respective calls for proposals, and as such will also be implemented in Dominica. Each programme is worth approximately EUR 400,000.

Last but not least, the country benefits indirectly from regional outreach and best practices developed by projects that were being implemented in neighbouring countries, especially in the area of domestic violence (e.g. a pro-social game intervention that was made available to education settings across the region to facilitate attitude and behaviour change; research findings; guidelines for Domestic Violence Acts and/or action plans and harmonised protocols for reporting for key stakeholders etc.).

**5. Multilateral context:** Dominica's third Universal Periodic Review (UPR) took place in May 2019. During the review, 52 States including 10 EU Member States, made recommendations. The recommendations and concerns of EU Member States concerned largely the issues of the ratification of international human rights instruments; the elimination of discrimination against women, gender-based violence; the elimination of discrimination based on sexual orientation and gender identity; abolishing the death penalty; prohibiting corporal

punishment of children and combating other forms of child abuse; protecting freedom of expression; protecting the rights of persons belonging to minorities and indigenous peoples (Kalinagos).

The EU delegation carried out formal demarches on human rights issues in the context of the 74th session of the UNGA Third Committee. EU Member States are involved in the demarches where possible and they also convey human rights related messages bilaterally. Joint approaches are agreed at the biannual EU Heads of Mission meetings in the region.

## The Bahamas

**1. Overview of the human rights and democracy situation:** The Commonwealth of The Bahamas has a long-standing and stable democracy with regular and peaceful political alternation. The last general election was held in May 2017 with the next due by May 2022. The Government of The Bahamas has signed most of the core international human rights conventions or optional protocols. However, after two failed referenda, concern remains about discrimination against women in issues relating to the transfer of citizenship and nationality. The Constitution does not accord the same privileges to Bahamian women as the ones it granted to Bahamian men in respect of the transfer of nationality from parent to children and to the award of nationality to foreign born spouses. In addition, Hurricane Dorian amplified concerns relating to statelessness and how such persons are treated during humanitarian crises. Hundreds of Haitian migrants were deported from The Bahamas in the aftermath of the hurricane under the country's strict immigration policy.

The Government has announced that Nationality, Immigration and Asylum Bill drafted in 2018, which addresses the long-standing problem of statelessness and the rights of Bahamians to pass on their citizenship, will be debated in parliament in 2020.

**2. EU action – key focus areas:** The EU together with the UN has paid close attention to the situation of undocumented migrants of predominantly Haitian origin, who were facing threat of deportation as the government decided to apply its immigration policy laws in the aftermath of Hurricane Dorian. The EU delegation, EU Member States and other members of the diplomatic community were heavily engaged in assessing the situation of Haitian migrants in the Bahamas and in particular their treatment in the context of a humanitarian crisis. The issue was also addressed on the occasion of the visit of Prime Minister Dr Hubert Minnis to the EU institutions in November 2019.

**3. EU bilateral political engagement:** The opening of the Bahamas Embassy in Brussels in 2019 testifies to the strong relationship that exists between the Bahamas and the European Union. Regular talks are held with the government on a range of issues including the matter of taxation.

**4. EU financial engagement:** The Bahamas is classified as a high-income country, consequently, it no longer benefits from bilateral financing from the EU and by extension, the 11<sup>th</sup> European Development Fund (EDF). However, based on the country's membership

in the ACP and CARICOM grouping, it is eligible to benefit from funds through the Caribbean Facility established via the Cotonou Agreement.

**5. Multilateral context:** The most recent Universal Periodic Review for The Bahamas took place in January 2018. The mid-term review is due in July 2020.

At the 172nd session of the Inter American Commission on Human Rights in May 2019, the matter of citizenship and the treatment of migrants and their descendants was raised.

## Barbados

**1. Overview of the human rights and democracy situation:** Barbados is a multiparty parliamentary democracy that upholds civil liberties and fundamental freedoms. There are however, some discriminatory legal provisions that have not been changed since Independence: buggery is still illegal, and corporal punishment remains within the law, although such laws are not strictly enforced. Activists report that discrimination, stigma and violence against LGBTI persons persist. Gender-based violence remains a problem. Judicial backlog in criminal cases (over 1000) remains a challenge, with over fifty percent of the prison population on remand.

Multiple attempts to pass legislation aimed at repealing the 'mandatory' death penalty succeeded eventually, when the Constitution (Amendment) Act was adopted on 4 April 2019.

### 2. EU action - key focus areas:

- Death Penalty: Barbados continues to retain the death penalty although no executions have taken place since 1984.
- Child abuse, especially cases of neglect and physical abuse remain a problem in Barbados. Although corporal punishment was barred in prisons, it continues to be legal in schools.
- Violence against women: Civil society groups continue to report that rape and violence against women remain a problem. The police is generally responsive to complaints, but shame and fear of reprisal often deter victims from seeking assistance.
- Rights of LGBTI persons: Despite some positive steps (e.g. second Pride Parade held without violence in 2019), homophobia is still a concern. 'Buggery' remains an offence under the laws, and it is liable of conviction to imprisonment for life – the harshest penalty for such an offence in the Western hemisphere. In trend with other Caribbean Countries, three Barbadians, challenged sections 9 and 12 of the Sexual Offences Act, which criminalise all forms of same-sex intimacy.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Barbados authorities, civil society organisations as well as the media. Formal political dialogues are held in the context of CARIFORUM. The last political dialogue with CARIFORUM was held in November 2018.

**4. EU financial engagement:** Barbados, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights and the Civil Society Organisations Programme. Most of the projects (worth between approx. EUR 280,000 and EUR 400,000) either have/had their 'centres of gravity' in Barbados, or were/are targeting the country with some of their activities or as part of a regional outreach. The projects focus on a variety of issues, including: the fight against the death penalty, domestic violence and marginalisation, discrimination and exclusion of LGBTI citizens; advancing the inclusion of persons with disabilities in the labour market; strengthening social protection programmes for the poor and vulnerable; promoting social enterprise methodologies among CSOs, enhancing their overall advocacy skills and using the media for effective communication.

**5. Multilateral context:** The EU delegation carried out formal demarches on human rights issues in the context of the 74<sup>th</sup> session of the UNGA Third Committee. EU Member States are involved in the demarches when and where possible. EU Member States also conveyed human rights related messages in bilateral context. Joint approaches are agreed at the biannual EU Heads of Mission meetings in the region.

## Republic of Costa Rica

**1. Overview of the human rights and democracy situation:** As leading advocates of multilateralism, Costa Rica and the EU are aligned in international fora on the protection and promotion of human rights, international law, and democracy. While Costa Rica has a rather advanced regulatory framework and public policies for the protection and promotion of human rights, growing inequality threaten the achievements of the past decades. The other challenge that needs urgent action and collective response is the migration situation.

In 2019, the government announced the creation of a Regional Commission against Homophobia; a human-rights based reform to the General Law on HIV-AIDS was approved; a participative and intercultural elaboration of public policy for indigenous peoples 2019-2024 took place; 'the Law for the Promotion of Cooperation and Judicial Assistance with the International Criminal Court' entered into force; the 'Compromiso de San Jose' was adopted by nine Latin American and Caribbean countries to guarantee the rights of Afro-descendant populations; and Former Vice President of Costa Rica, Ms Elizabeth Odio, was elected as President of the Inter-American Court of Human Rights.

**2. EU action - key focus areas:** EU activities have demonstrated the strong EU partnership with Costa Rica on human rights. The EU delegation has advocated for the protection of the international human rights system and the upholding of the rights of vulnerable groups such as LGBTI persons, women and migrants.

**3. EU bilateral political engagement:** The awarding ceremony of the Gender Equality Prize took place in March 2019 – a common effort of the EU and its Member States. The reception of the first edition went beyond expectations. Attracting more than 30 formal applications, the candidates covered an impressive variety of gender equality/women's rights issues. In September 2019 a second round of the prize was launched.

In November, the EU delegation commemorated the International Day for the Elimination of Violence against Women and Girls in a meeting of the EU delegation with gender experts from different sectors of the society and the government. In addition, visibility was given to the LGBTI agenda with the inauguration of the retrospective photographic exhibition celebrating 10 years of the Pride Parade in the Costa Rican Art Museum as well as the participation in the 10th Pride Parade (on 23 June) together with the diplomatic community.

Particular attention was given to migration, including regular contacts with the Ministry of Foreign Affairs, the UN, the UN High Commissioner for Refugees and the International Migration Organisation. The EU delegation organised a two-day field visit to the new UNCHR centre in Upala, meeting with NGOs and Nicaraguan refugees.

**4. EU financial engagement:** The EU continued to implement a number of cooperation projects with a strong human rights component. The project launched in 2017 under the Latin American Investment Facility related to the penitentiary and judiciary systems continued to address the strengthening of restorative justice. More specifically, it seeks to promote dialogue, reparations for damages and social reintegration. Through awareness-raising and peer-to-peer knowledge-sharing between the three countries' judicial systems (Costa Rica, Mexico and Colombia). Women and indigenous peoples are a key focus of this project, which has yielded positive results, above all in championing human rights and the rights of indigenous peoples.

Moreover, the EU call for proposals for human rights and strengthening of civil society was launched on 2 April 2019 with financial support from the EIDHR and the Civil Society Organisations Programme (total amount exceeding EUR 1 million).

**5. Multilateral context:** Costa Rica remains a committed, active and constructive partner in the UN Human Rights Council and in all matters relating to human rights and international humanitarian law in the UN General Assembly and other multilateral fora. In May 2019, Costa Rica went through its third Universal Period Review. Although there have been significant improvements, especially in the area of the rights of LGBTI persons and the creation of a General Indigenous Peoples Consultation Mechanism, weakness in the implementation of existing instruments, such as the Convention on the Rights of Persons with Disabilities (further steps should be taken in order to respect the rights of persons with mental health conditions and psychosocial disabilities) or the mechanism for follow-up to the Convention on the Rights of Persons with Disabilities, (which is currently suspended) remains an issue. The five main challenges that Costa Rica needs to work on are women's rights (sexual and reproductive health and rights, violence against women); children's rights (child labour and dropout rates); racial discrimination (notably Afro-descendants and indigenous peoples); human trafficking; and the rights of migrants and refugees.

In October 2019, Costa Rica presented its candidature to the Human Rights Council to impede Venezuela to occupy the seat. Costa Rica maintains its candidature for 2022.

## Republic of Cuba

**1. Overview of the human rights and democracy situation:** A new Cuban constitution was approved by referendum in February. While a public consultation process preceded the poll, proponents of a 'no vote' or abstention were kept out of the public debate or official media and discredited by the government. The new constitution contains some noteworthy changes, including the principles of habeas corpus and presumption of innocence, but many of the changes still require secondary legislation. The new Constitution retains the current socialist one-party system and describes the role of the Communist Party of Cuba (PCC) as 'the leading force of society and of the State'.

In 2019, freedom of expression, association and assembly continued to be subject to important restrictions with reports of numerous arbitrary arrests, as well as the jailing of a number of Amnesty International-designated prisoners of conscience, including prominent dissident leader José Daniel Ferrer. Political activists, human rights defenders and independent journalists continue to face restrictions on domestic and foreign travel. In recent months, there has been a trend to put political activists and human rights defenders under house arrest or prevented them from leaving their homes. The approval of decree 370/2018 'on the digitalisation of Cuban society' has raised the concern that it could be used to restrict independent media.

Cuba maintains a broadly positive track record on economic and social rights, particularly in health and education, but universal coverage is steadily eroded by financial shortages, economic inefficiencies and the impact of the US embargo, which has been further strengthened under the current US administration. 3G internet services became operational in Cuba from December 2018, thereby fostering citizens' access to information and leading to an explosion of 'citizens' reporting' on social media. Traditionally Cuba has a strong policy focus on non-discrimination and gender equality, but the government recently admitted that racist attitudes, as well as gender violence continue to be serious issues.

## **2. EU action - key focus areas:**

- Support to human rights defenders;
- Monitoring and follow-up on cases of violation of freedom of association, peaceful assembly and freedom of expression, including artistic expression;
- Support for the promotion of economic rights, and in particular to the emergence of the private sector;
- Support to the promotion of women's rights and gender equality;
- Support for abolition of the death penalty.

**3. EU bilateral political engagement:** On 3 October 2019, the EU and Cuba held the second formal high-level human rights dialogue established under the Political Dialogue and Cooperation Agreement (PDCA). The talks reconfirmed the wish of the EU and Cuba to deepen dialogue and understanding in the area of human rights, with a view to developing concrete cooperation to attain the objectives of the EU-Cuba partnership. Discussions concentrated on issues such as freedom of expression and access to information offline and online; citizen's right to participate in the conduct of public affairs, freedom of association, expressing their views and participating in public life; the rights of vulnerable groups, the promotion of gender equality and respective policies to fight against gender-based violence. The dialogue was preceded by a civil society seminar, where representatives of Cuban and

European civil society organisations exchanged views on the combat against gender-based violence. In 2019, the EU drafted a Gender Action Plan for Cuba, which is now being implemented. The EU and its Member States also organised a number of activities around the International Day for the Elimination of Violence against Women and the International Women's Day, and finance various projects or initiatives that promote equal opportunities including in the area of gender equality. The EU and its Member States were in regular contact with human rights defenders and other representatives of independent civil society, and continued supporting independent journalism and alternative online media in the country.

**4. EU financial engagement:** All cooperation in Cuba follows, as the European Consensus on Development mandates a human rights based approach. The EU continues to support the implementation of the 'Lineamientos' aimed at reforming the Cuban economy, in areas such as economic planning, taxation, foreign trade and investment, statistics, public registries, as well as, lately, the judicial system, showing hints of progress towards a more open government. A number of EU projects continued implementation throughout 2019, including projects addressing food security, youth, people with disabilities, healthy ageing and a gender approach for the care of the elderly and people with intellectual disabilities. A major programme on the promotion of cultural heritage (TRANSCULTURA, EUR 15 million) was approved in 2019, to harness diversity and build bridges between people and cultures within the Caribbean region and with the EU. The EU also launched a EUR 3 million call for proposals to support civil society organisations and local authorities on cooperation for development projects that favour social inclusion through culture.

**5. Multilateral context:** Cuba's term as a member of the UN Human Rights Council ended at the end of 2019. Cuba is traditionally a very active player in the Council. EU and Cuban positions are not always aligned, but Cuba has been supportive of the fight against discrimination based on sexual orientation and gender identity, as well as in gender and economic, social and cultural rights and the rights of the child. Cuba continues to maintain a de facto moratorium on the death penalty, though to date it has not abolished capital punishment. Cuba has signed, but not yet ratified the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights. OHCHR Special Rapporteurs on modern forms of slavery and on trafficking of human beings wrote to Cuban authorities enquiring about the working and living conditions of Cuban doctors sent in international missions abroad.

## Dominican Republic

**1. Overview of the human rights and democracy situation:** The laws providing human rights and fundamental freedoms are formally respected. There is, however, room for improvement. Adoption of the first ever National Plan on Human Rights (NPHR), launched in December 2018, constituted a step towards the improvement of the human right situation. The government shows the commitment of the respect of basic human rights. During 2019, the inter-institutional committee on human rights, led by the MFA Human Rights Division, has worked on the implementation of the NPHR, but not all specific objectives set to fulfil in 2019, have been met. The elimination of child marriages was not implemented. The

introduction of the Bill on Equality and Non-Discrimination to Congress has not been brought before Congress yet.

The issue of nationality continues to be a challenge for the Dominican Republic. While progress has been made since the second Universal Periodic Review, the situation continues to be fragile for Dominicans of Haitian descent who have never held any ID document and did not register in the naturalisation process. A major challenge for the Dominican Republic government relates to the lack of cooperation of Haitian authorities in providing Haitian citizens with documentation necessary to regularise their status. The Dominican Republic government established the National Regularisation Plan (PNRE), a pragmatic plan to facilitate the progress of regularisation for the migrants who resided irregularly in the country. To date, the PNRE has allowed 249,948 irregular migrants to receive a temporary permission giving them the time to apply for a more permanent status. Unfortunately, only a limited number of them managed to obtain the legal status.

Chronic violence against women and gender equality remain a challenge, despite the efforts deployed by the state and a greater awareness and readiness to hear such denunciations on the part of judges and police. The government has taken measures to increase the resources allocated to protection against violence against women and assistance for victims. According to the Attorney General, there has been a 25% decrease in the number of femicides in 2019 following the adoption of the National Plan against domestic violence in 2018. The Dominican Republic continues to be among the 26 countries where abortion is fully criminalised under any circumstance.

Although limited, the most present threats to children's rights in the Dominican Republic are child labour, and more severely, sexual exploitation of children, sexual abuses and violence against children. Within the scope of the NPHR, government institutions have implemented campaigns on positive upbringing, raising awareness regarding domestic violence against children.

There is room for improvement on the treatment of the LGBTI community. Although in 2016 a comprehensive Anti-discrimination Bill was drafted in consultation with civil society organisations, the bill has yet to be presented in Congress.

With regard to prison conditions, although one third of the inmates enjoy better conditions under the new penitentiary model carried out with the support of the EU, there are still overcrowded and dangerously substandard prison conditions and lengthy pre-trial detention. The Attorney General announced measures to improve the situation, such as the construction of new prisons.

## **2. EU action key focus areas:**

- Strengthening human rights protection institutions and contributing to tackling corruption;
- Combating chronic violence against women and children and protecting the rights of vulnerable persons belonging to minorities, including the rights of migrants and their descendants born in the Dominican Republic;
- Fighting human trafficking;
- Ending discrimination and upholding the rights of people with disabilities;

- Elimination of child labour and improvement of general labour conditions.

**3. EU political engagement:** In close contact with Dominican Republic authorities, like minded partners and human rights defenders, the EU has continued to monitor and promote human rights and provided continuous support through its projects and political advocacy.

The EU delegation has regular meetings with civil society organisations in the field of human rights, especially on the fight against corruption and impunity, migration and nationality issues as well as on gender equality, women empowerment, violence prevention, children and the rights of LGBTI persons. Dialogue was regularly held in the framework of the budget support programmes and technical assistance initiatives.

