

## EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD 2020 COUNTRY UPDATES

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

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## Enlargement countries

### Albania

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the relevant international and European standards. In 2020, the Republic of Albania made some progress including by implementing of the Law on Social Housing, improving protection of the rights of the child and juvenile justice, strengthening gender equality and consolidating property rights. The new anti-discrimination legislation of November 2020 is a welcome step towards better protection for the most vulnerable, including lesbian, gay, bisexual, transgender and intersex (LGBTI) people, persons with disabilities and persons belonging to

minorities, Roma in particular. However, Albania needs to further improve institutional protection mechanisms for children and vulnerable groups including victims of domestic violence as well as Roma and Egyptians, enhance promotion of the rights of persons with disabilities, and guarantee gender equality and protection of national minorities.

In 2020, Albania made no progress in the field of freedom of expression. In December 2019, the Parliament approved amendments to the Media Law, which required reconsideration in the light of the relevant international and European standards. Following intense EU engagement and the opinion of the Venice Commission on these amendments issued in June 2020, the government has reconsidered their adoption. Moreover, representatives from the ruling majority publicly committed to follow up on the guidance of the Venice Commission opinion, if the amendments were to be adopted.

For more information, please refer to the European Commission's [2020 Report on Albania](#).

**2. EU action - key focus areas:** The EU continues to monitor the protection of human rights, including property rights, freedom of expression, protection of minorities and of vulnerable groups. There was also strong focus on economic empowerment of women, including in rural areas, domestic violence and trafficking. Specific attention was given to gender equality and Albania's accession to the EU, including through focus on the role of media in promoting gender equality and gender sensitive reporting. The EU also urged the authorities to ensure that COVID-19 recovery measures benefit vulnerable groups and to make further efforts to prevent, protect and provide services to victims of violence.

**3. EU bilateral political engagement:** Albania is working on the implementation of the recommendations of the 11th Stabilisation and Association Subcommittee on Justice, Freedom and Security. During the 2020 meeting, the European Commission welcomed the newly adopted Census Law which – thanks to the EU political engagement – ensures the citizens' right to freely declare their religion, language and ethnic identity. However, it was at the same time underlined that a number of by-laws on protection of minorities remain to be adopted.

Albania continued its efforts to address the outstanding issue of property rights. The country is implementing a comprehensive land sector reform, *inter alia*, by proceeding with first registration throughout the country. The EU has supported these developments through political engagement and support to the implementation of judgements by the European Court of Human Rights (ECtHR).

**4. EU financial engagement:** During the reporting period, the EU delegation continued the implementation of a set of programmes and projects in the field of human rights and democracy, mainly through the European Instrument for Democracy and Human Rights (EIDHR) for a budget of EUR 2.2 million and the Instrument for Pre-Accession Assistance (IPA) Civil Society Facility and Media Programme for a budget of EUR 3.44 million of EU contribution. During 2020, the following priorities were the focus of the ongoing projects: children in conflict with the law; promotion of foster care; promotion of the rights of LGBTI persons; youth for human rights; human rights and conditions in the penitentiary system; strengthening inclusive education; support to elections, focus on missing persons from the communist era and their relatives; and support to media. Globally, all these projects contributed to the creation of institutional structures of collaboration and civil society

networks, particularly at local level, including through the provision of services to vulnerable groups. In addition, the five media-focused projects improved labour relations and professionalism of the media, strengthened the public broadcaster and public school of journalism, reinforced independent journalism through multimedia and data quality, and supported investigative journalism.

As part of the Civil Society Facility programme, additional support of EUR 798,899 was provided for the recovery of children and families in vulnerable situations – including children with disabilities – affected by the COVID-19 pandemic. In addition, Albania benefits from a regional project to mitigate the impact of COVID-19 on the lives of children and families in the Western Balkans and Turkey, which is founded by the EU and implemented by UNICEF. In response to the crisis situation caused by COVID-19, an existing Social Inclusion programme has received a EUR 20.65 million top-up to support, among others, the inclusion of groups at risk of vulnerabilities and exclusion.

At the end of the reporting period, two new contracts were signed (totalling EUR 1.8 million) in the area of civic engagement. These projects focus on youth active citizenship in rural areas and on the promotion of human rights through arts and culture.

In cooperation with the Council of Europe (CoE), through the EU-CoE Horizontal Facility for the Western Balkans and Turkey, the following issues are being addressed: strengthening 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 rights of LGBTI persons.

**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 victims of domestic violence. The EU continues to provide technical assistance to support the gender equality agenda in Albania with a focus on gender mainstreaming across strategies and local level actions to improve gender equality. The Republic of Albania underwent its third Universal Periodic Review cycle in May 2019 and reported to the UN Human Rights Council.

In 2020, following obtaining its Observer Status to the EU Agency for Fundamental Rights in 2019, Albania nominated its observer to the Management Board of the Agency as well as the alternate observer and the national liaison officer.

## Bosnia and Herzegovina

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the relevant international and European standards. However, in the absence of a comprehensive strategic framework, the protection of human rights continues to be uneven across the country. Some steps were taken in 2020, notably on freedom of assembly with the adoption

by the Brčko District of a new law broadly aligned with European and international standards. Challenges remain in the Republika Srpska entity, where NGO activists have been subjected to intimidation and judicial prosecution. There was no progress on guaranteeing freedom of expression and freedom of media. Similarly, no progress was made on ensuring the appropriate judicial follow-up to cases of threats and violence against journalists and media workers, or on ensuring the financial sustainability of the public broadcasting system. Significant reforms are needed to ensure that all citizens are able to exercise their political rights (*Sejdić-Finci* ECtHR case law) and to overcome the practice of ‘two schools under one roof’ so as to ensure inclusive and quality education for all children. Gender-based violence, ill-treatment of detainees and the protection of minorities, including Roma, continued to be issues of concern. Bosnia and Herzegovina needs to amend the Law on the Human Rights Ombudsperson to improve its independence and effectiveness and designate it as a national preventive mechanism against torture and ill-treatment – an international obligation of the country.

For more information, please refer to the European Commission’s [2020 Report on Bosnia and Herzegovina](#).

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights, including freedom of assembly and expression, the rights of persons in vulnerable situations including minorities, as well as gender equality, as part of the EU integration process. 6 out of 14 key priorities from the 2019 Commission Opinion on the EU membership application of Bosnia and Herzegovina<sup>2</sup> focus on fundamental rights, calling upon the country to strengthen non-discrimination and gender equality, ensure the prohibition of torture, guarantee freedom of expression and of the media, improve the protection and inclusion of vulnerable groups, and promote an environment conducive to reconciliation.

**3. EU bilateral political engagement:** At the fifth Stabilisation and Association Subcommittee on Justice, Freedom and Security (17-18 December 2020), Bosnia and Herzegovina and the European Commission discussed the state of play on human rights and the protection of minorities, and the implementation of the key priorities defined in the European Commission’s Opinion on the country’s application for membership. Human rights were also among the topics discussed at the Stabilisation and Association Committee (26 November 2020).

Municipal elections were held in Mostar on 20 December 2020, for the first time since 2008, thanks to legislative amendments adopted in July following EU political facilitation. The EU is working with the Council of Europe to advocate inclusive and quality education for all. A revised war crimes processing strategy was finally adopted in September 2020, following strong EU advocacy and support.

**4. EU financial engagement:** EU funds support focuses on the areas of judiciary (war crimes, missing persons), gender equality, and vulnerable groups (children, persons with disabilities, Roma), as well as support to civil society and the media.

Current support under the Instrument for Pre-accession Assistance (IPA) contributes to strengthening the justice system and monitoring the processing of war crime cases (‘EU4Justice in BiH II’, IPA 2018, EUR 4.5 million; support to processing of war crimes, IPA

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<sup>2</sup> <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-opinion.pdf>



2019, EUR 4.5 million). Assistance continued via the International Commission on Missing Persons (ICMP) to account for persons missing from the conflicts of the 1990s (EUR 3 million – IPA 2019) and the EU also provided support for civil society to foster the recovery of areas affected by the 2014 floods (EUR 2 million). EU funds also supported the transformation of institutions for children without parental care (EUR 1.3 million) and for independent living and community-based care of persons with disabilities as well as the development of new social services based on users' needs (EUR 1 million). IPA funds also supported the alignment with the EU *acquis* and strengthened the bodies working for gender equality and women's rights through the Gender Equality Facility project (EUR 0.5 million – IPA 2018).

In 2020, the EU also contracted 11 new projects (for EUR 5.5 million) under the IPA II Civil Society and Media Facility Programme (IPA CSF), adding up to 25 ongoing projects worth more than EUR 14.5 million. These new projects focus notably on capacity building of civil society organisations in the areas of health, social inclusion, environment, youth, culture, local economy, women's rights, freedom of expression, anti-corruption and political pluralism.

Under the European Instrument for Democracy and Human Rights (EIDHR), 10 new projects amounting to over EUR 1.9 million were contracted in December 2020 with grants to 25 organisations working on support to women victims of violence, capacity building of gender equality commissions at the municipal level, capacity building of women human rights' defenders, protection of rights and psychosocial support to LGBTI persons, protection and promotion of rights of the child, consumer rights and youth. With these new grants, there are in total 16 ongoing EIDHR projects. Information on all projects supported under IPA CSF and EIDHR is published on the web platform [www.EUResurs.ba](http://www.EUResurs.ba).

The second phase of the regional EU-Council of Europe Horizontal Facility for the Western Balkans and Turkey launched in 2019, focuses on: strengthening human rights treatment of detained persons; preventing and combating trafficking in human beings; promotion of diversity and equality (protection of national minorities and LGBTI persons); quality education for all; and freedom of expression and freedom of the media. Six sub-grants with NGOs and associations were contracted during the reporting period. The Ombudsperson is working on a special report on hate speech. In the context of the actions under the Horizontal Facility, in December 2020, an LGBTI Action Plan was drafted, as the outcome of the joint work of the Bosnia and Herzegovina Agency for Gender Equality, other relevant state and entity members and civil society organisations (CSOs).

**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 on 13 November 2019 at the United Nations Human Rights Council Working Group (UN HRC). The country accepted 204 out of the 207 Recommendations from the UN Member States. Bosnia and Herzegovina is expected to adopt an action plan for their implementation.

## The Republic of North Macedonia

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the

relevant international and European standards. The Law on Prevention and Protection against Discrimination has been adopted but the members of the related Commission have yet to be selected. The country is implementing deinstitutionalisation of childcare. It is investing in community services, including to support victims of gender-based violence. While the set-up of the external oversight mechanism of the police is complete, it still needs to effectively address police impunity. In the area of freedom of expression, the overall climate in which media operates remain generally conducive to media freedom, although there have been some increased tensions during the COVID-19 crisis and in the context of the elections. It is also important for the country to enhance implementation of the legislation on hate speech. Sustainable solutions to ensure the independence, professional standards and financial sustainability of the public service broadcaster are needed. The financial sustainability of independent media and working conditions of journalists remain a challenge.

For more information, please refer to the European Commission's [2020 Report on North Macedonia](#).

**2. EU action - key focus areas:** In 2020, concerning fundamental rights, the EU's activities focused on promoting access to justice through legal aid for vulnerable groups, the improvement of detention conditions in the penitentiary system, as well as support for the newly established external oversight mechanism of the work of the police and prison police. The EU also put the spotlight on combating discrimination, and prevention and response to violence against children, including through strengthening the country's social protection system. The EU supported the deinstitutionalisation process of persons with disabilities by supporting development of quality alternative care and the transition from institution to community-based care. In cooperation with the Council of Europe, the EU funded activities aimed at combating hate speech, as well as in support of the effective recognition of rights of LGBTI persons and freedom of expression. Numerous activities aimed at raising public awareness, countering disinformation as well as increasing media and digital literacy were organised. Safety and protection of journalists were high on the EU agenda, including in the political dialogue with the authorities and journalists' associations. The EU also supported the introduction of a human rights-based approach among public servants, civil society and representatives of the business sector.

Strategic partnerships with the Council of Europe (including the Venice Commission), the Organization for Security and Co-operation in Europe (OSCE), UN agencies as well as other international organisations and partners ensure complementarity of support and an enhanced impact of assistance provided to the country. The EU regularly engages with civil society, including through dedicated annual consultations.

**3. EU bilateral political engagement:** In March 2020, the European Council endorsed the Council's recommendation to open accession negotiations with the Republic of North Macedonia. While the negotiating framework remained to be adopted, the government reaffirmed its commitment to continue the reform process in order to bring the country closer to the EU. The EU continues constant dialogue with a wide spectrum of stakeholders at various levels. All political parties participated in the parliamentary Jean Monnet Dialogue for Peace and Democracy held in February, leading to cross-party agreements on the protection of human rights and fundamental freedoms. Moreover, the November 2020 15th

Justice and Home Affairs Subcommittee contributed to further deepening of the dialogue and bilateral coordination. In the context of the health crisis with serious and profound implications in terms of human rights, the EU continued its engagement with CSOs, in order to ensure that they continue to play a key role in both policy and decision-making processes.

**4. EU financial engagement:** Under the Instrument for Pre-accession Assistance (IPA) annual programme in 2020, the EU support for the rule of law project (EUR 12.45 million) aims at, among others, strengthening the capacities of the main human rights bodies, and improving the probation system and alternative sanctions. The project supporting juvenile and child-friendly justice (EUR 500,000) started in November 2020. This project aims at improving the legislative framework, procedures, practices and capacities of the justice for children system.

Under the Civil Society Facility, ongoing grants to civil society organisations, with an EU contribution of EUR 1.05 million, are supporting freedom of expression, media and digital literacy, critical thinking, pluralism of opinion, democratic values and human rights by organising various offline and online activities with state authorities, independent regulators, journalists, CSOs, students, and the general public. In 2020, the EU delegation signed seven grant contracts for support to civil society networks/platforms in different fields, four of which are targeting women entrepreneurship, gender equality and youth.

Under the European Instrument for Democracy and Human Rights, implementation of six projects continued. These projects supported access to justice for the most marginalised communities, protection from torture and ill-treatment in prisons and detention facilities as well as environmental protection and promotion of tax responsibility. One of the projects is promoting human rights through the production of documentaries, illustrating violations, and by raising public awareness of the domestic and international legal human rights framework.

The implementation of the EU-CoE Horizontal Facility phase II programme (EUR 4.1 million) continued in 2020 with activities combating hate speech, supporting recognition of the rights of LGBTI persons and freedom of expression. The Expertise Co-ordination Mechanism, through which the Council of Europe provides ad-hoc legislative expertise and policy advice in response to requests made by the beneficiaries, provided support for an opinion on the Law on the Use of Languages.

**5. Multilateral context:** In 2020, the country's leadership reaffirmed their commitment to preserving and strengthening the rules-based multilateral international order. The country acceded to the 1961 UN Convention on the Reduction of Statelessness in January 2020. The yearly report of the UN High Commissioner for Human Rights, released in August, confirmed that the Republic of North Macedonia was one of 22 countries that had implemented the indicators meant to integrate human rights priorities and action as part of an UN framework to address the socio-economic impact of the COVID-19 crisis.

## Kosovo

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the relevant international and European standards. The adoption of the new Law on Child

Protection was a recent, important step. More needs to be done to promote and ensure full implementation of human rights legislation and policies. The government's coordination of human rights and minority protection mechanisms, both at the central and local levels, needs to improve and fundamental rights issues need to feature higher on the political agenda. Human and financial resources are lacking and relevant authorities still depend on donor support and guidance and need to assume greater ownership. Inter-ministerial coordination mechanisms are often treated as a formality and have proven to be ineffective in advancing human rights.

For more information, please refer to the European Commission's [2020 Report on Kosovo](#).

**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 Subcommittee on Justice, Freedom and Security 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:** Following the resignation of Prime Minister Ramush Haradinaj in July 2019, a new government headed by Prime Minister Albin Kurti took office on 3 February 2020. However, this government collapsed after a no-confidence vote less than two months after taking up office, leading to a political crisis in the middle of the COVID-19 pandemic and to the formation of a new government under Prime Minister Avdullah Hoti. Due to this volatile political context and the necessary focus on the pandemic response, Kosovo's reform efforts on its European path were affected. In the field of human rights, the adoption of some secondary legislation (related to the Law on Child Protection) and the human rights strategy and action plan were delayed.

In 2020, the EU Office/EUSR in Kosovo continued its engagement on human rights and gender equality, bringing these topics higher on the political agenda of the government. The publication 'Talking Women. A Year of EU Support to Gender Equality and Women Empowerment in Kosovo' was launched in March. It contained a summary of the 12 discussions held in the framework of the EU Gender Talks organised during 2019.

The EU Office/EUSR organised human rights coordination meetings with key international organisations that work on human rights in Kosovo with the aim of coordinating the approach towards the authorities on key human rights issues. Three such meetings took place in 2020, followed by bilateral meetings with the authorities on thematic issues including freedom of expression, rights of the child, rights of persons with disabilities, rights of LGBTI persons, missing persons, human rights mechanisms and the impact of COVID-19 on the most vulnerable.

The EU Office/EUSR, including the Head of Office, engaged concretely on various pieces of legislation as well as policy and strategic documents in the field of human rights and democracy – mainly through supporting the drafting process via the Legislative Review Mechanism, supporting an expert mission in the area of freedom of expression funded by the Technical Assistance and Information Exchange instrument and undertaking visits to a number of relevant institutions. The process of selection and appointment of the new Ombudsperson in October 2020 was followed closely by the EU Office/EUSR and working relations have already been established with him. Activities also included a number of events to mark the 16 Days of Activism against Gender-Based Violence and the Human Rights Day.

**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).

Under IPA 2018, the EU-Community Stabilisation Programme Phase IV continued to support the rights of minority communities. A total of 100 projects (84 individual family projects and 16 community development projects) were approved, for a total amount of EUR 500,700 to secure and/or create 178 jobs and affect indirectly some 10,000 beneficiaries in predominantly minority community areas in all 38 municipalities in Kosovo.

The IPA Civil Society Facility and Media Programme supported independent journalism with a focus on human rights (EUR 480,000). The project implemented a human rights fellowship programme to support human rights activists and journalists. Under IPA 2017, the project supporting the Ombudsperson Institution (EUR 2.7 million) started in March 2019.

The EIDHR 2018/2019 projects (total value of nearly EUR 928,000) continued to protect children and adolescent's rights, particularly within schools. These five projects: promoted the establishment of violence-free environment in Kosovo schools; introduced non-formal learning practices in secondary education; supported education of children and adolescents with special needs and/or from vulnerable communities; and strengthened protection of child rights through social services for children. One project supports the right to know and action for missing persons from the conflict in the 1990s. This project contributed to mobilise media organisations and CSOs to promote public awareness, and demand justice and institutional efforts to improve the fate of missing persons in Kosovo.

In cooperation with the Council of Europe, the project 'INCLUDE' improving access to quality education of students from minority groups (Roma, Ashkali and Egyptian) and children with special needs in pre-primary, primary and secondary education (EUR 2 million) started on 1 January 2020.

Under the EU-CoE Horizontal Facility II, various actions were conducted during 2020. Under the Action on Promotion of Diversity and Equality: reform has been initiated on the form of the reporting on human rights and on the reporting system between the Office of Good Governance and human rights focal points; substantial discussion on gender identity has been supported; the first potential 'no hate speech ambassadors' have been identified for Kosovo in the sport environment and religious/minority community; and surveys on discrimination patterns were conducted. Various sub-grants to NGOs focused on inclusion issues during the COVID-19 crisis, combining social support and measures to decrease stigmatisation through awareness raising which targeted, *inter alia*, minority groups. The awareness raising initiative 'LGBTI Rights in Kosovo in light of the COVID-19 outbreak' was realised, in which the Human Rights Radio Network – HRN and Vala Radio, produced a series of quality radio shows addressing the challenges that LGBTI communities are facing in Kosovo. An assessment report of the Office of Good Governance with recommendations has been delivered too. Under the JUFREX (Action focusing on freedom of expression), 'Guidelines on protecting freedom of expression and information in times of crisis' were prepared and made available in Albanian and Serbian during the pandemic and the project translated into local languages the 'Safety Advisory for journalists: covering the coronavirus pandemic'.

**5. Multilateral context:** Kosovo continued its dialogue and cooperation with international human rights organisations and monitoring bodies, in particular with the Council of Europe. A visit by the European Committee for the Prevention of Torture took place in 2020, as per the working arrangement with UN Mission in Kosovo (UNMIK).

## Montenegro

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the relevant international and European standards. In July 2020, the Law on Life Partnership of Same-Sex Couples was enacted by Parliament, making Montenegro the first country in the region to regulate the status of same-sex couples. The capacity of human rights institutions and of the Ministry of Human and Minority Rights has been reinforced, and trust in the Ombudsperson's office and the quality of its work is increasing. Decisions of the Constitutional Court further aligned with European and international standards. The country's legal framework needs to be further aligned with international and European human rights standards and relevant EU *acquis*, in particular on non-discrimination, rights of the child, rights of persons with disabilities, access to information, freedom of expression, procedural rights, including victims' rights, and rights of persons deprived of liberty. Challenges also remain regarding implementation. This includes providing for swift and independent investigations into allegations of excessive use of force, torture or ill-treatment by law enforcement.

Montenegro held parliamentary and local elections in five municipalities on 30 August 2020, under an electoral legal framework assessed to be largely unchanged since the last elections, in the challenging context of the COVID-19 pandemic. According to international observers from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and OSCE Parliamentary Assembly, the elections were peaceful and competitive and run mostly transparently and efficiently. The campaign environment was highly polarised over issues of church and national identity and marked by undue advantage for the ruling party and unbalanced media coverage.

For information, please refer to the European Commission's [2020 Report on Montenegro](#).

**2. EU action - key focus areas:** Key focus areas of EU action 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 and Egyptians, persons with disabilities and LGBTI persons. The EU was very involved in the promotion of gender equality through bilateral initiatives and advocating for women's political and economic participation. In the context of the COVID-19 crisis, the EU took initiatives with partners to promote the rights of the most vulnerable groups, in particular children, women and Roma and to provide them with emergency aid, including food and hygiene packages.

**3. EU bilateral political engagement:** The EU monitors the respect for human rights within the framework of the EU accession negotiations, in particular under Chapter 23 - Judiciary and fundamental rights. Regular policy dialogue at technical and political levels draws 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

December 2020, the 10th EU-Montenegro Stabilisation and Association Committee meeting took place.

**4. EU financial engagement:** In the framework of the IPA Sector Operational Programme for Education Employment and Social Policies, a EUR 3 million-grant scheme was designed to implement quality social services 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 for the total amount of EUR 2.5 million to support the provision of Social and Child Protection Services. These actions started in 2020 and will continue in 2021. The education component of the programme contributed, *inter alia*, to inclusive education by supporting the development of modularised programmes for students with special educational needs and Roma and Egyptians students. In addition, within the IPA Civil Society Facility, a EUR 260,000 project targeting peer-to-peer school violence was implemented in 2020.

Eight projects amounting to EUR 1.1 million contracted at the end of 2019 were implemented in 2020 under the European Instrument for Democracy and Human Rights. These 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, strengthening trade unions, promoting the rights of Roma and inclusion from the grass-root level, providing free legal aid to migrants, and transitional justice focusing on the 1990s wars in former Yugoslavia, as well as financing of political parties and election campaigns. Additionally, the implementation of three European Instrument for Democracy and Human Rights (EIDHR) projects contracted in 2018 continued in 2020. These projects address: the right to access to information, 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 and 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.

Through EU financial assistance, a shelter for women victims of domestic violence in Podgorica remained operational, providing prevention and protection from sexual violence. This process was assisted through EU-funded multi-country project realised 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 presenting real testimonies of sexual violence victims to address attitudes in society and encourage more victims to come forward.

Further assistance is provided under the national and regional actions of the EU-CoE Horizontal Facility for the Western Balkans and Turkey – Phase II. It focuses on alignment with European human rights standards in the areas, such as procedural rights, freedom of expression, anti-discrimination, and prevention of torture and ill-treatment.

**5. Multilateral context:** Montenegro continued its dialogue with international human rights organisations and monitoring bodies, the United Nations' bodies and the Council of Europe,



and fully aligned with EU statements on human rights in multilateral fora. In April 2020, the UN Special Rapporteur on trafficking in persons, especially women and children, published her report on the 2019 visit to Montenegro. In April 2020, Montenegro reported on the implementation of recommendations of the UN Committee on Elimination of Racial Discrimination (CERD). In June 2020, the European Commission against Racism and Intolerance published its conclusions on the implementation of the recommendations in respect of Montenegro, which are subject to interim follow-up.

## Serbia

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework in the area of fundamental rights is overall in place and is largely in line with the relevant international and European standards. However, consistent and efficient implementation of legislation and policies still needs to be ensured. In addition to making substantial efforts to uphold freedom of expression, Serbia needs to address outstanding shortcomings and to strengthen human rights institutions, guarantee their independence, including via the allocation of the necessary financial and human resources, and ensure timely follow-up to their recommendations. This entails in particular to amend the Ombudsperson Law and the Law on Access to Information of Public Importance in line with European and international standards. Serbia also needs to step up measures to protect the rights of persons facing discrimination including by adopting and starting to implement a new anti-discrimination strategy and to actively pursue investigation and convictions for hate-motivated crimes. It is also essential that Serbia ensures a consistent implementation of legislation regarding individuals belonging to national minorities, including Roma, leading to a tangible improvement in the effective exercise of their rights across the country.

