



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 June 2013

10520/13

**PE 255
COHOM 106
RELEX 486**

NOTE

from: General Secretariat of the Council
to: Delegations

Subject: Summary of the meeting of the European Parliament Subcommittee on Human Rights (DROI), held in Brussels on 27 and 28 May 2013

Items 1 and 2 on the agenda

The meeting was chaired by Ms Lochbihler (Greens, DE). The agenda was adopted as proposed. The Chair recalled various human rights resolutions adopted during the May Plenary Session.

Item 3 on the agenda

Update by EEAS on urgent human rights situations

The EEAS representative spoke about the security situation in Nigeria, with particular emphasis on the activities of Boko Haram and resulting human rights violations.

Item 4 on the agenda

Feedback from the DROI delegation to Myanmar/Burma

The Chair reported back from the delegation visit to Burma/Myanmar in April (other delegation members : Ms Jeggle, Ms Vaidere and Ms Kiil-Nielsen). The delegation met with a number of representatives from the civil society and government. The Delegation submitted a detailed written report.

Item 5 on the agenda

Corruption in the public and private sectors: the impact on human rights in third countries

2013/2074(INI)

Rapporteur: Ana Gomes (S&D) PR – PE510.547v01-00

Responsible: AFET –

Opinions: DEVE – Michał Tomasz Kamiński (ECR) PA – PE510.602v01-00

The Rapporteur presented her draft report highlighting the main elements. She stressed the need for a human rights based approach to corruption, taking into account that political and social rights are affected by corruption and lack of transparency in the use of public funds and development aid. She called on the EU to examine its own role in this phenomena, in relation to trade and development policies.

In the debate that followed MEPs supported the draft report and explained various amendments they intended to table.

Item 6 on the agenda

Bureau meeting

In camera.

Item 7 on the agenda

European Parliament recommendation to the Council on the draft EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief

2013/2082(INI)

Responsible: AFET –

The Rapporteur explained that EEAS and the Council were not bound by EP's recommendation and that their primary aim was to enrich the debate.

During the discussion the MEP's, generally supportive of the report, discussed some controversial amendments, namely the reference to the worldwide situation of Christians and the exercise of the right to conscientious objection.

Item 8 on the agenda

Exchange of views on EU policies on human rights defenders

The first invited speaker, Ms BENNETT, Senior Research Fellow, Human Rights and Social Justice Research Institute (HRSJ), presented a study on the implementation of EU guidelines on Human Rights defenders focusing on three specific countries, namely Kyrgyzstan, Indonesia and Thailand. The findings of the study suggested improving training of EU staff posted in EU Delegations on human rights issues and improving information available regarding types of EU assistance offered to HRDs.

The second invited speaker, Mr LENORMAND, European Commission, DG DEVCO, presented the practical functioning of the EIDHR programmes, *inter alia* the city shelter and small grants programme. He pointed out that the EU was a leading donor in the world in this area. He said EU should further develop and improve synergies between various actions and initiatives and act in a more strategic manner.

The third invited speaker, Mr REIJN, Programme officer, Justitia et Pax, spoke on the shelter programme for human rights defenders in The Hague, which offers temporary relocation (not exceeding three months) to HRDs in need.

The fourth invited speaker, Mr FOREST, Head of Front Line's EU Office in Brussels, spoke about current trends affecting the work of HRDs, namely state sponsored defamation campaigns, restrictive regulation of NGO's, and governments' increased capacity to identify HRDs in the cyberspace. He stressed the need for the EU to be more result oriented and less activity driven.

During the subsequent discussion the following issues were raised : the difficulty in ensuring appropriate follow-up in relation to Human Rights country strategies as these were not made available publicly; problems regarding the delivery of emergency visas, and export of dual use censorship technology.

The EEAS representative presented various activities undertaken in relation to HRDs in the EEAS and explained that although COHOM had decided not to publish the country strategies it had been considering the possibility of publishing the priorities.

Item 9 on the agenda

Exchange of views with EU Ambassador to Yemen, Bettina Muscheidt on the situation in Yemen

Ambassador Muscheidt presented an overview of the current political situation in Yemen, with the emphasis on human rights issues, such as the rights of women, death penalty and juvenile justice, prison conditions and torture, as well as freedom of expression. She in particular welcomed the EP's involvement in human rights issues which clearly strengthened EU's action on the ground. She invited a DROI delegation to visit the country. She concluded that there were enough elements to conclude that Yemen was addressing human rights issue in earnest.

During the discussion the MEPs raised the following issues : the threat of kidnapping, the future of Yemen's political transition, national dialogue and 2014 elections, and early marriages as obstacle to development, as well as the possible return of Guantanamo detainees.

Item 10 on the agenda

Ms Kiil-Nielsen tabled a question on Western Sahara, namely on the EEAS' position on the human rights clause and the extension of MINURSO mandate and the inclusion of this territory in the PADOR system. The EEAS replied that human rights situation in Western Sahara was monitored in a number of ways, in particular through Human Rights Dialogues. The Chair requested the Commission to present a written reply.

Item 11 on the agenda

Exchange of views on the human rights situation in Russia with particular focus on political prisoners and civil society organisations

The exchange of views was opened by two members of Russian civil society (speaking under the cover of anonymity) who presented the case brought against their music group. They denounced new legislation on "insulting believers", the so called Pussy Riot Law, which cleared the path for criminalizing artistic activity and expression.

The first invited speaker, Ms Moskalenko, Lawyer, International Protection Center, spoke about various political prisoners in Russia she had defended over the years working as defence lawyer, including before the Strasbourg court, including Mr Khodorkovsky.

The second invited speaker, Mr Browder, Hermitage Capital Management, spoke about latest developments in the Magnitsky case, focusing on US measures against officials involved in his detention and explaining the Russian retaliation measures, namely the ban on the adoption of handicapped Russian orphans for US citizens. He called on the EU to impose a similar EU wide travel ban and called on the EP to oppose inclusion Russian service passports in the framework of visa-free travel agreement between the EU and Russia, if Council was not willing to put together a proper Magnitsky Act.

The third invited speaker, Ms Goldson, Europe and Central Asia Advocacy director, Human Rights Watch, presented the new law on the financing of NGOs in Russia, which had effectively renamed NGOs using financing from abroad as foreign agents or spies.

The fourth invited speaker, Mr Pulch , Head of Division Russia, EEAS, gave detailed explanations regarding the NGO law and various concerns it raised. These were presented to the Russian side and explanations were offered regarding the content and purpose. Nevertheless, concerns remain on EU side as the provisions apply retroactively, the definition of political activity remained unclear, there was no threshold for funding amounts and the denomination was clearly stigmatizing and discriminatory. The EEAS followed closely human rights developments in Russia, regularly raising concerns at every appropriate level.

During the discussion the MEPs raised the following issues: preparations for an EP resolution on political prisoners in Russia to be adopted at either the June or July Plenary session; the need to change the vocabulary when discussing the rule of law in Russia.

Date of next meeting

- **19 June 2013, 9.00 - 12.30 and 15.00 – 18.30**
- **28 May 2013, 9.00 – 12.30**