In terms of gender equality, since the end of 2014, the EU supports the process of mainstreaming gender equality in the implementation of the National Development Strategy 2030 through a Collaboration Agreement with the UN Entity for Gender Equality and the Empowerment of Women (UN Women).

In addition to traditional advocacy, the EU has deployed large efforts to support the naturalisation and regularisation processes through the European Instrument for Democracy and Human Rights (EIDHR) and; through the Instrument contributing to Stability and Peace (IcSP), the EU has actively enhanced protection of Dominicans of Haitian descent migrants allowing for increased human rights protection.

**4. EU financial engagement:** Several projects were funded in 2019 by the EU under the EIDHR: articulating an Active Advocacy Network for the rights of women and youth (EUR 400,000); promotion of the right to health under the most discriminated and vulnerable population in the Dominican Republic (EUR 421,048); prevention of forced child marriages in the Dominican Republic (EUR 410,475); strengthening organisations representing people with disabilities for the implementation of the observations of the UN Committee on the Rights of persons with disabilities EUR (287,500).

Given the high prevalence of gender-based violence, an allocation of EUR 5 million has been added to tackle the issue by supporting the government's efforts to the effective reduction of gender violence and inequality, which is based on the National Development Strategy 2030. The financing decision was adopted in December 2019.

The EU funded EUR 3,5 million under IcSP support to sustainable border monitoring network on the Haitian side, providing accurate streamlined information and situation reports on the migration flux while reinforcing coordination and collaboration to mitigate the consequences of deportation.

**5. Multilateral context:** In January 2019, the Dominican Republic underwent its third Universal Periodic Review. During the review, a total of 191 recommendations were made, of which the Dominican Republic accepted 127 and took note of 64 recommendations. Interestingly, most of the recommendations that the Dominican Republic accepted were related to the rights of women and the elimination of gender based violence, and children's rights, including the elimination of child marriages (45 out of 64 recommendations). The Dominican Republic also accepted all recommendations regarding the decriminalisation of

abortion. 30 out of the 64 recommendations that the Dominican Republic took note of were related to the rights of migrants and statelessness.

The Dominican Republic took note of all 12 recommendations made relating to the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocols to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Dominicans continue to be deprived of access to the Inter-American Court of Human Rights, whose jurisdiction was rejected by the Dominican Republic Constitutional Court in 2014 on grounds of alleged procedural irregularities regarding the ratification procedures, despite having had an active participation in the works of the Court in the past. The strong distrust towards the OAS seems to have faded away. A working group was established in 2018 aiming to follow up on progress made as regards the implementation of human rights policies in the Dominican Republic as complementary tool to the IACHR's Strategic Plan for 2017–2021. However, this working group has produced no tangible results.

## El Salvador

**1. Overview of the human rights and democracy situation:** 2019 has been marked by the election of a new government led by President Nayib Bukele. The EU deployed an Electoral Observation Mission (EOM) to the February presidential elections and the mission assessed that elections were credible, transparent and peaceful despite criticism against the integrity of the Supreme Electoral Court. However, an Election Follow-up Mission was deployed in December and assessed that little progress was made to implement the recommendations made by the 2018 and 2019 EU EOMs.

The sector-wide policy approach called 'Plan de Control Territorial' (Territorial Control Plan) introduced in June has been a contributing factor towards curbing violence. Prevention and rehabilitation programmes in at-risk communities are producing results. The President formally phased out the National Council of Citizen Security and Coexistence (CNSCC) in October 2019 and no alternative forum for dialogue has been established yet.

Although homicide rates have been the lowest in many years, El Salvador continues to struggle with longstanding human rights and security challenges and still ranks amongst the highest homicide rates in the world (2,389 homicides reported in 2019). A high number of disappearances (10 a day on average) and forced internal displacements were also reported. Approximately 60,000 gang members are present in at least 247 of the country's 262 municipalities. Moreover, prison and police detention centres' conditions and overcrowding are considered inhumane and extraordinary security measures severely limit the rights of prisoners in maximum security facilities. Acts of torture and extrajudicial killings of civilians or alleged gang members by police and soldiers have also been reported.

The criminalisation of abortion and miscarriage and the still limited access to sexual and reproductive health for women are issues of concern. Advocacy groups and some government institutions have stepped up their attention to women in this respect and limited but important progress has been achieved: the widely mediated case of a 21-year-

old woman who was convicted because of a miscarriage and eventually cleared of aggravated murder during a retrial illustrates this trend. Introducing at least some degree of flexibility in its abortion legislation was recommended by most States during El Salvador's third Universal Periodic Review (UPR). Moreover, important challenges remain regarding gender-based killings of women and girls and hate crimes: El Salvador has the highest femicide rate in Latin America.

Almost one million Salvadoran children (roughly 15% of the population) live in a situation of social exclusion, facing risks associated to youth, irregular migration, education, health, and other factors. Minority groups such as the LGBTI community, indigenous peoples and persons with disabilities, remain vulnerable. Migration and forced repatriation continue to be a major challenge, particularly in light of changing immigration laws and policies in third countries where many Salvadoran nationals live.

Concerns regarding freedom of expression and freedom of the press have been reported, especially attacks (in particular on social media) against reporters and civil society organisations that are critical towards the newly-elected government. Members of the Legislative Assembly and civil society organisations have also expressed worries regarding threats to the separation of powers.

Proposals regarding the prosecution of those responsible for atrocities committed during the 12-year long civil war, which comply with international standards, are still to be adopted.

## **2. EU action – key focus areas:**

- Citizen security;
- EU cooperation programming sectors are: 1) Youth and social inclusion,,: promotion of gender equality, children rights, women's empowerment, sexual and reproductive health and rights, the right to employment, universal access to basic services, and economic and social rights; and 2) Private Sector Development;
- Support to civil society and local governments in areas of democracy;
- Strengthening the protection and role of human rights defenders and civil society organisations.

**3. EU bilateral political engagement:** Following the EU Electoral Observation Mission to the 2019 presidential elections and the follow-up mission in December, the EU and Salvadoran authorities deepened their political dialogue and are working towards implementing several recommendations.

The EU has successfully engaged with Salvadoran stakeholders – including many civil society organisations – on key policy areas such as elections, human rights, gender equality, sexual and reproductive health and rights and migration. Furthermore, the EU has stressed the importance of upholding human rights in all State action and especially the need for a timely and fair response to the crimes committed during the civil war, which caused 75,000 casualties. Special attention has been given to the issue of corruption and impunity, closely following developments regarding the International Commission against Impunity in El Salvador (CICIES).

## **4. EU financial engagement:**

- The EU allocated a total budget of EUR 50 million to its programme 'Apoyo al Plan Social de El Salvador' in support of the country's social protection policy, aimed at fighting exclusion and eradicating extreme poverty through for example youth employment and fostering women's economic empowerment.
- The EU's support to the Plan 'El Salvador Seguro' amounts to a total of EUR 54 million. The programme's primary objective is violence prevention and the promotion of a culture of peace through recovery and transformation of public spaces, educational programmes, and technical and vocational training opportunities for Salvadoran youth.
- In addition, there were 21 ongoing projects during 2019: 7 projects funded by the European Instrument of Democracy and Human Rights (EIDHR) for EUR 3.1 million, and 14 projects under the Civil Society Organisations and Local Authorities Programme for EUR 9.3 million. In addition, the implementation of the first phase of the EU-UN Spotlight Initiative has started in El Salvador. The focus of the Spotlight Initiative for Latin America is on combatting femicide.

**5. Multilateral context:** In 2019, El Salvador became the 53rd member of the OECD Development Centre, ratified the 'Treaty on the Prohibition of Nuclear Weapons' (TPNW), signed the new 'Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education' for Latin America and the Caribbean, and successfully led the proposals for the declaration of the UN Decade of Ecosystem Restoration 2021-2030.

On 4 November 2019, El Salvador underwent its third Universal Periodic Review in Geneva. 81 States issued recommendations that were mainly focussed on women's rights, sexual and reproductive health and rights, the protection of human rights defenders and journalists, as well as the law enforcement systems.

## Grenada

**1. Overview of the human rights and democracy situation:** Grenada is a parliamentary democracy where the fundamental freedoms are overall respected. The country retains the death penalty but has a de-facto moratorium, since the last execution was in 1978. Incidents of domestic violence, primarily against women, are widespread; however, legislation is gradually being introduced to address this issue. Discrimination against LGBTI persons persists. Corporal punishment of children is still legal, though the government promotes child friendly policies at public schools. In 2019, Grenada signed the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in line with the commitments made during Grenada's second cycle of the Universal Periodic Review. Prison overcrowding is an issue in Grenada.

### 2. EU action - key focus areas:

- Child abuse: Child abuse remains a challenge, mainly in the forms of sexual abuse, neglect/abandonment, verbal abuse and family dysfunction. Corporal punishment remains legal in schools, although the government supports the UNICEF-led initiative

of positive behaviour management. Prohibition of corporal punishment is yet to be achieved at home, in the alternative care settings, day care, and in penal institutions.

- Domestic violence: The government aimed to strengthen its interventions to combat domestic violence and child abuse. The Committee on the Prevention of Child Sexual Abuse (established in 2017) continued with activities in 2019 geared towards prevention and intervention in such cases.
- Rights of LGBTI persons: There is still strong public condemnation of homosexuality. Anti-sodomy laws and indecency statutes contribute to and provide licence for a climate of hostility towards LGBTI population. Like in other countries of the region, homelessness of evicted LGBTI youth and the lack of shelters for them remains an issue of concern.
- Death penalty: Grenada still has the death penalty on its law books although executions have not been carried out since 1978 and the country has a 'de facto' moratorium on the death penalty. Grenada held one person in the death row at the end of 2019.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Grenada's authorities and stakeholders, civil society organisations as well as the media. Formal political dialogues are held in the context of CARIFORUM. The last political dialogue with CARIFORUM was held in November 2018.

**4. EU financial engagement:** Under the joint EU/UN Spotlight Initiative to eliminate violence against women and girls, EUR 50 million has been earmarked for the Caribbean region, which will be divided between country specific programmes and an overall regional programme. Grenada has been selected and is the only country in the Eastern Caribbean, to benefit from a country programme to combat family violence (worth EUR 2 million). The implementation will start in early 2020.

An EU-financed project (worth nearly EUR 390,000), which targeted Grenada directly, aiming at enhancing sustainable livelihoods amongst (especially female) rural farmers through training in climate-smart and cost-effective agricultural practices to foster economic empowerment and create social and ecological value, came to an end in 2019.

Two projects (worth each EUR 400,000) – one under the CSO-Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and the elderly in national and regional decision-making processes, and one under the EIDHR-Programme which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty – are targeting all countries that were eligible under the last respective calls for proposals, and as such will also be implemented in Grenada.

**5. Multilateral context:** The human rights record of Grenada will be addressed during the UN Human Rights Council's Universal Periodic Review in Geneva on 27 January 2020.

Grenada is a party to several international Human Rights Conventions such as CERD, CCPR, CESC, CEDAW, CRC and CRPD, but is not a signatory to the Convention Against Torture (CAT) and its protocol.

## Guatemala

**1. Overview of the human rights and democracy situation:** During 2019, Guatemala experienced several significant political events, including the election of parliament, mayors and the President and Vice President of the Republic. The electoral processes took place in an already volatile political context including the exclusion of presidential candidates by judicial means and an unequal access of parties to mass media during the elections campaign. The decision of the government to terminate the mandate of the UN-backed International Commission against Corruption and Impunity in Guatemala (CICIG) in September 2019 was extremely unpopular with the Guatemalan population and the international community.

The legislative agenda was marked by initiatives that raised serious human rights concerns, a reform of the National Reconciliation Law (which included amnesty in cases of serious human rights violations during the internal armed conflict), the reform of the Law of Non-Governmental Organisations and the initiative of the Law against Acts of Terrorism, among others. Even though these bills were not approved during 2019, they remain on the legislative agenda of the new Congress.

Human rights defenders continue to be at high risk. The Unit for the Protection of Human Rights Defenders of Guatemala-UDEFEGUA collected information on 462 attacks (320 coming from State actors) that occurred during the period between January to October 2019, including 15 murders and 312 cases of criminalisation of defenders.

In total, more than 54,500 Guatemalans were deported from the United States in 2019. In particular hundreds were deported throughout December 2019 under the new guidelines by US Homeland Security and the 'Safe Third Country' agreements signed by El Salvador, Guatemala and Honduras.

**2. EU action - key focus areas:** Through its presidency of the G-13 donor group, the EU delegation monitored legislative reforms in the field of human rights, justice and the fight against impunity, contrary to international human rights standards, i.e. the National Reconciliation Law and the revision of the Law of Non-Governmental Organisations. In March, both the G-13 and the European Parliament released public statements on this issue. These legislative reforms, aimed at reducing Guatemala's international commitment to human rights, were eventually not adopted in 2019.

The EU delegation continued its support to Human Rights Defenders through the Filter Group (led by the EU delegation and composed of EU Member States, Switzerland, Canada, USA, the OHCHR and UNHCR country offices) through periodic meetings with defenders (12), visits to remote areas of high-risk for defenders, attendance to judicial hearings, communiqués, visits to imprisoned defenders, periodic meetings with justice operators and institutions in charge of the protection of human rights defenders, and to follow up on 27 cases of attacks against defenders and cases of defenders subject to legal processes.

Following several political attacks and budget cuts for the Human Rights Ombudsman by the Executive and Legislative branches, the EU delegation to Guatemala carried out diplomatic demarches in support of the work of the Ombudsman.

**3. EU bilateral political engagement:** Jointly with the Embassy of the United Kingdom and the OHCHR, the EU delegation organised a Business and Human Rights Forum in October, focused on the implementation of UN Guiding Principles on Business and Human Rights. Representatives of the private sector, civil society organisations (including indigenous peoples' leaders) and the Human Rights Ombudsman were present to discuss challenges and priorities.

**4. EU financial engagement:** The EU delegation to Guatemala continued its support to the economic, social and cultural rights agenda through bilateral programmes:

- The EU delegation supported the 'Sembramos Futuro' initiative coordinated by civil society organisations, OHCHR and the Human Rights Ombudsman, consisting of a campaign focused on dignifying the work of human rights defenders in the country, through an EIDHR project (EUR 215,000).
- Two new programmes were approved to combat chronic malnutrition with a combined contribution of EUR 30 million. The programmes tackle various causes of malnutrition as well as seasonal hunger and resilience of vulnerable populations.
- The support to smallholders and subsistence farmers through budget support to Ministry of Agriculture (EUR 21 million) targeting 250,000 subsistence farmers whose production is insufficient, or just enough for their right to food security. It also addresses the promotion of farmer association's access to markets, and access to financing and investment, thus reinforcing their social and economic rights.
- The EU continued to actively promote decent employment and women economic empowerment by financing projects with civil society organisations. Furthermore, in December 2019 the EU started the programme 'Support to decent employment in Guatemala' (EUR 15 million), which will help the implementation of the 'National Policy for Decent Employment' by the key ministries involved (Ministry of Economy, the Ministry of Labour and the Ministry of Education).

Through the project 'Prevention of violence against women, children and youth (PREVI)' the EU supports capacity building of the justice system, including prevention, monitoring and the fight against impunity of violence against women children and youth, which also focuses on young men. The EU's contribution to the programme is EUR 15 million. The EU has played a vital role in the fight against corruption and impunity through its political and financial support to CICIG (over EUR 24 million).

Support to CSOs, as key partners of the EU, continues through the implementation of 41 grants for a total of nearly EUR 40 million, under the thematic EIDHR and CSO-LA programmes, as well as the ICSP and LA programmes on issues related to the protection of human rights defenders, the promotion of ESCR, prevention of violence against women, democratic governance, indigenous peoples rights, access to justice and inclusive development, among others. This includes two grant contracts funded under EIDHR: an EUR 323,490 grant contract signed with OHCHR, focused on the protection measures for defenders, through the UN's own procedures, as well as on the promotion of multi-sectoral

dialogue on businesses and human rights, based on the implementation of UN Guiding Principles on Business and Human Rights; and an EUR 215,000 grant contract signed with a consortium of civil society organisations and the Human Rights Ombudsman's Office, in order to launch a campaign aimed at dignifying the work to defend human rights in the country.

**5. Multilateral context:** In the Framework of the United Nations Forum on Business and Human Rights (25-27 November), the EU delegation participated in the Indigenous CAUCUS session, forum sessions and side events, and had meetings with the Guatemalan private sector and CSOs. The EU delegation also held bilateral meetings with the UN Working Group on Business and Human Rights and the OHCHR Americas section.

Throughout 2019, the EU has contributed to the effective implementation of ILO international Conventions (C087 - Freedom of Association and Protection of the Right to Organise Convention; C098 - Right to Organise and Collective Bargaining Convention; C182 - Worst Forms of Child Labour Convention) with particular emphasis on supporting the National Tripartite Commission on Labour and Freedom of Association and the implementation of the national road map on these issues, to increase labour law and child labour expertise in the country and building labour inspection capacity.

## Co-operative Republic of Guyana

**1. Overview of the human rights and democracy situation:** The democratic process and the rule of law in Guyana suffered some significant obstructions throughout 2019. On 21 December 2018 and a no-confidence motion was adopted by the parliament. Ten months of litigation and political squabbling (court cases, decisions by the Caribbean Court of Justice, propaganda campaigns including through the use of state-owned media and an overall failure to fully uphold the Guyanese Constitution) followed. An election date, 2 March 2020, was finally announced at the beginning of October. During this period of political turmoil, the parliament only convened on four occasions, and not at all since the summer.

The key human rights challenges remained: gender and domestic violence; child abuse and corporal punishment; the death penalty; harsh prison conditions; lengthy pre-trial detention and judicial backlogs; discrimination against women and persons belonging to minorities including LGBTI persons (with adult same sex between males still a criminal offence) and indigenous communities; early and forced marriage; human trafficking; and government corruption.