For more information, please refer to the European Commission's [2020 Report on Serbia](#).

**2. EU action - key focus areas:** Key focus areas in 2020 included freedom of expression, human rights institutions and the rights of persons belonging to national minorities, including the Roma. The EU's action in Serbia continued to focus on the key areas described in the interim benchmarks of Chapter 23 of the accession negotiations – Judiciary and fundamental rights. As regards the latter, benchmarks relate to the effective application of human rights, procedural safeguards, the protection of minorities and cultural rights, the EU *acquis* and international standards against racism and xenophobia, and EU data protection standards' The EU monitored closely Serbia's continuous implementation of its action plan for chapter 23, adopted prior to the opening of the negotiations on this chapter in July 2016, and revised in July 2020.

**3. EU bilateral political engagement:** The EU continued to monitor closely the respect for human rights in Serbia 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 at 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.



**4. EU financial engagement:** In 2020, the EU continued to implement a number of IPA programmes to support social inclusion and anti-discrimination policies and to improve the situation of persons in vulnerable situations, including the Roma and internally displaced persons. In 2020, there were numerous projects ongoing regarding Roma inclusion, with a total value of EUR 30 million.

In the context of strengthening the civil society, projects worth approximately EUR 5.7 million continued to be implemented during 2020 while an additional amount of EUR 2.5 million was awarded to new projects at the end of 2020. The new projects aimed at combating corruption, supporting e-governance and strengthening monitoring by civil society for higher transparency. A large grant was dedicated to policy dialogue and enhancing civil society participation in the EU accession negotiations process.

Under the European Instrument for Democracy and Human Rights (EIDHR), projects amounting to EUR 2 million were implemented during 2020 and new calls for proposals (additional EUR 1 million) were published in support of civil society. EIDHR projects focused notably on protection of minorities, gender equality, child rights, migrants and protection of human rights defenders.

The EU supported the media in Serbia with a new EUR 2.4 million grant for over three years addressing the consequences of the COVID-19 pandemic. This grant provided independent media and media organisations with support for operational costs as well as productions. It was thus an essential lifeline to keep business operations running and developing in times of falling advertising and other revenues.

As a result of a technical assistance of EUR 600,000 to the two public broadcasters, a new media literacy handbook was produced, including various digital applications and related educational TV programmes to be rolled out in the following months. Support to the Press Council of Serbia, for an amount of EUR 300,000, was ongoing in 2020 in order to raise the ethical standards of the media and to investigate complaints on violations of those standards.

In addition, implementation of activities under IPA regional projects have continued. For example, the EU-CoE Horizontal Facility has supported the fight against discrimination and the protection of the rights of vulnerable groups (including LGBTI persons, minorities and the Roma) as well as freedom of expression and freedom of the media.

**5. Multilateral context:** In 2020, the first report on Serbia's implementation of the Istanbul Convention by the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence stressed the need for a more comprehensive response to all forms of violence against women covered by the Convention, not only domestic violence. This should also include rape, stalking, sexual harassment and forced marriage.

In its conclusions adopted in April 2020, the Council of Europe's European Commission against Racism and Intolerance (ECRI) concluded that two recommendations which were subject to interim follow-up had been partly implemented, namely the adoption of codes of conduct by the Serbian Parliament and Government which should prohibit the use of hate speech, provide for suspension of mandate and other sanctions for breach of their provisions and establish effective reporting channels, as well as the hiring of a proportionate number of Roma and members of other minorities in the civil service.

## Republic of Turkey

**1. Overview of the human rights and democracy situation:** The deterioration of human and fundamental rights in Turkey, notably freedom of expression, freedom of assembly and freedom of association, continued in 2020. Restrictions imposed on, and surveillance of, the activities of journalists, writers, lawyers, academics, students, human rights defenders and critical voices on a broad scale have a negative effect on the exercise of these freedoms, and lead to self-censorship, while many of them have been detained and convicted on overly broad definitions of terrorism and terrorist activities. Civil society came under continuous pressure and their space to operate freely has continued to diminish. Credible allegations of torture and ill-treatment continued to be reported. The rights of the most disadvantaged groups and of persons belonging to minorities need better protection. Gender-based violence, discrimination, hate speech against minorities, hate crime and violations of human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are still a matter of serious concern.

For more information, please refer to the European Commission's [2020 Report on Turkey](#).

**2. EU action - key focus areas:** The EU action to support human rights and democracy continued to be provided through both policy dialogue and financial instruments. The focus areas were: support to human rights defenders, refugees, LGBTI persons and persons belonging to minorities; access to justice and support to freedom of assembly; as well as freedom of expression, media pluralism, and increasing CSOs' capacity to monitor human rights. In this regard, key focus areas: included freedom of expression, gender equality, prevention of torture and ill-treatment and the rights of vulnerable groups, including children, Roma and LGBTI persons.

**3. EU bilateral political engagement:** The EU continued to monitor closely the respect for human rights. There is a regular policy and political dialogue at both technical and political levels.

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. 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 it facilitates meetings with NGOs and civil society organisations when EU senior management representatives travel to Turkey.

The EU delegation, sometimes together with EU Member States, organised 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 contacts with the authorities, the EU delegation regularly raises issues and cases such as long pre-trial detentions of journalists and human rights defenders and it urges the authorities to address these cases.

**4. EU financial engagement:** In 2020, the EU continued to implement a number of projects funded under the Instrument for Pre-accession Assistance (IPA) in order to support civil society and human rights defenders in Turkey who face continuous pressure and operate in

a hostile environment. In support of Turkey's COVID-19 response, the EU has mobilised some EUR 105 million for the prevention and treatment of COVID-19, and the mitigation of its economic and social impact.

Since 2017, the European Commission has redirected the financial support under IPA II to sectors that reflect key EU priorities, such as democracy and rule of law, support to civil society and human rights, people to people exchanges. Management of EU funds in key areas affected by negative policy developments, such as civil society, has been recentralised. There were several ongoing projects in 2020, with a total value of EUR 110 million, aiming to support civil society and fundamental rights.

One of these is the flagship programme Sivil Düşün (Think Civil) under the Civil Society Facility. This grant-scheme worth EUR 6 million, provides customised and flexible in-kind support mainly to grass-roots CSOs and activists. The scheme covers all provinces and its actions targeted different areas, such as freedom of expression and media freedom, rights of LGBTI persons, women's and child rights, as well as support to environmental activists.

Under the European Instrument for Democracy and Human Rights, projects amounting to EUR 3.3 million have been implemented in fields such as prevention of torture, fight against impunity, access to justice, support to human rights defenders, the rights of the child, women's rights, protection of minorities, freedom of expression and media and support to refugees/migrants. There are currently over 40 ongoing projects.

The Facility for Refugees in Turkey continued to support Turkey in hosting more than 3.6 million registered refugees from Syria and around 370,000 registered refugees from other countries. It has notably allowed over 620,000 children to attend school through the Conditional Cash Transfer for Education programme.

Turkey is a beneficiary under the second phase of the EU-CoE Horizontal Facility for the Western Balkans and Turkey. The total amount of the phase II Programme is EUR 41 million. Turkey increased its level of participation, with three dedicated actions to: develop measures for the prevention of human trafficking, strengthen the rights protection of asylum seekers and migrants and elaborate a more coordinated institutional response to violence against women. Furthermore, under IPA II, the Council of Europe is in charge of implementing 10 projects in the areas of the judiciary and fundamental rights.

**5. Multilateral context:** The EU regularly raises the human rights situation in Turkey in multilateral fora. In 2020, the EU delegations to the Council of Europe, to the UN 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 2020, the EU mentioned Turkey in its statements for the three sessions of the UN Human Rights Council under Item 4 'Human Rights situation that require the Council's attention'. In January 2020, Turkey underwent its third Universal Periodic Review before the UN HRC but rejected core recommendations regarding its human rights record or argued that it had already implemented them. In August 2020, the Turkish authorities allowed the publications of two of the Council of Europe's Committee for the Prevention of Torture (CPT) reports, in which the Committee recommended delivering a clear and firm message to all law

enforcement officials from the highest political level, namely the President of the Republic, that all forms of ill-treatment of detained persons are illegal and will be punished accordingly. The full monitoring procedure, re-opened by the Parliamentary Assembly of the Council of Europe in April 2017, continues.

## 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.

Throughout 2020, human rights were at the centre of public debate in Switzerland in the context of the Responsible Business Initiative, which aimed at the implementation of the UN Guidelines on Business and Human Rights at constitutional level and the introduction of a mandatory human rights due diligence instrument for Swiss businesses. More controversially, the initiative also demanded the introduction of a civil liability mechanism, thus allowing Swiss businesses to be held accountable in front of Swiss tribunals for the breach of human rights and environmental standards abroad. The initiative was mainly driven by left-wing voters and found support among NGOs, certain entrepreneurs and the catholic and evengelic church. On 29 November 2020, the Responsible Business Initiative was rejected at popular vote; although 50.7% of the electorate voted in favour of the project, it failed to reach the necessary cantonal majority. The counter-proposal of the federal government is due to come into effect in March 2021, which aims to strengthen the respect of human rights through businesses, but is considerably weaker than the initiative.

On 9 February 2020, the Swiss people had voted in favour (63,1%) of a draft law, proposed by the Parliament and backed by the government, that aimed to extend the criminal provision on anti-racism to include discrimination on the grounds of sexual orientation. As of 1 July 2020, homosexual, bisexual and heterosexual persons in Switzerland are protected under the amended criminal provision on anti-racism.

As regards gender equality, Switzerland continues to be faced with persistent wage differences between the sexes, the underrepresentation of women in managerial positions, the difficulties in balancing work and private life, domestic violence and violence against women in general. The Federal Council has made greater equality between men and women a policy priority. The country's first national equality strategy is currently being drawn up and is due to be approved in 2021, and several changes have been made to the law to improve equality. On 1 July 2020, the revised Gender Equality Act entered into force, requiring employers with 100 or more staff to conduct an equal pay analysis. The aim is to implement the constitutional entitlement to equal pay for work of equal value.

On the matter of racism, the Council of Europe's European Commission against Racism and Intolerance (ECRI) published its sixth report on Switzerland in March 2020. The report

acknowledges positive developments in Switzerland – including in the asylum and integration area – but it notes some issues of concern. The ECRI points to the lack of general anti-discrimination legislation and an appropriate equality body. The sharp rise in intolerant discourse against Muslims, particularly in the media, is also raised in the report.

In December 2020, the government adopted Switzerland's fifth and sixth state report on the implementation of the UN Convention on the Rights of the Child. The report shows that Switzerland has made progress since the last review in January 2015, notably as regards the adoption of the Third Optional Protocol of the Convention and the launching of a national platform for home education and family care.

**2. EU action - key focus areas:** The EU and Switzerland enjoy close and frequent cooperation within the international institutions and multilateral fora as regards human rights and democracy promotion. The EU and Switzerland support each other's resolutions and statements in the UN Human Rights Council. For example, at the 45th regular session of the HRC, Switzerland supported the resolution presented by the EU calling on the Belarus government to end the excessive use of force and to enter into a dialogue with the political opposition and civil society.

**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 EU instruments.

**5. Multilateral context:** Switzerland is an active member of the UN Human Rights Council, having (co-)launched a number of initiatives that were adopted in 2020. On the initiative of Switzerland and Costa Rica, during its 44th session the HRC adopted a resolution calling on all states to promote and protect human rights in the context of peaceful protests. Regarding the human rights situation in other countries, Switzerland continues to support efforts to document and independently investigate all alleged violations of international law so that perpetrators can ultimately be held criminally accountable.

Switzerland's third UPR 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 Organization (ILO) Domestic Workers Convention (2011), in line with previous UPR recommendations.

## Norway

**1. Overview of the human rights and democracy situation:** Norway is a strong supporter and promoter of human rights. It has ratified most 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, ranked second in the WF Global Gender Gap Report 2020. 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 is a key priority in Norway's human rights policies.

Yet there is a healthy debate on many issues, including occasional criticisms. Recent examples include UN concerns over the lack of necessary healthcare for certain immigrant groups and the high number of persons with disabilities or immigration backgrounds respectively being permanently or temporarily unemployed. Taking into account Norway's response to COVID-19, the government-introduced infection tracing application became a human rights issue, as it was found to be too intrusive by the Data Protection Authority – ultimately being withdrawn altogether. In recent years, Norway has also been criticised over the excessive use of solitary confinement and isolations in prisons and for having an overzealous Child Protection Service.

**2. EU action - key focus areas:** Since Norway and the EU have very similar views on human rights issues, close cooperation takes place in various multilateral fora (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 (via social media, official institutions, schools, etc.) 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 in the UN Human Rights Council. In December 2020, Norway aligned itself with the new EU global sanctions regime to address serious human rights violations.

**4. EU financial engagement:** Norway is not included in any operational projects or programmes funded by the European Instrument for Democracy and Human Rights.

The EU Delegation in Oslo undertook several public diplomacy and information activities during the course of 2020, including on: World Press Freedom Day; International Day against Homophobia, Transphobia and Biphobia; Oslo Pride campaign - (digital edition due to COVID-19; a video message was recorded with other diplomatic missions which reached almost 300,000 viewers); European and World Day against the Death Penalty; Equal Pay Day; World's Children's Day; EU4LGBTIQ; Union of Equality; Human Rights Day; the #orangetheworld campaign against gender-based violence; Gender Action Plan III; and the EU Global Human Rights Sanctions Regime.

**5. Multilateral context:** In 2020, the UN Committee on Economic, Social and Cultural Rights concluded its sixth periodic report of Norway. The report outlined both positive and negative aspects, welcoming for instance the continued allocation of one percent of the country's gross national income for official development assistance. Areas of concern, among others, referred to: the lack of necessary health care to certain immigrants groups and EEA citizens without a European health insurance card; the high number of persons with disabilities who are unemployed or outside of the labour market; and, persons with immigration

backgrounds having higher incidences of unemployment than among the rest of the population.

In 2020, Norway strengthened its international efforts on freedom of expression and the press, extending its cooperation with International Media Support by four years.

Norway's third Universal Periodic Review (UPR) cycle took place in 2019. The review welcomed Norway's inclusion of a new chapter on human rights in its Constitution and the adoption of Action Plans on domestic violence and sexual abuse, discrimination based on sexual orientation and human trafficking. In addition, the review praised Norway for being one of the world's leading countries in terms of providing development assistance. The UPR also raised several concerns and put forward numerous recommendations (of which Norway accepted 176, partially accepted 22 and refused to accept 43). Areas of concerns were mostly related to equality and discrimination, gender-based violence, rights of the child and rights of persons belonging to minorities.

## Iceland

**1. Overview of the human rights and democracy situation:** Iceland is a global leader in the protection and promotion of human rights, with very high human rights standards and a high level of cooperation with international organisations on human rights issues. According to the World Economic Forum's Global Gender Gap Index 2020, Iceland is once again among the most gender-equal countries in the world. This shows that gender equality has a prominent place in Iceland's both national and international priorities. In 2020, Iceland continued to be at the forefront of promoting human rights issues, and particularly gender equality, at international level. Following Iceland's successful tenure at the UN Human Rights Council in 2018-19, where it stressed in particular gender equality, the fight against gender-based violence, the rights of LGBTI persons and the rights of the child, its intention to seek a full three-year term in 2025-2027 has been announced. Iceland's Presidency of the Arctic Council continued during 2020, 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 democracy and close cooperation takes place in various multilateral forums (UN, Council of Europe, OSCE). Iceland usually aligns itself with HR/VP declarations on behalf of the EU 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 EU instruments. However, the EU Delegation to Iceland undertakes public diplomacy and information activities to showcase the EU's action on promoting human rights and democracy 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 was published in 2020. The inter-ministerial committee is in charge of coordinating the activities related to the UPR, advises the Minister of Justice on human rights-related issues, and ensures proper cooperation between the ministries. Iceland's next UPR is expected to take place in 2022.

## Liechtenstein

**1. Overview of the human rights and democracy situation:** Liechtenstein has very high human rights standards. The protection of human rights and the rule of law are amongst Liechtenstein's key foreign policy objectives. Liechtenstein focuses on the protection of human rights especially within the framework of multilateral cooperation, notably the UN, Council of Europe and OSCE.

Gender equality was on the political agenda in the context of the popular initiative 'Halbe-Halbe' (Fifty-Fifty), which demanded constitutional changes to ensure a fair gender distribution in political offices. On 30 August 2020, it was rejected by 78,8% of the electorate. The 10th status report on the human rights situation in Liechtenstein, published by the government in March 2020, acknowledges the continued underrepresentation of women in domestic politics. In this regard, Liechtenstein's national human rights institution criticises the lack of a clear political commitment to gender equality and advocates for a long-term and sustainable national action plan to address this issue.

In September 2020, the Group of States against Corruption (GRECO) of the Council of Europe submitted an evaluation report on Liechtenstein. It assesses the effectiveness of the systems in place to prevent corruption in respect of members of parliament, judges and prosecutors. While there are virtually no known cases of corruption in public offices in Liechtenstein, the report identifies a number of areas where preventive measures should be strengthened in order to tighten the already existing framework.

The visit of the President of the UN Human Rights Council, Ambassador Tichy-Fisslberger, to Vaduz in December 2020 also received special attention during this reporting period.

**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). Most recently, Liechtenstein aligned with the EU statement at the 45th session of the Human Rights Council, referring to human rights violations in Belarus, Russia, China and the Philippines, OPT and Israel, Venezuela, Libya and Yemen, and calling on Egypt and Turkey to respect fundamental freedoms. Liechtenstein is a steadfast supporter of the International Criminal Court. It has recently expressed its condemnation of US sanctions against the Court.



**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 in the UN HRC.

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

**5. Multilateral context:** The ‘Liechtenstein Initiative’, aiming to put the financial sector at the centre of global efforts to end modern slavery and human trafficking, remains a flagship project of the Principality at international level. Liechtenstein also played an important role in the UN’s response to the COVID-19 crisis, being one of the co-authors of the first UN resolution addressing the pandemic. Notably, the Principality advocated that respect for human rights and fundamental freedoms should be the basis for anti-virus measures.

In September 2020, Liechtenstein became a signatory of the UN Convention on the Rights of Persons with Disabilities. At the Council of Europe level, Liechtenstein signed the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters in July 2020, thereby underlining its commitment to combating transnational organised crime.

Liechtenstein's third Universal Periodic Review 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 intersectional 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).

## United Kingdom

**1. Overview of the human rights and democracy situation:** Human rights are generally respected and guaranteed in the UK through the implementation of the Human Rights Act of 1998, which reflects the international obligations the UK has subscribed to under the European Convention on Human Rights. The UK has a solid human rights framework ensuring, *inter alia*, equal opportunities, rights of LGBTI persons and freedom of the media and freedom of speech.

The COVID-19 pandemic has exacerbated existing inequalities and socio-economic disparities, particularly affecting the Black, Asian and Minority Ethnic (BAME) population. The Black Lives Matter protests brought to the public debate the issue of racial inequalities also in the UK.

UK authorities have reacted to concerns about growing cases of domestic violence during COVID-related lockdowns. A draft Law on Domestic Abuse is being discussed in Parliament. Schools’ closures have exacerbated the problem of children poverty. In order to address concerns about safe internet for children, the government has tabled the draft Law on Online Harms.

The government started a constitutional reform and has set up two independent commissions. The first one is in charge of assessing administrative law with a special focus on judicial review. The second reviews the implementation of the 1998 Human Rights Act, looking in particular at the transposition of ECHR decisions by national courts.

The introduction of the human rights sanctions regime was announced in July 2020. The UK has been swift in adopting sanctions against the Lukashenko regime in Belarus as well as in reaction to the stifling of protests in Hong Kong by Chinese authorities.

In contrast, the proposed legislation to regulate the prosecution of UK officers abroad - in the form of the draft Overseas Operation Bill - has stirred controversy due to its proposed quasi-statutory limitation to five years for the prosecution of a number of crimes involving UK officers abroad.

**2. EU bilateral political engagement:** In 2020, the EU-UK negotiated the Trade and Cooperation Agreement (TCA), which was signed on 30 December 2020. The TCA has been provisionally applied before its final ratification. The Agreement, *inter alia*, commits the parties to uphold and promote the principles of democracy and the rule of law, and the respect for human rights, both in their domestic and international policies. The TCA also reaffirms the EU's and UK's commitment to respect for the Universal Declaration of Human Rights and the international human rights treaties to which they are Parties.

Law enforcement and judicial cooperation provisions under the TCA are also subject to the continued protection of fundamental rights, including those enshrined in the Universal Declaration of Human Rights and in the European Convention on Human Rights. Upon request by the EU, the parties have agreed that a violation of these commitments would justify the suspension of law enforcement and judicial cooperation between the EU and the UK.

**3. EU financial engagement:** No EU projects or programs related to human rights are currently covering the UK.

**4. Multilateral context:** The UK remains committed to multilateralism and expresses readiness to cooperate with like-minded countries to promote human rights at international level. The UK broadly shared the EU's priorities at the UNGA Third Committee in 2020.

The UK was subject for the third time to the Universal Periodic Review under the UN Human Rights Council in 2017. In January 2021, the UK Government published its mid-term report on the Universal Periodic Review.<sup>3</sup>

## European Neighbourhood Policy

### Eastern Partnership regional cooperation

With regard to the Eastern Partnership (EaP) regional cooperation with six countries – Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine - the EU has

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<sup>3</sup> Third Universal Periodic Review: UK's Mid-term report on recommendations:  
<https://www.gov.uk/government/publications/third-universal-periodic-review-uks-mid-term-report-on-recommendations>.

continued working 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. 2020 was marked by several developments in the region, notably the ongoing unrest in Belarus and conflict between Armenia and Azerbaijan on Nagorno-Karabakh, followed by a ceasefire.

In 2020, the EU focused on three strands. Firstly, the EU continued the implementation of commitments endorsed at the Eastern Partnership Summit in Brussels in 2017 and focused on the last year of implementation of 20 Deliverables for 2020. Within the area of strengthening institutions and good governance, the implementation of reforms in the judiciary, as well as the fight against corruption contributed to the reduction of social vulnerabilities. Secondly, as part of its global response to the COVID-19 pandemic and using the Team Europe approach, the EU mobilised an emergency support package of close to EUR 1 billion for immediate needs and the short and medium term to support the social and economic recovery of the region. Thirdly, the EU focused on the Eastern Partnership post-2020 agenda. The Joint Communication on the future of the Eastern Partnership adopted on 18 March 2020, with its overarching focus on resilience, outlined future five policy areas, among them the rule of law and good governance. It was positively received by EU Member States and Eastern partners, as reflected in the Council conclusions of May 2020 and at the EaP Leaders' video-conference of June 2020. The future Eastern Partnership agenda will advance the EU's global leadership on human rights and democracy in external action, including in relation to the EaP. Respect for human rights is an essential element of resilient, inclusive and democratic societies. Focus will therefore continue to be on outstanding issues from the current objectives, notably the rule of law, protection of human rights, the fight against corruption and discrimination, the role of an independent media and civil society and promotion of gender equality.

Furthermore, 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.

Finally, in 2020 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 contributed to strengthening civil society in the region and boosting 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 has a relatively good record of human rights and democracy, and undertakes significant steps to improve good governance and the rule of law. Some of the areas in which further improvements are necessary include, *inter alia*, curbing discrimination and hate speech, gender equality and preventing gender-based violence, prosecution of torture and ill-treatment, and the regulation of pre-trial detention. In 2020, the double crisis of the COVID-19 pandemic and

the war in and around Nagorno-Karabakh slowed down the pace of reforms and brought restrictions to fundamental freedoms following the state of emergency in response to the pandemic and the declaration of martial law in response to the armed conflict. Despite these challenges, Armenia has reiterated its commitment to the implementation of the Comprehensive and Enhanced Partnership Agreement (CEPA) between the EU and Armenia, which includes provisions on strengthening democracy and human rights.

After the comprehensive judicial reform strategy adopted in October 2019 along with an anti-corruption strategy, Armenia also adopted a human rights strategy for 2020-2022 on 26 December 2019 and a police reform strategy in early 2020. Armenia is pursuing comprehensive constitutional reforms spearheaded by a constitutional reform commission established and appointed by the Prime Minister. The reform process has started with public consultations and a concept note is planned to be presented by mid-2021, followed by a constitutional referendum.

**2. EU action - key focus areas:** The EU welcomed Armenia's new National Human Rights Strategy 2020-2022 and the related Action Plan and is willing to continue to support its implementation. This Strategy and this Action Plan are aligned with international commitments and SDGs, and are accompanied by an e-platform to communicate the Government of Armenia's human rights agenda to the public and enable participation, which serves as an interactive tool for coordinated implementation, reporting, monitoring and evaluation.

Moreover, the EU works on human rights issues in the areas of gender equality, domestic violence, the judicial and penitentiary system, anti-discrimination policy and protection of groups in vulnerable situations (including children and persons with disabilities), freedom of assembly and freedom of expression, as well as labour rights.

**3. EU bilateral political engagement:** In 2020, the EU and Armenia maintained a regular dialogue despite the challenges posed by the COVID-19 pandemic. Armenia's Prime Minister met the President of the European Council and the HR/VP in Brussels in March 2020.

Democracy, rule of law and human rights were discussed at high level during the third EU-Armenia Partnership Council meeting on 17 December 2020 in Brussels. Specific topics included measures to protect the rights of vulnerable groups and persons belonging to minorities, to curb gender-based violence, and to criminalise hate speech. The annual human rights dialogue was postponed due to the pandemic.

