



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 10 February 2012**

**6412/12**

**PE 61  
COHOM 31**

**NOTE**

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from:	General Secretariat of the Council
to:	Delegations
Subject:	Summary of the meeting of the Subcommittee on Human Rights (DROI) of the European Parliament, held in Brussels on 9 February 2012

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The meeting was chaired by Ms Lochbihler (Greens/EFA, DE).

**1. Adoption of agenda**

The agenda was adopted as proposed.

**2. Approval of minutes of meetings on:**

- **29 November 2011** **PV – PE476.083v01-00**

The minutes were approved.

**3. Chair's announcements**

The Chair announced that a consensus resolution on the Human Rights Council was due to be discussed and adopted at the following week's plenary session. The Chair briefly reported back on the UNGA delegation visit last November in New York, which she had co-chaired with Graf Lambsdorff (ALDE, DE). She explained that the delegation had held a number of very useful meetings focused on the Middle East, Syria, Libya and Western Sahara.

#### **4. Presentation and update by the EEAS on the Joint Communication: Human rights and democracy at the heart of EU external action – towards a more effective approach**

The Chair explained that the item to be discussed that day had already been presented by the High Representative (HR) during the December plenary session and that the EP had appointed Mr Tavares (Greens/EFA, PT) as the rapporteur. She called for a comprehensive review that would result in an action plan and a possible joint declaration by the EP, Commission and Council, hopefully by the end of the DK Presidency.

The first speaker was Mr Popowski, EEAS. He outlined the main elements of the Joint Communication, namely increased effectiveness and 360-degree policy coherence, strong bilateral and multilateral partnerships, as well as harnessing the EU's collective weight. He stressed that the HR was open to the idea of nominating a Special Representative for Human Rights and that the PSC had already held an initial discussion on the issue that week, mainly focusing on a mandate definition and on the issue of avoiding overlap with functions already in place. He explained that the EEAS was considering a form of action plan that it could present to MS and that some MS already supported the idea of a policy statement, although there was as yet no agreement on what form this might take. He announced that HR Ashton had proposed that human rights in general should be discussed by the Foreign Ministers at the annual Gymnich meeting on 8 March in Copenhagen. He stressed that the EEAS was looking forward to gathering the EP's views.

The Chair suggested that the EP could adopt its resolution on the HR Policy Review at the June plenary session to fit in with the timetable outlined by Mr Popowski.

The floor was given to the guest speaker, Mr Nichols, Oxfam and Human Rights Network, who said that the HR Policy Review process was frustrating at times and that the document presented raised more questions than it actually answered, in particular regarding ensuring external and internal consistency on human rights issues, HR integration into other policy areas, the role of MS in implementing policies in the field, the issue of appropriate accountability and transparency towards civil society, and the need for the Council to improve the effectiveness of its decision-making structures. Finally, he stressed that the process should involve all the Institutions.

The rapporteur, Mr Tavares, said that the EP would like to contribute its views as part of a wider discussion about what should be the philosophy, methodology and implementation of EU human rights policy, in line with its longstanding tradition of being the champion of human rights in theory as well as in practice. He stressed that the EP was a political and not a diplomatic institution and proposed two issues for further reflection, namely how the changed economic position of the EU adversely affected its position in relation to some third countries, whose human rights record were clearly not satisfactory, and global geopolitical changes, such as the Arab Spring events.

In the subsequent debate Mr Howitt (S&D, UK) stressed that the EP was putting a lot of effort into delivering a consistent and clear message on human rights in the three reports currently being prepared, namely on the issues of the Human Rights Council, the Annual 2010 HR Report as well as the HR Policy Review. He expressed support for a Brussels-based COHOM as well as the appointment of a EUSR for Human Rights. He identified as the main weakness the absence of accountability to the EP in the form of transparency on performance and appropriate reporting. Mr Howitt also proposed strengthening the system of sanctions regarding EU companies that violated HR in third countries.

Ms Gomes (S&D, PT) stressed the need for a human rights approach to development policy as opposed to the 'development business approach' and called for the European Development Fund to be brought into the EU budget so that the EP could control the use of its funds. Mr Kukan (EPP, SK) called for greater consideration to be given to HR aspects in all policy making. The Chair stressed that this was an excellent opportunity, not to be missed, and appealed to other institutions to contribute to the debate and work towards a common declaration. In reply to the issues raised, Mr Popowski said that the EEAS agreed that the issue of consistency with other policies, such as trade and development, needed to be addressed in line with the 'more for more' approach. He stressed that a network of HR focal points was being created in the geographical units in order to increase policy mainstreaming. Regarding the EUSR he explained that the EEAS had been hoping to have him/her appointed by March or April, so that he/she would be able to contribute to the ongoing debate and he stressed that the candidate would of course be presented beforehand to the EP. The Chair confirmed that the EP would want to hold a discussion with any candidate for the post of the EUSR for Human Rights before the actual appointment.