### **2. EU action - key focus areas:**

- Gender-based violence (GBV) remained a widespread problem rooted, in part, in the institutionalised gender biases affecting in particular the police, especially when dealing with domestic violence. Prevalence data released in 2019, ranked Guyana among the Caribbean countries with the highest rates of GBV-VAWG (Violence against Women and Girls). There will be also the launch of the Spotlight Initiative country programme, which will be implemented in 2020 for a period of three years.

Intensive consultations with civil society, government, the judiciary and other stakeholders resulted in quasi-unanimous consensus that the gateway to changing the mind-set surrounding GBV might reside in educating younger generations.

- Challenges to the rights of LGBTI persons were highlighted by the homophobic attack against the Managing Director of the Society Against Sexual Orientation Discrimination (SASOD) in June. Following this attack, a legislative proposal was filed criminalising hate crimes based on sexual orientation. The proposal is still pending. Despite some positive developments, a large part of the public remains opposed to the rights of LGBTI persons. Ultra conservative religious lobbies, including Evangelists, share a responsibility in promoting homophobia in Guyana.
- Conditions in detention centres remain harsh. Credible allegations of mistreatment and even torture are exacerbated by the failure to advance towards the ratification of the Convention against Torture (CAT) and optional protocol, despite commitments to do so.
- Guyana was one of the pioneer leaders in indigenous peoples' rights. However, legal loopholes place indigenous peoples at a disadvantage when it comes to land rights and mining encumbrances.
- There is a de facto moratorium on the death penalty since 1997 although there are currently 17 prisoners on death row. President Granger publicly announced in 2016 that he would not approve any executions during his mandate and adhered to this position but the government is split on the issue. The public remains supportive of the death penalty.

**3. EU bilateral political engagement:** Following an Exploratory Mission at the end of October, which engaged in an in-depth analysis of the current electoral framework, the EU decided to deploy an EU Election Observation Mission (EOM) for the 2 March 2020 general and regional elections. The EOM will be presenting a final report and recommendations for the improvement of future electoral process and of the wider legal and constitutional framework.

The EU-Guyana political dialogue could not take place in 2019 due to the political circumstances. The EU delegation intervened with the Guyanese authorities to try to ensure proper prosecution of the authors of the homophobic attack against the Managing Director of the Society Against Sexual Orientation Discrimination. It further undertook the usual demarches in support of the EU's initiatives and priorities at the UNGA Third Committee. The celebration of International Human Rights Day planned for 7 December was postponed to January 2020; it involved a seminar to train journalists on democratic values and human rights and a ceremony to hand over the EU delegation's annual Human Rights Award. In preparation of Guyana's third Universal Periodic Review (UPR), the Head of the EU Delegation and several non-resident EU Heads of Mission discussed the human rights situation in Guyana at the end of October. This resulted in a coordinated input from the EU delegation in view of the UPR in Geneva. With support from the British High Commission, lead NGO 'The Death Penalty Project' conducted training for the Guyanese Judiciary and lawyers on sentencing guidelines in July 2019.

**4. EU financial engagement:** In Guyana, three EIDHR projects were being implemented in 2019 by ChildLink and the Forest Peoples Programme. ChildLink benefitted from two of these grants, both tackling the issue of child abuse, child protection, and the reintegration

and rehabilitation of child abuse survivors. The organisation has, with EU financial support, succeeded in creating an alliance of like-minded local organisations in the most populated regions of Guyana, which work closely with the Ministry of Social Protection and its Child Care and Protection Agency. Currently, ChildLink is implementing the Recovery, Safeguard and Reintegration project, which focuses on the reintegration of children in institutional care with a budget of EUR 351,000. Under the EIDHR 2019, a EUR 495,000 project entitled 'One Thousand Boys' seeks to expand the organisation's approach to child rights protection by focusing more attention on the marginalisation of male children who are abused.

Forest Peoples Programme (FPP) and its local sub-grantee, the Amerindian Peoples Association (APA) address indigenous peoples' rights, more specifically related to land tenure and discrimination. An interesting output of this project included the production of several land tenure reports documenting indigenous peoples' land rights challenges. In a country like Guyana where data and statistics can be hard to come by, this project has contributed to the enrichment of reliable information available to those who work on the thematic. The project comes to an end in 2020.

**5. Multilateral context:** Guyana moved up 17 places to 91 in the latest Transparency International Corruption Perception Index, but public procurement, as well as day-to-day business, continues to be marred by corruption.

## Haiti

**1. Overview of the human rights and democracy situation:** The human rights situation in Haiti in 2019 remained extremely challenging. The social and economic rights in particular have worsened in 2019 for the large majority of the Haitian population. It has been a disastrous year for the Haitian economy and the long periods of 'Pays Lock' have had a devastating impact on the livelihood of the most vulnerable Haitians whether they live in cities or in the countryside. The inflation has reached more than 20%. For the first time since the earthquake 10 years ago, the economy has shrunk. According to the World Food Programme, one in three Haitians need urgent food assistance. This represents nearly 3,7 million people. The young and poor Haitian population is further impoverishing. While the expenses of the state have increased in 2019, they have not translated in the improvement of service provision to the citizens. On the contrary, because of the recurrent protest movements, corruption and lack of funding, many schools and hospitals have been closed for long periods of time.

In addition is the security crisis caused by the increased action of the armed gangs in the capital and the deteriorating security environment nationwide. Several neighbourhoods of the capital have become de facto 'no go' zones. Those who can afford are trying to move out and government services are becoming very rare in those zones. Several serious violent incidents have been taking place involving gang members and sometimes police resulting in various casualties. The official government reaction has often been very limited and the extremely weak penal system prevents the punishment of the perpetrators.

A number of sometimes-violent protest movements have taken place throughout the year in Port-au-Prince and in various secondary cities. Several dozens of people have lost their lives during these protests because of violence by other protestors or the police. The police has occasionally showed excessive use of violence but are themselves also targeted and are lacking means and numbers. Several police officers have lost their lives while in duty.

Apart from the economic and political situation, most worrying human rights issues to date remain living conditions in prison, the exploitation of children, the violence against women in a context of very little gender equality, the discrimination against LGBTI persons and the insufficient consideration of people with reduced mobility.

**2. EU Action key focus areas:** Through its cooperation, the EU delegation to Haiti has supported actions in the area of the protection of persons with disabilities, the protection of children in conflict with the law, the fight against homophobia and the protection of children in general.

**3. EU bilateral political engagement:** The failure to hold in 2019 the EU/Haiti political dialogue due to the political crisis, took away an opportunity to discuss with the government the human rights situation. Because of the acute Haitian political crisis and the absence of a legitimately constituted government there was no national human rights agenda. The HR/VP made a declaration in November 2019 supporting the right to protest while urging to avoid the use of violence. The new programming exercise could, by reconsidering some of the priorities of the EU co-operation, make it possible to give a new scope to strengthened actions in favor of human rights.

**4. EU financial engagements:** The EU has continued to mobilise funds via its thematic cooperation for the benefit of the human rights sector in Haiti in particular by supporting Haitian civil society through the European Instrument for Democracy and Human Rights (EIDHR) calls for proposals. These funds have been allocated in the following manner:

- EUR 755,000 has been spent on projects to fight against homophobia;
- EUR 300.000 to promote the rights of people with disability;
- EUR 375,000 to enhance access to justice for victims of international crimes committed during the dictatorship of JC Duvalier and former President Aristide;
- EUR 1 million to protect the rights of Haitian migrant workers to Dominican Republic
- EUR 1 million for the promotion and protection of the rights of children victims of exploitation and strengthening of juvenile justice.

In 2019, new projects covering the period 2020-2022 were signed. This represents a total amount of EUR 1.6 million to support measures aimed at protecting and defending the rights of people deprived of their liberty in Haiti.

**5. Multilateral context:** On 15 October, the mandate of the UN Mission for Justice Support in Haiti (MINUJSUTH) came to an end, discontinuing the presence of the UN peacekeeping operations in Haiti since 2014. A special political mission, the UN Integrated Office in Haiti (BINUH) has been opened on 16 October with a mandate that covers justice, human rights, gang violence and prison conditions. However, the means at their disposal are not comparable to those of a peacekeeping mission.

## Honduras

**1. Overview of the human rights and democracy situation:** Honduras suffers from high poverty rates, inequality, corruption, social polarisation along with insecurity and a very high level of violence and crime, linked to gangs and drug trafficking. The above, together with limited employment opportunities result in increased migration flows.

Human rights issues continue to present genuine challenges and offences to women, lawyers, journalists, LGBTI persons and environmental defenders are frequent. Front Line Defenders alleges that at least 31 human rights defenders (HRDs) were murdered in Honduras in 2019, which is the third highest toll in the world after Colombia and the Philippines, and the highest per capita.

The situation of the LGBTI community is particularly worrying. LGBTI persons are particularly vulnerable; their access to justice is frequently denied and easily become victims of hate crimes. According to the NGO Cattrachas, 40 LGBTI persons were killed in 2019. Domestic violence especially on women remains a serious problem.

In December, a follow-up mission to the 2017 EU EOM headed by MEP Marisa Matias took place in Tegucigalpa. Its conclusions showed that some recommendations from 2017 have either already been totally or partially implemented or are being discussed by the authorities. The newly established national Civil Registry of persons, whose elaboration has been technically and financially supported by the EU, can be seen as an important improvement for Honduran democracy. The expected electoral reform should be completed in 2020. Recommendations concerning gender equality, the media and political financing remain outstanding.

### **2. EU action - key focus areas:**

- Strengthening of the national human rights protection system;
- Promotion of gender equality and the rights of LGBTI persons;
- Strengthening of the rule of law and support the fight against impunity and corruption.

**3. EU bilateral political engagement:** The EU delegation has promoted human rights and addresses risks for HRDs through political dialogue at all levels with national authorities and civil society. It facilitated the EIDHR emergency funding to three HRDs in imminent danger. The doors of the EU delegation are always open for HRDs and human rights organisations. The Head of the EU Delegation met several times with the Minister for Human Rights, Karla Cueva, and the collaboration and communication with the ministry has been very good.

Together with the EU Member States represented in Honduras (France, Germany, Spain), the EU delegation has held regular quarterly meetings with HRDs and civil society organisation, as part of the EU coordination exercise as local presidency. Meetings in 2019 focused on environmental rights, freedom of expression, rights of LGBTI persons and corruption / impunity.

EU HoMs made one field visit to HRDs in the province of Atlantida, and visited the environmental defenders led by the CSO COPINH in Pajuiles. The EU was present as an observer in all almost important hearings concerning HRDs: e.g. case of Berta Cáceres (killed in 2016) and Guapinol case. The EU delegation and Member States embassies' representatives visited seven Guapinol environmental defenders in pre-trial detention.

The EU and its Member States made strong public expressions of their support to the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH), and repeatedly underscored the importance of addressing impunity in the country through several interviews and statements. The EU, as one of the most important donors of the MACCIH, called upon the Honduran government to renew the mandate in its entirety. It emphasised the MACCIH's excellent joint work with the Special Prosecutor for Corruption (UFECIC), which has led to significant cases being brought to justice, and most importantly established the basis for further anti-corruption and anti-impunity actions. However, despite all the efforts, the government failed to find an agreement with the OAS on the renewal of MACCIH's mandate, although it pledged to continue to fight corruption with national means.

The EU delegation organised with the OHCHR a special event for youth from various Honduran departments to celebrate the Human Rights Day on 10 December. Furthermore, on the occasion of the Children's Rights Day on 20 November, in collaboration with the UNICEF, the EU delegation invited to its premises 30 pupils of a local school of a disadvantaged neighbourhood who had an opportunity to learn about their rights and human rights in general.

**4. EU financial engagement:** Honduras is among the target countries of the global joint EU-UN Spotlight Initiative (EUR 500 million) to combat violence against women and girls. The initiative's focus in Latin America lies in eliminating femicides. The country program (EUR 13 million) was launched in February 2019.

In July 2019, the EU signed with Honduras the financing agreement for the program PRODERECHOS (EUR 8 million) focused on strengthening the national system of human rights. The tender procedure for its technical assistance was launched in the second quarter of the year and the contract was concluded in November. The implementation of PRODERECHOS, which replaced the previous program EUROJUSTICIA, began in January 2020.

In 2019, five projects implemented by CSOs in the framework of EUROJUSTICIA (EUR 29.3 million) continued focusing on improving access to justice for vulnerable groups. This has entailed a continued dialogue and joint activities with judges, prosecutors and police officers at the local level with the most vulnerable groups of population including women, LGBTI and indigenous peoples.

In 2019, the EU delegation had nine ongoing projects focused on civil society and local authorities (EUR 8.4 million), which aimed to improve livelihoods of vulnerable populations, citizen participation in local decision making, and strengthening local authorities' capacities for local economic development and a better delivery of basic services.

As a part of EuroAct, ProDemos (EUR 1.7 million) continued supporting political parties to promote a civic culture of democratic values, gender equality and respect for human rights

by enabling the participation of young people, women, LGBTI persons and underrepresented groups in civic life. Furthermore, HondurAction (EUR 3.7 million) continued strengthening civil society monitoring to combat corruption through investigative journalism and local civil society networks. The project also contributed to the work of the civil society platform 'Coalición para la renovación de la MACCIH'. The EU supported actions to provide specialised training in an anti-corruption legal framework and to improve criminal and administrative prosecution of corruption in collaboration with the MACCIH.

**5. Multilateral Context:** Honduras supported all the EU-promoted resolutions in the context of the 2019 UN General Assembly. The Working Group on Business and Human Rights of the UN visited Honduras in August 2019. It reported serious human rights violations but at the same time was impressed by the active and engaged civil society operating throughout the country to face these challenges. The working group urged the government to implement the recommendations of the Special Rapporteur on Indigenous Peoples from her country visit in 2018. This includes ensuring an inclusive consultation process in order to adopt a regulatory framework on the right to free, prior and informed consultation of indigenous peoples in accordance with the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), the UN Declaration on the Rights of Indigenous Peoples, and the American Declaration on the Rights of Indigenous Peoples. Moreover, it called upon State authorities to sign the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement). Finally, the Working Group praised the work done by MACCIH to support and strengthen Honduran institutions and assist them to prevent, investigate and punish acts of corruption as a fundamental part to combat impunity.

## Republic of Argentina

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Argentina is positive and remained unchanged in 2019, except for the impact the economic crisis and the increase of poverty levels that had on the enjoyment of basic human rights for a significant part of the population (poverty reached approximately 1/3 of the population). The human rights standards, at least those in the law, remained relatively high: political rights, the freedom of expression and the freedom of association are guaranteed and generally respected; press is largely free although to some extent concentrated in big media groups; civil society and human rights organisations are active and vocal in expressing their concerns; elections were held in 2019 and were considered as credible, transparent and inclusive in line with basic standards. All main human rights legislation is in place and in some cases, such as the anti-discrimination laws (including for the rights of LGBTI persons), it is very advanced. A strong women's movement has put gender equality and gender violence high on the political agenda. Problems lie mainly in the proper implementation of the overall adequate legislative framework.

**2. EU action - key focus areas:** The EU Human Rights and Democracy Country Strategy for Argentina has three main priorities for the current period: (i) contributing to the strengthening of State institutions, (ii) the promotion of objective information in the media on human rights issues, and (iii) support the fight against gender violence. There are ongoing

projects funded by the EU with civil society organisations on all three areas. In addition to them, and considering the high relevance of gender issues in Argentina in recent years, two other gender-related projects funded by the EU and implemented in Argentina should be highlighted:

(i) Spotlight Initiative: of the global envelope of EUR 500 million, EUR 55 million is assigned to five Latin American countries: Argentina, El Salvador, Honduras, Guatemala and Mexico. In Latin America, the Spotlight Initiative focuses on the elimination of femicide, the most extreme manifestation of violence against women, through coordinated actions in six pillars: political legislation, institutional strengthening, violence prevention, availability of and access to high quality services, creation of solid databases for rigorous analysis and support to civil society organisations and social movements of women. In Argentina, the Initiative was launched on 23 March with a high-level event that included European commissioner Mimica and the then president of Argentina, Mauricio Macri. In its first phase, it is being implemented in the provinces of Buenos Aires, Salta and Jujuy.

(ii) Through the Partnership Instrument, the EU is also funding the project 'Win-Win: Gender Equality is Good Business'. This regional project addresses the private sector businesses supporting them in increasing and implementing their commitments towards gender equality and women's empowerment. It focuses on creating a sustainable model of gender sensitive private sector engagement to support achieving the SDGs, promoting gender equal business in Europe and LAC and encouraging the implementation on the Women's Empowerment Principles of the UN. Many activities took place in Argentina in 2019 under the programme, including on raising awareness of the need of more women in company boards, and on public budgets with a gender perspective.

Furthermore, throughout 2019, The EU delegation continued its support for the creation of a coordination board of civil society organisations (Mesa de Redes de la Sociedad Civil). The project aims at the strengthening of democratic governance in Argentina through civil society's increased engagement and participation in the implementation of public policies.

**3. EU bilateral political engagement:** A very positive development in 2019 was the holding, of the local human rights dialogue on 23 April 2019. The dialogue, held in the premises of the EU delegation in Buenos Aires, had an impressive level of presence and participation by the Argentine side. It showed the government's commitment to protecting human rights in the country and to strengthened cooperation with the EU on such an important issue, in particular in multilateral fora, where the EU has a strong ally in Argentina. Several Argentine ministries and agencies were represented (Justice and Human Rights, Foreign Affairs, Education, Social Development, Communications), as well as 12 Member States' embassies. The meeting took place in an open and cordial manner and confirmed the general alignment of the EU and Argentina on human rights issues. The agenda was commonly agreed and included items on women's rights, migrants and refugees, civil and politic rights, vulnerable groups, rights of LGBTI persons, freedom of expression, death penalty, business and human rights, cooperation projects, cooperation in multilateral fora. The dialogue was fruitful and an opportunity to transmit EU's and local civil society organisations views and opinions on human rights related matters of interest. The dialogue served to identify existing obstacles to greater human rights protection, which often stem from the lack of resources, and sometimes also from a lack of institutional capacity. In the midst of a deep economic crisis,

these obstacles prevent the full implementation of what is often a remarkably good legal framework.