During and after the Nagorno-Karabakh war that ended on 10 November, the EU has been actively engaged via the President of the Council, the HR/VP, the EU delegations in Baku and Yerevan, and the EU Special Representative for the South Caucasus. The EU repeatedly called the sides to immediately cease hostilities and return to the negotiations table. Following the conflict, the EU mobilised in total EUR 6.9 million in humanitarian aid and expressed its readiness to support post-conflict recovery and to effectively contribute to the shaping of a durable and comprehensive settlement of the conflict, including through support for post-conflict rehabilitation and confidence building measures.

**4. EU financial engagement:** The Human Rights Budget Support Programme is a landmark instrument for EU support in this area. Given the government's commitment and the adoption of the new National Human Rights Protection Strategy 2020-2022, the EU may consider a continuation of this type of financial support for Armenia.

The programme's total budget is EUR 15.7 million. The programme was readjusted to support the fight against COVID-19 with a fixed tranche of EUR 8 million foreseen for disbursement in 2020 and a variable tranche amounting to EUR 2 million to be disbursed in 2021. The EUR 8 million fixed tranche consists of unspent funds of the first (EUR 2 million) and still undisbursed second (EUR 4 million) and third (EUR 2 million) variable tranches. The scope of the programme is improving the protection of human rights through enacting and implementing relevant legislation in the areas of right to free elections, torture prevention, anti-discrimination (including persons belonging to minorities, people with disabilities, refugees and other groups in vulnerable situations), gender equality and child protection. The EU also financed projects to support the capacity and the role of civil society organisations.

**5. Multilateral context:** Armenia was reviewed for the third time by the Universal Periodic Review (UPR) Working Group of the UN Human Rights Council (HRC) in January 2020. It received 252 recommendations and supported 239 recommendations at the 45th HRC session in September 2020 (an increase of 54% compared to the second cycle). The HRC adopted the final outcome report on the country's UPR.

## Azerbaijan

**1. Overview of the human rights and democracy situation:** The overall state of human rights and democracy in Azerbaijan continues to be of concern, with intimidations and prosecutions of critical voices, reduced space for civil society and independent media, and several limitations to civil liberties. Politically motivated court cases against opposition and journalists as well as arrests and detentions continued. Freedom of association and freedom of expression remain highly restricted. Social media are also under rigorous control, while prosecution of activists, bloggers and editors of independent websites continues. The measures applied in the context of COVID-19 pandemic provided an opportunity for the state to crack down further on opposition with a wave of arrests in 2020. Cases of torture were reported, particularly in relation to detentions of opposition activists that followed the so-called 'Karabakh march' in July 2020.

On the positive side, in March 2020, Azerbaijani investigative journalist Afghan Mukhtarli was released from prison ahead of term based on a court decision replacing the prison sentence with a fine. On 23 April 2020, the Supreme Court fully acquitted the Chairman of the Republican Alternative Party (ReAl), Ilgar Mammadov and human rights defender and ReAl board member Rasul Jafarov, thus eventually implementing the respective decisions of the European Court of Human Rights. Other decisions of the European Court of Human Rights, however, still need to be enforced. Implementation of the 2019 presidential decree on deepening of reforms in the judicial-legal system has continued throughout 2020 and the Mediation Council was registered in February 2020. Disciplinary procedures against human

rights lawyers however continued to be used by the Bar Association as a means of pressure, hampering the right to a fair trial.

The electoral legal framework remains to be revised to bring it in line with international standards and obligations. Gender inequality remains high. The proposal to ratify the Council of Europe Istanbul Convention is under consideration at the Presidential Administration.

**2. EU action - key focus areas:** The promotion and support of human rights and fundamental freedoms is at the core of EU's action in Azerbaijan, along the following priorities:

- Strengthening rule of law and democratic institutions: In this framework, the EU is supporting steps in the direction of an independent, fair and efficient justice system, as well as supporting the fight against corruption;
- Promoting an enabling environment for civil society: The EU is supporting civil society organisations (CSOs) and strongly promoting the elimination of legal provisions (such as registration obligations) that are currently hampering CSOs space and action in the country;
- Promoting freedom of expression: The EU aims at supporting the freedom of press and the plurality of opinions, advocating against the prosecution of individuals on political grounds;
- Support development and social and economic inclusion: The EU is contributing to access to basic services and by focusing on regional development and on vulnerable groups.

The EU also aims at contributing to the protection of rights, equal opportunities and equal participation in the public and political life of women, youth, persons with disabilities, displaced persons and minority groups.

**3. EU bilateral political engagement:** To promote human rights and democratic principles, the EU has addressed relevant concerns with the authorities in official fora, such as the annual Subcommittee on Justice, Freedom and Security and the annual human rights dialogue (both held in March 2020), and actively maintained close cooperation with human rights and gender contact points from international representations (notably EU Member States, UN, CoE, US, UK, and Switzerland). Since January 2020, the EU delegation organised a few thematic meetings on human rights. Meetings were 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. However, the COVID-19 restrictions reduced the frequency of these meetings. Staff of EU Member States embassies took part in the diplomatic observation during the 9 February early parliamentary elections. The EU delegation and a number of EU Member States engaged regularly in public diplomacy events on human rights and the HR/VP's spokesperson issued several statements in relation to human rights and democracy in Azerbaijan. Human rights and democracy issues were discussed at high-level during the EU-Azerbaijan Cooperation Council that took place in Brussels on 18 December 2020.

During and after the 44-day Nagorno-Karabakh war, the EU has been actively engaged via the President of the Council, the HR/VP, the EU delegations in Baku and Yerevan, and the EU Special Representative for the South Caucasus. The EU repeatedly called the sides to cease hostilities immediately and return to the negotiations table. Following the conflict, the EU

mobilised in total EUR 6.9 million in humanitarian aid and expressed its readiness to support post-conflict recovery and to effectively contribute to the shaping of a durable and comprehensive settlement of the conflict, including through support for post-conflict rehabilitation and confidence building measures.

**4. EU financial engagement:** In judicial governance, the EU supported financially and technically improvements to the efficiency of the judiciary, establishment of a mediation system, legal aid and improving prison services. The EU also supported financially civil society organisations to strengthen their capacity and enhance their role in Azerbaijani society. In 2020, however, only five EU direct grants were successfully registered (for projects concerning COVID-19 response, rural development and agriculture), while two of them remain pending. Grant registration remains in fact the main obstacle for EU to engage with Azerbaijani civil society. Besides direct grants, the EU also provided financial support to Azerbaijani CSOs via contribution agreements with UNDP, OHCHR, Council of Europe and UNICEF. In particular, in the framework of the regional Civil Society Facility, a EUR 3 million contribution agreement was signed with UNDP in November 2020 to support social entrepreneurship in Azerbaijan.

**5. Multilateral context:** The rate of implementation of European Court of Human Rights (ECtHR) rulings remains extremely low. There are still cases where the civil and political rights of individuals whose conviction has been overturned by the ECtHR still have to be restored. On 30 January 2020, the Parliamentary Assembly of the Council of Europe adopted a Resolution on 'Reported cases of political prisoners in Azerbaijan' and on 'Threats to media freedom and journalists' security in Europe'.

## Belarus

**1. Overview of the human rights and democracy situation:** The situation in Belarus has deteriorated dramatically in 2020, leading to a profound human rights crisis. The acts of state violence, unprecedented repression and torture were applied on a mass scale following the falsified presidential elections of 9 August 2020. There were important setbacks in the area of political and civil freedoms, as manifested by thousands of politically motivated administrative and criminal cases. More than 33,000 peaceful protesters have been arbitrarily detained in connection with peaceful protests. By the end of 2020, there were more than 160 political prisoners, a number that is constantly growing. There are hundreds of reports of enforced disappearances and of torture and other cruel, inhuman or degrading treatment or punishment in police custody or detention. The systemic deficiencies discredited the legal system and the rule of law, which systematically violated domestic and international law. Law enforcement and judiciary used and abused procedural, administrative, and criminal laws for repressing dissent voices. The authorities did not carry out independent investigations of the numerous human rights violations. In general, the authorities have failed to comply with international standards in relation to fair trials and due process, and they have grossly violated the right of legal defence, and representation. The activities of civil society and human rights defenders are seriously hampered. Any political activism was criminalised and became dangerous. Independent media was constantly under attack. The current human rights crisis takes roots in systemic problems

that have remained unaddressed over a long period. The death penalty remains in force, and three new verdicts were pronounced in 2020.

**2. EU action – key focus areas/ bilateral engagement:** Since the falsified elections on 9 August 2020, the widespread popular protests and the brutal repression, the situation has been at the very top of the EU agenda. The brutal human rights violations became part of a broader, political crisis. The EU called for a peaceful and democratic solution to the crisis through an inclusive national dialogue with the society. The deteriorating situation was addressed by the EU Foreign Affairs Council and by the Heads of State and Government in the European Council throughout the rest of the year. There were frequent statements of the EU and its Member States and by the HR/VP on the human rights violations, for instance on arbitrary arrests and detentions on 7 September 2020 and on the death of Raman Bandarenka in the hands of the police on 13 November 2020. The situation in Belarus was also raised in contact with international interlocutors, including the UN Secretary General.

On 12 October, the EU adopted Council conclusions on Belarus, strongly condemning the continued violations of human rights and setting out the parameters to revise the EU-Belarus relations. Three sanction packages have been adopted against those responsible for the election falsification and for the brutal repression, including Aleksandr Lukashenko and prominent businesspersons and companies.

At the same time, the European Parliament has been very vocal on the need to end the human right violations and to support the Belarusian population in its demand for democracy. The HR/VP addressed the European Parliament's Plenary Assembly on the situation in Belarus on several occasions, and the 2020 Sakharov prize was attributed to the democratic opposition in Belarus, represented by the Coordination Council, 'an initiative of brave women, as well as prominent political and civil society figures'. The EU Special Representative for Human Rights addressed the situation with high priority focusing on improving the situation of political prisoners and ensuring their release.

On the ground in the country, the EU delegation and EU diplomats organised numerous activities in support of the peaceful demonstrators and civil society, and the EU frequently issued local statements, often in cooperation with like-minded countries such as Switzerland, the United Kingdom and the United States, condemning the serious human rights violations.

**3. EU financial engagement:** In line with the Council conclusions on Belarus of 12 October 2020, The EU has redirected assistance from the central level to non-state actors and considerable support has been given to civil society and independent media. As of August/September 2020, EUR 3.7 million EU financial support has been mobilised for the victims of repression and independent media after the presidential elections in Belarus. Further, on 11 December 2020, the Commission adopted a EUR 24 million assistance package, which will directly benefit the Belarusian people, in particular civil society, young people and SMEs, as well as improve health capacities.

**4. Multilateral context:** The EU has played an important role in raising the human rights violations in Belarus in international fora. On 4 September, the EU made a statement on human rights in Belarus in the UN Security Council in an 'arria formula' meeting. On 18 September, an urgent debate on Belarus took place at the UN Human Rights Council with



the adoption of an EU-led resolution on the human rights situation in Belarus. The EU delegation in Geneva coordinates the discussions in view of ensuring follow-up mechanisms. On 26 October, an EU-US co-drafted joint statement on the situation in Belarus was joined by 53 Member States and observers in the UNGA Third Committee. On 2 November, Belarus underwent its third universal periodic review at the UN HRC, where it was criticised by many country representatives for post-election human rights violations. The Council of Europe also made several statements expressing concern about the situation, and within the Council of Europe, the EU made statements on the human right situation and on the safety of journalists and freedom of expression. In the OSCE framework, EU Member States were instrumental in activating the Moscow Mechanism. This resulted in a report on 'Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020'. The report clearly confirms that there is overwhelming evidence that the presidential elections of 9 August 2020 were falsified and that massive and systematic human rights violations have been committed by the Belarusian authorities against peaceful demonstrators. The report also calls for the establishment of an independent international body for the in-depth investigation of human rights violations in the context of the presidential elections. The EU actively supported the on-going initiatives to gather evidence on the human right violations and hold the perpetrators accountable.

## Georgia

**1. Overview of the human rights and democracy situation:** In 2020, Georgia continued to implement the EU-Georgia Association Agreement including its extensive commitments in the areas of democracy, human rights and the rule of law. Parliamentary elections took place on 31 October and 21 November. Opposition parties contested the election results and boycotted the new Parliament. By the end of 2020, the political crisis was not resolved. Human rights and fundamental freedoms were generally respected and limitations due to the pandemic situation were assessed as proportionate. Challenges remain with regard to the consolidation of democracy, independence and impartiality of the judiciary, the rights of persons belonging to ethnic and religious minorities, and the rights of persons with disabilities.

**2. EU action - key focus areas:** The EU-Georgia Association Agreement requires Georgia to fulfil extensive commitments, including in the areas of democracy, human rights and the rule of law. The National Human Rights Strategy 2014-2020 together with the respective Action Plans (currently 2018-2020) provide an elaborated framework for the implementation of Georgia's human rights agenda. The EU delegation continued supporting these policies by providing significant assistance, e.g. through policy dialogue and public diplomacy.

EU key focus areas in Georgia in 2020 included: democracy consolidation; strengthening the independence and accountability of the judiciary; gender equality; child protection; the promotion of human rights mechanisms, such as the Public Defender's Office, the Human Rights Secretariat under the Prime Minister's Office and the establishment of a labour inspectorate and the State Inspector's Office. The EU also continued its efforts to promote the overall sustainability and effectiveness of civil society.

**3. EU bilateral political engagement:** The EU engaged in regular political dialogue with Georgia throughout 2020. An Association Committee meeting was held on 15 December. Political dialogue, democracy and human rights were amongst the topics discussed. The EU also facilitated an agreement among all political parties on an important constitutional and election reform package on 8 March 2020.

The EU and Georgia held the annual human rights dialogue on 2 July 2020. Discussion focused on challenges resulting from the pandemic, the election framework, the situation in the breakaway regions of Abkhazia and South Ossetia, minority issues, the anti-discrimination agenda, the rights of the child and labour rights. With the support of the EU, the situation of labour rights and safety at work have substantially improved.

In response to the COVID-19 crisis and under the ENI Rapid Response Mechanism, the EU supported CSOs in alleviating the effects of COVID-19 on persons belonging to vulnerable groups, including internally displaced persons, women, persons with disabilities, and LGBTI persons. Activities also included monitoring of COVID-19 related public spending and human rights protection during the state of emergency and after.

In 2020, Human Rights Day and Human Rights week were marked with a series of events, bringing attention to the EU assistance to human rights. The EU delegation in Tbilisi also ran various social and broadcast media campaigns, including on women's rights, labour rights or rights of persons with disabilities.

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 deployment of the EU Monitoring Mission in Georgia (EUMM), the EU continued throughout the year to promote stability and human security in conflict-affected areas.

**4. EU financial engagements:** In 2020, the EU closely monitored and supported the human rights agenda and reforms through various programmes and projects. These include the 'Human Rights for All' programme under the '2014 Special Measures for Georgia and Moldova' programme (EUR 10 million), which was phased out in 2020. A new and substantial human rights programme 'EU4Human Rights' (EUR 11 million) started in 2020. Its overall objective is to strengthen human rights protection, including the rights of persons belonging to minorities and vulnerable groups, internal and external oversight of law enforcement, protection of privacy, rights of the child and support to victims of domestic violence. In the framework of the European Instrument for Democracy and Human Rights (EIDHR) Country-Based Support Scheme programme for Georgia, the EU implemented several CSO projects. The projects address: the rights of people with mental illness and psychosocial disabilities; the right to health and to adequate living standards of citizens in vulnerable multi-ethnic communities; right to health of conflict-affected populations; support for social service providers in rural areas; social services for persons with disabilities and older persons; inclusive and safe work place; and fair parliamentary elections.

**5. Multilateral context:** Georgia has a good record in terms of ratification of international human rights instruments.

In March 2020, at its 43rd session, the UN Human Rights Council adopted by vote a recurrent resolution presented by Georgia under item 10 'Technical assistance and cooperation'. The resolutions requested the UN High Commissioner for Human Rights to provide technical assistance to Georgia and report to the HRC on its implementation. On 3 September 2020, the UN General Assembly adopted by vote the Georgian resolution 'Status of internally displaced persons and refugees from Abkhazia, Georgia and Tskhinvali region/South Ossetia, Georgia'.

## Republic of Moldova

**1. Overview of the human rights and democracy situation:** In 2020, the Republic of Moldova (hereinafter Moldova) continued implementing the EU-Moldova Association Agreement, including its commitments in the areas of democracy and human rights. In November, presidential elections took place in a competitive manner despite some shortcomings, and were won by pro-reform candidate Maia Sandu. Given the clear focus of her campaign on anti-corruption, rule of law, justice reform and addressing poverty, the high number of votes she received shows the compelling interest of the country's citizens to pursue strong policies in these areas. Concerns were raised in the area of governance as the parliament ended its winter session with the bulk adoption of controversial legislation without respecting due parliamentary procedures.

**2. EU action - key focus areas:** EU key focus areas in Moldova in 2020 included: promoting credible, inclusive and transparent elections; strengthening democratic institutions free of corruption; the rule of law and the independence of justice; supporting civil society, media freedom, gender equality and child protection. The EU has continued supporting these areas by providing significant assistance, including through policy dialogue and public diplomacy.

Thus, in the polarised context of the presidential elections, the EU underlined the right of the people of Moldova to express their will in credible, inclusive and transparent elections and contributed to the process, *inter alia*, by supporting civil society advocacy and international observation. It has continued to strongly support rule of law, the development of anti-corruption mechanisms and police reform, as well as linked progress in the adoption of the Justice Reform Strategy and its Action Plan to the disbursement of macro-financial assistance. Throughout the year, the EU has also contributed to the development of civic engagement and of grass-roots civil society actively involved in policy and decision-making and reacted firmly when non-governmental organisations have been faced with attacks on the role.

As regards media freedom, the EU has been actively engaged in providing support for the development of media skills, especially for the investigative journalism sector, as well as improving media literacy for the general public. EU's action in 2020 also sought to promote gender equality and women's empowerment through strengthened implementation of gender mainstreaming in local public policies, as well as combating domestic violence against women and children.

**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 Committee (February) and the Subcommittee on Justice, Freedom and Security (September). The 11th EU-Republic of Moldova Human Rights Dialogue took place in September, which offered the opportunity for an exchange on key topics closely followed by the EU and the international partners. Discussions focused on the electoral framework and process ahead of the presidential elections, freedom and pluralism of the media, fighting impunity and ill-treatment, human rights protection in the justice system, the rights of the child, fight against discrimination and protection of persons in vulnerable situations. In the context of the COVID-19 crisis, the EU has also provided emergency response support to alleviate its impact on vulnerable groups.

In terms of public messaging, the HR/VP's spokesperson has issued various statements related to the elections process, but also to the worrying developments in the Parliament at the end of the year. The Head of EU Delegation reiterated those messages in his public appearances in media.

**4. EU financial engagement:** The EU assistance to Moldova remains strictly conditional upon the progress of reforms. The EU has used efficiently this principle as an important leverage to ensure that democracy and human rights standards and principles are effectively implemented and respected, bringing tangible improvements in the lives of citizens. For example, the disbursement of the second instalment of the EU macro-financial assistance in July 2020 was pre-conditioned by the adoption of the Law on Anti-Money Laundering sanctions, as well by concrete progress with the amendments to the law on the Superior Council of Magistracy, progress in the adoption of the Justice Reform Strategy and Action Plan and the agreement by Moldovan authorities to launch a peer review of the Audiovisual Council.

**5. Multilateral context:** The ratification of Protocol 12 of the European Convention on Human Rights remains pending in the Parliament, although the Government has submitted in the past the necessary documentation. The Commissioner for Human Rights of the Council of Europe visited Moldova in March 2020 and called on the Moldovan authorities to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which remains before the Parliament.

## Ukraine

**1. Overview of the human rights and democracy situation:** Human rights are generally respected and fundamental freedoms overall upheld. Ukraine continues to be characterised by a very vibrant civil society, which plays a key role in promoting reforms. The local elections of October 2020 were the first elections that took place based on the new Electoral Code adopted in 2019 and amended in July 2020. The Code enfranchised internally displaced persons (IDPs) and other mobile groups of the population, while also containing progressive provisions on gender representation and improving access to elections for persons with disabilities. International and domestic observers assessed the conduct of the elections as overall positive, although they also noticed various irregularities and legal shortcomings. A number of OSCE-ODIHR's long-standing recommendations still have to be addressed by further amendments to the Electoral Code.

The freedom of expression and freedom of the media are overall respected. While the Ukrainian media landscape remains one of the most diverse in the region, there are persistent concerns over the disproportionate ownership of media channels by oligarchs and the safety of journalists. The Public Broadcaster (UA:PBC) continued to serve as a watchdog, adhering to journalistic and impartiality standards, which was especially crucial during the 2020 local elections. Underfunding, albeit to a lesser extent than in previous years, remained a serious obstacle for the UA:PBC.

As in previous years, the impunity of perpetrators of attacks against civil society activists and journalists remained a serious problem. Insufficient progress was noted in the investigations into the murder of activist Kateryna Handziuk (who died from her injuries in November 2018). Incidents of persecution for civil society activism or actions to protect human rights increased slightly. Anti-corruption and environmental activists remained disproportionately exposed to security challenges. One particularly worrying development was the arson attack of prominent anti-corruption activist Vitaliy Shabunin in July. The work of anti-corruption activists remained crucial given the need to strengthen the rule of law and step up anti-corruption efforts. Civil society also played an important role following the decision of the Constitutional Court in October, which risks having far-reaching consequences for the whole anti-corruption infrastructure established after the 2014 Revolution of Dignity.

The rights of persons belonging to minorities in Ukraine are generally respected, despite the limited allocation of funding and administrative resources for the promotion and protection of their rights. The Roma minority remained vulnerable to bureaucratic hurdles when accessing social and administrative services, whose situation has been further disproportionately exacerbated by the COVID-19 pandemic. A so-called new 'Roma Strategy' remained on the agenda, but was not finalised. Law enforcement agencies continued classifying hate crimes as hooliganism rather than labelling them as crimes with xenophobic undertones. Pride Parades took place throughout 2020, albeit in a mixed format due to the pandemic. Despite proactive cooperation with authorities, the LGBTI community continues to face intimidations and attacks by far right activists.

The Law on Secondary Education adopted on 16 January 2020 aimed to implement the remaining recommendations of the Venice Commission following its assessment of the 2017 Framework Law on Education. At the same time, Ukraine is yet to adopt a Law on National Minorities, which is a recommendation made by the Venice Commission in relation to the Law on State Language adopted in April 2019. Some representatives of minority groups continued to voice concerns regarding the diminishing space for their linguistic identity in the absence of a dedicated law that sets out and regulates these rights. The State Service on Ethnic Policy and Freedom of Conscience, which was established in the second quarter of 2020, is expected to develop a national strategy for minorities, and to contribute to drafting the Law on National Minorities, in close cooperation with representatives of national minorities and international interlocutors.

Despite repeated calls from the EU and the civil society, Ukraine has yet to ratify the Rome Statute and the Istanbul Convention. Other areas of concern included the situation in penitentiary and psycho-neurological institutions, as well as a number of individual asylum-related cases concerning foreign citizens.

The situation of the conflict-affected population and of the approximately 1.3 million IDPs in the country was further exacerbated by the COVID-19 pandemic. Pension payments for people residing in the non-government controlled areas remained linked to their IDP status. Restrictions of movement due to the COVID-19 restrictions have further complicated access to pensions for persons living in the non-government controlled areas. Due to the pandemic, the free movement of persons between government controlled and non-government controlled areas has been in a halt with mere 2% of civilians able to cross the Contact Line in comparison to pre-COVID-19 times.

The situation in the non-government-controlled areas in Donbas remained dire. Parallel structures of 'justice' prevail, resulting in mass violations of individual rights. Armed groups operating in the non-government controlled areas curtail human rights and fundamental freedoms through targeted killings, arbitrary detention, and through gender-based violence. This exacerbated during the COVID-19 pandemic. The human rights situation in the Crimean Peninsula, illegally annexed by the Russian Federation, continued to deteriorate. Residents of the Peninsula, in particular Crimean Tatars, faced systematic restrictions of fundamental freedoms, such as freedom of expression, religion or belief and association and the right to peaceful assembly. At least 3,000 new men were forcefully conscripted into the Russian army in the spring 2020 conscription campaign. The Russian Federation continued to deny access to non-governmental human rights organisations to the Peninsula. An estimated number of 100 individuals remain imprisoned on religious and political grounds.

**2. EU action - key focus areas:** The EU continued to work towards the implementation of the EU-Ukraine Association Agreement, including the human rights-related elements. As in previous years, key areas included: the promotion and protection of fundamental freedoms; ensuring 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; the protection of rights of persons belonging to national minorities and vulnerable groups; as well as the ratification of international instruments.

**3. EU bilateral political engagement:** The EU continued its active promotion of human rights in Ukraine during the annual human rights dialogue held in June 2020 (via videoconference). Human rights were on the agenda of the EU-Ukraine Summit, the Association Council, and the Association Committee. They were also addressed in the framework of high-level visits to Ukraine, including by the HR/VP. Despite the pandemic, in Kyiv, Brussels, and elsewhere, the EU continued to engage on a regular basis with the Ukrainian authorities, the international community and civil society. In terms of public messages, the HR/VP, his spokesperson, and the EU Delegation to Ukraine have issued various statements condemning human rights violations in the illegally annexed Crimean Peninsula and in the non-government controlled areas in Donbas. Public reactions were also issued on the occasion of the International Day against Homophobia, Human Rights Day, and the International Day for Elimination of Violence against Women.