**5. Annual Report on Human Rights in the World and the European Union's policy on the matter including implications for the EU's strategic human rights policy**

2011/2185(INI)

Rapporteur:	Richard Howitt (S&D)	PR – PE478.549v03-00
Responsible:	AFET –	
Opinions:	DEVE – Cristian Dan Preda (PPE)	PA – PE478.546v02-00 AM – PE480.681v01-00
FEMM –	Teresa Jiménez-Becerril Barrio(PPE)	PA – PE478.445v01-00

- Consideration of draft report

The rapporteur reiterated his aim of contributing to a consistent EP message on human rights with some strategic input regarding the HR Policy Review and briefly ran through its most important features. He regretted that the EU Annual Report was too descriptive in nature and lacked an evaluation of what had been achieved. He complained about not being given access to the evaluation studies on HR dialogues with China and Russia, requesting that he be granted such access and also complained that cooperation between the EP Secretariat and the EEAS at administrative level had been more difficult that year.

In the subsequent debate Mr Grzyb (EPP, PL) *inter alia* suggested referring to the European Endowment for Democracy (EED) and the ACTA agreement and stressed that the methodology of the report should be rigorous. Mr Donskins (ALDE, LT) expressed support for the report and stressed the need for the political groups to come up with common denominators in order to assess the wider picture. Ms Vergiat (GUE/NGL, FR) agreed with the rapporteur on the need to ensure consistency between the various reports on human rights to be adopted by the EP and in particular underlined the need to include issues such as internet democracy in the report. Ms Kiil Nilsen (Greens/EFA, FR) said that her group welcomed the report, which was ambitious and included a consideration of strategic issues.

The EEAS representative, Mr Swan, explained that the policy on access to documents had not been changed; it was carried out in accordance with the framework set out by COREPER and was applied in the context of EP/Council questions on access to documents. Regarding the preparation of the Annual Report he insisted that cooperation with the EP Secretariat was the same as in previous years. He stressed that the issue of changing the format of the report from a descriptive report to one with appropriate benchmarks needed to be further discussed.

The Chair also said that she would look into the issue of access to documents about evaluation studies on HR dialogues with Russia and China raised by Mr Howitt.

Mr Nicholson, Oxfam and Human Rights Network, was given the floor. He said that the report was timely and ambitious and called for greater emphasis on the aspects of trade and human rights and the role of the EP generally.

In his final remarks the rapporteur commented on the various proposals put forward and promised to give due consideration to all the amendments that were tabled.

***Jointly with the Committee on Foreign Affairs and in association with the Delegation for relations with the Mashreq countries***

**6. Hearing on the follow-up to the Egyptian elections**

The first guest speaker, Mr Samih, Director, Andalus Institute for Tolerance and anti-Violence Studies, Cairo, spoke about the disappointment of younger generations in Egypt with the results of the elections and the fact that the Muslim Brotherhood and the Salafist Movement, although not formally the old regime, were acting in substantially the same way, namely by hindering the activities of NGOs which were considered 'agents of the West'.

The second guest speaker, Mr Dworkin, senior policy fellow, European Council on Foreign Relations (ECFR), explained that the current political situation was very complex, with a three-way struggle for power between the elected parliament, the military leadership and the popular protest movement. He stressed that Egyptian public opinion opposed foreign financing of NGO activities in Egypt.

The third guest speaker, Dr. Gehrold, Director, European Office of the Konrad Adenauer Foundation, presented the current situation of the Foundation's staff in Egypt who were currently under investigation and facing criminal charges. He explained that a number of high-level initiatives were currently underway to resolve the situation.

In the subsequent debate Mr David (EPP, PT) commented on the political and economic situation in Egypt and said that the situation was indeed very challenging, and that although he was disappointed at the current situation he was still hopeful of a better future. The EEAS representative said they agreed with assessments made by previous speakers that the transition to democracy was a difficult process and that the crackdown on NGOs was a very worrying development. She said that the EEAS was closely following the situation on the ground and was also in contact with the US State Department. Ms De Keyser (S&D, BE) suggested that the issue of NGOs in Egypt be added to the EP urgency resolution on Egypt the following week. In response to a question by Ms Brantner (Greens/EFA, DE), on how the EU could assist Egypt in preparing the new Constitution, Mr Samir suggested that the EU should not get involved in this process.

**7. Next meeting(s)**

- 28 February 2012, 9.00 – 12.30 (Brussels)
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