In preparation for the dialogue, the EU delegation and Member States' embassies met with a large group of local human rights defenders in order to hear their views and get their recommendations on how to make the most of the dialogue with the authorities.

**4. EU financial engagement:** The three ongoing human rights related projects with civil society on each of the priorities mentioned above have a combined budget of EUR 2.1 million. The support for the Mesa de Redes amounts to EUR 1.1 million. Spotlight is expected to devote USD 6 million for its activities in Argentina during its first phase. Win-Win has a budget of EUR 9 million for the whole LAC region.

**5. Multilateral context:** In November 2018, for the fourth time since the creation of the UN Human Rights Council (HRC) in 2006, Argentina was elected as one of its members. On 15 January 2019, Argentina was selected to become the country holding the Vice-presidency of the HRC.

Ahead of HRC sessions or the UNGA Third committee, the EU delegation accompanied by Member States embassies have regularly conducted demarches at Directorate for Human Rights in the Argentine Ministry of Foreign Affairs. These demarches have contributed to identifying often similar voting patterns by Argentina and the EU on country specific or thematic resolutions. It is very rare for the EU and Argentina to vote differently in those multilateral human rights fora.

The last Universal Periodic Review (UPR) for Argentina took place in 2017.

## Plurinational State of Bolivia

**1. Overview of the human rights and democracy situation:** 2019 has been a very delicate year for Bolivia, experiencing a long and polarising electoral campaign culminating in a crisis caused by the manipulation of elections and eventually paving the way for an interim government, which is now preparing new elections. Democracy was severely tested and violence prevailed for a few days causing dozens of casualties. Law enforcement measures are being scrutinised.

Bolivia adopted several new legislative acts, but violence against women and children, due process rights of detainees, child labour, freedom of expression and impunity for human rights violations remain major concerns. Despite recommendations issued during the country's Universal Periodic Review (UPR), a national protection framework for human rights defenders still needs to be adopted. International human rights organisations continue to report concerns about judicial independence and the rights of persons deprived of liberty. Positive steps undertaken in 2019, such as the amendment of the Criminal Procedure Code or a penitentiary census to improve detention conditions still lack implementation.

The human rights and democracy situation was put under strain particularly due to the electoral process leading up to and following the 20 October elections. Before the elections,

concerns were high regarding the political independence and technical capabilities of the electoral authorities. Elections lacked the necessary credibility and the Organisation of American States (OAS) identified intentional manipulation. The EU Election Expert Mission deployed for the elections also found a range of errors and irregularities. As a result and due to the deep divide between MAS and the former opposition, the country plunged into a dangerous spiral of violence and political paralysis, leading to the death of more than 20 people. In this context, possible human rights violations remain to be investigated.

An interim government took office in November and a fragile stability was established only towards the end of the year against the background of new elections in 2020. Polarisation nevertheless continued with further threats to freedom of expression and the press, *inter alia* leading to the closure of 58 community radio stations and the intimidation of journalists. Lacking political independence under the MAS Government, the Institution of the Ombudsman remains to be re-established with its full independent mandate.

The Office of the United Nations High Commissioner for Human Rights, closed since 2018, is considering its reopening in coordination with a new government after the 2020 elections. Since November, an OHCHR human rights monitoring mission is present in the country to verify the human rights situation in the electoral context.

**2. EU action – key focus areas:** The EU action in 2019 continued with a focus on the three priority areas of the HRCDS, i.e. rule of law and access to justice, indigenous peoples' rights and the elimination of violence against women, girls and boys.

Specific attention was dedicated to the work of human rights defenders and the promotion of space for civil society. The new Country Roadmap for EU Engagement with Civil Society for 2019-2022 was adopted in August.

In terms of democracy support, the EU provided technical assistance to the Electoral Court via IDEA International, in close cooperation with Spain and Sweden. This helped improve the electoral process management, with advances made to the voters' registry, indigenous participation and IT systems. Moreover, the EU deployed an Election Expert Mission for the October general elections whose final report, including its recommendations on how to improve future electoral processes, was handed over to the authorities and made available to the public.

**3. EU bilateral political engagement:** In general, the EU continued to address its priorities in regular political dialogue with Bolivian authorities, aimed, *inter alia*, to advance the justice sector reform, to improve the human rights situation of children, human rights defenders and civil society, to address gender-based violence and to guarantee media freedom as well as freedom of expression.

A GSP+ Monitoring Mission by the European Commission visited the country in January, verifying the implementation of the 27 international conventions in the context of the EU's preferential trade scheme (GSP+), with a focus on violence against women and children, justice, child labour and fight against corruption.

After the general elections on 20 October, and in response to the erupting violence and political uncertainties, the EU delegation, under the chairmanship of the Bishops' Conference (the episcopate of Bolivia), and together with Spain and the UN, assumed the

role of facilitator by providing a platform to negotiate steps towards the pacification of the country as basis for new elections. As a result, the law on elections was passed and the Electoral Court re-established with newly appointed judges based on wide political consensus, which will contribute to the Court's full independence in order to ensure free and transparent elections in 2020.

**4. EU financial engagement:** In 2019, the Financing Agreement for a first cooperation project with the objective to strengthen access to justice for all and to promote effective, transparent and accountable justice system institutions and a budget of EUR 3 million was signed with the Government of Bolivia. The project which integrates a strong gender and human rights perspective will be implemented by a consortium of Spain and UNODC (with Switzerland as a sub-grantee) in 2020.

Financial support to the human rights and democracy priorities is primarily provided through instruments of EIDHR and the CSO-LA. Currently, four EIDHR country contracts totalling EUR 3 million are being implemented: two focusing on gender equality and the fight against gender-based violence, and two supporting human rights defenders. In addition, one regional project supporting the rights of LGBTI persons (EUR 2 million) will start implementation in 2020. Further four civil society initiatives concentrating on human rights priorities are being supported by CSO-LA funds of EUR 7 million. The activities of focus on promoting advocacy on justice policies with an emphasis on vulnerable groups (2 actions), enhancing gender-sensitive budgeting and promoting CSO participation on development processes.

In 2019, the EU reinforced its support to the Bolivian Electoral Body through two technical assistance projects in preparation of the 2019 general elections. The EU technical support the electoral process will continue in 2020.

**5. Multilateral context:** The third Universal Periodic Review (UPR) took place in the fourth quarter, underlining a range of concerns, including restrictions on the work of human rights defenders, impunity for human rights violations, excessive pre-trial detention, limitations to children's and women's rights and recommendations on indigenous peoples' and environmental rights. The Bolivian Government accepted several UPR recommendations to strengthen the capacity and the independence of the judiciary, as well as to review the legal grounds and practice of pre-trial detention. Several human rights organisations reported that the implementation of these recommendations was lagging behind.

In the framework of the IACHR session in Bolivia in February, a coalition of Bolivian CSOs financed by the EIDHR, organised side events on access to information and pre-trial detention. Civil society equally received funding to be able to participate in the IAHR meeting of November on human rights violations in the context of the post-electoral conflict, as well as to establish a senior advisory group to observe the selection process of the new IACHR Commissioner.

## Federative Republic of Brazil

**1. Overview of the human rights and democracy situation:** As a consolidated democracy with well-established and functioning institutions, Brazil has successfully held general elections in October 2018 and, on 1 January 2019, Jair Bolsonaro was sworn-in as the new President of Brazil. Having ratified nearly all major international human rights conventions, the country has achieved considerable progress in the protection of human rights. Still, significant challenges remain in a number of areas such as corruption and impunity, citizen insecurity, reported increasing police violence, prison conditions, rural violence and land conflict, human trafficking, attacks against human and environmental rights defenders, violence and discrimination against women and LGBTI communities, discrimination/exclusion of Afro-Brazilians descendants and indigenous peoples.

A series of institutional transformations, which took place during 2019, should be taken into account. Under the new government, a Ministry for Family, Women and Human Rights (MFWHR) was created to replace the previous Ministry for Human Rights, focussing on women's and children's rights, protection of the family, integration of persons with disabilities, elderly people, fight against racism and discrimination, the rights of LGBTI persons, human rights defenders, education, respect of all religious expressions, business and human rights and full protection of indigenous rights. There is mounting concern among Civil Society Organisations (CSO) about a shrinking space for dialogue with the government, for example as a consequence of a presidential decree that has extinguished the majority of the national mixed consultative councils which included also CSOs representatives. In the area of indigenous rights, the National Indian Foundation, FUNAI, suffered from a lack of continuity in terms of staff and institutional stability, as competences were first split among the MFWHR, and the Minister of Agriculture, then reattributed to the Justice and Public Security Ministry.

**2. EU action - key focus areas:** The EU and Brazil have good cooperation on human rights topics in multilateral fora, on issues such as the death penalty, racism, sexual and reproductive health and country resolutions. At bilateral level, the EU has supported specific actions on freedom of expression and of association, the protection of human rights defenders including indigenous leaders, non-discrimination, business and human rights, rule of law and good governance. Brazil has also participated in various EU-funded regional programs in support of human rights.

**3. EU bilateral political engagement:** In 2019, the EU-Brazil cooperation on human rights continued through political dialogue at federal and state level and by means of specific EU founded initiatives, visits and meetings with civil society representatives, as well as awareness raising activities and public campaigns.

The eighth edition of the high-level EU-Brazil human rights dialogue, took place in October 2019 in Brussels, preceded by an EU-Brazil civil society seminar. Both sides exchanged views on human rights topics at multilateral level, and discussed in a constructive way in some areas where differences exist. The occasion was also instrumental to review and enhance sectors where bilateral cooperation is ongoing, including strengthening of women's rights, supporting the rights of LGBTI persons and the fight against discrimination, supporting indigenous peoples, human rights defenders and persons with disabilities. The dialogue also focussed on the 30th anniversary of the Convention on the Rights of the Child, on the fight

against corruption, business and human rights and internet and human rights. A significant outcome of the dialogue was the official Brazilian invitation to the EU Special Representative for Human Rights, Mr. Eamon Gilmore, to visit this country to follow-up on these discussions, and as mid-term review before the next edition of the EU-Brazil human rights dialogue.

In December 2019, the EU organised the third edition of a seminar on domestic violence and launched the second EU Human Right Prize - in partnership with EU Member States and UNICEF - on the occasion of the celebration of the 30th anniversary of the UN Convention on the Rights of the Child. This prize was awarded to Plan International Brazil for the project 'Leadership School for Girls' aiming to contribute to the empowerment of young girls.

The EU also continued its cooperation activities on corporate social responsibility and business and human rights in the light of the National Guidelines for Businesses and Human Rights adopted by Brazil at the end of 2018. A regional project in these areas, that includes Brazil, also started in 2019 under the operational management of OECD, ILO and OHCHR. The fourth edition of an EU-Brazil corporate social responsibility event was organised in Rio de Janeiro in partnership with the local Industry Association (FIRJAN). New business opportunities for Brazilian fair and ethical products in the European market were also supported throughout the year by an EU funded project.

**4. EU financial engagement:** Overall, there are currently 40 ongoing projects worth EUR 41 million covering five areas: (i) Freedom of association - 11 projects on strengthening the capacity of Civil Society Organisations (CSOs) totalling almost EUR 12.2 million (including 2 new projects signed in 2019: one on 'supporting civic activism and participation by leveraging digital technologies' and another to strengthen the Network for Urban Reform; (ii) Human Rights Defenders - 6 projects to support indigenous rights totalling EUR 3.1 million and one new project totalling EUR 1.5 million to support women human rights defenders (WHRD); (iii) Non-discrimination – two projects to support afro-descendants rights totalling EUR 0.8 million, 4 projects on gender equality totalling EUR 3.2 million, one project on the rights of LGBTI persons totalling EUR 0.4 million, and four projects to support social inclusion and poverty reduction totalling EUR 3.4 million; (iv) Business and Human Rights – one project, totalling EUR 6.9 million and (v) Rule of Law and Good Governance – nine projects, totalling EUR 6.9 million. Brazil is also participating in EU-funded regional programmes such as EUROsociAL+ (on social policies towards minors and youth, gender) and EL PACcTO (on prisons management, justice and police components).

The Instrument contributing to Stability and Peace (IcSP) project (EUR 2.5 million) launched in 2018 was still ongoing in 2019 in the context of the migration crisis from Venezuela, to support Brazil's efforts in welcoming Venezuelans migrants and other persons of concern (including returning nationals).

Activities under the EU-Brazil Sector Dialogues Support Facility, financed by the EU Partnership Instrument, also allocated EUR 0,73 million to support to human rights, more specifically on promotion of gender policies within the General Attorney Office; risk assessment for the National Registry of Domestic Violence; public policies related to the Trans-population; protection program for Human Rights Defenders; the internet and human rights and also fake news and disinformation; disability assessment systems and housing for

homeless people. A regional project on Women and Economic Empowerment and Corporate Social Responsibility/Business and Human rights for a total of EUR 18,9 million is ongoing.

**5. Multilateral context:** In October 2019, Brazil was re-elected in the United Nations Human Rights Council (HRC) for the term of 2020-2022.

In multilateral fora, the EU has aimed to cooperate closely with Brazil, especially on issues such as the death penalty, racism, sexual and reproductive health and rights, and on country resolutions to coordinate positions at an early stage of the decision-making process. During the year, Brazil remained active in the HRC with priorities such as: privacy in the digital age; right to physical and mental health; rules of detention/imprisonment; human rights education; implementation of human rights recommendations or even rights of people with disabilities. The migration crisis in Venezuela and the freedom of religion or belief were also key priorities. Three UN special rapporteurs visited Brazil during the year (on leprosy, albinism and on toxic waste). The government also committed to deliver all pending reports on the implementation on the human rights treaties by the end of the government's mandate. For the first time, Brazil delivered in November 2019 a midterm report on the Brazilian 2017 Universal Periodic Review (UPR) process. At regional level, in August 2019, the Inter-American Court of Human Rights (IACHR) condemned the massacre that took place at a prison in the Brazilian state of Pará, which resulted in 60 victims.

## Republic of Chile

**1. Overview of the human rights and democracy situation:** Chile is a consolidated democracy and has ratified the main international and regional human rights conventions. In October 2019, a social crisis erupted mainly due to social and economic inequality, which took a significant toll on human rights (as well as on the country's economy, public security and the police) and has presented new challenges to governability. Reports from International NGOs as well as from the UN Office of the High Commissioner for Human Rights and a preliminary statement from the Inter-American Commission for Human Rights have identified concerns regarding serious and repeated human rights violations (including torture, sexual violence, arbitrary detention, arbitrary and excessive use of force and unlawful deaths). The National Institute for Human Rights pointed out that the country has seen 'the most serious human rights violations since its transition to democracy'. In response to the situation, the government invited international human rights observers (including the UN) and reaffirmed its commitment to strengthen human rights institutions, to support the investigation and sanction of violations, to provide assistance for victims and to modernise the police. The government also set up an inter-ministerial Human Rights Technical and Advisory Committee to examine and implement recommendations from those reports.

### **2. EU action - key focus areas:**

- Strengthening of the human rights and democracy institutional framework and public policies, particularly in: human rights, inclusion and non-discrimination, gender equality, and economic, social, cultural rights and business;
- Organising an annual local human rights dialogue with the government;

- Maintaining strong and continuous dialogue contacts with civil society organisations (CSOs) and other non-governmental actors in the field of human rights;
- Accompanying the country's efforts towards a more inclusive and sustainable development that further anchors its commitment to democracy, human rights and multilateralism.

**3. EU bilateral political engagement:** Since 2009, the EU and Chile have held an annual dialogue on human rights to discuss joint priority areas. The 9th dialogue in January 2019 focused on coordination in the context of the UN and the Human Rights Council, on business and human rights, inclusion and non-discrimination (LGBTI persons and indigenous peoples), women rights and gender.

The modernised Association Agreement will further confirm the holding of regular and meaningful dialogues on human rights.

In the context of the social crisis, the Head of the EU Delegation met with the Minister of Justice and Human Rights, the Undersecretary of Human Rights, the Director of the National Institute for Human Rights, the Children's Defender, and the Permanent Forum for Foreign Policy, where human rights issues were discussed.

#### **4. EU financial engagement:**

(i) CSO-Local Authorities budget line: currently the EU is supporting six civil society projects covering Gender (Instituto de la Mujer; World Vision Chile; Universidad Alberto Hurtado; Comunidad Mujer/Corporación Humanas) and Climate Change/empower local authorities (Gobierno Regional de Biobío; Municipalidades de Viña del Mar y Valparaíso).

(ii) European Instrument for Democracy and Human Rights (EIDHR): the EU has three ongoing projects in the area of economic, social and cultural rights: Indigenous Peoples (Observatorio Ciudadano); Business and Human Rights (Casa de la Paz) and Education for Migrants/Inclusion and No Discrimination (Educación 2020).

(iii) EUROsociAL+ Regional Programme EU-LAC: the programme continued to accompany Chile to enhance social cohesion by contributing to the design, reform and implementation of public policies, which have an impact on the matter. During 2019, the program carried out technical assistance and government-to-government exchanges of experiences related to social cohesion issues and carried out specific actions aimed to strengthen the capacity of public institutions to incorporate a gender perspective in different sectorial policies as well and migrant's rights. In the context of the social crisis demands, EUROsociAL+ was already accompanying several services in critical areas such as: the Public Defender's Office on its work with women prisoners and migrants; Municipalities on territorial tax management; the Social and Development Ministry on its Chile Crece Contigo Programme; and the National Prosecutor's Office on the law on criminal responsibility of adolescents and juvenile restorative justice.

Additionally, under Euroclima+ (Regional Climate Change and Environmental Sustainability Programme), the EU supported the development of a preparatory workshop for the Gender Action Plan, in the context of EU's support to the COP25, as well as the development of a Gender and Climate Change side event in the COP Conference held in Madrid.