**4. EU financial engagement:** The EU continued to support the implementation of the Human Rights Strategy priorities. Financial and technical assistance to civil society and human rights defenders continued. A new call for proposals to support civil society organisations active on human rights and democracy, amounting to EUR 1.1 million from the European Instrument for Democracy and Human Rights (EIDHR), was launched. Its objective is to support

economic and social rights, the rights of persons belonging to minorities, the fight against discrimination, and human rights in the digital sphere. Ongoing projects supported by EIDHR grants in 2020 total EUR 2.7 million, covering issues ranging from the fight against torture to access to justice, support for human rights defenders, strengthening human rights protection in the NGCA and in Crimea, the rights of the Roma minority, and the rights of IDPs.

The EU has continued supporting the activities of the UN Human Rights Monitoring Mission to Ukraine (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 the NGCA, and reinforces present and future accountability. In 2020, the EU worked together with the Council of Europe via a grant (EUR 3.3 million) aiming to achieve progress in three specific areas: freedom of media, strengthening the Ombudsperson's capacity to protect human rights, and supporting prison reform. The European Union Advisory Mission (EUAM) supports human rights compliance in the civilian security sector, particularly with issues pertaining to fair trials, effective remedies and freedom of assembly. Assistance on COVID-19 related human rights support also included personal protective equipment, thermometers and awareness-raising for patients and staff of a number of psychiatric institutions. Throughout 2020, the EU delegation and the Member States carried on with their active promotion of human rights, which continues to be evident in a variety of documents such as the Human Rights Country Strategy and in the Association Agreement Implementation Report, and the Visa Suspension Mechanism Report. The EU continued to prioritise: ensuring accountability, preventing ill-treatment and torture, advocating electoral reform, promoting and protecting fundamental freedoms and protecting the rights of persons belonging to national minorities.

**5. Multilateral context:** The EU continued 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 when the issues are related to the areas controlled by the government, but more often when severe human rights violations take place in the areas not controlled by the government, that is on the Crimean Peninsula and in Eastern Ukraine affected by the conflict. The EU co-sponsored the UNGA resolution 75/192 on the situation of human rights in the Crimean Peninsula in December 2020.

## Egypt

**1. Overview of the human rights and democracy situation:** While the pursuit of collective human rights, such as the freedom of religion, women rights and socio-economic rights remains positive, there was limited progress on personal human rights with fundamental freedoms being impaired also in 2020. Egypt continued to face social, economic and security challenges both domestically and in the region. The COVID-19 pandemic constituted a new significant challenge for Egypt. The government undertook efforts to alleviate the health and socioeconomic impact of the pandemic, paying specific attention to women's rights and informal workers. The COVID-19 gender tracker represented an important new initiative at regional level. At the onset of COVID-19 outbreak, Egypt extended its social protection programme. In reaction to the health crisis, Egypt also extended in May 2020 the state of

emergency (in place since April 2017) amending the Emergency Law to expand powers of the President and military prosecution. Prison visits and hearings were suspended due to COVID-19. Overcrowding in prisons was somewhat alleviated by large numbers of releases through presidential pardons. Conditions inside detention facilities remained a concern, in particular for prisoners with health conditions and with regard to allegations of abuse. These issues were taken up by the EUSR on Human Rights and in the EU's interventions at the UN HRC.

In 2020, elections were held for the House of Representatives and the reconstituted upper house (Senate). The pandemic and the ongoing state of emergency limited campaigning and contributed to a restrictive environment. Turnout for both elections was low. A significant number of opposition politicians remain imprisoned. The new House of Representatives significantly increased formal representation of women in line with the new constitutional amendments from 2019 and the introduction of a 25% quota.

Space for civil society continued to be restricted, including through freezing of assets, travel bans, long periods of pre-trial detention and acts of intimidation or reprisal against human rights defenders. The arrests of three leading figures of the Egyptian Initiative for Personal Rights in November 2020 was a notable case in this regard. The 2019 NGO Law, providing some improvements on previous legislation, was not implemented in 2020 awaiting the publication of its by-laws (which happened in early 2021). A social media #MeToo campaign became an important avenue to seek accountability for sexual violence and harassment, with some cases reaching courts. A law protecting the privacy of victims was passed in August 2020, amid a backlash against witnesses in sexual violence cases. Restrictions on the freedom of expression and a rise in executions constituted key setbacks in 2020.

**2. EU action – key focus areas:** In line with the August 2013 FAC conclusions, the EU bilateral assistance to Egypt was directed to the socioeconomic sector and support to civil society, with a focus on women and youth. The EU-Egypt Partnership Priorities 2017-2020 reaffirm a shared commitment 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 in support of civil society and the National Council for Human Rights. In particular, through its Citizens' Rights project, the EU continued to provide support both to the National Council for Human Rights and the National Council for Women. In cooperation with local and European CSOs, the EU continued to provide support to Egyptian efforts in the field of disability, child's rights and women's rights.

**3. EU bilateral political engagement:** Salient human rights issues were raised throughout the year at senior level and during high-level visits to Egypt. The President of the European Council visited Cairo in January and November 2020 and the High Representative in September 2020. The EUSR for Human Rights maintained regular contacts with Egyptian counterparts throughout the year.

The structured political dialogue under the Association Agreement was affected by COVID-19 and did not take place in 2020. Meetings of the EU Informal Group on Human Rights, which brings together all Member States, were conducted on a monthly basis, mainly by video conference, discussing recent developments in the human rights situation in Egypt. Human Rights Defenders and civil society were often invited as speakers.



The European Parliament adopted a resolution on the human rights situation in Egypt on 18 December 2020.

**4. EU financial engagement:** EU-supported projects in Egypt contributing to the promotion and protection of civil, political, social, economic and cultural rights. In 2020, the EU delegation managed over 40 projects worth over EUR 80 million in support of human rights through the European Instrument for Democracy and Human Rights, thematic lines supporting CSOs, and the European Neighbourhood Instrument. Activities included the fight against all forms of discrimination and advancement of the rights of women including the fight against female genital mutilation and violence against women, children, migrants, persons with disabilities, freedom of religion or belief, access to justice, culture and cultural diversity.

Following the COVID-19 outbreak, the EU programme entitled 'EU 4 Egypt's immediate socio-economic response to the COVID-19 outbreak' focused on the pandemic's impact on the most vulnerable groups. This included efforts to empower and protect women against gender-based violence through cooperation with the National Council for Women.

**5. Multilateral context:** In 2020, as in previous years, the EU raised concerns on the human rights situation in Egypt in its statements under item 4 at the UN Human Rights Council. The Supreme Standing Committee for Human Rights continued work on a national human rights strategy, and issued a number of thematic reports on developments in Egypt.

## 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 media and 'basic laws' enumerating fundamental rights. A general election took place in March 2020 in line with international standards. Fundamental disagreements within the new coalition led to the dissolution of the Knesset in December, and new elections scheduled for March 2021. A number of political figures continued to challenge defining features of liberal democracy through various proposals and critical discourse. Some aim at questioning 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 the 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. A number of prominent Israeli and Palestinian CSOs – including EU beneficiaries – considered the issue of non-renewal/non-issuance of visa for international staff of the OHCHR as a serious negative trend. 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.

The COVID-19 pandemic and the political climate have also led to an increasing polarisation of the Israeli society with ideological rifts, in particular between the religious/Orthodox and secular. During 2020, the advancement of COVID-19 related restrictions and other initiatives through emergency regulations caused concerns for a number of think tanks and CSOs (such as limitations of the right to protest and the use of tracking of cell phones of civilians).

In the occupied Palestinian territory (oPt), the situation remained challenging. Demolitions increased in 2020 and violence by settlers remained high. Concerns persist over the use of force and inadequate law enforcement by Israeli security forces towards Palestinians (arbitrary administrative detention). Accountability remains inadequate in cases involving Palestinian victims.

**2. EU action - key focus areas:** As in previous years, the EU focused on five strategic priority areas: Israel's responsibilities as an occupying power; children and armed conflict; upholding democratic values; situation of the Arab minority; asylum seekers, migrants and foreign workers.

**3. EU bilateral political engagement:** During 2020, the EU's priorities have been outlined through political work, via the EU 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 organized by the EU delegation and EU Member States' missions. The EU delegation regularly undertakes public diplomacy activities focused on human rights issues, including speeches and participation in events.

The EU and EU Member States marked Human Rights Day 2020 with a series of events and initiatives. For example, the EU organised a special event with the German Embassy on the subject of administrative detention.

The EU Head of EU Delegation also participated in various events related to implementing the EU's strategic priorities on human rights and democracy. These included an event on violence in the Arab community, a photographic exhibition on Bedouin women, or a film festival in the context of the International Human Rights Day Programme. The EU delegation also organised a number of activities and briefings focusing on EU human rights and democracy priorities: on the situation of the UN Office for the High Commissioner for Human Rights, on asylum and migration and the specific situation of Eritrean and Sudanese asylum seekers during the COVID-19 pandemic, or on Israel's measures to fight human trafficking. The EU also closely followed the situation of CSOs and human rights activists, and the Arab minority. Taking into account the COVID-19 restrictions in place, the delegation (and EU Member States' missions) participated in field trips pertaining to relevant topics for EU human rights work and attended a number of court hearings.

**4. EU financial engagement:** In the framework of the European Instrument for Democracy and Human Rights (EIDHR), the EU supported 30 human rights organisations on their own or in partnerships to implement 15 actions aimed at addressing the EU's priorities. Despite the

impact of the COVID-19 pandemic, all running projects were adapted and maintained a credible level of implementation, while even achieving significant results.<sup>4</sup>

**5. Multilateral context:** Following the publication by the UN High Commissioner for Human Rights of the report on business enterprises involved in certain activities relating to settlements in the Occupied Palestinian Territory, the Israeli authorities decided not to renew the visas of the international staff of the OHCHR, forcing them to leave Israel. This left no international staff present in the OHCHR office in the occupied Palestinian territory. A demarche, in which the EU participated, was delivered in October 2020 to raise concerns with this decision.

Israel was reviewed by the UN Committee for the Elimination of Racial Discrimination in 2019 and the Committee issued its concluding observations in January 2020,<sup>5</sup> including a number of recommendations. Israel continues to refuse to cooperate with the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967. Visit requests are still pending from the Special Rapporteur on racism, the Working Group on people of African descent and the Special Rapporteur on toxic waste. Past – and still pending visit requests – remain from the Special Representative 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 in Israel was the Special Rapporteur on Violence against Women in 2016.

The human rights situation in the oPt is also regularly addressed through EU statements under item 4 in the UN Human Rights Council. The Human Rights Council maintained its traditional focus on Israel during 2020 with four resolutions focusing on the situation in the oPt.

## Jordan

**1. Overview of the human rights and democracy situation:** Jordan is a constitutional monarchy committed to the rule of law, democracy and the respect of human rights. It continues to face challenges with respect to the situation of the freedoms of expression and association, gender-based violence and gender equality.

Jordan activated its 1992 Defence Law in March 2020 in response to the COVID-19 pandemic, allowing the Prime Minister to issue executive decisions in the form of defence orders. 24 defence orders were issued in 2020, containing measures to prevent the spread of the pandemic and mitigate its impact. Some of these measures included temporary

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<sup>4</sup> Examples of achievements: The project 'Challenging violation of human rights through de-isolation of vulnerable disability minorities' implemented by Bizchut, the Israel human rights center for people with disabilities which examined internal and external barriers to community services for Israeli Arab citizens with disabilities. The organizations Kav LaOved and ACRI actions to demand that Palestinian workers from the oPt are given access to their sick leave benefits. Or Adalah's advocacy to enhance the realisation of rights of Bedouins in the Negev.

<sup>5</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/ISR/CO/17-19&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/ISR/CO/17-19&Lang=En)

restrictions on personal freedoms and increased control of the media, including the continued arrest of journalists.

Demonstrations by the Teachers' Association in July were dispersed, the syndicate dissolved, and its board members arrested, pointing to an erosion of the freedom of association and a weakening of the rule of law.

A new government and a new 65-member Senate were appointed by the King on 12 October. Elections to the 130-member House of Representatives were organised efficiently on 10 November despite the difficult circumstances, but participation was low at 29.9%. No woman was elected outside the allocated quota of 15 seats and there were allegations of vote buying altering the outcome of the elections.

Despite a stated government policy and the adoption of a National Action Plan to empower women, gender-based violence was pervasive and on the rise, also as a result of the lockdown and COVID-19 restrictions in March-April in particular. The status of women in general has not improved.

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

Protecting and empowering individuals: The EU co-chairs the Gender Partners Coordination Group with UN Women and the Jordanian Commissioner for Women. It promotes positive gender roles through CSOs working to strengthen the voice and participation of women and girls in public affairs through online media. On the 16 Days of Activism against Gender-Based Violence, the EU supported the global campaign to eliminate violence against women and girls and focused on this issue on its online International Human Rights Day event. The EU remained engaged against the death penalty with a particular focus on women on death row. It also supported the right to fair trial by improving access to justice for victims of torture and people at risk of torture and ill-treatment. In its dialogue with the Jordanian authorities, the EU emphasised journalists' right to freedom of expression and supported the training of journalists in the field of new media. The EU was engaged in a regional programme to combat child labour in Jordan.

Building resilient, inclusive and democratic societies: The EU continued its programme 'EU support to democratic institutions and development' (EU-JDID), providing support to the House of Representatives, the Independent Election Commission (IEC), the development of political parties and civil society. The EU conducted regular policy dialogue with the government on the rule of law.

Promoting a global system for human rights and democracy: The EU maintains regular dialogue with the government's Human Rights Coordinator and the National Centre for Human Rights, the IEC and civil society. Beyond close cooperation with Member States, structured sectoral coordination takes place with third countries and UN agencies.

Delivering by working together: The EU has supported government efforts to protect the social rights of people in Jordan. It has also sought to safeguard the critical role of CSOs in the country.

**3. EU bilateral political engagement:** The EU maintained regular political dialogue with the Jordanian authorities and organised in March 2020 the 12<sup>th</sup> meeting of the joint

Subcommittee on Human Rights, Democratisation and Governance, established under the EU-Jordan Association Agreement. Constructive discussions covered all priority areas including legislative reforms and practical improvements for women, children, persons with disabilities, persons under detention and CSOs.

**4. EU financial engagement:** Strengthening the rule of law was a focal sector under the European Neighbourhood Instrument for 2017-2020. In 2020, the EU kept supporting the justice sector reform through a dedicated budget support programme (EUR 50 million). The programme helped achieve a full digitalisation of criminal records and strengthened interconnectivity between law enforcement agencies and the justice system. Six more courts were equipped with videoconferencing systems to support witness and victim protection. The Judicial Training Institute building became fully functional thanks to EU funding. Works for other major infrastructures started in 2020. Design for a new EU programme started towards the end of the year.

In 2020, assistance under the European Instrument for Democracy and Human Rights (EIDHR) in Jordan (EUR 4 million) continued to focus on women's rights. An ongoing project aims at strengthening the role of civil society and community-based media in promoting human rights and democratic reform, and consolidating political participation, with special emphasis on women's rights. Two other EIDHR projects aim at guaranteeing fair trials and equal rights for women, especially for victims of torture and in cases involving the death penalty. Two new projects on the rights of the child started at the end of 2020: one will work to create a safe learning environment for autistic children, the other will raise awareness to combat child, early and forced marriage. The COVID-19 restrictions resulted in delays in project implementation. A new project in support of children born out of wedlock and single mothers in impoverished areas was deferred to 2021.

In 2020, under the EU Regional Trust Fund in Response to the Syrian Crisis, EUR 80.6 million was allocated to actions in support of education in refugee camps in Jordan, strengthening Jordanian and refugee women's economic empowerment, health and protection. The Trust Fund support includes large-scale social protection programmes.

**5. Multilateral context:** The EU carried out demarches in preparation of UN Third Committee and General Assembly resolutions. On 16 December, Jordan joined the group of 123 states that voted in favour of the EU-supported UN General Assembly resolution on a moratorium on the use of death penalty, the eighth such resolution to call upon states to proclaim and maintain a moratorium on executions as a matter of human rights and respect for human dignity.

## Lebanon

**1. Overview of the human rights and democracy situation:** In 2020, the human rights and democracy situation in Lebanon regressed also against the background of the devastating explosion at the Port of Beirut on 4 August 2020 and the COVID-19 pandemic which exacerbated the country's pre-existing political and socio-economic crises. Since August 2020, Lebanon is led by a caretaker government, while negotiations to form a new government headed by Prime Minister-designate Saad Hariri continued. The compounded

crises have negatively affected the realisation of economic and social rights of large segments of the population, especially groups in vulnerable situations. Challenges to the respect of human rights and rule of law remain, including military courts' jurisdiction over civilians and lack of progress in the budgetary operationalisation of the National Human Rights Commission and the National Preventive Mechanism against Torture (NPM). Further reform of the electoral framework is also essential. No public findings have been published in relation to the investigation into the explosion at Beirut port, raising concerns related to justice and accountability. The space for free speech, media and civil society has shrunk further during 2020. Positive developments were recorded, such as the adoption of the National Anti-Corruption Strategy and the Law on Financial Disclosure and Illicit Enrichment. Steps were also taken to advance policy frameworks on gender-based violence and child protection. However, discriminatory laws on custody, marriage and divorce faced by women remain in place. In 2020, Lebanon adopted a new Standard Unified Contract for the migrant workers, which remains blocked by the Lebanese State Council on procedural grounds.

**2. EU action - key focus areas:** The EU continuously advocated for human rights in the political and policy dialogue with the Lebanese government, also by carrying out numerous activities and public outreach events, including digital ones. The EU delegation also continued to organise regular EU Human Rights Focal Points' meetings to exchange on developments and coordinate efforts strategically with EU Member States. Key EU focus areas in 2020 included:

i) Freedom of opinion and expression, and freedom of assembly: The EU raised concerns about the situation of freedom of speech, both through political dialogue and through various public outreach events, speeches and social media activity. Virtual events and a TV ceremony were held for the annual 'Samir Kassir Award for Freedom of the Press', co-organised by the EU Delegation in Beirut, to demonstrate support for press freedom in Lebanon and in the region.

ii) Rule of law and torture prevention: An EU-funded project allowed the creation of a code of conduct for the NPM and the revision of relevant by-laws, while providing Lebanese authorities with specialised trainings on investigative interviewing and tools. The EU delegation disseminated an awareness raising video on prevention of spread of COVID-19 in places of detention and an EU project established medical isolation rooms at Tripoli prison and provided other prisons with water tanks and personal protective equipment.

iii) Death penalty: The EU continued to advocate for the abolition of the death penalty. For the first time, Lebanon changed its vote, in line with the EU, to support a draft resolution on the moratorium on the use of the death penalty at the UN General Assembly Third Committee in November 2020.

iv) Women's rights and gender equality: EU projects focused on combating poverty among Lebanese women by empowering them economically, ensuring gender equality in decision-making processes, and capacity-building programmes to promote gender equality at local and national levels. The EU also adapted projects to address women's needs in the face of COVID-19 and the Beirut Port blast. The EU ran digital campaigns on women's rights, gender-based violence, and organised roundtables involving authorities on mainstreaming gender in national policies and addressing discriminatory legislation.

v) Rights of the child: Throughout 2020, the EU supported actions on education, including formal educational solutions provided by the Ministry of Education as well as non-formal education for Syrian refugees and Lebanese children in vulnerable situations. The EU also assisted in the delivery of children protection services during the pandemic adapting them to online modalities, as needs of mental health and psychosocial support services increased considerably. Through the EU Regional Trust Fund in Response to the Syrian crisis (EUTF) and UNRWA, assistance was provided to remote learning and distant psychosocial support to Palestinian refugee students.

vi) Rights of refugees and migrants - The EU advocated for returns of Syrian refugees to be voluntary, safe and dignified. The EU continued its support to refugees displaced by the Syrian crisis and host communities, notably through the EUTF, providing assistance in areas such as education, healthcare, economic development, water and sanitation, and social protection. All projects were adapted to the compounded crises Lebanon faced in 2020. The EU continued to provide access to health and education for Palestinian refugees, including through UNRWA. The EU also stepped up policy dialogue and public communications on the rights of migrant workers, including on ending the *kafala* sponsorship system and on supporting the adoption of the Standard Unified Contract. An EU project continued providing domestic migrant workers with shelter, legal, and protection support.

**3. EU bilateral political engagement:** Following the Beirut port explosion, European Council President Michel visited Lebanon on 8 August 2020 and participated with Commissioner Lenarčič on the following day in the International Conference on Assistance and Support to Beirut and the Lebanese People. On 12 September, Commissioner Lenarčič accompanied the third flight to Lebanon under the EU's Humanitarian Air Bridge. President Michel and HR/VP Borrell also took part in the International Conference of 2 December in support of the Lebanese people. Council conclusions of 7 December called on the Lebanese authorities to deliver urgently on key reforms, including guaranteeing the independence of the judiciary, ensure the respect for human rights and the rule of law, and fight corruption. The conclusions also urged the Lebanese authorities to deliver on their commitment to an impartial, credible, transparent and independent investigation into the Beirut port explosion.

In 2020, the EU also continued providing support, including funding, to the work of the Special Tribunal for Lebanon. The EU engaged regularly with CSOs to increase their participation in policy dialogue and policymaking processes, as set out in the EU Country Roadmap for Engagement with Civil Society. This included several rounds of consultations with CSOs and NGOs in preparation of the fourth Brussels Conference 'Supporting the future of Syria and the region'. Moreover, civil society will have a key role in the implementation and oversight of the Reform, Recovery and Reconstruction Framework, a people-centred response plan, jointly developed by the EU, World Bank and UN, which addresses the urgent needs of the population after the explosion in Beirut port.

**4. EU financial engagement:** In 2020, the EU continued to embed a human rights-based approach in programming and cooperation efforts. 19 projects related to human rights financed under EU instruments (EIDHR, ENI) and worth around EUR 27 million were implemented by CSOs and UN agencies. This project portfolio focused on addressing pressing human rights and democracy issues related to the rights of the child and the rights

of persons in detention, equal 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 and rights of LGBTI persons. Support to migrant workers amounted to EUR 1 million under EIDHR. In addition, through the EUTF, several actions were adopted in 2020 to respond to the needs of refugees and host communities in Lebanon. This support included the allocation of EUR 90 million in response to the COVID-19 crisis. Following the explosion at the Port of Beirut, the EU mobilised around EUR 170 million to address immediate and humanitarian needs and support a people-centred recovery. This included EUR 64.5 million new funding channelled through the EUTF to support the most vulnerable Lebanese and refugee communities affected by the explosion.

**5. Multilateral context:** In 2020, preparations were carried out ahead of Lebanon's review at the 37th session of the Universal Periodic Review at the UN Human Rights Council in January 2021. In its statement under item 2 at the UN Human Rights Council in September, the EU called for an independent and credible investigation into the Beirut port explosion.

## Libya

**1. Overview of the human rights and democracy situation:** The human rights situation in Libya in 2020 continued to raise serious concern. Attacks against civilians and civilian infrastructure were committed during the armed conflict. Violations and abuses of human rights and international humanitarian law, including abductions, enforced disappearances, arbitrary arrests, summary executions, torture, and sexual and gender-based violence continued to be committed across Libya with almost total impunity. Various armed groups throughout Libya undermined the independence and work of the media, judiciary, civil society and human rights defenders. The crackdown on peaceful demonstrations against the lack of public services across Libya violated the freedoms of expression, association and peaceful assembly. The signing of the ceasefire agreement under the UN auspices in October marked progress in a resolution to the conflict. The UN-facilitated Libyan dialogue now paves the way for a political transition and elections in December 2021.

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

**Protecting and empowering individuals:** The EU continued to provide capacity building and funding to active civil society organisations (CSOs). Two new programmes focused on empowering CSOs to participate in the decision-making process and reinforcing their capacities and sustainability. The EU launched new projects supporting Libyan actors to monitor and promote the freedom of expression, association and peaceful assembly. Furthermore, the EU has funded projects to support documenting violations of human rights and international humanitarian law and to assist victims of torture, as well as mechanisms to provide direct support to human rights defenders at risk.

**Building resilient, inclusive and democratic societies:** The EU's assistance towards democratic governance focused on institutional support to municipal councils to enhance their service delivery, while strengthening citizen and civil society participation in municipal decision-making. The EU supported socio-economic development in municipalities across Libya in order to strengthen the stability and cohesion of local communities and improve the



mediation and conflict mitigation strategies at local level. To support an inclusive society in Libya, EU action placed strong emphasis on women, youth, vulnerable groups and persons belonging to minorities. The EU funded several projects to enhance the participation of women in the political, social and economic life and to promote women's rights and dignity through the reduction of gender inequalities and gender-based violence.

**Promoting a global system for human rights and democracy:** The EU launched an action to improve the capacities of the Libyan authorities to report to the UN treaty bodies and establish a national reporting mechanism. In parallel, the programme works with CSOs to facilitate professional shadow reporting to the UN treaty bodies on the human rights situation in Libya. The EU encouraged Libya to implement the international human rights conventions and access those that Libya has not ratified.

**New technologies: harnessing opportunities and addressing challenges:** The EU supports the freedom of expression in the digital age through the monitoring of disinformation and hate speech online and offline, and capacity building of media actors. An EU-funded project launched a platform to counter disinformation and trained journalists in fact checking, reliable reporting, and journalistic ethics and a new programme is being developed for countering online hate speech and disinformation in 2021. The discovery of mass graves in Tarhouna prompted the EU to start two projects for forensic investigations that provide technical assistance to the Libyan authorities in the identification of victims through DNA analysis and other new technologies.

**Delivering by working together:** The EU and its Member States continued to implement the joint strategy and action on human rights for instance through joint public advocacy and statements on human rights cases. The EU adopted new restrictive measures imposing sanctions for violations of international humanitarian law and other grave human rights abuses, such as trafficking in persons. Furthermore, the EU cooperated with various UN bodies and international NGOs to document violations and increase accountability for crimes committed in Libya. The EU delegation and the EU Border Assistance Mission in Libya (EUBAM) improved access to justice and capacity building in the area of rule of law through a range of projects in the justice sector. EUBAM promoted human rights through technical support to various Ministries, and other national authorities. To ensure a coordinated international response, EUBAM started two technical coordination groups on forensics and on transitional justice.

**3. EU bilateral political engagement:** The EU has pursued dialogue with Libya on the need to adopt legislation in line with international standards and provide enabling and protective space for civil society and human rights defenders. The EU reacted to grave violations of international human rights law and international humanitarian law through public statements and silent diplomacy. The EU has repeatedly called for ending the policy of arbitrary and unlawful detention and for the closure of migrant and refugee detention centres, while also raising cases of persecution, arbitrary arrest and unlawful detention of journalists, human rights defenders, and CSOs representatives.

**4. EU financial engagement:** The EU is one of the largest providers of assistance in Libya with an EU portfolio amounting to EUR 445 million in 2020 to support actions in a wide range of sectors, including civil society, governance, health, youth and education, migration management and community stabilisation, protection, humanitarian aid, security and mediation.

**5. Multilateral context:** The EU has supported the Working Group on Human Rights and International Humanitarian Law established as part of the peace process under the auspices of the UN to implement the conclusions of the Berlin Conference in January 2020. In the UN Human Rights Council, the EU strongly supported the establishment of a UN Fact-Finding Mission proposed by Libya itself to document violations of international human rights law and international humanitarian law across Libya. In 2020, the EU raised concerns on the human rights situation in Libya in its statements under item 4 at the HRC. Libya was subject of the Universal Periodic Review at the HRC, where the EU Member States presented various recommendations to Libya in key areas of concern. The EU continues to support Libya in the implementation of the recommendations that Libya adopted.

## Syria

**1. Overview of the human rights and democracy situation:** Human rights abuses in Syria remained widespread, systematic and extremely worrying. They include neglect of the right to life, extrajudicial arrests and assassinations, torture and ill-treatment, unfair trials, indiscriminate violence against civilians, disrespect of housing, land and property rights and targeting of civilian infrastructure, among others. Gender-based violence and exploitation continues to be used as a weapon of war, and the neglect of the rights of the child remains widespread too. Besides, the restriction to freedom of speech remains problematic. Activists are fearful of being in touch with human rights organisations and some simply avoid any contact. The COVID-19 pandemic added another layer of concern, as doctors and patients were pressured to stay silent on infections and epidemiological data. The regime and its allies as well as the large number of armed groups and militias present on Syria's territory (some backed by foreign actors) all contribute to the high number of human rights abuses.

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

**Protecting and empowering individuals:** The EU has supported efforts to promote free speech, including through supporting free and independent media.

**Building resilient, inclusive and democratic societies:** The EU continued to provide substantive support to Syrian civil society organisations, including to the work of the Civil Society Support Room and the Women's Advisory Board, both established by the UN. The civil society is expected to play a prominent role in post-conflict Syria.

**Promoting a global system for human rights and democracy:** The EU continued to work to ensure accountability for war crimes, human rights violations and abuses and violations of international humanitarian law, including the confirmed use of chemical weapons. The EU and its Member States are the main funders of accountability actions in Syria. The focus of the projects includes violation of human rights and war crimes documentation efforts, transitional justice, International Humanitarian Law, CSOs support as well as coordination of actions. The EU also fully supports the work of the Commission of Inquiry and the International, Impartial and Independent Mechanism.

**Harnessing opportunities and addressing challenges:** In 2020, the EU launched the online platform CSO Dialogue Space, which seeks to include all components of Syria's diverse civil society for regular online exchanges. The objective is to promote social cohesion between

Syrians through thematic dialogues on various topics, e.g. transitional justice, missing persons, etc. The EU delegation has also involved Syrian activists and CSOs to discuss challenges to document gender-based violence and to design innovative solutions at local level.

Delivering by working together: The EU and several Member States were among the original funders of the IIIM, which has taken a leading role on the justice and accountability file, and facilitated several national prosecutions for war crimes committed in Syria. The EU will continue to support efforts to gather evidence with a view to future legal action, including by the IIIM. The EU renews its restrictive measures in relation to Syria on a yearly basis and has regularly added new individuals and entities to the sanctions – including military and security officials – responsible for violence and repression in Syria.

**3. EU bilateral political engagement:** As the EU does not have political and diplomatic relations with Syria, it has enhanced its dialogue with civil society organisations and human rights activists. The aim is to support their efforts to help the Syrian population to hold state and non-state actors accountable for the crimes committed inside the country. The European Instrument for Democracy and Human Rights as well as the European Neighbourhood Instrument provide funding to CSOs working to promote human rights in Syria, to support human rights defenders and to develop legal solutions with Syrians to protect human rights in the future.

**4. EU financial engagement:** EU-funded projects implemented in 2020 focused on media freedom, transitional justice, human rights defenders and fighting gender-based violence. The projects allowed the EU to continue closely monitoring the situation of human rights in Syria and to take informed programmatic and operational decisions in a time-sensitive manner. Over 150 Syrian activists were supported to keep on reporting on human rights violations by all parties to the conflict, while OHCHR work was instrumental in providing recommendations to strengthen human rights protection and keeping Syria on the international agenda. Syrian activists and CSOs were involved to a greater extent in discussing challenges, such as access to documentation and gender-based violence, as well as in designing innovative solutions at local level. On media freedom, the EU supported strengthening Syrian media and the narrative in and on Syria.

**5. Multilateral context:** The EU has supported the work on UNSC resolutions, notably on cross-border humanitarian assistance, resolutions of the UN Human Rights Council as well as of the UNGA Third Committee, condemning the escalation of violence in Syria and asking parties to respect their obligations under international humanitarian law and to ensure unhindered humanitarian access. The EU presented a statement at the 45th session of the HRC during the Interactive Dialogue with the Commission of Inquiry on the Syrian Arab Republic.<sup>6</sup>

In Geneva, the EU actively participated in the work of the UN-chaired Humanitarian Task Force and the Ceasefire Task Forces on Syria. The EU and the UN have co-chaired four times

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<sup>6</sup> <https://eeas.europa.eu/delegations/un-geneva/85616/hrc-45-eu-intervention-in>

the Brussels Conference on supporting the future of Syria and the region. Besides succeeding in mobilising EUR 4.9 billion for 2020 and multi-year pledges of close to EUR 2 billion for 2021 and beyond, the fourth conference gave a voice to Syrian civil society members and activists.

## 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 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.

President Abbas has recently signed a presidential decree calling for elections in Palestine\* and indicating a clear calendar for elections for the Palestinian Legislative Council (PLC), for the Presidential elections and for the Palestinian National Council (PNC) elections. While 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 been convened since 2007, was dissolved in December 2018. Laws are adopted by presidential decrees and civil society organisations frequently report lack of transparency in the legislative process.

With regard to freedom of expression, freedom of assembly and freedom of the media, 2020 marked a significant decrease in the number of violations committed against journalists compared to the same period in 2019. The PA made efforts to consult civil society on new policy and legislative initiatives, but a number of social media accounts were closed down. As regards freedom of assembly, 2020 was marked by the declaration of the state of emergency beginning on 5 March, which limited the freedom of assembly by prohibiting a number of gatherings to prevent the spread of COVID-19. Although CSOs operate relatively freely in the West Bank, freedom of association is increasingly challenged and space for civil society is shrinking. In Gaza, there are many reports of issues relating to media freedom, freedom of expression, freedom of assembly and the fact that the death penalty is still being applied. The human rights situation overall in Gaza is challenging.

Arbitrary detention continues to be a matter of concern with regular complaints being lodged to the Independent Commission on Human Rights (ICHR), including on violations of the right to due process of law, detention without providing fair trial guarantees, and detention upon orders of a Governor. The number of complaints decreased compared to previous years. The ICHR attributes this trend primarily to the fewer prison visits it conducted amid the pandemic.

With regards 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

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\*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.

judiciary and judicial processes. This trend culminated in the July 2019 Presidential Law by Decree 17/2019 that dissolved the High Judicial Council and all court panels and appointed an Interim High Judicial Council (IHJC) with a wide mandate for 12 months later extended to 18 months. The PA justified this extra-ordinary act as an attempt to revamp the judiciary, promote stronger effectiveness and accountability and address public dissatisfaction towards the judicial system. Despite recent amendments to the Anti-Corruption Law, corruption continues to represent a challenge.

Freedom of religion or belief is generally well observed. Even though the Basic Law of Palestine clearly states that women have the same rights as men, gender equality remains a challenge and the draft Family Protection Law has not yet been promulgated into law. Failings in the protection of LGBTI persons remain a serious concern.

**2. EU action - key focus areas:** As reflected in the European Joint Strategy in support to Palestine (2017-2020), in 2020 the EU continued to provide support to Palestinian state building, rule of law and justice as well as to service delivery to the most vulnerable people and to 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 PA on human rights issues through European Neighbourhood Policy (ENP) mechanisms, including the EU-Palestine Liberation Organisation (PLO) Joint Committee meeting on 10 December 2020, preceded by the meeting of the Subcommittee on Human Rights, Good Governance and Rule of Law on 24 November 2020. 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.

**3. EU financial engagement:** In 2020, 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. Overall, the European Commission has consistently committed and disbursed in support to the Palestinians around EUR 320 million in 2020. 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.

**4. 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 there has been improvement in some areas. 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 March 2014 but regular complaints of torture and ill-treatment in detention centres continue in both Gaza and the West Bank. In 2020, death sentences were handed down in Gaza and none in the West Bank, where a moratorium on the death penalty has been in place since 2005. As noted in paragraph 1, discrimination against women remains a concern. The PA has undertaken initiatives such as ratifying the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) that aim to address this problem.

## Kingdom of Morocco

**1. Overview of the human rights and democracy situation:** Morocco has made significant efforts in the promotion and protection of human rights and fundamental freedoms, in line with the reformist human rights agenda set out in the 2011 Constitution. However, challenges remain in a number of areas.

Morocco made good progress in its fight against corruption through the implementation of the 2015-2025 Anti-Corruption Strategy and the appointment of the Head of the National Commission for Integrity and Anticorruption in December 2019. By the end of 2020, the system registered 9,500 calls denouncing corruption cases, which led to at least 31 arrests. Likewise, the country made significant progress in its comprehensive and ambitious reform of the Judiciary. The newly created independent authorities, such as the High Council of the Judiciary (CSPJ) and the Public Prosecutor's Office, have become fully operational. Reforms should now focus on improving access to legal aid and revising the criminal code.

The operationalisation of the National Prevention Mechanism against Torture has improved the prisoners' rights and a dozen of visits in detention centres have taken place under the mechanism set up within the Conseil National des Droits de l'Homme (CNDH). However, prisons' occupancy rate and the general application of preventive detention remain a source of concern. The exceptional circumstances due to the health emergency led to the royal pardon of more than 5,600 prisoners in April 2020. An additional group of 1,446 prisoners was pardoned on the occasion of the Throne Day in July.

Morocco has a vibrant civil society sector and over 200,000 economic, social and cultural associations are active on the ground. Many demonstrations have been organised in the first half of 2020, despite COVID-19 restrictions. Yet, challenges remain in particular as regards freedom of expression and the authorities have resorted at times to far-reaching control measures over media and civil society. Several journalists and human rights defenders have been prosecuted for criminal offenses, raising questions among the international community and NGOs. In the aftermath of the Hirak Rif, the imprisonment of figures associated with the movement has continued to give rise to some controversies in the political and human rights debate and to some criticism in international circles.

Morocco has made further efforts in the fight against domestic violence and marriage of minors, although it has not yet reached the level of political ambition expressed by Morocco in the United Nations. The government adopted a national plan for women economic empowerment in July 2020 and a national strategy for fighting violence against women is

under preparation. However, gender equality remains work in progress as some discriminations persists in issues such as inheritance rights, marriage and divorce.

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 yet to be enacted.

Morocco has been observing an undeclared moratorium on the use of the death penalty since 1993.

**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 focal 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, the rights of the child and the rights of persons in vulnerable situations; 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 and the Association Council took place in Brussels on 27 June 2019. The Joint Declaration adopted at this occasion, emphasised shared values, which include human rights and good governance, as one of the main areas of future cooperation. While the Subcommittee on Human Rights, Democracy and Governance did not meet in 2020 due to the pandemic, the EU delegation continued to organize regular meetings to discuss ongoing developments pertaining to human rights, including through interactions with the CNDH, the Inter-ministerial Delegate for Human Rights and civil society. The human rights situation was also a key component in the thematic Gender group, which met periodically in 2020, co-chaired by Denmark, Belgium and the EU. The EU has also launched the process for joint programming on gender.

**4. EU financial engagement:** In 2020, 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. Additional support (justice budget support) and programme adaptations have been realised in order to support Moroccan efforts to reduce the economic and social impact of the COVID-19 pandemic on access to services and respect for human rights.

The EU acknowledges the important role played by civil society, including through its support to civil society actors. In particular, the 2019-2020 Annual Action Programme includes a specific action to support human rights in Morocco ('Hoqouq wa Himaya'), with an overall funding of EUR 5 million. This programme 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, the implementation of the 'Moucharaka Mouwatina' ('Citizen Participation') programme in support of socio-economic rights at the local level, continued in four different regions of Morocco. 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, the EU has also continued to support the national literacy strategy in Morocco, enabling about 3.5 million people to benefit from literacy programmes. This support has strengthened the capacity of 10,000 literacy teachers per year in the targeted regions.

**5. Multilateral context:** Morocco is a state party to all major UN conventions on human rights and cooperates in the reporting cycles. Morocco is an active member of several core groups within the UN, authoring several resolutions that promote human rights in important areas. The country has also been particularly active in the fight against domestic violence and marriage of minors and joined the EU-led Group of Friends for the elimination of violence against women and girls launched in December 2020 as one of the core group members. However, Morocco continued to abstain from voting for the universal moratorium on the death penalty, when a resolution on the matter was voted at the UN General Assembly. Morocco's last Universal Periodic Review took place in 2017 and the expected visit of the UN Special Rapporteur on the Independence of Judges and Lawyers, has yet to take place. In June 2020, Morocco agreed to take on the leading role together with Switzerland as co-facilitators of the process of strengthening of the treaty bodies, guardians of the world's human rights covenants and treaties, at UN Human Rights Council.

## 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 is to assist the parties in achieving a just, lasting, and mutually acceptable political solution, based on compromise, in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

The United Nations-sponsored talks with the participation of Morocco, the Frente Polisario, Algeria and Mauritania have remained on hold since the resignation of former Personal Envoy Horst Köhler in May 2019. Efforts of the UN Secretary-General to appoint a new Personal Envoy are ongoing.

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 2548 of 30 October 2020. The resolution stressed the importance of improving the human rights situation in Western Sahara and encouraged the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law. The resolution also encouraged the parties to persist in their respective efforts the promotion and protection of human rights in Western Sahara, including the freedoms of expression and association.



The UN Security Council noted with deep concern the continued hardships faced by Sahrawi refugees and their dependency on external humanitarian assistance.<sup>8</sup>

Tensions between Morocco and the Frente Polisario have escalated in mid-October 2020 when supporters of Frente Polisario blocked the only road connecting the Moroccan controlled part of Western Sahara to Mauritania in Guerguerat. Following the deployment of the Moroccan military, Frente Polisario announced on 14 November the end of its commitment to the 1991 ceasefire with Morocco, and the resumption of armed struggle. The EU emphasised the vital importance of ensuring compliance with the ceasefire agreements and the need to uphold freedom of movement and cross-border exchanges.

The EU conveyed its resolute support to the UN process, and has repeatedly expressed its 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 return to the UN-supervised talks and 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. According to observers, in 2020, local human rights NGOs continued to face obstacles to their legal registration, while there have been isolated reports of increased surveillance of selected local activists, supporters of Sahrawi self-determination and journalists.

## People's Democratic Republic of Algeria

**1. Overview of the human rights and democracy situation:** Following the constitutional referendum of 1 November 2020, a new Constitution entered into force in December 2020. The historically low referendum turnout (23.7%) was seen by certain observers as a more transparent reflection of the popular vote, compared to past elections. Although the constitutional revision did not modify the fundamental modalities of the country's governance, it introduced several improvements. The limitation of two electoral terms for the President of the Republic cannot be subject to constitutional amendment anymore. Freedom of assembly and association will benefit from a new 'declarative regime' for the NGOs, replacing the need for 'prior authorisation'. Multi-party democracy will be strengthened by a provision requiring the need for a justice decision in order for a political party to be dissolved. The impact of these new provisions on the situation of human rights in the country will depend on their full implementation. A first test of these legislative innovations will be the early legislative elections in June 2021.

As of March 2020, security restrictions introduced to fight the COVID-19 pandemic ended up tightening control and having an impact on the Hirak protest movement demonstrations. In addition, arrests and detentions of Hirak activists, political opponents and journalists

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<sup>8</sup> For details, see the Algeria section of the report.

continued. Restrictions to fundamental freedoms, in particular to freedom of opinion, expression and assembly, as well as judicial pursuits of independent media increased over the year. While some detainees were released during the course of the year, others were arrested, particularly as of September 2020. As a result, more than 70 activists were being detained pending trial or were sentenced to prison by the end of 2020. A presidential pardon subsequently liberated many of them.

The enjoyment of fundamental rights remained problematic for minorities. The newly adopted Law 20-06, curtailing fund transfers to associations, might be prejudicial to minorities. The COVID-19 pandemic and its ensuing socioeconomic impact increased the vulnerability of many people including irregular migrants.

Thanks to the engagement of the National Body for the Protection and Promotion of Children, the promotion of the rights of the child has remained a priority for the authorities, as shown by several initiatives aimed at providing support, raising awareness against violence and offering training.

The UN Security Council noted with deep concern the continued hardships faced by Sahrawi refugees and their dependency on external humanitarian assistance, the insufficient funding for those living in Tindouf refugee camps and the risks associated with the reduction of food assistance. The Security Council stressed the importance of improving the human rights situation in the refugee camps and called for sustained efforts for the full promotion and protection of human rights, including in particular freedom of expression and association. The Security Council also reiterated its request for consideration of a refugee registration in the Tindouf refugee camps and emphasised that efforts be made in this regard.

**2. EU action - key focus areas:** The EU-Algeria common Partnership Priorities for 2017-2020, remain an expression of shared commitment to the universal values of democracy, the rule of law and human rights by the two parties. The focus areas for 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.

The EU supported the promotion of participatory democracy at local level and citizen participation in public affairs at the level of wilayas (regions) and municipalities.

The protection of refugees is an integral component of the humanitarian projects funded by the EU in five Sahrawi refugee camps in Southwest Algeria near Tindouf, providing for assistance in the field of water and sanitation, food, essential medicines, education in emergencies and protection of persons with disabilities. Due to COVID-19, the European Commission increased its funding by EUR 500,000 for the reinforcement of the emergency rooms in the local hospitals and the installation of hand washing stations. The EU also funded the project 'Jeunesse et créativité pour la paix' in the Saharawi camps promoting livelihoods and resilience of youth in the camps, with an amount of EUR 800,000 over 18 months.

**3. EU bilateral political engagement:** Following a slow down due to the COVID-19 pandemic, institutional relations resumed with six sectoral EU-Algeria subcommittees within the framework of the Association Agreement, through videoconferences, between 8 October and 30 November. These included the Subcommittee on Political Dialogue, Security and Human Rights on 19 October, which offered an opportunity to establish an open exchange on the human rights developments in Algeria and in the EU, with particular stress on the importance of an independent and pluralistic media, freedom of expression and of peaceful assembly and conditions of detentions. In preparation of the above-mentioned Subcommittee, the CSOs and their Algerian partners were invited to a consultation on 1 October, held in VTC format. The interventions focused on the constitutional revision process, on restrictions to fundamental freedoms, on the legislative elections and the future of Hirak. An EU-Algeria Association Council, at political level, was held on 7 December by videoconference.

On 26 November 2020, the European Parliament adopted an urgency resolution (TA(2020)0329) on 'The deteriorating situation of human rights in Algeria, in particular the case of journalist Khaled Drareni'.

**4. EU financial engagement:** The EU continued its support to local development and participative democracy in partnership with the UNDP through the programme CapDeL (EUR 8 million). In 2020, the CapDeL launched its second call for proposals and granted funding to 29 local projects. The grantees were selected among almost 60 initiatives, who had previously benefited from a capacity development and training in the form of 'project incubation'. The projects respond to local development needs as laid out in the new generation of 'Municipality Development Plans' adopted in the eight target municipalities with a participatory approach. The EU contributed also to the modernisation of the justice sector (EUR 9 million). Both initiatives were extended to the end of 2021.

A number of sector programmes contributed to fund civil society projects and promote collaboration with local authorities on matters of sustainable agriculture and environment protection, social inclusion, professional training, youth engagement and entrepreneurship. Several young Algerians participated in the activities of the regional project 'Med Dialogue for Rights and Equality'.

The EU entered into a dialogue with the National Council for Human Rights (CNDH) in order to explore the possibilities of strengthening the Council's independence and legitimacy, identifying possible avenues of joint work.

**5. Multilateral context:** In October 2020, Algeria was elected the vice-chair of the Third Committee of the UN General Assembly. Algeria maintains a moratorium on executions since 1993 and has regularly voted in favour of UN resolutions calling for its worldwide application.

## Republic of Tunisia

**1. Overview of the human rights and democracy situation:** Tunisia has made considerable progress since the beginning of its political transformation in 2010-11. The Tunisian constitution of 2014 contains extensive guarantees of civil and political as well as economic, social and cultural rights. Tunisia has ratified the main UN conventions and instruments for the protection of human rights and has withdrawn any remaining reservations in recent years. However, during 2020 the deadlines for the formation of the government after the elections and the COVID-19 pandemic have caused a certain stagnation in the reform process. Challenges therefore remain in Tunisia's work towards the full protection and promotion of human rights, in particular with regard to the concrete implementation of the legislation already adopted and the harmonisation of the entire legislative arsenal with the Constitution. The establishment of key institutions, such as the Constitutional Court, is still pending and progress in the reform of the judiciary and transitional justice has been slow. Tunisia accepted the 2017 Universal Periodic Review recommendation calling for the protection of LGBTI persons from all forms of stigmatisation, discrimination and violence and abstain from random testing. However, challenges persist and homosexuality is still criminalised. The situation in prisons remains of concern, although the amnesty granted to some inmates due to the COVID-19 pandemic helped relieving some pressure and had a positive impact on the overcrowding in prisons.

**2. EU action - key focus areas:** The EU support has focused on: democracy and good governance; women's rights and gender equality; and justice.

**Democracy and good governance:** The EU promoted the protection and empowerment of individuals through projects that provide institutional support to local civil society and encourage the creation of a network of local organisations. These initiatives also focused on promoting the transparency of the electoral process and the consolidation of a resilient, inclusive and democratic society. The EU has also supported projects aimed at informing and raising awareness among the population about the electoral process, with a particular focus on young first-time voters.

**Women's rights and gender equality:** EU's efforts focused on strengthening the capacities of the Ministry of Women's Affairs and its state partners while also improving the participation of women in economic and public life and contributing to the reduction of gender-based discrimination and violence. The EU Delegation in Tunisia participated in the campaign of 16 Days of Activism against Gender-Based Violence and the EU funded the awards ceremony. The EU has also contributed to a program aiming at consolidating Tunisia's democratic transition by strengthening women's political participation at the local and national levels to foster a truly inclusive governance and decentralisation process.

**Justice:** The EU supported the institutional set-up of the 'jurisdictional power' provided for in the 2014 Constitution and the realisation of the related rights as well as programmes aimed at promoting the independence and impartiality of the judiciary. The actions also focused on the improvement of the quality of justice and of the judicial and penitentiary infrastructure, including the transition to the digital system, which has become of particular importance amid the COVID-19 pandemic. The EU has joined efforts with international organisations to promote human rights and democracy with several events and initiatives. For instance, the EU and the Office of the UN High Commissioner for Human Rights (OHCHR) celebrated the

contribution of Tunisians with disabilities to solving the COVID-19 crisis on the occasion of the International Human Rights Day on 10 December 2020.

The EU also supported projects aimed at promoting the rights of the child and preventing violence against children as well as creating anti-discrimination points to support victims, collect data and provide training to national and international actors and local populations.