Within the framework of the Partnership Instrument (Business and Human Rights + gender), the EU continued its support to the regional programme 'Win-Win: Gender Equality is Good Business', implemented by UN Women/ILO. In 2019, the programme's main actions related to the compilation and coordination of public-private initiatives that promote women's economic empowerment and gender equality in business, a diagnosis on pay equity oriented to measure wages gap and a call for action to reduce gender gaps in work (signed by the Ministry of Employment, UNW, EU, ProChile, among others), as well as the organisation of a joint seminar with Alberto Hurtado University entitled 'The future is today: call to action to advance the gender agenda in the workplace'.

The OHCHR organised alongside the EU, the ILO and the OECD the fourth Regional Consultation on Business and Human Rights for Latin America and the Caribbean in Santiago de Chile, bringing together representatives from governments, civil society organisations, indigenous communities and business companies. The conference also served as a launch for the EU-financed project (through the Partnership Instrument) for Responsible Business Conduct in Latin America and the Caribbean (CERALC), which received good visibility throughout the event.

**5. Multilateral context:** Chile is broadly a like-minded partner of the EU concerning human rights issues and there has traditionally been good cooperation in multilateral fora. Chile is a Member of the UN General Assembly (UNGA) Third Committee (Social, Humanitarian and Cultural issues) from 2018-2020 and its voting patterns are generally aligned with the EU. Chile is an important player in the Inter-regional task force on the death penalty moratorium resolution. For the second time, Chile took part in the UNGA 74 event on 'Good Human Rights Stories' on senior citizens. Chile is also an active member of the UN LGBTI (lesbian, gay, bisexual, transgender, and intersex) Core Group.

On 22 January, Chile participated in its third cycle of the Universal Periodic Review. Chile received a total of 266 recommendations from 101 states, focussed primarily on women's rights, child protection, rights of indigenous peoples, LGBTI's rights, police violence and torture. Chile has decided to accept 211 recommendations (79.32%). It has been decided to take note of 37 recommendations (13.90%) and not accept or consider 18 recommendations (6.76%). The EU delegation has continued a fluid dialogue and collaboration with international human rights institutions, including the Resident Coordinator of the UN System in Chile, the Regional Representative of the Office of the High Commissioner of Human Rights. Similarly, the EU has continued to discuss human rights issues with the Executive Secretary of ECLAC.

## Republic of Colombia

**1. Overview of the human rights and democracy situation:** The Peace Agreement implementation advances and has saved thousands of lives. However, some conflict affected areas, with weak state presence, have not benefitted from the peace dividend. They are suffering from human rights violations committed by illegal armed groups exploiting illegal economies, as main factors for violence in rural areas. The Government's Victims Unit accounts almost 70,000 victims of forced displacement during 2019. There are different

ways to define the numbers of killings of local leaders and human rights defenders, but under all circumstances the situation is alarming. OHCHR reports between 107 and 120 (13 cases under verification) such killings in 2019. Community-based and ethnic groups such as indigenous peoples and Afro-Colombians leaders are especially targeted. 77 ex-FARC-combatants were killed, making 2019 the deadliest year since demobilisation. Most of the killings and threats happened in rural areas with illegal economies. Crime and violence remain a concern.

The Chief Prosecutor registered 12.277 homicides in 2019 (33.6 killings every day on average), a slight reduction compared to 2018. Other structural human rights problems relates to vulnerable groups. The Ministry of Health reported that 41% of young Colombians suffered psychological, physical or sexual abuse when they were underage. Forensic Medicine informed that more than 5.500 girls between 10-13 years old got pregnant after rape in 2018 (with high difficulties to access legal abortion). Venezuelan migration reached 1.6 million in 2019. The government maintains an open arms and impressive human rights approach, yet it is concerned about the risk of xenophobia and human rights abuses against vulnerable migrants. Local elections were held in October 2019. Although serious violence with threats and killings affected candidates at the beginning of the campaign (six candidates were killed in the first six weeks), the government managed with a coordinated effort to stop most of the violence. Election's day happened without serious incidents and elections results were universally accepted. FARC participated as a political party. The government has announced the formalisation of a public policy for the protection of social leaders, journalists and human rights defenders. EU will follow the advances on the implementation of this policy.

## **2. EU action – key focus areas:**

- Human rights defenders;
- Women's rights and gender equality;
- Rights of the child;
- Victims and transitional justice;
- Indigenous and Afro-Colombian peoples and other vulnerable groups;
- Venezuelan migrants and refugees;
- Business and human rights;
- Democracy.

**3. EU bilateral political engagement:** The EU continued its strong engagement in support of implementation of the Peace Agreement, particular on reintegration of ex-combatants, rural development and productive projects in the Territorial Focussed Development Plans (PDET), support to vulnerable communities and victims and support to all three institutions of the Transitional Justice System. The EU Special Envoy visited Colombia three times in 2019 to build confidence and foster dialogue on implementation of the peace agreement. Many high level visits supported the political engagement in support of human rights including visits of the HR/VP Mogherini. Member states made many high level visits also at ministerial levels.

During 2019, the EU has prioritised human rights defenders in the context of the campaign We defend life (#DefendamosLaVida). Through this campaign, the EU and Member States

give public relevance and institutional support to human rights defenders whose life and integrity are under threat. The campaign has 40 human rights defenders as emblematic cases that cover peasant, indigenous, afro-descendant and women leaders in most Colombian regions. In 2019, the EU-Colombia human rights dialogue was held in April, preceded by a preparatory seminar with over 60 CSOs from all over the country. The protection of local leaders and human rights defenders was given high priority in the ongoing dialogue. The EU and Member States have participated in many meetings with state authorities and civil society organisations, like the 'Worktables for Life Protection' organised by the General Inspector or the National Commission for Security Guarantees, created by the Peace Agreements and hosted by the president. Field visits and high-level meetings were also organised in cooperation with CSOs and international partners by the EU, Member States embassies and jointly.

**4. EU financial engagement:** EU currently has 14 EIDHR projects to support the work of social leaders and human rights defenders in the most vulnerable regions. Three new projects were signed in 2019 for EUR 2,5 million for strengthening of the social leadership, support for legal processes and litigation, building trust with the State to favour and improve prevention and a timely response to violence. To fight against impunity, a new project (2 EUR million from IcSP) supported the Special Investigation Unit of the National Prosecutor, a key institution in the investigation and justice provision for crimes against human rights defenders, ex-combatants, and dismantling of organised crime. The EU and Member States support the 2016 Peace Agreement's transitional justice system, composed of three pillars. The Unit for the Search of Missing Persons (EUR 3.2 million funded by the IcSP); the Truth Commission (EUR 4.5 million funded by the IcSP) and it is planned to start support to the Special Jurisdiction for Peace (EUR 3,5 million funded by the IcSP) from April 2020. Member States also contribute to the UN Fund, which has several ongoing actions in support of transitional justice. Other EU and Member States' cooperation projects help transitional justice by strengthening victims' organisations, the Ombudsman's office and OHCHR. EU projects are also supporting reintegration of child ex-combatants and prevention of recruitment by armed groups and the prevention of violence against women and children.

In 2018, the EU chaired the gender committee of the international cooperation group in Colombia, and provided political and economic support to women's rights organisations and UN Women. EU and Member States supported projects to combat sexual exploitation, foster economic empowerment and to provide support to rural women. The EU Trust Fund has a gender specific approach throughout its work, while its projects also benefit indigenous and Afro-Colombian communities in Cauca, Chocó and Nariño. European Commission humanitarian assistance supports indigenous and Afro-Colombian communities in the Pacific region of Colombia. The EU supported with both humanitarian assistance and development cooperation Venezuelan migrants in areas as health, registration, conflict prevention, nutrition, food safety and attention to vulnerable migrants and refugees. During 2019, the EU supported the drafting of the National Plan on Business and Human Rights through the Responsible Business Conduct in Latin America and the Caribbean regional program, implemented by OHCHR, ILO and OECD and financed with EUR 9.5 million of the EU Partnership Instrument. Colombian electoral authorities requested EU expert assistance to help with operationalising the recommendations from the 2018 EU election expert missions. The leader of the expert mission made a follow-up visit in 2019.

**5. Multilateral context:** Colombia renewed in October its 1996 agreement with the OHCHR for 36 months, particularly to include common responsibilities adopted after the Peace Agreement, the use of communication technologies and the support of OHCHR for national plans and indicators on human rights. A UN Security Council delegation visited Colombia in July. In September, the Security Council extended the mandate of the UN Verification Mission in Colombia for another year. President Duque has asked for an extension covering the entire time of his mandate.

## Republic of Ecuador

**1. Overview of the human rights and democracy situation:** Ecuador has one of the most progressive constitutions in the region. The relevant human rights legislation is largely in place, though it is often not duly implemented, mainly due to lack of funding in the context of severe financial constraints and capacity, but also, for instance on gender issues, due to influence of conservative groups.

In 2019, there have been some significant positive developments, namely regarding freedom of expression through the revision of the Organic Law of Communication in 2018 and its finalisation in February 2019, and the signature of the 1994 Chapultepec Declaration of the Inter American Press Association on press freedom and liberty of expression in February 2019 by the President Moreno. In June 2019, the Constitutional Court approved the civil marriage between same-sex couples. In December 2019, the National Assembly approved the reform of the Democratic Code, which includes strong provisions on gender parity, for instance stipulating that by 2025 50% of candidates in elections should be women and every presidential pairing (presidential and vice-presidential candidate) should be of one man and one woman. The country also continued to make good progress on social and economic rights.

However, in the context of the violent protests in October 2019, following the liberalisation of fuel prices and the announcement of a package of tax and labour reforms, Ecuadorian human rights institutions, in particular the Ombudsman, and non-governmental organisations expressed serious concerns as regards human rights violations by security forces, arbitrary detentions and ill treatment of detainees. Following a mission by OHCHR, the UN High Commissioner underlined the importance of investigating the cases of death and serious injuries, and noted that it is imperative that the internal protocols regarding the use of force for law enforcement officials are reviewed and that the authorities ensure they comply with international standards.

Ecuador still faces serious human rights challenges, in particular regarding support to vulnerable groups, including women and girls, children and LGBTI persons, indigenous peoples and people of African descent – and increasingly Venezuelan refugees and migrants. Gender violence continues to be a deep-rooted problem in Ecuador. While in September the National Assembly adopted the reform of the Organic Penal Code, it rejected proposed revisions to the restrictive definition of abortion and failed to include decriminalisation of abortion after rape. Poor prison conditions are a further concern. Some cases of grave human right violations defined by international and national human right organisation as modern day slavery were identified. Civil society also indicate concerns notably regarding

government's plans to increase the extractive activities in the country that have potential to create conflicts with the resident, mostly indigenous communities and protectors of human rights and the environment.

## **2. EU action - key focus areas:**

- Promoting the legitimacy of the work of human rights defenders;
- Encouraging and giving visibility to the civil society's participation in public policies;
- Safeguarding freedom of expression;
- Ensuring better protection of persons belonging to minorities and vulnerable groups, including indigenous peoples, migrants, women and children;
- Access to an independent and effective justice/Justice and Rule of Law.

**3. EU bilateral political engagement:** Good progress has been made towards closer engagement on human rights, notably regarding the establishment of a (local) human rights dialogue, which is expected to be launched in 2020. Successful examples of concrete cooperation include

- After 15-year incidence, the implementing partner Foundation for Integral Rehabilitation of Victims of Violence (PRIVA) reached the goal of signing conventions with the Medical University and the State Attorney's Office to strengthen the capacity of medical and legal experts in the evaluation of cases of torture and violence in prisons. (Project 'Promoting eradication of torture in Ecuador through preventive action' ('Promoviendo la erradicación de la tortura en el Ecuador con acciones de prevención'). Project amount: EUR 303,670, implemented from March 2017 to March 2019).
- A 'peace treaty' has been signed in order to maintain peace and constructive attitude between the recently contacted indigenous population in voluntary isolation and the adjoining population in the Amazon region. (Project 'Protection and promotion of the human rights of the indigenous populations in voluntary isolation and the populations adjoining to the Waorani' ('Protección y promoción de los derechos humanos de los pueblos indígenas en aislamiento voluntario y de los pueblos colindantes de los Waorani') implemented by FEPP. Project amount: EUR 246,002, implemented from March 2017 to May 2019).

**4. EU financial engagement:** In 2019, the EU delegation managed nine human rights projects that focused on prevention and eradication of gender violence, protection of human rights defenders and nature, fight against torture, protection of the right to adequate food, protection of peoples in voluntary isolation, forced disappearance and extrajudicial execution. The EU delegation has recently launched a new call for proposals on human rights that amount to EUR 950,000. The financial engagement is complemented and informed by a regular dialogue with the Ecuadorian government and civil society.

**5. Multilateral context:** In multilateral fora in 2019, Ecuador continued to be a like-minded partner for the European Union, *inter alia* as regards UN resolutions on human rights issues where Ecuador took decisions on case-by-case basis, including support to EU sponsored and supported resolutions. The UN Special Rapporteur on Violence against Women, its causes and consequences visited Ecuador in late November/early December. Furthermore, the

Committee on Economic, Social and Cultural Rights considered the fourth periodic report of Ecuador and adopted concluding observations on 14 November. Finally, the UN's Working Group of Experts on People of African Descent visited Ecuador on 16-20 December 2019.

## Republic of Paraguay

**1. Overview of the human rights and democracy situation:** Paraguay generally has a good formal basis for the protection of human rights. However, the implementation of a national plan, vital for the much needed institutional strengthening for human rights, is lagging behind. Human rights concerns include corruption, organised crime, as well as the treatment of vulnerable groups, violence against women and girls, trafficking in persons, the rights of children (e.g. high number of pregnancies before the age of 15; practice of 'criadazgo', i.e. sending children to serve in others' houses in exchange for food and basic education), environmental rights and land evictions of indigenous minority and landless/small farmers, rights of persons with disabilities, protection of human rights defenders, and discrimination against the LGBTI community. There is a worrying increase of influence of the ultra-conservative, anti-rights lobby, which goes against the respect of human rights of some of these groups. The weak functioning of the justice system, including overcrowding and violence in prisons and vast use of pre-trial detention continues to be an important concern.

Some positive developments in 2019 include a historic law that gives domestic workers the right to a minimum salary and legislation that improves access to health checks for women. For the first time since the adoption of the law on violence against women in 2016, the number of reported killings of women has been lower than the previous year. The Health Ministry has improved health services for HIV+ people and a new law guarantees access to information to deaf people in public institutions. Paraguay also witnessed the first criminal conviction for the murder of a transsexual person and the first conviction of a torturer from the dictatorship era. The country took a more decisive approach to implementing some rulings of the Inter-American Court of Human Rights in favour of indigenous communities.

The EU deployed a mission at the end of 2019 to follow up the recommendations made by the 2018 EU Electoral Observation Mission. The follow up mission concluded that few recommendations had been addressed. It emphasised the need to look into some key recommendations that could make a difference, among others to improve women representation in elected offices, regulation of observation of national observers and participation of excluded and underrepresented groups (indigenous groups, vulnerable groups, people in preventive imprisonment and police officers).

**2. EU action - key focus areas:** The EU has maintained its focus on consolidating democracy, including through improved electoral processes, transparency and fight against corruption, and promotion and protection of vulnerable groups (children, indigenous peoples, and persons with disabilities), gender equality and prevention of discrimination. Other priorities for the EU are promoting institutionalisation of human rights, judicial reform, preventing torture, fighting corruption and organised crime, and further enhancing transparency.

**3. EU bilateral political engagement:** Human rights were discussed during the EU – Paraguay Joint Cooperation Committee in March, 2019 during *ad hoc* meetings between the Delegation and the Ministry of Foreign Affairs, and with the civil society, with particular attention to vulnerable groups. During the EU Electoral Follow-Up mission in December, there was specific focus on the recommendations on gender parity, electoral financing and electoral participation of underprivileged groups.

As a positive example, to mark the international year of indigenous languages, the EU delegation supported the elaboration of an Ishir language (an indigenous language of Northern Paraguay, declared in danger by UNESCO) dictionary, prepared by members of the community. With EU support, a Women's Political Leaders' Training Academy was made possible through the Equity and Gender Commission of the Senate.

**4. EU financial engagement:** During 2019, the EU continued to provide financial support through the DCI (notably on electoral reform, promoting transparency and voter participation) and the European Instrument on Democracy and Human Rights (EIDHR). Two contracts were completed in 2019 under the EIDHR and four are ongoing, including two projects following the Call for proposals in the framework of the EIDHR 2018-2019, aiming at supporting and strengthening civil society organisations, democracy activists and human rights defenders working on human rights and democracy in Paraguay. A new contract was signed with IDEA International to continue supporting electoral reform, including participation of women, indigenous men and women, and people with special needs in political life.

**5. Multilateral context:** In the multilateral context, Paraguay has ratified all core international and regional human rights conventions. It is a candidate for its third Human Rights Council membership 2022-24. For the first time, a Paraguayan expert was elected Vice President of the UN Human Rights Committee for the implementation of the International Pact on Civil and Political Rights.

The country cooperated closely in the framework of the Universal Periodic Review (UPR) in January 2016 and accepted almost all 140 recommendations. In 2019, Paraguay presented a voluntary mid-term report on the UPR, ahead of the next UPR scheduled in 2021. Paraguay presented its 4th periodic report regarding the implementation of the International Covenant on Civil and Political Rights (ICCPR). Paraguay became the first country to be reminded by the Human Rights Committee of its responsibility to protect its citizens from environmental degradation by pesticides. Following a possibly misinformed intervention from the Church, Paraguay temporarily put on hold the ratification of a regional Escazú agreement on environmental rights.

A sentence was made at the Inter-American Court of Human Rights (CIDH) when the Court favoured Paraguay on the 'Arróm y Martí vs Paraguay' case over the recommendations of the Inter-American Commission for Human Rights. The resolution exempted the country of international responsibility on this alleged torture case that also included accusations of kidnapping.