**3. EU bilateral political engagement:** The EU has continued supporting Tunisia in a wide range of areas for the promotion and protection of human rights. The engagement with civil society remains one of the exemplary achievements of Tunisia. The organisation of tripartite meetings with civil society chaired by the EU delegation and Tunisian authorities precede all subcommittee meetings and allow for civil society to voice their views regarding the different sectors. The conclusions of these meetings also feed the work and discussions of the subcommittee meetings.

**4. EU financial engagement:** The priorities set for 2020 are based on the strategic priorities agreed between the EU and Tunisia in 2018 that cover the following sectors: youth, socio-economic development, democracy, good governance and human rights and security and the fight against terrorism.

The EU programming activities in 2020 were aligned with these priorities and followed on discussions with authorities at the highest level. The three main thematic areas of action for 2020 were: promotion of good governance and rule of law, which included the reform of the security sector and improvement of economic governance; sustainable economic growth and employment and reinforcement of social cohesion between generations and regions.

The EU was quick to react to the specific challenges posed by the COVID-19 pandemic through the Team Europe initiative with acceleration of the payment of budget support planned for 2020 and 2021, strengthened support to the health sector and additional macro-financial assistance.

The EU also redirected ongoing activities and programmes to meet the local needs of the population and municipalities through concrete citizen, associative and entrepreneurial initiatives. Those included combating violence against women, support for the cultural and the media sectors, speeding up assistance for productive sectors in the regions and financial support linked to COVID-19 and support for civil society and for refugees and migrants.

**5. Multilateral context:** Tunisia continued observing a moratorium on executions and voting in favour of the resolution calling for a universal moratorium on executions, the last one voted in December 2020 at the UNGA.

Tunisia co-sponsored the EU resolutions on freedom of religion or belief and the two resolutions on right of the child and of the mandate of the Special Rapporteur on sale and sexual exploitation of children.

The last review by the Human Rights Committee (CCPR) was conducted in April 2020.

## Russia and Central Asia

### Russia

**1. Overview of the human rights and democracy situation:** The overall human rights and democracy situation in Russia has steadily worsened over the past years. 2020 was marked by the COVID-19 pandemic, which led to the introduction of laws that further restricted basic freedoms. Stigmatisation, harassment and smear campaigns are an inherent part of the limited environment in which civil society organisations operate. Reinforced restrictive legislation allowed for a continued persecution of activists and human rights defenders. The amended bills to the ‘foreign agents’ legislation signed into law by President Putin in late December 2020 served as a frequently used tool to harass NGOs and activists (currently 31 foreign organisations are labelled as ‘undesirable’ and 75 Russian NGOs are listed as ‘foreign agents’). The new provisions foresee recognition of single pickets as a mass action, prohibition for organisers to receive funds from foreign states, criminal liability for blocking roads and sidewalks. The newly amended law is extending the concept of a ‘foreign agent’ to public associations and individuals regardless of their citizenship. Electoral rules have been substantially changed in 2020. Two elections/public votes that took place in 2020 were marked by the absence of pluralism in public discussion with one-sided propaganda campaign by the state bodies and state-controlled media. The Russian parliament (the State Duma) continues to be a legislative body without any real political opposition present. Several legal acts restricting media freedom both online and offline were introduced. Attacks, threats, arrests and prosecution of journalists are common. Some of the most high-profile murders of journalists remain unresolved. Unchanged remain the discriminatory policies and laws against LGBTI persons as well as religious communities, such as the Jehovah's Witnesses. Discrimination against women is still widespread. Although women in Russia generally have higher education than men, they are in average less paid. Women are also victims in majority cases of domestic violence. The situation in Chechnya and in the illegally annexed Crimean Peninsula is marked by continued unlawful detentions, use of torture, fabrication of evidence and enforced disappearances. Despite the pandemic and negative trend of increased repression, the EU notes that Russia's civil society manages to remain resistant.

**2. EU action - key focus areas: The EU provided** support to Russian civil society and human rights defenders through both political and financial means. Despite the lack of formal dialogue on human rights between the EU and Russia since November 2013, EU–Russia human rights consultations remain a priority for the EU. In 2020, an online meeting of the Head of the EU Delegation with the chairman of Russian Presidential Council for Civil Society and Human Rights Valery Fadeyev took place. EU's position continued to be expressed mainly through both public diplomacy (statements) and quiet diplomacy. Meetings, both online and physical meetings of the Head of the EU Delegation or members of EU delegation and of EU officials with Russian authorities served to convey the EU's positions on numerous human rights developments, legislation and individual cases of concern. Due to the COVID-19 pandemic, mainly remote trial observation by diplomats has been an important instrument in giving visibility to activists, NGOs and human rights defenders who 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 human rights defenders. Outreach to the Russian regions has also been a focus of the EU delegation's work, which took place mainly via statements and social media due to the pandemic.

**3. EU bilateral political engagement:** NGOs and human rights defenders appreciate the attention which is generated by the presence of foreign diplomats in providing visibility and some form of leverage vis-à-vis the Russian authorities. During the pandemic, Twitter has served as an important communication tool to express concerns about ongoing trials and to express support and solidarity.

**4. EU financial engagement:** the EU is currently the lead donor for Russian civil society projects and the EU's support is crucial for enabling 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 and demonstrate the EU solidarity with Russian civil activists helping them stay connected with their European colleagues and within the common European agenda based on shared values and universal human rights. Over the past years, the EU has increased its financial support through the European Instrument for Democracy and Human Rights. Through this programme, in addition to continuing work on the prevention of torture and ill treatment in prisons and closed institutions, the EU delegation supported the work of Russian human rights defenders and Russian independent journalists providing them with legal assistance, support and training. Two actions were implemented under the Foreign Policy Instrument (FPI). At the end of 2020, a three-year grant support for 'EU-Russia Civil Society Forum' was completed and a new grant was signed. Currently this platform is actively involved in providing training, opportunities for advocacy, networking, and distributing small grants to EU and Russian NGOs. In April 2020, the Council of Europe, the EU delegation and Russian authorities completed a project on support for the implementation of the National Strategy on Women. The project underpinned two key areas of the strategy, namely eliminating violence against women and girls and facilitating the participation of women in the public sphere. In response to immediate needs arising from the COVID-19 pandemic, the EU delegation launched a special EU solidarity programme in April 2020 activating and reorienting European Commission funds to provide direct support to people most affected by the pandemic in Russia.

**5. Multilateral context:** The human rights and democracy situation in Russia has consistently been on the agenda of regular meetings of 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. Although the Russian delegation returned to PACE in 2019, tensions remain within the Parliamentary Assembly. In July 2020, in its Council conclusions on EU priorities for cooperation with the Council of Europe in 2020-2022,<sup>9</sup> the EU valued the CoE's wide membership and expressed its shared vocation to secure universal and effective recognition of human rights and fundamental freedoms. In light of serious international law violations by Council of Europe members in recent years, the EU highlighted the need to

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<sup>9</sup> Council conclusions on EU priorities for cooperation with the Council of Europe in 2020-2022  
<https://data.consilium.europa.eu/doc/document/ST-9177-2020-INIT/en/pdf>

preserve and extend the organisation's pan-European character, to ensure CoE members compliance with their international obligations, to protect the Organisation's values, principles and standards and to ensure that it functions effectively. Moreover, the EU expressed commitment to support CoE, which can deal with all serious breaches of international law amongst its members, not least through its newly established Complementary Joint Procedure, while ensuring that all its members fulfil their statutory obligations.

## Kazakhstan

**1. Overview of the human rights and democracy situation:** In 2020, rising dissatisfaction with living standards, corruption and a lack of public accountability coincided with the outbreak of the COVID-19 pandemic and its restrictions. In May, laws were signed on public assembly, elections and political parties and in June, defamation was decriminalised. Despite political reforms, there were increasing reports from civil society that numerous human rights defenders, political activists, journalists, bloggers and medical workers were subject to retaliatory measures for publishing social media posts challenging the government's handling of the COVID-19 crisis. Charges of 'knowingly disseminating false information' were increasingly used to hinder freedom of expression, and to crackdown on people accused of participating in or supporting political opposition movements branded as 'extremist'. The offenses of 'insult' and 'insulting a government representative' remain subject to criminal penalty under Articles 131 and 378 of the Criminal Code.

On 1 September 2020, President Tokayev announced a new stage of reforms, in particular on issues of law enforcement, the judicial system and prioritising human rights, and signed a decree for the establishment of a Supreme Council for Reform to oversee implementation. Kazakhstan signed the Second Optional Protocol to the International Covenant on Civil and Political Rights, which abolishes the death penalty in law and in practice. Despite positive developments by the authorities, torture and ill-treatment, in particular in detention facilities, are still of concern. According to the International Trade Union Confederation Global index of 2020, Kazakhstan continues to feature among the top 10 worst countries for workers' rights.

**2. EU action - key focus areas:** On 1 March, the Enhanced Partnership and Cooperation Agreement with Kazakhstan entered into force. During dialogues, the EU expressed concerns raised by civil society and the OSCE Office of Democratic Institutions and Human Rights (ODIHR) in relation to the May 2020 Law on Public Assembly, and encouraged Kazakhstan to avail of the advice and expertise of the OSCE/ODIHR and the Venice Commission in passing reform-oriented legislation. The EU acknowledged the continuing reform process in Kazakhstan, including the establishment of a Supreme Council for Reforms, and underlined the importance of effective implementation with the active participation of independent civil society. In line with international law standards, the EU called on Kazakhstan to take further steps to conduct prompt, thorough, impartial and independent investigations into all allegations of torture, and to bring perpetrators to justice. The EU also stressed the importance of tangible results in addressing obstacles to freedom of expression, of assembly and association, freedom of the media, as well as freedom of religion or belief. In response



to ILO recommendations, the parliament amended the law on trade unions, removing trade union affiliation and two-step registration requirements. Nevertheless, stronger progress is still needed in this area.

**3. EU bilateral political engagement:** The EU continued to raise human rights in all its dialogues held throughout 2020: Cooperation Council (January), Cooperation Committee (September), Human rights dialogue and Justice and Home Affairs Subcommittee (November). In addition, the EU delegation held bilateral meetings with relevant Kazakh authorities on issues of concern raised by civil society such as tax investigations instigated against several NGOs at the end of the year. During the human rights dialogue, the EU raised many individual cases and continued to follow up on previously raised cases.

At the beginning of the pandemic, the EU Special Representative for Human Rights, supporting the initiative of the UN Office of the UN High Commissioner for Human Rights, called on Kazakhstan for clemency measures in favour of particularly vulnerable prisoners, including those in ill health, with underlying conditions, of advanced age and low-risk offenders. In addition, the EUSR raised domestic violence and the Law on Public Assembly. During the EU-Central Asia Ministerial in November, the HR/VP called on partners to ensure that COVID-19 emergency measures did not limit freedom of expression and access to information online, including the work of journalists, and to promote civil society participation in public decision-making.

**5. EU financial engagement:** In July, the EU launched a comprehensive EUR 3 million Central Asia COVID-19 Crisis Response Solidarity Programme, with a primary focus on Kazakhstan. The programme, implemented by the World Health Organization, will provide support over a period of two years to mitigate the outbreak of the pandemic. Progress continued under EU funded bilateral projects implemented from 2016 until end 2019 under the European Instrument for Democracy and Human Rights and the Civil Society Organisation/Local Authorities (CSO/LA) thematic programme. The results included increase in the following areas: civil society participation at local, regional and national level; governance and accountability; civil society organisation networking, including in rural areas; and the role of CSOs in the implementation of recommendations based on international agreements ratified by the Republic of Kazakhstan.

In 2020, an EU funded project contributed to improving free movement and equal access to facilities and services of persons with disabilities to. In particular, the project supported an assessment of some 17,000 facilities in relation to their accessibility, expansion of an online accessibility map<sup>10</sup>, and providing recommendations to the facilities' managers on how to improve access for persons with disabilities.

**5. Multilateral context:** The EU recalled the importance of maintaining openness to UN scrutiny, including by implementing recommendations of UN Special Procedures and UN treaty bodies, and working closely with the OSCE. Kazakhstan cooperated with other UN bodies such as UNDP, WHO and UNICEF. Kazakhstan co-sponsored the EU-GRULAC resolution on the Rights of the Child at the 45th UN Human Rights Council. During the human rights dialogue, the EU and Kazakhstan discussed the implementation of Universal Periodic Review recommendations following Kazakhstan's review in November 2019. The EU

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<sup>10</sup> doskaz.kz, also available as a mobile application

also raised the importance of addressing the situations of Uighurs in Xinjiang in the multilateral fora and upholding the principle of non-refoulement.

## The Kyrgyz Republic

**1. Overview of the human rights and democracy situation:** The overall human rights situation was stagnant and in some areas even worsened. Although Kyrgyzstan remains the most progressive Central Asian country when it comes to its democratic and human rights record, the latest developments in relation to freedom of expression and association and freedom of the media are becoming a growing concern. The EU noted specific challenges exacerbated by the COVID-19 crisis, such as the high increase of domestic violence, including violence against women and girls, older persons and children, and increased numbers of suicide, as well as restrictions on independent media and information circulation in general. In light of the pandemic, the Kyrgyz authorities introduced restrictive measures, including a state of emergency that was in force in the capital and several other cities, which negatively affected freedom of expression, association and assembly. Journalists were harassed or attacked by law enforcement forces, and in some cases threatened with criminal sanctions for critical reporting during the political unrest following the parliamentary elections on 4 October. An increase of hate speech on social media was noted before and even more during the electoral campaign period. A large-scale corruption network, revealed by internationally acclaimed investigative journalism, highlighted further the magnitude of the problem, but also resulted in increased pressure through, *inter alia*, intimidation and harassment on free media and civil society, including human rights defenders. Concerns were raised in relation to new legislative initiatives on amendments to the Law on Extremism and Terrorism as well as to the Law on Manipulation of Information, notably because of limiting provisions on fundamental freedoms. A legislative initiative of the Kyrgyz Parliament, linked to 9 May Victory Day, granted amnesty to around 3,000 frail prisoners.

**2. EU action – key focus areas:** The EU presented a package of measures of EUR 43.8 million to support Kyrgyzstan during the COVID-19 pandemic, which includes support for the protection of human rights, media and education, social protection and fight against gender-based violence. The EU cooperation projects supporting the protection of human rights in Kyrgyzstan are implemented through three instruments: the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Peace and Stability (IcSP) and the Development Cooperation Instrument (DCI). The following projects started in 2017 and ended in 2020: ‘Constructive dialogues on religion and democracy’, ‘Democracy and Religion - Dialogue between Equal and Moderate voices (DREAM)’, and ‘Promoting dialogue and collaboration among youth to counter extremism in Kyrgyzstan’. In particular, the latter programme, worth EUR 860,000, strengthened the capacity of young people in the south of Kyrgyzstan to promote open and free public discourse on religion and democracy, and to raise awareness on extremist rhetoric.

**3. EU bilateral political engagement:** The EU regularly engaged with authorities on human rights issues in a number of formats, including at the highest level. The 10th EU-Kyrgyz Republic Human Rights Dialogue was held by video conference on 24 September 2020. It covered a wide range of issues, including judicial reform, national human rights institutions,

prevention of torture, freedom of expression and of association, freedom of religion or belief, women's rights and rights of the child, good governance, including rights of minority groups, bilateral and international cooperation, and also General System of Preference Plus (GSP+) monitoring. Due to the pandemic and political uncertainty following the contested and annulled parliamentary elections of 4 October, the Cooperation Committee and Cooperation Council were postponed to 2021. However, the HR/VP and other high-level officials held regular video conferences with Kyrgyz authorities. In May 2020, the EU delegation attended in person the last hearing at the Supreme Court of the imprisoned human rights defender, Azimjan Askarov. In July, his death in custody was one of the low points of Kyrgyzstan's human rights record during the year. The EU pressed the authorities to clarify the circumstances of his death and to carry out an independent investigation. At the onset of the pandemic, the EU Special Representative for Human Rights, supporting the initiative of the UN Office of the United Nations High Commissioner for Human Rights, called on Kyrgyzstan for clemency measures in favour of particularly vulnerable prisoners, including those already in ill health or with underlying conditions, those of advanced age and low-risk offenders. During the EU-Central Asia Ministerial in November, the HR/VP called on partners to ensure COVID-19 emergency measures did not limit freedom of expression and access to information online, including the work of journalists, and to promote civil society participation in public decision-making.

**4. EU financial engagement:** The EU continued to provide significant financial support to projects in the field of rule of law and human rights, funded by the DCI, the EIDHR and the IcSP. The EU support to the rule of law amounts to EUR 37.72 million for the period 2014-2020. In particular, 'Rule of Law in the Kyrgyz Republic- phase 2' (May 2018-November 2022), implemented by *Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH* (GIZ), with a consortium of mandated bodies of EU Member States, is dedicated to supporting judiciary reform, including the independence of the judiciary.

**5. Multilateral context:** Since 2016, the Kyrgyz Republic has been a beneficiary of the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+). Throughout the year, monitoring activities as well as discussions took place with the Kyrgyz partners on the country's human rights record under GSP+ commitments. The third cycle of the Kyrgyz Republic's Universal Periodic Review was conducted on 20 January 2020 in the UN Human Rights Council. Kyrgyzstan supported 193 recommendations out of a total number of 232. The remaining 39 recommendations, which cannot be implemented due to various objective reasons, have been noted. Among the noted recommendations are: the ratification of the Istanbul Convention, the Rome Statute, the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), as well as some of the recommendations related to rights of LGBTI persons, prevention of torture, right to peaceful assembly, compensation for the victims of the June 2010 events<sup>11</sup> and the case of the human rights defender Azimjan Askarov. The Jogorku Kenesh (Parliament) adopted a package of amendments to the Criminal Law in the first reading, proposing to exclude a provision on the use of the decisions of international bodies as grounds for reviewing criminal cases under

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<sup>11</sup> The June 2010 riots were clashes between ethnic Kyrgyz and Uzbeks in southern Kyrgyzstan, following the ousting of former President Kurmanbek Bakiyev. Nearly one week of killing and destruction - mainly in the cities of Osh and Jalal-Abad – left at least 470 people dead, mostly Uzbeks and more than 2,200 serious injured.

new circumstances. Civil society organisations have raised concerns about these amendments.

## Tajikistan

**1. Overview of the human rights and democracy situation:** In 2020, the human rights and democracy situation in Tajikistan was largely shaped by the internal political agenda, including parliamentary and presidential elections, and by the COVID-19 pandemic. Late confirmation of the virus in the country (end of April) delayed the application of measures and restrictions to slow down its spread. Donor assistance was needed to address the health crisis and mitigate shortages of personal protective equipment and medicines. The pandemic highlighted the capacity of civil society to mobilise resources and positively engage, especially at the grassroots level, despite the overall unfavourable environment and continuing shrinking space for civil society. The pandemic also accelerated the use of social media, which became one of the essential sources of critical information that was not available through official channels. Freedoms of expression, association, assembly, and religion or belief continued to be systematically restricted, including through online censorship. Amendments to the Administrative Code introduced new fines for journalists who spread ‘inaccurate and untruthful information’ about the COVID-19 pandemic, while the independent media continued to suffer blockages and targeted harassment. Political participation continued to be restricted, with elections taking place in a tightly controlled environment without genuine political alternatives. Political opponents and their family members suffered various forms of harassment. Some limited progress could be observed in the field of prevention of torture and ill-treatment, as well as penitentiary reform. A high increase of domestic violence was noted, including violence against women. Steps towards criminalisation of domestic violence through preparation of a new Criminal Code sent an important positive signal at the end of the year. Tajikistan also took steps to address the issue of statelessness and offered an amnesty period to regulate the situation of concerned citizens.

**2. EU action - key focus areas:** Following the spread of COVID-19, the EU provided a contribution of EUR 48 million financial support package, adopted as part of the ‘Team Europe’ response on 11 April 2020. Out of the EUR 112.2 million comprehensive Development Cooperation support package, EUR 102.2 million directly contributes to assisting Tajikistan in responding to the health crisis and address longer-term health and socioeconomic needs to enhance livelihoods. The package consists of three interlinked programmes: Health Development Programme (EUR 52.2 million), Quality Education Support Programme II (EUR 50 million), and Existing support under Rural Development amounting to EUR 59 million, which aims to improve people’s livelihoods and food security, hence addressing the impact of the COVID-19 pandemic. The first two programmes have components (worth EUR 46.2 million in total) to support directly the emergency response to the pandemic, as well as to boost efforts to mitigate its negative socioeconomic impacts.

The EU also engaged with civil society organisations active in Tajikistan and supported their work as well as their capacity to engage with the government and become part of the

legislative process. The EU continued to support the protection of human rights defenders, including through the delivery of emergency grants.

**3. EU bilateral political engagement:** The EU engaged in structured human rights discussions with Tajikistan in various formats. They included: the 12th Human Rights Dialogue held in November 2020 (by video conference), the annual Cooperation Committee meeting in July, as well as various high-level video conferences, including in the presence of the HR/VP, the EU Special Representative for Central Asia, Members of the European Parliament and Generalised System of Preferences (GSP+ ) experts from the European Commission. During the EU-Central Asia Ministerial in November, the HR/VP called on partners to ensure COVID-19 emergency measures did not limit freedom of expression and access to information online, including the work of journalists, and to promote civil society participation in public decision-making.

On 6 March 2020, the EU delegation organised the ninth EU – Tajikistan Civil Society Seminar ‘Economic and Social Empowerment of Women and Girls in Tajikistan’. The event brought together more than 100 representatives from Tajik civil society and the government, as well as gender experts from the EU (France) and Central Asia (Kazakhstan, Kyrgyzstan), to discuss challenges related to economic empowerment that women and young girls face in Tajikistan. The seminar was a good platform for exchange of experience among the Tajik authorities and NGOs working on gender-related issues. As a result, a list of concrete recommendations has been submitted by the NGOs to the government for consideration.

The EU delegation actively advocated for the criminalisation of domestic violence, and in 2019 launched a new initiative to illuminate buildings in support of the global campaign of 16 Days of Activism against Violence against Women. The EU delegation’s communication and outreach efforts encouraged many partners to join the campaign in 2020. This should also facilitate the launch of the Spotlight Initiative in the near future.

Tajikistan is keen to apply for the GSP+ status. To support the pre-application process, the EU prepared a provisional list of issues (scorecard), covering observations by the monitoring bodies of the 27 GSP+ relevant conventions. The evaluation of Tajikistan’s replies and bilateral dialogues continue.

**4. EU financial engagement:** In 2020, 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. New projects worth EUR 1.3 million started operational activities, focusing on: reform of the penitentiary system; economic and social rights of prisoners and ex-prisoners; eradication of torture; and promotion of women's rights. A call for proposals for civil society organisations was organised in 2020 for actions that support persons with disabilities as well as promote and increase opportunities for young people. Seven projects were selected.

**5. Multilateral context:** The EU consistently encouraged Tajikistan to be open to UN human rights scrutiny, including by sending a standing invitation to all UN Special Procedures. The last visit by a UN Special Rapporteur took place in 2016. 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 will undergo its third Universal Periodic Review cycle in 2021.

## Turkmenistan

**1. Overview of the human rights and democracy situation:** In 2020, the worrying human rights situation in Turkmenistan was further exacerbated by the worsening living standards and the COVID-19 pandemic. Violations of fundamental rights and freedoms continued and the control of the population increased amid discontent of citizens affected by shortages of subsidised food and money, as well as the lack of reliable information about the epidemiological threat. Serious concerns remained regarding restrictions to freedom of expression, of association and peaceful assembly, freedom of religion or belief, freedom of movement, prevention of torture and ill-treatment and enforced disappearances in detention facilities. There is a lack of enabling space for human rights defenders, independent journalists, lawyers and NGOs. However, in 2020 amendments to the law on civil society organisations lowered the number of members needed to register an organisation from 400 to 50. In July, the Ombudsperson's office established in 2017 presented its yearly activity report. Concerns regarding the independence of the Ombudsperson's office and its ability to address cases of violations of political and human rights have not been addressed. The office sought advice on the accreditation procedure to the Global Alliance of National Human Rights Institutions.

Work on a new Human Rights Action Plan started. The inter-agency commission on the implementation of Turkmenistan's international obligations in the field of human rights continued meeting throughout the year. In September 2020, constitutional changes were approved which abolished a consultative body 'the People's Council' and turned it into an upper chamber of the Parliament. The leadership of the country presented this move as an attempt to strengthen the democratic representative function of the Parliament, in the otherwise strong presidential system. The Turkmen government signed a new National Action Plan on Gender Equality 2021-2025 and launched a survey on women health and family status. Concerns regarding the rights of women in the country remain. Religious activities are strictly controlled. There were new cases of prosecution of Jehovah's Witnesses for evading military service in 2020.

**2. EU action - key focus areas:** 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 call on Turkmenistan to: establish a National Preventive Mechanism for the monitoring of places of detention, facilitate access to prisons for independent international monitoring bodies, including the ICRC, invite the UN Special Rapporteur on Torture and the UN Working Group on Arbitrary Detention, and work closely with the UN Working Group on Enforced and Involuntary Disappearances. Foreign diplomats' visits to local penitentiaries could not be organised in 2020 but the authorities showed readiness to resume the visits as soon as the epidemiological situation allows. As a result of the EU's intervention, the fate of a number of people considered disappeared could be clarified.

Despite the absence of a European Instrument for Democracy and Human Rights (EIDHR) Country Based Support Scheme, the EU continued its support to Turkmen civil society

organisations, for example, by facilitating their participation in the online Central Asia Civil Society Forum, the 22nd EU-NGO Human Rights Forum and other events.

**3. EU bilateral political engagement:** The EU continued to discuss human rights and democracy related concerns with Turkmenistan in various formats. The authorities showed some openness for cooperation in this field. The EU voiced its concerns about a number of human rights-related individual cases.

In June 2020, the 12th EU-Turkmenistan Human Rights Dialogue took place online. The EU stressed that in emergency circumstances, states should only take restrictive measures prescribed by law, proportionate to the evaluated risk, limited in time, and non-discriminatory. 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 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 held consultations with civil society. At the onset of COVID-19 pandemic, the EU Special Representative for Human Rights supporting the initiative of the Office of the UN High Commissioner for Human Rights, called on Turkmenistan for clemency measures in favour of particularly vulnerable prisoners, including those in ill health, with underlying conditions, of advanced age and low-risk offenders. During the EU-Central Asia Ministerial in November, the HR/VP called on partners to ensure COVID-19 emergency measures did not limit freedom of expression and access to information online, including the work of journalists, and to promote civil society participation in public decision-making.

**4. EU financial engagement:** The EU included Turkmenistan in its COVID-19 response programme for Central Asia, implemented by the WHO. The EU continued to implement the project 'Support to Capacity Building of Public Administration', launched in 2016 with a budget of EUR 4.5 million. The project supports the Turkmen administration in implementing, *inter alia*, human rights laws and international conventions, in line with the National Human Rights Action Plan. The State Academy of Civil Servants and the Institute of State, Law and Democracy are among the beneficiaries of the project. Turkmenistan was included in the new phase of the EU-Central Asia Rule of Law Programme, which helps participating countries to reform the national legal systems, state institutions and the judiciary. The EIDHR supported the capacity building of civil society.

**5. Multilateral context:** Regular consultations continued with partners, notably the UNDP, UNICEF, UNFPI, UNRCCA, OSCE and the US, on providing assistance to Turkmenistan's state bodies. The EU continued to encourage Turkmenistan to seek advice of specialised international bodies, to study best practices and to involve civil society in the process of drafting or amending legislation and implementing the human rights instruments. Since 2009, UN Special Procedures have not visited the country. The EU insisted on several occasions that Turkmenistan issue standing invitations to all UN Special Procedures. Turkmenistan continued cooperation with the UN on the implementation of the Sustainable Development Goals and pursued cooperation with the International Labour Organisation. However, allegations of forced labour in the cotton industry continued. In July, a meeting between the Turkmen Foreign Minister and the OSCE High Commissioner for National Minorities was held online.

## Uzbekistan

**1. Overview of the human rights and democracy situation:** Uzbekistan continued to make progress in the protection of human rights. While the direction is positive, there is still much to be done. Uzbekistan adopted a Human Rights Strategy, although it fell short of expectations. There are still significant challenges to overcome to translate laws and decrees into reality on the ground. The criminal courts remain under the strong influence of the Prosecutor's Office and various law enforcement agencies. 2020 saw the release of a large number of prisoners, including the one remaining prisoner of EU concern, however many remain detained on charges of treason and extremism. Notwithstanding some positive developments, the UN Committee against Torture observed that 'torture and ill-treatment continue to be routinely committed' against persons in detention. Early indications are that the 2020 cotton harvest saw further improvements in the fight against child labour and forced labour. Some breaches of the labour law have been sanctioned.

For the first time in years, at least one international NGO was able to register. However, independent NGOs still find registration extremely difficult. The EU continued to receive reports of limitations imposed on freedom of religion or belief, as well as arbitrary prosecutions of individuals on charges of religious extremism. The Criminal Code was modified to remove prison sentences for libel in the press. At the same time, a penalty was introduced for disseminating false information online. Uzbekistan adopted a gender equality strategy while a rise in domestic violence during COVID-19 lockdowns was documented. Its provisions on the protection of the institution of marriage could encroach on the protection of the individual, to the detriment of women. Parliamentary and local elections were held in December 2019/January 2020. OSCE/ODIHR, while recognising some progress, highlighted the absence of genuine opposition candidates, as well as serious irregularities on the day of elections. The government continued to repatriate the families of foreign fighters from conflict zones. 50,000 stateless persons were granted citizenship in 2020.

**2. EU action - key focus areas:** The EU continued to focus activities on four main priority areas: respect for fundamental civil and political rights; the regulatory environment for civil society and prosecution on political grounds; the treatment of detainees and the prevention of torture whilst in custody; and issues related to the work of human rights defenders. During 2020, the EU praised reforms carried forward while calling on Uzbekistan to facilitate the registration of NGOs, and to address persistent torture and ill-treatment in the penitentiary system, gender equality and women's rights, and anti-discrimination. The EU called on Uzbekistan to take further commitments to eradicate torture, including through unhindered independent monitoring of detention facilities and rehabilitating former prisoners. The EU called on Uzbekistan to ensure an enabling environment, free from threats, for human rights defenders and civil society organisations.

The EU delegation, in cooperation with the US Embassy, marked Human Rights Day in 2020 with an event involving independent human right defenders/civil society activists, as well as the National Human Rights Centre, the Prosecutor-General's Office, the Ombudsperson's Office, and the Ministries of Justice and Home Affairs. The EU, together with like-minded countries (Switzerland, UK, US), pursued a regular dialogue with the Uzbek government and



the ILO/World Bank on the issue of child and forced labour. The EU was the main donor to the ILO's Third Party Monitoring of the 2020 cotton harvest.

**3. EU bilateral political engagement:** Despite travel restrictions, the EU has continued to engage politically with Uzbekistan at all levels during 2020. The 16th EU-Uzbekistan Human Rights Dialogue was held online in October 2020. In addition, contacts took place between HR/VP Borrell and Uzbek Foreign Minister Kamilov, and between the President of the European Council Michel and the Uzbek President Mirziyoyev. The EU Special Representative for Human Rights Gilmore also engaged with the Uzbek government. During the EU-Central Asia Ministerial in November, the HR/VP called on partners to ensure COVID-19 emergency measures did not limit freedom of expression and access to information online, including the work of journalists, and to promote civil society participation in public decision-making.

In June, Uzbekistan applied to join the EU's General System of Preferences Plus (GSP+), following consultations on Uzbekistan's performance in ratifying and implementing 27 international conventions, including in the field of human rights. If approved, GSP+ status will allow for improved access by Uzbekistan to the EU market while also providing for a rigorous and regular monitoring process to follow Uzbekistan's performance in implementing its international commitments.

**4. EU financial engagement:** The EU continued to provide financial support for projects funded through the Development Cooperation Instrument (DCI), the European Instrument for Democracy and Human Rights (EIDHR) and Civil Society Organisations/Local Actors (CSO/LA). Currently the EU's total contribution for ongoing projects in this area is EUR 3.12 million. The nine projects currently being financed aim to reinforce the capacity of civil society in the field of human rights, the promotion and protection of women's rights and the rights of the child, the protection and promotion of the social, economic and cultural rights of groups in vulnerable situations, and protect urban activists. One of the projects aims at empowering independent teachers' associations.

**5. Multilateral context:** Several UN treaty bodies published their concluding observations on Uzbekistan, namely the Human Rights Committee, the Committee on the Elimination of Racial Discrimination (CERD), and the Committee against Torture (CAT). Due to the COVID-19 pandemic, no UN Special Procedure could visit the country. The ILO continued to play an important role in the elimination of forced labour through the EU-co-funded Third Party Monitoring. In October 2020, Uzbekistan was elected as member of the UN Human Rights Council for the period 2021-2023, which provides strong avenues of cooperation between Uzbekistan, the EU, and EU Member States.

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

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

The EU actively participated and took the floor in all human dimension events – exceptionally held online due to the ongoing COVID-19 pandemic - including in the three

Supplementary Human Dimension Meetings, Human Dimension Committee meetings and the third Gender Equality Review Conference. The annual Human Dimension Implementation Meeting - cancelled on an exceptional basis due to the ongoing pandemic – was replaced by a series of webinars on human dimension topics, in which the EU also actively engaged.

In the OSCE Permanent Council, the EU pro-actively raised several issues dealing with human rights and fundamental freedoms, including marking World Press Freedom Day, the International Day against the Death Penalty, the International Day for the Elimination of Violence against Women, and Human Rights Day. The EU has been regularly raising the widespread electoral fraud and human rights violations in Belarus in the context of the 9 August presidential election and following up on the fact-finding mission's report established in the framework of the Moscow Mechanism invoked on 17 September by 17 participating States (including 12 EU Member States). The report's findings confirmed, in a very substantiated and detailed manner, that the 9 August elections were neither free nor fair, and that they were followed by numerous serious violations of human rights. The EU also raised individual human rights cases and developments, in particular from Russia and Turkey.

Given that negotiations were conducted entirely online, the overall outcome of the Tirana Ministerial Council on 3-4 December was rather substantial, including the adoption of the Decision on Torture Prevention, a long-standing EU priority in the human dimension. The Ministerial Council agreed also on the appointments of the top four positions of the organisation - OSCE Secretary General Helga Schmid (Germany), Representative on Freedom of the Media Maria Teresa Ribeiro (Portugal), High Commissioner on National Minorities Kairat Abdrakhmanov (Kazakhstan), and Director of the Office for Democratic Institutions and Human Rights Matteo Mecacci (Italy) - and on the Republic of North Macedonia as 2023 Chairmanship, giving the Organisation a secure leadership horizon.

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

The EU also continued to engage actively with civil society organisations, including through facilitating meetings of the EU Member States and like-minded delegations with the Civic Solidarity Platform and Human Rights Watch representatives.

As regards election observation, the EU and the OSCE share common goals, standards and a similar methodology. Their ongoing efforts to strengthen the methodology for observing the use of new technologies in the electoral process and to follow up on recommendations from election observation missions (EOM) are examples of cooperation to support democracy and promote human rights. In 2020, the EU continued to support the work carried out by the ODIHR to assist the OSCE participating states, for instance by funding projects to follow up on elections-related recommendations in the Western Balkans.

## Africa

## African Union (AU)

**1. Overview of the human rights and democracy situation:** The COVID-19 crisis has marked 2020 with shrinking democratic space and deterioration of the human rights situation, also in Africa. Several areas have suffered setbacks prompting AU actions.

**Elections:** A number of elections on the continent have been marked by violent incidents and attempts to curtail democratic processes. In an effort to support democratic processes and prevent COVID-19 restrictive measures from affecting civil and political rights, the AU has elaborated guidelines to hold elections during pandemics, which were later adopted by the AU PSC in January 2021. These guidelines leave it to Member States to decide whether and how to hold elections with appropriate sanitary precautions, recognising the contribution of elections to maintain peace, stability and development.

**Impunity and transitional justice:** Impunity has remained an area of concern for the AU, in a context of persisting armed conflicts and communal violence. In 2020, the AU PSC repeatedly stressed the importance of transitional justice in post-conflict reconstruction and development processes, acknowledging AU Member States positive steps. The African Commission on Human and People's Rights also adopted a resolution on 'the Need to Prepare a Study on the Use of Force by Law Enforcement Officials in Africa' at its 27th extraordinary session.

The nexus between conflicts, insecurity and human rights violations has been at the heart of the 'Silencing the Guns' initiative, framed as a way to prevent violent conflicts and promote human rights in Africa and extended for 10 years at the AU Extraordinary Summit on 6 December 2020.

**Rights of the child:** 2020 marked the 30th anniversary of the African Charter on the Rights and Welfare of the Child. The African Commission on Human and Peoples' Rights (ACHPR) Committee has developed guiding notes to AU Member States on the measures that should be taken to mitigate the negative impact of the pandemic on children and to ensure that all measures undertaken by States are child sensitive.

**Women's rights and gender equality:** Women most often bear the consequences of the virus in Africa. This has been an area of work of the ACHPR, as well as for other institutions. On a positive note, the Banjul Commission officially launched the General Comment No. 6 on Article 7 (d) of the Maputo Protocol. It aims to enhance the protection of the rights of women in cases of separation, divorce or annulment of marriage, and in particular, the right to an equitable sharing of the joint property deriving from the marriage in such circumstance. As of November 2020, the Maputo protocol had been ratified by 42 of the 55 Member States of the African Union. Accountability is still a main challenge, with few countries reporting progress to the AU organs. Nevertheless, the new African Women's Decade provides an opportunity to continue to push the agenda forward. At the February 2020 African Summit, African leaders declared 2020-2030 as the new Decade of Women's Financial and Economic Inclusion.

**Albinism:** Persons with albinism continue to be at risk in parts of Africa. They are exposed to multiple threats and attacks, including trade in organs, trafficking in persons and sale of

children, infanticide and abandonment of children, especially during periods of political tension such as elections. The EU has supported Pan-African, regional and national ad-hoc initiatives in line with the principles enshrined in the Regional Action Plan on Albinism in Africa 2017-2021, as endorsed by the African Commission on Human and Peoples' Rights. These initiatives have contributed to ensuring that persons with albinism have equal access to healthcare, social protection, education and employment, thus actively participating in all aspects of life and society.

Social agenda: The AU Social Agenda 2063 was adopted in February 2020 bringing all social agenda objectives under one implementation framework. Nevertheless, COVID-19 and the measures taken by governments to limit its consequences have had a severe impact on socioeconomic rights, also in Africa, affecting the most vulnerable populations. In its 449 Resolution, the ACHPR stressed that human rights are a central pillar in states' efforts to address and recover from the social, economic, and political impact of the COVID-19 pandemic.

**2. The state of African Human Rights Bodies:** The pandemic and its impact have accelerated the decrease in political and financial support to the AU Human Rights bodies; the African Commission on Human and Peoples Rights (the Banjul Commission), the African Children's Committee and the African Court on Human and People's Rights have seen their operational budget reduced.

African Court for Human and People's Rights: The Court is the judicial body of the African Union as regards human rights and its decisions are binding (with low real levels of implementation). Nevertheless, the Court has been weakened by States' actions in 2020. Following judgments issued by the Court, four governments - Benin, Côte d'Ivoire and Tanzania in 2020 and Rwanda in 2016 – withdrew the right of individuals and NGOs to directly file cases before the African Court on Human and Peoples' Rights.

Burkina Faso is the only country that has fully complied with the judgments of the African Court. Tanzania has complied partially while Côte d'Ivoire has submitted to the Court an implementation report. Benin, Kenya, Libya, and Rwanda, against which judgments have been issued, have not complied at all.

African Commission of Human and People's Rights: As of 30 June 2020, only six countries had submitted periodic reports to the African Commission of Human and Peoples' Rights, as required under the African Charter on Human and Peoples' Rights. Six countries - Comoros, Equatorial Guinea, Guinea Bissau, Sao Tome and Principe, Somalia and South Sudan, have never submitted a single report.

African Union Advisory Board on Corruption: The annual African anti-corruption dialogue was convened under the theme 'Fighting Corruption through Effective and Efficient Judicial Systems' on 2-4 November 2020. The dialogue focused on 'Enhancing Transparency and Accountability in responding to the COVID-19 pandemic'. The AU Advisory Board recalled its advocacy for a universal ratification of the African Union Convention on Preventing and Combatting Corruption. As of November 2020, 44 African Union Member States had ratified the African Union Convention. Member States have committed to implement domestic reforms to strengthen anti-corruption measures.

**3. EU action and financial engagement – key focus areas:** The new African Governance Architecture (AGA) support program (EUR 25 million) will aim at strengthening the capacity of AGA Platform members and promoting the effective coordination and cooperation among them<sup>12</sup>. It will also seek to strengthen their capacity in their work on the promotion and protection of human rights on the continent.

The project will provide direct support (EUR 11 million) to five AGA bodies (APRM, ACERWC, ACHPR, AfCHPR and PAP). It will also offer technical assistance, through Expertise France as a Member State Organisation. It will provide complementary and coordinated support to the five bodies mentioned above, in addition to the following ones (African Union Advisory Board on Corruption, AUC Department of Political Affairs, including the AGA Secretariat and the Democracy and Electoral Support Unit, ECOSOCC & CIDO in particular regarding the implementation of the EU Strategy for Engagement with Pan African Civil Society).

Part of the EU support aims directly at supporting civil society: promoting CSOs' participation and engagement with the AGA Platform, and supporting the implementation of the EU Strategy for Engagement with Pan African Civil Society.

**4. EU bilateral political engagement:** The 16th AU-EU human rights dialogue took place on 8 December 2020, co-chaired by the EUSR for Human Rights, Eamon Gilmore, and the AU Commissioner for Political Affairs, Minata Cessouma Samate. The dialogue was held virtually due to the COVID-19 pandemic.

The dialogue focused on: recent human rights developments in Africa and in Europe; a follow-up on transitional justice, death penalty and business and human rights; and the impact of the COVID-19 crisis on human rights and election observation.

In 2020, the steering committee representing AU-EU civil society was commemorating its 10th anniversary. Due to the pandemic, the traditional two-day civil society seminar preceding the dialogue was not held. Nevertheless, consultations with civil society continued and, prior to the dialogue, the EUSR held a virtual meeting with representatives of civil society.

**5. Multilateral context:** At multilateral level, concerns have been raised on how to protect the comprehensive nature of the gender agenda, notably on sexual reproductive health and rights (SRHR) and its sensitive rights-based dimension. In 2020, support to SRHR by African countries in international fora has not followed a pattern, threatening the acquis on gender issues in some cases.

The number of states voting for UN resolutions on halting executions worldwide continues to grow, with positive trends these last years on the African continent. The last resolution on the Moratorium on the use of the death penalty (A/RES/75/183) was adopted by the UNGA on 16 December 2020 (African countries: Yes: 28; No: 6; Abstention: 14; Non-voting: 6).

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<sup>12</sup> The programme will contribute to the achievement of Aspiration 3 and 6 of the African Union's Agenda 2063'.

## Angola

**1. Overview of the human rights and democracy situation:** At the national legislative level, some progress was achieved towards enabling an adequate human rights framework in Angola. The reforms of the justice sector and the public administration system have been key points in the government's programme. A National Human Rights Strategy (2019-2022) was adopted in April 2020. The strategy is comprehensive and elevates the respect of human rights to a matter of national security. The strategy comes with a plan of action and a specific framework for its implementation, based on local Human Rights Committees and with the participation of civil society organisations.

2020 fell short on democracy, with the COVID-19 pandemic, among other factors, frustrating the expectations of holding the first municipal elections. At the same time, President Lourenço remained open to dialogue with civil society, particularly with youth movements, and continued to advocate the decentralisation process as foreseen in the Constitution.

Angola's performance remains relatively weak according to a number of international indicators that measure democratic governance and human development, but it has improved, especially in terms of press freedom and corruption, since President Lourenço came to power. Despite such progress, the COVID-19 crisis resulted in episodes of excessive use of police force, as well as in challenges for groups in vulnerable situations further aggravated by the crisis.

**2. EU action - key focus areas:** The EU continued to support human rights and democracy in Angola in partnership with the government, intermediary institutions and civil society. Following the rights-based approach, the protection of human rights and the fight against inequality rest at the root of all EU actions in Angola. Key areas of cooperation in 2020 included efforts to mitigate negative effects of the pandemic on the respect and protection of basic human rights, protection of women and girls, guaranteeing economic rights of rural populations, supporting and providing protection to children and minors, promoting the rights of immigrants and rights to information. Freedom of expression and citizens' engagement in the democratic process were also covered.

**3. EU bilateral political engagement:** Political dialogue on human rights continued in 2020, in the framework of the EU-Angola Working Group, created under the EU-Angola Joint Way Forward partnership. The Working Group exchanged on different topics of mutual interest, in particular on the national human rights framework, the impact of COVID-19 on human rights and episodes of excessive use of police force.

The political dialogue in the framework of the Cotonou Agreement also continued. On 17 November, the annual EU-Angola Human Rights Dialogue was held, with participation by the EU Member States and the Minister of Justice and Human Rights.

**4. EU financial engagement:** In 2020, the programmes adopted within the bilateral envelope have social rights at their core. The thematic budget line dedicated to promoting and protecting human rights and democracy (EIDHR) complements the bilateral cooperation

envelope with specific targeted actions that aim at helping persons in vulnerable situations. Several projects are ongoing under the EIDHR thematic budget line.

**5. Multilateral context:** in 2020, significant progress was made in implementing the recommendations that resulted from the third cycle of the UN Universal Periodic Review (UPR) in November 2019. Angola ratified the Paris Agreement on climate change and formally announced intentions to adhere to the Extractive Industries Transparency Initiative. This was in line with the UPR recommendations to ensure transparency and the good governance of natural resources. Also worth noting is that Angola presented the Letter of Adhesion to the Protocol of the Court of Justice of the African Union and the Letter for Ratification of the Protocol to the African Union on the Statute of the African Court of Justice and Human Rights. Angola will remain a key partner for driving forward stabilisation of the Great Lakes, including human rights elements, in the framework of the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS) and the International Conference on the Great Lakes Region (ICGLR).

## Benin

**1. Overview of the human rights and democracy situation:** After having been for long time one of the most stable and most advanced countries in terms of human rights and democracy in the region, in the last couple of years Benin has shown more authoritarian signs in its political life. Already in 2019, only parties that were politically close to the presidential movement were able to take part in parliamentary elections. Subsequently, in 2020, local elections also lacked inclusiveness of several opposition movements, and the definitive adoption of the '*parrainage*' (sponsorship) system for presidential elections due in April 2021 risks blocking the participation of any candidate unwelcome to the presidential majority. Other reasons for concern are growing restrictions to the freedom of press and arrests of bloggers and internet activists. Despite the creation of a National Commission for Human Rights, the situation is far from acceptable standards, in particular as far as children and women's rights, civil and political rights, and good governance are concerned, while some progress can be registered in development, social and economic rights. The COVID-19 pandemic added further obstacles to improving the situation.

**2. EU action – key focus areas:** The actions of EU and Member States in Benin are focused on the following five strategic priorities: rights of the child, women's rights, economic and social rights, access to justice and fight against corruption and impunity for corruption crimes.

**3. EU bilateral political engagement:** In 2020, political relations between the EU and Benin were highly affected by the forced withdrawal of the former Head of Delegation in November 2019, after he was declared *persona non grata*. Despite that, development and economic cooperation continued to be excellent and the EU maintained close contacts with Beninese authorities, civil society and other stakeholders. In November 2020, a new Head of Delegation took duties and was quickly allowed to present her credentials to the President. The Beninese government thus showed the desire of turning the page and resuming



enhanced relations with the EU. A new session of the Article 8 Political Dialogue was scheduled for February 2021.

**4. EU financial engagement:** EU financial engagement in Benin, along the five priorities listed above, has been especially covered by the European Instrument for Democracy and Human Rights (EIDHR), which funds two projects to support the rights of the child, one for women's rights and one in support of good governance. In addition, another initiative to assist the National Commission on Human Rights on women is under elaboration and will be covered by the EIDHR. Two other projects to improve the conditions of women in the districts of Collines and Zou are financed by the CSOs instrument. The EU also funds a programme to support the fight against impunity and the strengthening of the rule of law.

**5. Multilateral context:** Growing authoritarian tendencies in Benin seem to reflect a progressive disengagement of the country from multilateral initiatives in support of human rights. In April 2020, Benin became the first country in West Africa to withdraw the right of individuals and NGOs to submit complaints to the African Court of Human Rights. In May, the Beninese Constitutional Court deemed that decisions taken by the ECOWAS Court of Justice regarding violations of human rights in a member state are unconstitutional.

## 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 guarantee respect for human rights in society. Human rights complaints are addressed by the courts, with government accepting decisions and implementing relevant rulings. Although the media scene in the country is relatively undeveloped, the World Press Freedom Index has noted a further positive trend with respect to the role of the media in society (as was also the case in 2019) and has improved Botswana's ranking from 44th to 39th place (out of 180 countries). The EU continues to follow closely three main human rights issues in Botswana: the application of the death penalty; the rights of LGBTI persons; and gender equality.

Botswana remains part of a small group of countries - in Africa and globally - which continue to retain the death penalty both in law and in practice. Three executions were recorded in 2020. The government indicated that a public debate on the application of the death penalty should be part of its ongoing work towards the development of a Comprehensive Human Rights Strategy and the related National Action Plan.

Further progress on the rights of LGBTI persons' seen in 2019, when the Botswana's High Court decriminalised same-sex consensual relations, is still pending, subject to a final court decision over a government appeal. Finally, gender-based violence and the need to advance gender equality and women's rights in society, remain another challenge for the country. In response to the high incidence of gender-based violence – which has intensified in many countries during the current COVID-19 pandemic – the President and the First Lady launched a public campaign to fight gender-based violence and to promote equality.

**2. EU action - key focus areas:** The EU continued to engage with the Botswana Government, multilateral organisations, non-governmental organisations and the broader society in



Botswana in three main areas: the death penalty, gender-based violence and empowerment of women, and rights of LGBTI persons, as well as on support of media and implementation of Universal Periodic Review recommendations.

**3. EU bilateral political engagement:** In addition to ad hoc consultations and human rights-oriented outreach efforts, the EU engaged with the Botswana Government on human rights formally in the context of the Article 8 Political Dialogue, which took place in February 2020. The dialogue offered an opportunity to exchange views on EU's and Botswana's experiences with respect to the three EU priority areas in Botswana (capital punishment, gender-based violence and rights of LGBTI persons) as well as other human rights challenges, while also exploring opportunities for EU-Botswana cooperation on human rights issues in the context of the EU-Africa partnership and at the multilateral level. In parallel to engagement with the government, the EU continued to maintain dialogue with representatives of civil society focusing on human rights, as well as with UN organisations and other partners of the country. The EU continues to be the driving force behind the Gender Dialogue (in principle co-chaired with UN Women and the Gender Affairs Department in the Ministry of Immigration, Nationality and Gender), which brings together various stakeholders to discuss gender issues and to chart a way forward regarding partnerships. The EU has also used public diplomacy efforts to stimulate broader dialogue in the country on human rights issues.