The IAHRRC rapporteur on Human Rights for Paraguay in October 2019 observed several topics of concern, starting with the alarmingly high number of victims of sexual violence, including a considerable number of pregnant girls between ages 10 and 14, calling on the State to revisit their decision to eliminate sexual education from schools. The report also focuses on the attacks against the LGBTI community, the rights of children and hardships of the indigenous communities.

## Republic of Peru

**1. Overview of the human rights and democracy situation:** The 2019 human rights and democracy agenda in Peru continued to be centred on the fight against corruption, political and judicial reforms, strengthening of institutions, and the fight against gender-based violence, the protection of vulnerable groups, as well as the rights of an increasing number of Venezuelan migrants in the country. In September, President Vizcarra dissolved Congress in an effort to break the persistent deadlock between the legislative and executive powers, thereby triggering extraordinary congressional elections in January 2020 that the EU has been invited to observe.

The government has continued to carry out its third National Plan of Human Rights 2018-2021, with a special focus on women and vulnerable groups, including the afro-descendent population, children, elderly, population with AIDS and TBC, indigenous peoples, women, persons with disabilities, the LGBTI community, victims of the violence between 1980 and 2000, and human rights defenders (HRDs).

Concerns remain about the alarming rates of sexual and gender-based violence. Women's reproductive rights still lack full protection and respect, further aggravated by the low number of women representatives in political and governmental positions. In August, President Vizcarra signed a law establishing gender parity in congressional elections. Moreover, the LGBTI community faces societal hostility further fuelled by increasingly vocal fundamentalist groups. In terms of freedom of expression, journalists occasionally face criminal prosecution for their work. Judicial investigations into human rights abuses during the 20-year armed conflict remain slow and limited. As of September 2019, courts had issued rulings in 86 cases related to abuses committed between 1980 and 2000.

As in recent years, HRDs as well as environmental and community activists remain being threatened or killed. Judicial harassment and an incomplete legal coverage for defenders' protection persist. In March, the government approved the Protocol for the Protection of Human Rights Defenders in Peru, paving the way for more thorough safeguarding of their rights. Conflicts surrounding extractive industries have continued (the Ombudsman reported 185 social conflicts until November 2019). Though killings by security forces have decreased since 2016, the criminalisation of protests and a non-effective Law on Territorial Organisation remain a worrying deficiency. Social and economic rights have improved over the past few years, with significant headway being made in the reduction of poverty rates. On labour and environmental rights, Peru has made progress within the framework of the implementation of the Multiparty Trade Agreement, but more efforts are needed, especially on the application of the Trade and Sustainable Development Chapter. Moreover, the

deforestation of the Amazon and illegal mining continue to affect local communities and the environment.

**2. EU action - key focus areas:** The EU has focused its efforts in Peru on the following priorities:

- Democratic governance, transparency, integrity and accountability;
- The fight against gender-based violence, promotion of equal opportunities and women's rights;
- Protection and empowerment of vulnerable groups (indigenous peoples, LGBTI persons, Human Rights Defenders);
- Business and Human Rights, prevention of social conflicts and protection of Human Rights Defenders;
- Support to the design and implementation of Peru's legal and policy framework and access to justice, including reparations for victims of human rights violations.

**3. EU bilateral political engagement:** The ninth meeting of the EU–Peru bilateral consultation mechanism was held in Brussels in July, where a wide range of topics were discussed. This was preceded by the fifth annual EU-Peru dialogue on human rights and democracy in February. Its conclusions were adopted during the bilateral consultations.

The EU delegation also organised and chaired the seventh annual dialogue between the European Union, its Member States and Human Rights Defenders, as well as the fourth annual structured dialogue with civil society. These discussions allowed constant engagement on human rights in the country with a diversity of stakeholders.

In 2019, the EU continued to support the four priorities laid out in its 2018-2020 Road Map with Civil Society. Furthermore, the EU, together with other donors, conducted follow-up activities to the '25 by 25' consultation process agreed in 2018. The initiative identified a list of 25 commitments to fight gender-based violence, serving as a roadmap for the prevention of violence against women.

Peru's Roundtable for the Fight against Poverty (MCLCP) was featured as a good human rights story at the EU's side event at the UN General Assembly in September 2019. The MCLCP is a network of dialogues across the 26 regions of the country, where governmental institutions and civil society meet with the objective of discussing efforts to fight poverty and inequality.

**4. EU financial engagement:** The EU currently allocates EUR 8 million to finance projects aimed at protecting and strengthening human rights in Peru. Across eight national and four regional projects, the key focus areas include the protection and empowerment of indigenous groups (EUR 1 million), promoting justice and helping victims of torture and extrajudicial killings (EUR 2 million across two regional projects), protection of human rights defenders (EUR 2.3 million, including a regional project), the fight against human trafficking (EUR 360,000) and the fight against corruption (EUR 360,000). In addition, Peru is one of nine countries that participate in a regional project to promote corporate social responsibility and business and human rights, financed by the Partnership Instrument for a total of EUR 9.5 million. Peru also participates in the global Clear Cotton project that aims to improve national legislation and policies to address the basic needs and rights of children

engaged in or at risk of child labour.

The ongoing and past projects promoted by the EU have had a positive impact. Human rights defenders and civil society have a continuous and steady relationship with the EU, and the channels of communication continue to be strengthened. EU support has been instrumental to introduce the guidelines on business and human rights into the country's national human rights policy. In addition, the EU has contributed to put gender-based violence high on the political agenda of the country. Indigenous organisations have also been strengthened with EU support.

**5. Multilateral context:** Peru has ratified all the relevant human rights conventions and has been proactive and collaborative in the revision processes developed by the United Nations and its relevant bodies. The OECD published in 2019 its third volume of the Multi-dimensional Country Review (MDCR) of Peru, proposing policy implementations to broaden social inclusion, consolidate its middle class, and become a high-income economy. As a like-minded country in the region on the promotion of shared values, democracy and human rights, as well as a confirmed defender of multilateralism, Peru continues to align with EU positions in multilateral fora as demonstrated by its voting patterns at the UN. Peru was a proactive member of the 41<sup>st</sup> session of the Human Rights Council, tabling an approved motion on the impact of arms transfers on human rights. Additionally, Peru was part of the 18<sup>th</sup> Session of the Permanent Forum on Indigenous Issues. Peru also participated in the first Global Refugee Forum organised by the United Nations High Commissioner for Refugees (UNHCR) in December 2019.

## The Oriental Republic of Uruguay

**1. Overview of the human rights and democracy situation:** Uruguay is an established and effective democracy. It enjoys considerable political and economic stability, with a robust rule of law. It is considered as one of the most transparent and least corrupt countries of the world. The overall human rights situation in Uruguay remains positive and stable, with fundamental freedoms and human rights respected overall. Noteworthy legislative advances have been made, lack of financial and human resources hinders somewhat their effective implementation. In spite of gender-related legislative progress, an important surge of gender-based violence could be observed. Deficiencies also remain on discrimination against Afro-descendants and the LGBTI community (improvements needed in anti-discrimination policy) and in the use of extended pre-trial detention, resulting in some penitentiary centres in overcrowding and related negative consequences. A similar situation can be observed in juvenile detention centres.

### **2. EU action - key focus areas:**

- Prevention and eradication of all forms of violence and discrimination against women, promoting women's empowerment and gender equality;
- Cultivating an environment of non-discrimination, with special attention to the LGBTI community, persons with disabilities, elderly and Afro-descendants.

To this effect, the EU delegation to Uruguay engages proactively with the Uruguayan civil society, in particular through the annual structured dialogue.

To foster EU support for human rights in the framework of the 30th Anniversary of the UN Convention on the Rights of the Child, the EU delegation together with Uruguay's National Human Rights and Ombudsman Institution launched the campaign 'While Playing We Learn Our Rights', a memory game for children and youth to learn and discuss about the articles of the Universal Declaration of Human Rights. The campaign will be implemented in 2020 at schools and public spaces.

In 2019, the EU delegation launched the second EU Human Rights Award to underline the EU's commitment towards human rights. It provided for a well-deserved visibility of the Uruguayan civil society and was an occasion to strengthen the already positive relations between the EU and key Uruguayan human rights institutions and civil society organisations. The participation of the Head of the Human Rights Secretariat of the Presidency of Uruguay contributed to increased visibility and impact of the event.

The project 'Win-Win: Gender Equality is a Good Business', to foster gender equality in Uruguayan companies in line with EU policies, in partnership with UN Women and ILO, launched the 'Talent has no Gender' awards, based on WEPs principles. Additional activities were carried out in partnership with EU-financed projects 'Más Conocimiento, Más Participación, Más Derechos' (children and adolescents rights), and 'Horizonte de Libertades' (facilitating integration of discriminated adolescents).

**3. EU financial engagement:** The EU is financing the following projects in Uruguay:

- 'Uruguay mira la trata' (total cost: EUR 450.000) studies trafficking in human beings in Uruguay, implements capacity building activities and promotes public policies. The analysis of the situation has started and contributions have been provided during the consultations for the Comprehensive Law against Exploitation and Human Trafficking.
- 'Cooperación con equidad' (total cost: EUR 397.096) empowers the political participation and the socio-economic rights of women working in the cooperative sector.
- 'Horizonte de libertades' (total cost: EUR 530.249) contributes to the social, economic, cultural and political integration of discriminated adolescents. The project raised awareness and enhanced citizen participation in the law-making process of the Comprehensive Law on Transvestite, Transsexual and Transgender People.
- 'Más Conocimiento, Más Participación, Más Derechos' (total cost: EUR 520.000) promotes the full exercise of children and adolescents' rights. The project established a monitoring system for the implementation of the Convention on the Rights of the Child, as well as raised awareness and strengthened engagement of the youth.
- 'Red Calle' (total cost: EUR 473.817) seeks to improve the living conditions of the homeless by strengthening national policies and sharing experiences with Brazil, Chile, Colombia, Costa Rica and Paraguay.
- 'Win-Win: Gender Equality is a Good Business' (total cost: EUR 1 million) promotes gender equality in the private sector. To date, 30 Uruguayan enterprises committed to apply Women Empowerment Principles.

- ‘Fortalecer, Participar, Incidir’ (total cost: EUR 399.838) strengthening the participation and formulation capacities of organised civil society, its networks and coalitions to influence the formulation, execution and monitoring of public policies with a human rights approach.
- ‘InsPYraMe’ (total cost: EUR 450.000) promoting economic rights of women and youth by fostering the creation and strengthening of micro, small and medium enterprises in the framework of the new EU-Mercosur association agreement.

**5. Multilateral context:** Uruguay is a UN founding member and is strongly committed to and engaged with multilateralism. It is a reliable and trustworthy partner country for the EU across a wide range of issues, including human rights. Uruguay is member of the UN Human Rights Council for the period 2019-2021.

In 2019, Uruguay was scrutinised during the Universal Periodic Review (UPR) process at the UN Human Rights Council. The country is strongly committed to the process and accepted all the recommendations Uruguay has set up a permanent voluntary dialogue with civil society regarding the UPR recommendations.

Uruguay joined the EU, for the second time at the ‘Good Human Rights Stories’ initiative in the margins of the 74th UN General Assembly in September. Uruguay also joined the second EU-led ‘Alliance for Torture-Free Trade’ at the Ministerial meeting.

## Republic of Venezuela

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Venezuela has further deteriorated in 2019 in the context of a worsening political, social and economic crisis.

As reported by the UN High Commissioner for Human Rights and national and international civil society organisations, there were serious violations of fundamental freedoms and core civil and political rights, such as restrictions to freedom of expression and media, arbitrary detentions, torture and extrajudicial killings, as well as wide violations of right to food and the right to health. There were numerous cases of repression, intimidation and violence against political opponents, including members of the National Assembly and its President. Many lawmakers have been stripped of their immunity and several were detained with no due process, such as Juan Requesens and Gilber Caro, as well as Juan Guaidó’s chief of staff Roberto Marrero. At the end of the year, NGO Foro Penal reported that there were 388 political prisoners in 2019, including 18 women and 118 military personnel. According to the organisation, at least 50 individuals were killed in the context of the repression of protests and 2,219 individuals were arbitrarily detained for their political views. At least half of those arbitrarily detained reported cases of abuse either during arrest or in detention.

The death of the army captain, Rafael Acosta Arévalo in June 2019, while he was in custody of the Venezuelan security forces, was another stark illustration of the arbitrary nature of the judicial system in the country and of the lack of guarantees and rights for those under detention.

Indigenous communities faced serious violations of their rights in a context of high levels of violence and the presence of irregular armed groups, involved with the illegal exploitation of natural resources in the Orinoco mining belt.

The political deadlock and the dire economic situation in Venezuela had a devastating impact on the humanitarian situation in the country. Malnutrition, famine, and considerable shortages of food and medicines continued to hit the majority of Venezuelans. More than 21% of the population (7 million people) suffers from malnutrition, including some 280,000 children at risk of death; 25% survive on humanitarian assistance, 90% live under the poverty line.

**2. EU action - key focus areas:** The key focus areas for the EU are:

- Strengthening democracy;
- Protecting civil society space and Human Rights Defenders (HRDs);
- Promoting gender equality.

**3. EU bilateral political engagement:** In spite of a difficult context, the EU has not spared its efforts to maintain a dialogue with the authorities, in particular to voice its concerns with regard to the human rights situation and democratic challenges the country faces. The EU has continued to use its policy tools to encourage the authorities to take concrete steps to address the challenges that affect all Venezuelans.

The EU has also maintained an open dialogue with other political forces and civil society organisations, as it believes that Venezuela's problems, including in the area of human rights, can only be overcome if all stakeholders decide to unite their efforts. The EU's main priorities are to support the strengthening of democracy, rule of law and fundamental freedoms, protection of civil society space and human rights defenders.

In light of the ongoing political, economic, social and humanitarian crisis in Venezuela with persistent actions undermining democracy, the rule of law and the respect for human rights, the EU decided that the existing restrictive measures would be renewed for a further 12-month period, until 14 November 2020. The measures include an embargo on arms and on equipment for internal repression as well as a travel ban and an asset freeze on 25 listed individuals responsible for human rights violations. These measures are intended to help encourage democratic shared solutions in order to bring political stability to the country and allow it to address the pressing needs of the population. The targeted measures are flexible and reversible and designed not to harm the Venezuelan population.

**4. EU financial engagement:** In 2019, the EU extended its assistance package, providing increased amounts of humanitarian aid and development funding through notably the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and the thematic programme on support to Civil Society Organisations. Currently there are five EIDHR projects ongoing, worth around EUR 2,3 million. A number of projects funded under the CSOs thematic programme also support human rights related issues, for a total budget of about EUR 2,4 million. EU human rights related cooperation activities focus on the reinforcement of the capacity of CSOs and human rights defenders, the promotion of gender equality, women empowerment, monitoring human rights violations and advocacy at international level, promotion of access to information and the right to life and access to justice. The EU is also currently supporting

the functioning of the local office of the OHCHR in Venezuela. Moreover, the EU delegation is keeping close contact with civil society organisations and human rights defenders.

**5. Multilateral context:** The EU fully supports the UN High Commissioner's efforts to ensure that the human rights of all Venezuelans are fully protected. The EU welcomed the report of the visit of the High Commissioner to Venezuela in July 2019 and called upon the Venezuelan authorities to fully implement the totality of the recommendations contained in the High Commissioner's report, notably those focusing on prevention, investigation, accountability, reparations, and guarantees of non-repetition, as well as to fulfil the commitment to invite 10 Special Procedures within two years.

In the context of the UN Human Rights Council, the EU supported the Council's 27 September resolution that created an independent fact-finding mission to investigate the situation in Venezuela since 2014. This mission is particularly important to address impunity and work towards ensuring accountability. The EU calls upon the Venezuelan authorities

## Jamaica

**1. Overview of the human rights and democracy situation:** Jamaica has a strong democratic tradition including credible, transparent and inclusive elections. The last elections were held in February 2016 with the next round due by 2021. In the past, violence was a feature of general elections but in recent years, elections have been mostly free of violence. The Electoral Commission of Jamaica, an independent and autonomous authority that reports directly to the parliament has spearheaded modernisation of the electoral system resulting in significant gains over the last 30 years. Crime is a major challenge with the 2019 figures showing an increase over 2018. Since January 2018, several parts of the country have been placed under States of Emergency as part of the government's effort to address the problem but questions continue to be raised about the constitutionality of the extended use of this measure and its efficacy, given the current increase in murders. Closely related to the problem of crime is the issue of corruption. A new anti-corruption body called the Integrity Commission has been established with a mandate to investigate and prosecute acts of corruption. Currently there are investigations into allegations of public sector corruption involving high-ranking officials including government ministers. Discrimination against LGBTI persons also remains a concern.

**2. EU action – key focus areas:** The EU is supporting the government to strengthen its anti-corruption institutions including the Integrity Commission, the Major Organised Crime and Anti-Corruption Agency (MOCA) and the Financial Investigation Division (FID). There is continuing support under the Justice Security Accountability and Transparency project (JSAT) for the Independent Commission of Investigations (INDECOM), the oversight body for the security forces, tasked with investigating excesses and abuse by agents of the State. Under the EIDHR, support is provided to civil society organisations (CSOs) to, *inter alia*, monitor governance related issues and raise awareness of human rights issues.

Budget support assistance was provided to help the government of Jamaica deliver key reforms for the benefit of Jamaicans; this includes facilitating increased access to justice

through expansion of the Court of Appeal building, which will have spin off effects including reducing the backlog of court cases. EU support also facilitated the installation of high tech equipment to enhance the justice system's efficiency; streamline restorative justice interventions; address the issue of children in conflict with the law and mainstream a child diversion component into the justice programme. Support was also provided for a public education programme to improve the perception of the justice sector and build awareness about the reform programme. In March 2019, the Chief Justice declared that Jamaica would have the leading justice sector in the region within three years and the best in the world in six years.

A joint Government of Jamaica-EU funded Poverty Reduction Programme (PRP) continues to support the education and employment needs of persons in volatile communities. The EU delegation participated in advocacy and public awareness initiatives spearheaded by the LGBTI community to advance the rights of LGBTI persons, including the Montego Bay Pride Walk. In October 2019, the Caribbean Policy Research Institute (CAPRI) launched its research, called 'Paying for Prejudice', which looked into the financial costs to the country resulting from the discrimination against LGBTI persons. The research, which was funded by the EU, finds that archaic anti-gay laws in Jamaica and discrimination against LGBTI persons are costing the nation around JMD\$ 11 billion per year. The EU delegation also supported the CSO 'Stand Up For Jamaica', to carry out research on the issue of mental illness behind bars. The research entitled 'Through the Cracks' was launched in 2019.

In December 2019, the EU delegation provided significant financial support to the Equality for All Jamaica Foundation, the leading LGBTI advocacy group - to improve the responsiveness of social support services provided by the Government of Jamaica to lesbian, gay, bisexual and transgender (LGBTI) Jamaicans. The support also covers efforts to increase the awareness of the importance of protecting social and economic rights, particularly for vulnerable members of society. Also in December 2019, the EU delegation provided support to Fight for Peace International to work in the community of Denham Town where there has been increased security presence for over one year. The objective of the programme is to reduce human rights violations against youth and children in areas of the community where there are heightened security measures.

**3. EU bilateral political engagement:** Through regular political and policy dialogues, the EU delegation continues to advocate for human rights issues to be addressed, including abolition of the death penalty and establishment of a National Human Rights Institute. Formal political dialogues were also held with the Prime Minister within the context of ABCE where issues such as corruption, citizen security among others were discussed.

In 2019, the EU delegation carried out formal demarches on human rights issues including:

- In support of women, from 11 to 22 March 2019;
- In support of EU priorities and initiatives including country and thematic resolutions at the UNGA Third Committee, in October 2019. The UN General Assembly Third Committee (3C), the UN's premier body for the consideration of human rights issues.

**4. EU financial engagement:** Under the Spotlight Initiative, EUR 8 million has been earmarked to address gender-based violence in Jamaica. A national programme is being

worked on to give effect to this. EUR 24 million in budget support assistance was provided for the period 2016-2020 to support improvements to the justice sector. Jamaica received an additional grant of EUR 20 million to fight crime and improve citizen security.

**5. Multilateral context:** Jamaica's last Universal Periodic Review took place in May 2015 with the next review scheduled to take place in 2020.

## Mexico

**1. Overview of the human rights and democracy situation:** When taking office on 1 December 2018, Mexican President Andrés Manuel Lopez Obrador promised a 'Fourth Transformation' based on the fight against corruption and the in support of rule of law, on the fight against violence and impunity, and on the fight against economic, social and regional inequalities. Progress has been significant in particular in terms of legislation put in place by the new government and Congress to prevent and punish the worst abuses.

This includes the law on expropriation of assets obtained through corruption and violence (Ley de Extinción de Dominio); the amendment of Article 19 broadening the list of severe crimes (e.g. corruption, fuel theft and electoral fraud) for which automatic preventive detention can be applied; the constitutional amendment for the creation of the National Guard (established on 30 June); the introduction of a mid-term referendum to confirm or revoke the presidential mandate; and the Law on the Use of Force. The government has also publicly apologised for the human rights violations of the past. However, the overall picture remains mixed at best.

The number of homicides has been steadily increasing (with around 36 000 homicides per year) and femicides are also on the rise (with around ten women killed every single day according to UN data). Mexico is also one of the countries with the highest rate of killings of human rights defenders and journalists. There is a large number of enforced disappearances and kidnappings (with a total of around 40 000 'desaparecidos'), 26 000 unidentified bodies, and 1100 mass graves. In many case, 'agents of the State' are involved. A high degree of impunity is also still a problem. The space for civil society has been shrinking. Recent Mexican immigration policy initiatives aimed at discouraging the transit of migrants coming from Central America are of further concern.

**2. EU action - key focus areas:** The EU aims to work with the Mexican government to promote good governance including rule of law, human rights, access to justice, fight against corruption, and citizen security. In these areas, the EU activities will/can focus on gender issues, including equality and the fight against violence towards women and girls, human rights (including protection and promotion of human rights defenders and journalists, fight against torture and disappearances), justice (fight against impunity, universal access to justice with emphasis on vulnerable persons including minorities, protection of human rights of victims or relatives, transitional justice), fight against corruption (promotion of international standards in public administrations and budget management), and security (support to the elaboration and implementation of public policies and laws including training of security forces in human rights, trafficking, money laundering and other related issues).

**3. EU bilateral political engagement:** The EU-Mexico-Civil Society trilateral meeting was held on 3 June 2019 in Brussels. The meeting was a good opportunity to discuss the follow-up to the last high-level dialogue on human rights (26 October 2018) and to ensure continuity by the new Mexican administration. The discussion focused on the rule of law, human rights strategy, migration and human rights defenders.

During her visit to Mexico on 10-11 September, HR/VP Mogherini met with civil society organisations which presented the most pressing human rights issues, including the need to strengthen the National Commission for the Search for the Disappeared, the Extraordinary Mechanism for Forensic Investigation (on disappeared persons) and to tackle the almost total impunity in this regard.

The 26th Joint Parliamentary Committee (JPC) meeting was held in Mexico City on 7–9 February 2019. Human rights protection featured prominently in the discussions including in the Joint Declaration highlighting the commitment of the JPC towards the basic principles of democracy and the rule of law.

**4. EU financial engagement:** The EU continued supporting government efforts to address human rights issues such as the National Commission for the Search for Missing Persons or the Federal Mechanism for the Protection of Journalists and Human Rights Defenders. It has also been supporting Mexico in developing a migration policy compliant with international human rights standards by providing expertise (through the thematic line ‘Migration and Asylum’ and the MIEUX Regional programme) on asylum procedures, protection of and assistance to migrant children and unaccompanied minors as well as of other vulnerable people.

The EU-UN Spotlight Initiative was launched in May 2019 in Mexico to address femicide from a holistic perspective. Spotlight will work to: improve the norms and public policies on the issue; strengthen the relevant responsible institutions; bring about a change in social norms and behaviour; guarantee access to essential services; improve the collection of relevant data; and strengthen and empower women’s rights groups and civil society working on the issue.

The EU continued cooperation with civil society organisations on various aspects of human rights. More specifically, the EU delegation continued supporting the actions of CSOs and public bodies through the implementation of grants contracts. The objective of the last call for proposals under the European Instrument for Democracy and Human Rights is to support CSOs to face the challenges related to the protection of HRD and journalists, prevention and eradication of torture and enforced disappearances, femicide, impunity and the human rights of migrants.

**5. Multilateral context:** Mexico is an active player in multilateral fora despite a sometimes-perceived withdrawal by the current administration on foreign policy matters. The current government remains committed to strengthening, expanding and deepening ties to the multilateral system and to effective multilateralism.

Mexico has led on a range of issues including the Global Compact on Migration (co-facilitator) plus Women, Peace and Security. Mexico played a key role as President of the 2019 IAEA General Conference and as chair of the Consultative Group of the Nuclear Suppliers Group in 2017-2019. Mexico displayed a constructive approach throughout the UNESCO Executive Board (EXB).

As de facto representative of countries of origin and transit (and increasingly of destination following US new migration policy) of migrants, Mexico plays an important role: it leads on the migration resolution in the Human Rights Council and has a high profile in refugee and migration related bodies (UNHCR, IOM).

In addition to building convergence and synergies between Multilateral Environmental Agreements (MEAs) especially on biodiversity, Mexico supports the UNEP as environmental focal point in the UN system (strong EMG, system wide strategies on the environment, role of the UNEA President in HLPF High Level Political Dialogue on Sustainable Development).

On 14 November 2019, the first EU-Mexico high-level meeting on multilateral affairs was organised in Brussels. A number of multilateral human rights issues were discussed such as the fight against hate speech and expressions of xenophobia and racism; migration and development; the rule of law; peace and security; and gender issues. A range of issues emerged on which the EU and Mexico will work further in the coming months, as like-minded strategic partners.

## Nicaragua

**1. Overview of the human rights and democracy situation:** International indicators for democracy, human rights and governance for Nicaragua show a downward trend in 2019. After the deadly violence perpetrated mainly by the State and pro-government forces in 2018 in response to widespread protests, in 2019 repression has become more institutionalised and focused on preventing further public protests and on restricting democratic space. During 2019, the overall human rights situation and democratic governance in Nicaragua remained highly concerning. The UNHCHR in a report in September 2019 concluded that ‘the most recent phase of the repression has been marked by violations of the rights to freedoms of expression, association and peaceful assembly (...) and a continued and notable reduction of civic space’. Systematic breaches by the State of basic civil rights enshrined in the Nicaraguan Constitution are still ongoing. Human rights defenders, journalists and persons critical of the government continue to be attacked, harassed and intimidated. Freedom of assembly has been severely curtailed.

Despite the evidence presented by international human rights bodies and organisations, the State has failed to accept responsibility for the deaths of protesters in 2018 and no officials have been prosecuted (the so-called amnesty law promulgated in June applies to them). Moreover, the main international human rights institutions (UNHCHR and OAS IACHR) have been expelled from the country.

The political crisis has prompted a socio-economic crisis through a deep recession since April 2018, a steep increase in unemployment and poverty due to reduction of economic activity, tourism and investments.

**2. EU action - key focus areas:** The EU and Member States have reviewed their cooperation portfolios to ensure projects and activities benefit only the population and cannot be used by the regime to repress. New projects in response to the crisis are addressing key human rights, democracy and civil society organisation needs continued to be implemented during 2019.

As part of a comprehensive approach which also included diplomatic contacts and pressure, targeted measures, public diplomacy and multilateral action, the EU was able to quickly devise specific projects to directly respond to the crisis' immediate impact, while adapting its development portfolio gradually to better reflect the new realities in four areas:

- support to victims;
- protection of human rights;
- fight against poverty situations resulting from the crisis;
- assistance to Nicaraguan asylum seekers abroad (e.g. in Costa Rica).

**3. EU bilateral political engagement:** The EU has played an active role in condemning violations of human rights and rule of law with the Council conclusions of 21 January and 14 October and several statements throughout the year. The European Parliament adopted Resolutions on 14 March and 19 December 2019.

EU Heads of Mission individually and collectively have engaged regularly on human rights related issues with government, opposition, victims' representatives, political prisoners, civil society organisations and representatives to collect and corroborate information and to get a first-hand understanding of the situation in the country.

Overall, the EU delegation targeted interventions - closely coordinated with EU Member States and other donors - have achieved the following key results:

- Nicaraguans have a clearer understanding that the EU supports the respect for human rights and democracy;
- Cooperation interventions have contributed to translating EU values into practical assistance;
- Civil society has been able to maintain a minimum space for operation and peaceful opposition;
- The EU's posture on Nicaragua in international fora has been consistent and visible.

**4. EU financial engagement:** The EU delegation and the EU Member States are making a considerable contribution to several policy sectors of high relevance for human rights such as the fight against poverty and the negative impact of climate change as well as to education. Ongoing projects in the field of human rights, assistance to victims, support to CSOs, economic and social inclusion/poverty, gender total almost EUR 14 million.

**5. Multilateral context:** The government has denied access to regional and international human rights organisations including the Organisation of American States (OAS) Special

Commission on Nicaragua and denounces these instruments as foreign interference. This represents a step backwards from its initial cooperation with these instruments in 2018. In the 2019, the Universal Periodic Review (UPR) process for Nicaragua in the framework of the UN Human Rights Council saw the Nicaraguan government continuing to reject most recommendations as politically motivated interference.

Regional and international human rights organisations have been the key repositories to document alleged human rights violations and have systematically collected information on those.

## Republic of Panama

**1. Overview of the human rights and democracy situation:** Presidential elections in May 2019 elected Laurentino Cortizo, member of the Democratic Revolutionary party. Panama scores in the top 25% worldwide in terms of democratic performance.<sup>52</sup> As regards the protection of human rights, the constitutional and legislative framework is adequate but the country's performance is considered as mid-range according to the Institute of Democracy and Electoral Assistance (IDEA)<sup>53</sup>, as a number of important challenges remain such as fundamental rights, checks on government, or impartial administration. Despite efforts by the new government, corruption and nepotism remain a problem. The National Assembly and the judiciary require improvements to reinforce separation of powers, and the Ombudsman lacks financial means and government support. Panama is in the 10 most unequal countries worldwide with sharp regional disparities remaining as poverty prevails in rural areas, mainly inhabited by indigenous peoples. Access to basic services is not universal and remains linked to factors such as education levels, ethnicity and income levels of households.<sup>54</sup> The 2019 UNDP Gender Inequality Index ranks Panama 108<sup>th</sup> proving that progress remains insufficient. Violence against women is the second most common crime (15 cases of femicide were recorded). Since 2017, there has been a rise of sexual violence against women, (most of these victims being girls). The new government has been working towards further equality through legislation and announced the creation of a Ministry of Women. When it comes to children in Panama, 1 in 3 live in multidimensional poverty and child labour remains high. The LGBTI community faces challenges, especially on same sex marriage. Prison conditions (overcrowding, medical assistance, hygiene, reintegration, working conditions of prison officials and the extensive use of pre-trial detention) pose a real challenge.

### 2. EU action - key focus areas:

- Improving citizen security and the justice system;
- Gender equality, fight against violence and discrimination, including vulnerable groups and minorities such as indigenous peoples;
- Defence and awareness-raising on human rights.

---

<sup>52</sup> <https://www.idea.int/sites/default/files/publications/the-global-state-of-democracy-2019.pdf>

<sup>53</sup> idem

<sup>54</sup> UNICEF

**3. EU bilateral political engagement:** A shared commitment to human rights and democracy is at the core of the EU's engagement with Panama. Both the EU-Panama Memorandum of Understanding on International Cooperation and Development signed in 2018 and the EU-Central America Association Agreement are based on the respect and promotion of human rights and democratic principles. The opening of a fully-fledged EU delegation to Panama at the end of 2018 has provided the opportunity to deepen bilateral engagement also on human rights. The EU delegation has started talks with Panama's National Assembly in order to support and share best practices on constitutional reform, internal rules and transparency, gender, experience with citizen's participation and capacity building in the field of legislative techniques, and climate change through the INTER PARES project and in this way strengthen democracy.

**4. EU financial engagement:** The EU supports human rights projects and contributes to awareness raising. Since 2014, the EU funds SECOPA (Security cooperation in Panama), a major project which aims to strengthen the security and justice sectors.

On violence prevention, SECOPA funded the first study on school violence, identifying risk factors and improving, based on empirical evidence, prevention actions in schools. Through the 'Together for a Community without Violence' initiative, 36 schools in four municipalities - Panamá, San Miguelito, Colón and David-Chiriquí - received support, benefiting students, teachers and parents. More than 4500 students, 95 teachers and 53 psycho-pedagogical cabinet specialists have been trained in mediation and leadership. Moreover, a protocol, which is now compulsory for use in all the country's schools for the protection and the detection of minors in risk within the educational system, has been developed. A primary prevention model was developed for children, which benefited nearly 3000 children in different districts. On May 9 2019, on the occasion of Europe Day, the Head of the EU Delegation and EU Member States Ambassadors inaugurated two prevention centres for children and teenagers in the districts of Belisario Porras and Pedregal. In November 2019, the Head of the EU Delegation inaugurated together with the Director for citizens security of the Minister of Security and the deputy director of National Police, a football pitch and a children playground in San Miguelito.

On the fight against gender-based violence, thanks to resources from the SECOPA security cooperation project, the National Women's Institute centres in Colón, Panama and San Miguelito (CINAMU) have been remodelled, equipped, provided with protocols and information systems and have had their staff trained to provide effective psychological, legal and social assistance to women victims of gender-based violence. Between 2015 and 2019, 735 women have been treated in Colón, 1602 in Panama and 837 in San Miguelito. Besides SECOPA, the EU delegation has been working with the Institute for Women (INAMU) to promote gender equality and supported the organisation of the Women's forum in March 2019.

Concerning the prison system, SECOPA has consolidated the model of comprehensive intervention for teenagers in conflict with the law and has trained custodians and technical staff in issues related to this new model and the treatment of drug dependency.

**5. Multilateral context:** Panama is signatory to most international agreements on human rights. However, Panama has not yet been ratified several International Labour Organisation

Conventions<sup>55</sup>, the last one being the Violence and Harassment Convention adopted in June 2019.

## Saint Kitts and Nevis

**1. Overview of the human rights and democracy situation:** The twin island state of St. Kitts and Nevis is a multi-party constitutional democracy. Fundamental freedoms are generally upheld. There is discrimination of LGBTI persons, due mainly to the criminalisation of buggery but also to historic and cultural stigma associated with homophobia. The country retains the death penalty in its legislation. The last execution was in 2008. Corporal punishment remains legal and incidents of domestic violence and child abuse are widespread. On 27 September 2019, St. Kitts and Nevis became signatory to the UN Convention on the Rights of Persons with Disabilities, in line with its commitments under the second cycle of the Universal Periodic Review mechanism.

### 2. EU action - key focus areas:

- Rights of LGBTI persons: Discrimination against LGBTI persons remains a matter of concern. According to the legislation, consensual same-sex conduct can lead to 10 years in prison. However, actual prosecution of homosexuality is rare. Many LGBTI persons have to hide their sexual identity due to social stigma.
- Death penalty: St. Kitts and Nevis retains the death penalty in its legislation, under a 'de facto' moratorium, with the most recent execution dating back to 2008. Other challenges to the rule of law are prison conditions and the long delays in the administration of justice.
- Child abuse: Corporal punishment is still administered to children in schools. The government is implementing the UNICEF Child Friendly Initiative in schools and efforts to strengthen child protection through dedicated child rights awareness campaigns continue.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with St. Kitts and Nevis' authorities and stakeholders, civil society organisations as well as the media. Formal political dialogues are held in the context of CARIFORUM. The last EU-CARIFORUM political dialogue was held in November 2018.

**4. EU financial engagement:** Of the EU projects funded under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations Programme, none has a local co-implementer from St. Kitts and Nevis. Two projects (one under the CSO-Programme that fights marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and the elderly in national and regional decision-making processes and one under the EIDHR Programme which enhances capacities of local actors and builds a strong civil society movement for abolition of the death penalty) target all countries that were eligible under the last respective calls for proposals and as such are also covering Saint Kitts and Nevis.

---

<sup>55</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11210:0::NO::P11210\\_COUNTRY\\_ID:102792](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11210:0::NO::P11210_COUNTRY_ID:102792)

The country has also benefitted indirectly from regional outreach and best practices developed by projects implemented in other countries in the past, especially in the area of domestic violence (e.g. a pro-social game intervention that will be made available to education settings across the region to facilitate attitude and behaviour change; research findings; guidelines for Domestic Violence Acts and/or action plans and harmonised protocols for reporting for key stakeholders etc.).

**5. Multilateral context:** The EU delegation carried out formal demarches on human rights issues in the context of the 74<sup>th</sup> session of the UNGA Third Committee. EU Member States are involved in these demarches, when and where possible, and conveyed human rights related messages bilaterally.

## St Vincent and the Grenadines

**1. Overview of the human rights and democracy situation:** St. Vincent and the Grenadines is a parliamentary democracy where the fundamental freedoms are overall respected. The country retains the death penalty but under a de-facto moratorium. The last execution was in 1995. Incidents of domestic violence, primarily against women, are widespread. However, legislation is gradually being put in place to address this issue. Discrimination against LGBTI persons persists. Corporal punishment of children is still legal, though the government promotes child friendly policies at public schools. One third of the prison population is on remand.

### 2. EU action - key focus areas:

- **Death penalty:** St. Vincent and the Grenadines retains the death penalty although the last execution was carried out as far back as 1995 and the last person to be sentenced to death was in 2008. St. Vincent and the Grenadines had one prisoner in the death row at the end of 2019. The country could be considered as having a 'de facto moratorium'.
- **Gender violence:** Rape and violence against women remain a matter of concern, with victims hesitating to report because often they depend financially on the perpetrators.
- **Child abuse:** Child abuse continues to be a problem, despite the government's efforts to encourage individuals and communities to prevent such instances. Corporal punishment of children remains a legal disciplinary tool at schools though the Ministry of Education has implemented the Child Friendly Schools initiative with UNICEF.
- **Rights of LGBTI persons:** The local LGBTI community continues to experience violence, discrimination and stigma in a variety of contexts. Although not strictly enforced, anti-buggery and serious indecency laws remain in force. The illegal status of consensual same-sex activity for both sexes fosters stigmatisation of LGBTI persons throughout society. In line with action taken in other Caribbean countries, the law which criminalises same-sex intimacy has been challenged through court.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with St. Vincent and the Grenadines' authorities and stakeholders, civil society organisations

as well as the media. Formal demarches on human right issues were carried out in the context of the 74<sup>th</sup> session of the UNGA Third Committee. Joint approaches are agreed at the biannual EU Heads of Mission meetings in the region.

**4. EU financial engagement:** St. Vincent and the Grenadines, as part of the Eastern Caribbean sub-region, benefits from EU assistance under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations programme. Under these, one project under implementation until 2019 and targeting St. Vincent and the Grenadines directly has contributed to enhancing sustainable livelihoods amongst (especially female) rural farmers through training in climate-smart and cost-effective agricultural practices with the aim to foster economic empowerment and create social and ecological value.

Moreover, two projects (one under the CSO-Programme that will fight marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and the elderly in national and regional decision-making processes, and one under the EIDHR-Programme which will enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty) are targeting all countries that were eligible under the last respective calls for proposals, and as such will also be implemented in St. Vincent and the Grenadines.

Last but not least, the country benefits indirectly from regional outreach and best practices developed by projects that are being implemented in neighbouring countries, especially in the area of domestic violence (e.g. a pro-social game intervention that was made available to education settings across the region to facilitate attitude and behaviour change; research findings; guidelines for Domestic Violence Acts and/or action plans and harmonised protocols for reporting for key stakeholders etc.).

**5. Multilateral context:** In March 2019, the UN Human Rights Committee reviewed St. Vincent and the Grenadines in the absence of a national report. Concerns were raised with regard to the high levels of violence, especially against women and children, lack of comprehensive anti-discrimination legislation (including on the grounds of sexual orientation and gender identity), obstacles in the access to reproductive health services and corporal punishment of children.

## St Lucia

**1. Overview of the human rights and democracy situation:** St. Lucia is a stable democracy, respecting overall the fundamental freedoms. St. Lucia retains the death penalty but has a de facto moratorium. The last execution carried out in 1995. The LGBTI community continues to be marginalised. Instances of domestic violence and child abuse are common. The legal system is plagued by judicial backlogs, prison overcrowding and there is a high incidence of crime. Of particular significance are the delays in investigating the allegations of unlawful police killings in 2011, which are regularly a subject of political debate.

**2. EU action - key focus areas:**

- **Death penalty:** St. Lucia retains the death penalty. The country could be considered as having a 'de facto' moratorium as no executions have been carried out since 1995.
- **LGBTI rights:** Although the law is not strictly enforced, consensual same-sex sexual activity is illegal in St. Lucia. Like in other countries of the region, homelessness of evicted LGBTI youth and the lack of shelters for them remains an issue of concern. The country's first ever LGBTI Pride was held in August 2019 with no major disturbances.
- **Child Abuse:** Children can still be legally subjected to corporal punishment, although schools are trying to move away from this type of disciplinary measure. Cases of child abuse, in the form of neglect and sexual abuse remain frequent. In March 2019, the Ministry of Education declared its intention to suspend and eventually abolish corporal punishment in schools, but no major progress has been made on this issue so far.
- **Gender violence:** Domestic violence is widespread in St. Lucia. Often victims are reluctant to press charges for fear of reprisal and due to their financial dependence on the abuser. Elder abuse instances have been signalled during the year.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with St. Lucia's public authorities and stakeholders, civil society organisations and media. Formal political dialogues are held in the context of CARIFORUM. The last political dialogue with CARIFORUM was held in November 2018

**4. EU financial engagement:** St. Lucia, as part of the Eastern Caribbean sub-region, benefits from EU assistance under thematic budget lines such as the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations Programme.

Of those projects, one (worth approx. EUR 360,000) had its 'centre of gravity' in the country and will significantly benefit LGBTI citizens of St. Lucia through a combination of a weekly serial drama broadcast on two radio stations, talk shows and community mobilisation to tackle the sensitive subject in a non-threatening manner that stimulates discussion in communities and promotes attitude and behaviour change.

There are two projects (one under the CSO-Programme that fights marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and the elderly in national and regional decision-making processes, and another under the EIDHR-Programme which enhances capacities of local actors and builds a strong civil society movement for the abolition of the death penalty), are targeting all countries that were eligible under the last respective calls for proposals, and as such will also be implemented in Saint Lucia. The programmes have a volume of EUR 400,000 each.

The country also benefits indirectly from regional outreach and best practices developed by projects that were being implemented in neighbouring countries, especially in the area of domestic violence (e.g. a pro-social game intervention that was made available to education settings across the region to facilitate attitude and behaviour change).

**5. Multilateral context:** The EU delegation carried out formal demarches on human rights issues in the context of the 74<sup>th</sup> session of the UNGA Third Committee. EU Member States are involved in the demarches where possible. Member States also conveyed human rights

related messages in bilateral context. Joint approaches are agreed at the biannual EU Heads of Mission meetings in the region.

## Republic of Suriname

**1. Overview of the human rights and democracy situation:** Suriname is a parliamentary democracy where fundamental rights are overall respected. On 29 November 2019, President Boutrose was convicted for murder, subject to appeal, in relation to the extra-judicial execution of 15 political opponents in December 1982. He already had an earlier conviction in absentia in The Netherlands for drug offences in 1999 and his son is in prison in the US on charges of drug smuggling and for supporting Hezbollah. His conviction demonstrates the independence of the judiciary system of Suriname. The normal conduct of the legal process could still be interrupted by a pardon or an invocation of the 1989 Amnesty Law as amended in 2012. To date, the electoral process in view of conducting credible, transparent and inclusive elections on 25 May 2020 remained on track.

According to the country's second Universal Periodic Review in May 2016, Suriname benefits in general from a relatively favourable human rights situation. There are nevertheless continuing problems and 2019 did not see many changes. The rights of LGBTI persons remain an issue: there is no legal prohibition of same or transgender sex, but the remaining elements of discrimination need to be tackled. Sexual and gender-based violence remains widespread, as does the abuse of children. Conditions in detention centres are very poor.

Other issues where action is needed include: the abolition of the death penalty in the Military Penal Code; the failure to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and to sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; self-censorship by media organisations and journalists; public sector corruption; trafficking in persons; discrimination against LGBTI persons, as well as persons with HIV, persons belonging to minorities and; child labour in the informal sector.

Concerning indigenous peoples, some work has been done involving a roadmap towards legal recognition of indigenous and tribal peoples' land and other rights but this has yet to be finalised. Government initiatives to promote gender equality, empowerment of women and combat domestic violence generally remain at the level of policy formulation and establishment of coordination structures, but fail to be properly implemented through lack of capacity and funds. With regard to Trafficking in Persons, the Ministry of Justice and Police organised a Trafficking in Persons conference to raise awareness about the issue in February 2019.

### **2. EU action - key focus areas:**

- Women and Children's' rights, including domestic violence;
- Social and economic rights of indigenous communities;
- Strengthening the role of civil society.

**3. EU bilateral political engagement:** The EU continued to engage in human rights and democracy discussions with Suriname in various settings. The EU-Suriname Article 8 political dialogue took place on 12 April 2019. The EU stressed the importance of taking further action to address human rights' priorities such as Indigenous Peoples' land rights, high levels of domestic violence and abuse against women and children, child labour in the informal economic sector, Trafficking in Persons and child prostitution and the rights of LGBTI persons. It also encouraged Suriname to accede to relevant Treaties it had not yet joined, including the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty and suggested that Suriname could take the lead on further abolition in the Caribbean through CARICOM.

The EU delegation also engaged with opposition figures and representatives of NGOs. Together with BINI (The Citizens Initiative for Participation and Good Governance), it organised a well-attended information session with the Surinamese NGO community on 11 April in preparation of the Article 8 political dialogue, on the occasion of which human rights and wider societal issues were discussed. The EU delegation, in partnership with Surinamese NGO Projekta, further facilitated a successful event, on 22 November, to commemorate Human Rights Day 2019. The Head of the EU Delegation presented the EU delegation's 2019 Human Rights Award to Minister of Education Dr Lilian Ferrier in her personal capacity for the work she has done regarding children's rights for more than 30 years before becoming a politician. The theme of the event related to Children's Rights and in particular child abuse and sexual and domestic violence in local Surinamese communities commemorated the 30th anniversary of the Convention on the Rights of the Child. On 26 November, the Head of the EU Delegation signed the Declaration of Paramaribo with PAREA, an organisation of gay professionals and one of the main supporters of the rights of LGBTI persons in Suriname.

**4. EU financial engagement:** In 2019, the EIDHR project 'Hear us now' with an EU contribution of EUR 100,000 implemented by Projekta continued to raise domestic violence awareness through trainings and advocacy. Pursuant to the EIDHR 2019 Call for proposals, a new contract was signed with Conservation International Suriname to address the social and economic rights of the Trio and Wajana indigenous communities. The overall objective is to give these indigenous peoples a voice in the decision-making processes surrounding the development of infrastructure on their lands.

**5. Multilateral context:** Suriname has moved back up to position 20 on the World Press Freedom Index in 2019; it had dropped to position 21 in 2018. Reporters without Borders notes that, with few attacks on journalists and a varied media landscape, Suriname gets good marks for its respect for the freedom to inform. However, training for reporters and journalists and resources are lacking; there seems little encouragement to challenge or investigate; and public expression of hatred towards the government is punishable by up to seven years in prison under a draconian defamation law. Compared with the previous year, Suriname has dropped by one place on the international press freedom index.

## Trinidad and Tobago

**1. Overview of the human rights and democracy situation:** Trinidad and Tobago is a parliamentary democracy. In 2019, gender equity, the fight against gender-based violence (GBV) and the rights of LGBTI persons remained at the forefront of civil society engagement. After pressure from various domestic and international stakeholders, the government issued temporary registration cards for Venezuelan nationals entering Trinidad and Tobago, which are valid for up to one year. At the end of the year, the government decriminalised the possession of marijuana. This Bill is expected to positively affect the situation of persons who are either on remand or convicted of minor marijuana-related offences; thus reducing the number of inmates in the prisons, which are in problematic condition.

**2. EU action – key focus areas:**

- To secure the abolition of the death penalty;
- To promote and safeguard children's rights;
- To address gender inequality and violence against women;
- To tackle discrimination against LGBTI persons;
- To improve prison conditions and respect for prisoners' rights.

**3. EU bilateral political engagement:** On the political level, the EU delegation engaged with local authorities on human rights through a demarche, encouraging Trinidad and Tobago to vote on numerous resolutions, which related to several human rights topics presented to the 74<sup>th</sup> UNGA Third Committee.

Throughout 2019, the EU delegation actively promoted the EU's human rights priorities by organising several public diplomacy activities that mainly focused on children's rights, GBV as well as prisoners' rights and the death penalty. For instance, to celebrate the 30th anniversary of the UN Convention on the Rights of the Child (UNCRC), the 2019 edition of the annual Let's Talk TT campaign focused on youth. In collaboration with the British High Commission, secondary school students were encouraged to use song, dance, drama, art, spoken word, or any other creative expression to convey their views on gender equality.

The EU delegation also organised its second annual online Photo/Art Competition. As a component of the event, young people were encouraged to submit entries to the competition under the theme 'For Every Child Every Right,' in order to raise awareness of the 30th Anniversary of the UNCRC.

Another public diplomacy event directly related to the UNCRC was a primary school mural art project. The aim of this campaign was to raise awareness of the UNCRC and the need to protect and care for children. In collaboration with the Children's Authority of Trinidad and Tobago (CA), the project saw students across Trinidad and Tobago create and present to the media powerful murals on the rights of the child. These murals will remain on public display at the Children's Authority offices.

Together with the Embassy of Spain and the Coalition against Domestic Violence, the EU delegation organised a public dialogue on domestic violence. The objective was to encourage dialogue and policy reform on the issues of GBV, as well as to support the works of CSOs and to educate the public on this topic.

The EU delegation together with the Canadian High Commission organised a Prisoners' Rights Dialogue in order to raise awareness about prison conditions and encourage a restorative approach to justice and incarceration rather than a punitive one.

On the occasion of the World Day against the Death Penalty, the EU delegation together with the Catholic Commission for Social Justice organised a panel discussion 'Children, Unseen Victims of the Death Penalty'. The aim of this discussion was to support advocacy for the elimination of the death penalty in Trinidad and Tobago.

**4. EU financial engagement:** Through the EIDHR thematic budget allocations, the EU delegation continued to provide support to Trinidad and Tobago's civil society organisations (CSOs) through various projects. DECIDES TT has tackled, through a specific approach, the link between GBV and LGBTI discrimination. This engagement is highlighted here since it has proven to be a very innovative way to address, through gender, issues of violence and respect of fundamental human rights related to sexual orientation. This link is particularly important in Trinidad and Tobago, which has no laws specifically protecting LGBTI people who, in consequence, generally fear reporting to the police incidents of abuse and/or violence.

'A Sexual Culture of Justice: Strengthening LGBTQI & GBV Partnerships, Capacity and Efficacy to Promote & Protect Rights in Trinidad and Tobago', is an activity-based, human rights project implemented by the University of the West Indies, Institute for Gender and Development Studies (IGDS) in collaboration with six LGBTI and feminist organisations in Trinidad and Tobago. The project is a collaboration between the community and university that provides three years of support for some of the longest-standing and emerging local efforts to transform approaches to partner violence, homophobia, bullying and policing, while building partnerships and organisational capacity.

Under the CSO thematic budget line the project, Beneficial Ownership Disclosure Sensitisation Campaign, has the objective to assist Trinidad and Tobago to better meet its international obligations as they relate to company ownership disclosure, the disclosure of politically exposed persons and to deter anti-terrorist financing, has created an Online Beneficial Ownership (BO) declaration Form and BO Kit which is used to gather BO information data of Extractive Industries Transparency Initiative (EITI) reporting companies to be included in the 6th Trinidad and Tobago EITI Report; it conducted a workshop for civil society/ business associations, to encourage active advocacy and initiate lobbying efforts; and continued traditional and new media campaign on the importance of BO and PEP disclosure.

Two new projects were approved. Trinidad and Tobago was allocated EUR 4.5 million, under the SPOTLIGHT Initiative. Following collaboration with stakeholders from the UN system, government and civil society, the programme is expected to commence implementation in the first quarter 2020, for a period of three years. The overall goal of the Spotlight Initiative in Trinidad and Tobago is to reduce family violence. This will be done through ensuring implementation of integrated services and prevention approaches. This approach recognises that an architecture of laws, policies and institutions is in place to address family violence. Nevertheless, the Spotlight Initiative will build on, consolidate and scale up this progress whilst addressing significant implementation deficits and programmatic gaps.

The second new project, 'Addressing Human Rights Abuses of Remand Prisoners with Special Emphasis on Domestic Violence Murder Cases' is scheduled to commence in the first quarter of 2020, for a period of thirty months. It is expected to address the remand practice whereby persons are incarcerated without trial for lengthy periods. Previous work on the issue has revealed that female remand prisoners suffer a double jeopardy, given that a high percentage of them have been charged for murder in circumstances where they have been victims of domestic violence themselves. This phenomenon reveals significant underlying dimensions of gender inequity in the criminal justice system.

**5. Multilateral context:** Within the UN context, Trinidad and Tobago voting is similar to EU Member States voting. Exceptions to this voting relate to country-specific resolutions. Specifically, during the UNGA 74 Third Committee, Trinidad and Tobago abstained on the main resolutions concerning human rights in Myanmar, Iran, Syria, and the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine. The resolutions on freedom of religion or belief, rights of the child, and human rights in the DPRK were adopted without a vote.