**4. EU financial engagement:** In 2020, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights, with activities focused primarily on helping Botswana tackle gender-based violence, strengthen the notion of gender equality in the country, and promote participation in political processes. With six projects already under way, the EU signed two new programmes, in the wake of the COVID-19 pandemic, to support victims of gender-based and domestic violence and defend the rights of marginalised people, with a combined budget of EUR 430,000. One of the projects is designed to offer care services to victims of gender-based violence, and to provide clinical services, counselling, shelter as well as a referral system for legal and social assistance. Another project offers legal, medical and psychosocial support to refugees, undocumented migrants and indigenous people.

**5. Multilateral context:** Botswana remains an important like-minded partner for the EU on the human rights agenda at multilateral level. The country's positive role on human rights in the multilateral context would be further strengthened by initiating a domestic process of reflection about the signature and ratification of several pending core human rights conventions and/or optional protocols (e.g. the Convention for the Protection of all Persons from Enforced Disappearances, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of Persons with Disabilities, the Optional Protocol of the Convention against Torture, etc.).

## Burkina Faso

**1. Overview of the human rights and democracy situation:** The situation in 2020 with regard to democracy and human rights in Burkina Faso remained mixed. Some progress has

been noted, such as the orderly and quite peaceful holding of presidential and legislative elections in November 2020 (partly including internally displaced persons and prisoners with civil rights); or the gradual strengthening of the National Human Rights Commission and the agreement in principle for the deployment of the Office of the UN High Commissioner for Human Rights (OHCHR), which should take place in 2021. Civil society remains active and contributes to democracy and the defence of human rights. There are sustained efforts against female genital mutilation (FGM), further action in favour of health conditions for women and children, progress on birth registration, and initiatives against radicalisation. However, the challenges remain considerable for each of the priorities identified in the EU strategy. In the area of security, concern remains regarding the behaviour of the Sankarist Democratic Front (FDS) and assimilated (notably the VDP - Volunteers for the Defence of the Homeland) in the fight against terrorism as well as the attitude of self-defence groups (kogweogos). These concerns appear in a frequent context of stigmatisation of certain communities, sometimes assimilated to allies of terrorists. Despite the relative success of the trial of the 'failed coup d'état of 2015', justice remains ineffective and efforts must be pursued to improve its functioning and make it fairer and accessible to all Burkinabè. Detention conditions remain very precarious and pre-trial detention (which often drags on) remains a problem. The effective protection of children is a necessity, as is the promotion and effective respect of women's rights. More actions against radicalisation and in favour of social cohesion should be implemented (the prevention, management and resolution of inter-community conflicts remains an emergency). Although Burkina Faso is considered a well-performing in terms of freedom of the press and information (38th in the *Reporters sans Frontières* 2020 ranking), the provisions adopted in June 2019 to control information on the security situation may limit the full exercise of these freedoms. In short, Burkina Faso experienced some progress and many challenges. The security and humanitarian situation, the socioeconomic situation, sociocultural burdens, the lack of resources and recently the socioeconomic consequences of the COVID-19 pandemic are not conducive to rapid progress.

**2. EU action – key focus areas:** The five EU priority sectors 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;
- Rights of the child, 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 last political dialogue session under Article 8 of the Cotonou Agreement took place on 16 June 2020, addressing issues such as security, the humanitarian crisis, human rights, and effects of the COVID-19 pandemic.

Member States and the EU are also focusing their efforts on specific aspects such as the follow-up of the Universal Periodic Review, the monitoring of the country's international human rights commitments and support for persons with disabilities. Member States' actions have been initiated in favour of an open government, human rights defenders, media/training of journalists and freedom of expression and of the press, and economic and

social rights such as education, water/sanitation, natural resources, environment and health. The EU and Member States have continued to stress the importance of transparency in relation to the state budget, including to ensure better support to Burkina Faso in key areas.

**4. EU financial engagements:** In 2020, the EU and its Member States continued to support the authorities and civil society in Burkina Faso in other key areas for democracy and human rights, in addition to the priority areas mentioned above.

In particular, the EU has focused on several key initiatives:

- General budget support for good governance (EDF) of EUR 135 million, including specific support to the National Assembly (EDF) of 2 million (with co-financing from Sweden (EUR 3.5 million) and Switzerland (EUR 950,000) and to institutions that have a role in the proper functioning of the rule of law in Burkina Faso, such as the Independent National Electoral Commission (CENI), the Court of Auditors, the civil registry, the High Authority for State Control and the Fight against Corruption;
- Support to 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 Prémètre [the Prémètre is funded by the EU (EUR 1.9 million), Switzerland (EUR 950,000) and Sweden (EUR 4.6 million)];
- The preparation of the coupled presidential/legislative elections of November 2020 and the local elections of May 2021, by allocating an amount of EUR 10.06 million from the European Development Fund and EUR 1 million from the CSO budget line for the co-financing of DIAKONIA's Electoral Process Support Programme for electoral awareness and observation as well as media monitoring;
- The projects receiving funding in 2020 under the European Instrument for Democracy and Human Rights (EIDHR) take into account the EU strategic priorities for 2016-2020. A call for proposals under the EIDHR for EUR 18 million has been launched at global level and Burkina Faso is among the eligible countries;
- The EU is also funding the regional project 'Bridging the Gap: inclusive policies and services for equal rights of persons with disabilities' implemented in five countries, Ethiopia, Sudan, Paraguay, Ecuador and Burkina Faso, where it is managed by the Italian Cooperation (2017-2021).

**5. Multilateral context:** The country continues to demonstrate its commitment to fundamental rights. However, the distance between theory and practice remains considerable. The question of respect for human rights in the current security and humanitarian context is particularly sensitive, as shown by the overall lack of protection of civilians. The difficult path to facilitate the strengthening of OHCHR's presence in Burkina Faso and the hesitations regarding the Human Rights G5 Joint Force compliance framework remain elements to monitor.

## Burundi

**1. Situation générale des droits de l'homme et la démocratie :** La fermeture du bureau Droits de l'Homme de l'ONU décidée par le gouvernement du Burundi et effective depuis le 1er mars 2019 a compliqué davantage le suivi et la vérification de la situation des droits

humains dans le pays. A la différence des rapports annuels précédents, la délégation de l'UE n'est pas en mesure de présenter pour 2020 des données tout à fait vérifiables ou consolidées.

Depuis les élections relativement paisibles en mai 2020 et du transfert pacifique du pouvoir, le Burundi s'est montré un peu plus ouvert à un engagement constructif avec la communauté internationale, y inclut l'UE. Même si la situation des droits humains au Burundi demeure une source d'inquiétude, les gestes, comme la libération de quatre journalistes d'IWACU, ont montré que le Burundi a amplifié son ouverture envers l'extérieur, avec plusieurs succès tels que: le retrait du Burundi de l'agenda du Conseil de sécurité des Nations Unies, la reprise de la coopération financière avec l'Organisation Internationale de la Francophonie et le dégel des relations avec le Rwanda. Le retour des réfugiés des pays limitrophes, quand il est volontaire, est un autre point positif.

**2. Action de l'UE – domaines prioritaires :** 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'Union Africaine 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 des personnes en situations vulnérables, la liberté des médias et les mécanismes des droits de l'homme multilatéraux. L'UE intervient ponctuellement par l'intermédiaire du Fonds d'urgence de l'Instrument Européen de Démocratie et des Droits de l'Homme (IEDDH) pour contribuer à la protection de défenseurs des droits de l'homme et de journalistes menacés par les autorités. Dans une perspective de long terme et au vu du 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. Engagement politique bilatéral de l'UE:** Depuis la crise politique de 2015 qui a déclenché la mise en œuvre de 'mesures appropriées' au titre de l'article 96 de l'accord de Cotonou (décision (UE) 2016/394 du Conseil du 14 mars 2016), l'UE s'est efforcée de maintenir les canaux ouverts, dans l'attente de la possibilité de mener un dialogue avec le gouvernement burundais afin de soutenir le processus de retour au respect des éléments essentiels de l'Accord de Cotonou. La décision (UE) 2016/394 inclut des 'engagements attendus' qui font directement référence au respect des droits humains, aux principes démocratiques et à l'Etat de droit. En 2020, les efforts de l'UE pour relancer le dialogue sur ces engagements ont avancé (la première séance du dialogue politique entre le Burundi et l'UE s'est tenue en 2021). Nonobstant et en attendant confirmation de ces tendances positives, les mesures appropriées, y compris la suspension du soutien financier direct aux autorités et aux institutions du Burundi, restent d'actualité.

L'UE, partenaire de premier plan du Burundi depuis plus de 40 ans, 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 d'une presse et d'associations libres.

**4. Engagement opérationnel et financier de l'UE:** Pour l'année 2020, les actions financées par l'Union européenne ont eu comme priorités l'accompagnement du processus électoral et le soutien à la liberté d'expression (notamment la liberté de la presse), la lutte contre les violences basées sur le genre et la défense et promotion des droits des groupes vulnérables (y compris les enfants et les adolescentes). En 2020 l'UE a engagé de nouveaux financements au titre de l'IEDDH. L'irruption de la pandémie de la COVID-19 a renforcé encore plus la vulnérabilité des femmes et enfants ainsi que celle d'autres groupes vulnérables comme les détenus. A titre d'exemples, l'UE a contractualisé le projet 'Lutte contre les violences faites envers les femmes et les enfants, promotion de leurs droits et protection de la population en milieu carcéral dans le cadre de la crise COVID-19', mis en œuvre par Terre des Hommes et l'Association of Volunteers in International Service (AVSI).

Dans le domaine l'accès au droit et à la justice, l'UE a contractualisé un nouveau programme qui vise à appuyer la société civile burundaise dans la lutte contre la torture et les mauvais traitements qui comptent parmi les violations les plus révoltantes des droits de l'homme et de l'intégrité et de la dignité humaines.

En vue des élections de mai, trois projets en appui au renforcement de la culture démocratique et de l'État de droit au Burundi ont démarrés en 2020 et sont actuellement encore en cours sur le terrain:

- Projet 'Participation citoyenne dans les processus démocratiques', mis en œuvre par deux partenaires, Interpeace et Impunity Watch (IW).
- Projet 'Appui à la participation de la société civile à la vie publique au Burundi', mis en œuvre par l'Electoral Institute for Sustainable Democracy in Africa (EISA).
- Projet 'Renforcement de la culture démocratique des acteurs politiques au Burundi', mis en œuvre par le Netherlands Institute for Multiparty Democracy (NIMD) en partenariat avec le Burundi Leadership Training Program (BLTP).

Dans le but de soutenir la liberté d'expression et d'information, un projet d'appui aux médias a été aussi contractualisé à la fin de l'année 2020 avec Stichting Radio La Benevolencija, comme chef de file, et Fondation Hirondelle, comme codemandeur. L'initiative vise à renforcer les capacités des médias afin qu'ils puissent jouer leur rôle dans la création d'un environnement libre, pluraliste et indépendant avec une attention particulière à la liberté d'accès à l'information, ainsi qu'à la liberté d'expression.

Parmi les projets qui sont encore en cours, trois concernent la protection des enfants vulnérables, avec un accent sur le renforcement du système de protection communautaire de l'enfant et de prise en charge des victimes de violences basées sur le genre ainsi que la coordination des acteurs de protection. Un projet transfrontalier de 30 mois soutenant les personnes vivant avec handicap en Tanzanie et au Burundi a également été mis en œuvre en 2020 avec International Red Cross.

**5. Contexte multilatéral:** Tant 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 résolution pacifique de conflits politiques. 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 2020 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 since 1991, and a strong legal framework that recognizes and protects human rights and fundamental freedoms. However, the COVID-19 crisis had a strong negative impact on tourism and prompted a significant deterioration of the socioeconomic situation, which could decrease the effective respect for human rights.

The judiciary continued to emerge as the one constitutional branch that is in clear need of reform, as well as strengthening of capacities. It is overburdened by a large caseload and is notoriously slow. In the case against the Spanish-owned airline Binter CV and one of its non-Cabo Verdean pilots, the court handed a one year suspended prison sentence to which one of the pilots introduced an appeal in November 2019, but to date no further follow-up has taken place.

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. The conditions in the prison in Sal have recently improved. It has now access to water and electricity and is less overcrowded. During the COVID-19 lockdown in Cabo Verde, persons in detention in the main prisons filed complaints to the National Commission on Human Rights and Citizenship (CNDHC) to anticipate their liberation.

The country joined the international Human Rights Coalition in 2018. LGBTI persons may still encounter prejudice and discrimination, but specific violence against them is rare. In October 2020, a homosexual young man was a victim of violent aggression in São Vicente Island, which was made public on the social networks through the LGBTI support groups. Homophobic crimes are still not covered by the law.

The EU has therefore focused its attention and cooperation activities in Cabo Verde on these areas. In particular, the rights of immigrants from Western Africa deserve special attention since currently there are no guarantees in place, as witnessed during the COVID-19 crisis in relation to which no socioeconomic protection was extended to migrants who were contributing to the national economy.

There are concerns about prostitution, child prostitution and related human rights problems, often related to touristic activities, and, in 2020, resulting from the COVID-19 crisis and higher unemployment levels. The CNDHC and the Cabo Verdean Institute for Gender Equality (ICIEG) have reconfirmed that no statistics or research studies about male or female prostitution in the country are available. In its 2010-2019 human rights report, the CNDHC mentioned relevant Criminal Code amendments regarding physical and psychological violence. The majority of criminal penalties concerning sexual crimes were increased. Forced prostitution and child prostitution were criminalised.

The CNDHC also raised concerns regarding labour rights (violation of the right to holidays, excessive work hours, violation of the week rest right, non-compliance with minimum wage, violation of hygiene rules). In 2020, the CNDHC mentioned several concerns related to the COVID-19 crisis. The CNDHC created a new free line for human rights complaints given the significant increase in demand during the lockdown. In terms of labour rights, there were many complaints due to non-compliance of companies with workers' social rights.

As for economic and social rights, national unemployment fell from 12.2% to 10.7% in 2019, as well as youth unemployment. However, in 2020 the COVID-19 crisis inverted all these numbers again, due to a serious decline in tourism revenues and international investments.

As regards reporting obligations, the national and local administrations often face challenges related to limited capacities. The country respects the international human rights conventions and has made improvements in reporting between 2018 and 2019 under the new mandate of the CNDHC assisted by several EU projects.

**2. EU action and bilateral political engagement:** In 2020, 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 persons with disabilities, as priorities outlined in the EU Human Rights and Democratic Country Strategy and the Gender Action Plan (GAP) for Cabo Verde for 2016-2020. The Gender Analysis was a joint exercise led by the EU delegation and EU Member States in consultation with national partners and has resulted in elaborating this Gender Action Plan for Cabo Verde with common objectives that were met in 2020.

Five NSA/LA contracts signed in December 2019 were implemented in 2020, covering human rights of arrested juveniles, children with disabilities, gender-based violence and sexual tourism.

**3. EU financial engagement:** Team Europe contributed to the COVID-19 response in Cabo Verde by financing and supporting global health initiatives. The EU has contributed with EUR 114 million to the World Health Organization for the global response to the pandemic. Cabo Verde is covered.

Team Europe is the largest partner of the Global Health Fund. Over the next three years, Cabo Verde will benefit from EUR 4,331,003 financial assistance, which constitutes around 50% of funding from the European Commission and Member States for the purchase of medical equipment and health resources, as well as for assistance for medical treatment and epidemiological surveillance, the fight to eliminate malaria, tuberculosis and HIV.

As an immediate response to the COVID-19 crisis, the EU disbursed in 2020 a first tranche of budget support amounting to EUR 5 million to finance national measures to support the persons in the most vulnerable situations. A second EU disbursement of EUR 12 million for measures to stabilise the economy was made in July 2020. Portugal disbursed EUR 500,000, and Luxembourg - EUR 2 million.

**4. 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:** The 2020 human rights and democracy situation in Cameroon has continued to raise serious concerns. In the regions affected by the Anglophone separatist crisis (North-West and South-West) and by terrorism (Far North), numerous human rights abuses were reported. They were committed by 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. Three elections were held in 2020: parliamentary and municipal elections in February and regional elections in December. The ongoing violence and a boycott by the main opposition parties heavily reduced participation in all three elections, particularly in the North-West and South-West regions and in big cities like Yaoundé, Douala and Bafoussam. The right to a fair trial was not respected in 2020, especially in cases related to separatist and political crises. Hundreds of members of the opposition party CRM were arrested in September in connection with political protests, and more than a hundred of them are still awaiting trial before ordinary and military courts, in disregard of many existing procedural and international laws and regulations.

Freedom of the press and media freedom is generally respected. Some print and electronic media are of good quality, including those openly critical to the government. However, certain yellow press media lacking professional and ethical standards are often manipulated and paid for by politicians and businessmen. Social media also raise concern, as they sometimes contribute to generating political tension by disseminating disinformation and hate speech.

In the context of the separatist crisis and counter-terrorism operations, the rights to life and physical integrity have 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, including the torture and killing of journalist Samuel Wazizi by the security forces. There were also reports of destruction and burning of houses and villages, forced disappearances, arbitrary arrests and detention, and kidnapping for ransom, as well as harassment or life threats against human rights defenders. In Ngarbuh village (NW), the State military forces are accused of killing 35 civilians, and in Kumba (SW), separatist groups are suspected of killing seven schoolchildren and injuring several others. As a positive signal, a military tribunal sentenced four soldiers to 10 years in prison and another to two years for the brutal extrajudicial killing of two women and two children in the Far North in 2015.

The ongoing separatist crisis in the Anglophone regions has affected vulnerable groups, causing the displacement of 711,000 people. Women and children are the first victims of this conflict. Many of them have been raped, killed, deprived of their rights to education, health and 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.



**2. EU action: key focus areas:** EU's priorities in 2020 were: the consolidation of democracy and the electoral context; the rights of persons in vulnerable situations, such as women, children, ethnic minorities, and LGBTI persons; the fight against the death penalty and the improvement of the justice system; increasing access to basic social services; and enhancing social and environmental responsibility of businesses.

**3. EU bilateral political engagement:** Despite the reduced format of the political dialogue with the Cameroonian authorities due to the COVID-19 crisis, bilateral contacts with government officials nevertheless covered a wide range of human rights issues including: the need to respect freedoms of expression, association and assembly; the opening up of political space; and the importance of due judicial processes and the rights of persons in detention.

Regarding democracy and elections, the EU maintained regular contacts 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 put in place a national observatory of 300 civil society organisations for the respect of civil freedoms.

Regarding the 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, condemning violence and calling for the respect of human rights.

The EU and Member states continued carry out demarches for the abolition of death penalty (not applied since 1997) and to monitor trials of journalists and human rights defenders, as well as to cooperate with civil society and authorities to improve detention conditions and judicial procedures.

The creation of the European Business Organisation in 2020 made it possible to work with the private sector on the issue of enhancing social and environmental responsibility of businesses.

**4. EU financial engagement:** The EU has provided support to civil society linked to civil registry at the local level (under PROCIVIS programme), and in conflict prevention to promote a culture of tolerance and prevent radicalisation among young people in vulnerable situations (IcSP support to an UN-implemented project in the Far North). Projects selected in the framework of the European Instrument for Democracy and Human Rights (EIDHR) included one on the promotion of intercultural dialogue as a means to reducing inter-ethnic conflicts in the NW region, and another on the protection of vulnerable populations living in conflict-affected areas in the NW and SW regions. The EU and Member States supported projects on access to basic social services in the Far North (France, Italy), on the rights of LGBTI persons (France), on human rights defenders (France, Belgium), as well as on women's rights and the rights of the child (Germany, Italy, Spain, France).

In addition, the EU's 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 and local participation (France, Italy), on protecting and promoting the human rights of civilians in the armed conflict

(Germany), and on improving private sector commitments to responsible business conduct (Italy).

**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. 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 Universal Periodic Review. Cameroon has not signed the African Union Charter on democracy, governance and elections. The country 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 43rd, 44th and 45th sessions, condemning violence against civilians by both parties in the Anglophone crisis, as well as calling for a dialogue and impartial investigations into alleged human rights violations and abuses.

## 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 2020, despite the Political Agreement for Peace and Reconciliation (APPR) signed on 6 February 2019. The Agreement makes the respect for human rights a condition to end the crisis. It foresees several monitoring bodies at central and local levels and sanctions in case of violations of the Agreement. However, despite sanctions adopted by the UN Security Council in August 2020 against a leader of one of the armed groups, they 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. More than one year after the signature of the APPR, some aspects of the peace agreement have not been implemented and need to be relaunched by the authorities and the guarantors of the Agreement. The perpetrators of violations continue to enjoy almost total impunity. In 2020, armed groups continued to recruit and use child soldiers. Despite some disarmament of ex-combatants in some parts of the country, in particular in the Western part, persisting violence continues to displace civilians. Some refugees voluntarily return to their country, but numbers remain limited due to the lack of security. At the end of 2020, more than half of the population in CAR (2.6 million out a total of 4.9 million) is in need of humanitarian assistance.

With the presidential and legislative elections of 27 December 2020, the situation in CAR has become even more fragile and tense with growing political tensions in the pre-electoral context. The country remains deeply divided and the use of verbal violence and hate speech is increasing. The end of the year was marked by numerous violent attacks (by a new

coalition of armed groups - Coalition of Patriots for Change, linked to former President Bozizé) with the aim of destabilising the elections.

The wider public demands justice, in particular 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 2020, one trial is ongoing in the International Criminal Court and two arrest warrants have been issued. A Special Criminal Court (SCC, est. in 2015) became operational in October 2018. Since then, it registered 146 complaints submitted by individuals and 12 cases are currently under analysis by the Special Prosecutor's Office, at the level of the Public Prosecutor's Office. The Court is still facing problems regarding the protection of, and assistance for witnesses and victims, and the lack of legal aid. In February 2020, the National Assembly adopted in an extraordinary session the law establishing a Commission on Justice, Truth and Reconciliation. CAR prisons are prone to human rights violations, which adds to high rates of arbitrary arrests 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 has not yet been promulgated. 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 has regularly raised gender equality issues with the government. A specific EU project addresses gender-based and sexual violence, in particular for women prisoners (project implemented by civil society). On the issue of combating gender violence, a new project was signed in 2020 that targets women accused of witchcraft, also implemented by CSOs. Moreover, EU sectoral budget support for the Internal Security Forces brings up gender-based violence. The EU engages with women organisations in its regular outreach. As part of a project under the European Instrument for Democracy and Human Rights (EIDHR), a network of sexual exploitation of women prisoners by officials working at Bimbo prison has been reported. The EU intervened to encourage authorities to take the necessary measures. The project EU Democracy under the 11th European Development Fund and implemented by ENABEL was focused in 2020 on the participation of women in the electoral process. In the context of growing disinformation/ hate speech, in July 2020, the EU launched through its Instrument Contributing to Stability and Peace (IcSP) a project against hate speech and fake news,

implemented by Fondation Hirondelle. A project against disinformation during COVID-19 pandemic was also set up in April 2020.

**3. EU bilateral political engagement:** In order to keep justice in the public debate, the EU delegation organised a 'Women Peace and Security' event on 6 March including a debate between Central African women and authorities on EU-CAR cooperation in the field of security-justice, and 'a Month of justice', beginning on 17 June. The EU documented its commitment to justice through several projects and activities ended on the Day of International Criminal Justice on 17 July. The justice sector policy in CAR was officially launched in May 2020 and the EU is part of its institutional arrangements for coordination and implementation with government institutions and partners such as MINUSCA and UNDP. For the Special Criminal Court (SCC), 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 a governance programme, with a focus on female participation. Government policy vis-à-vis civil society and political opposition is inconsistent. The EU encouraged the government to associate youth and civil society to promote peace in the country. The EU supports civil society organisations with specific activities to enhance their role. In the reporting year, the EU engaged in a dialogue with public and private media, to counter disinformation and hate speech and supported the actions of the *Haut conseil de la communication*. Moreover, the EU supported the Association of Central African Bloggers. The EU provided temporary care, integration kits, psychosocial support and integration into school for hundreds of released child soldiers. Older children benefited 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 initial EUR 2 million in 2018 and additional EUR 2.5 million in 2020. The 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 justice sector budget support programme of EUR 14.5 million, allowing a disbursement of EUR 7.5 million in 2020.

Under the EIDHR, the EU works with Avocats Sans Frontières - ASF Belgique to improve access to justice and protection of human rights in the CAR, with particular focus on women victims of human rights violations and women in detention (legal aid). Ongoing actions amount to EUR 2.3 million for the period 2018-2020.

**5. Multilateral context:** Public policy deficiencies – linked to governance and state revenue issues – include the lack of protection of groups in vulnerable situations, especially women, children and persons with disabilities. Ratifications of the International Convention on the Elimination of Violence against Women and 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 EU remains concerned about the overall situation of human rights and democracy in Comoros. Persistent violations reported in the country include restrictions on freedom of expression and the press, freedom of assembly and freedom of movement, as well as reports of trafficking in human beings, arbitrary arrests and lengthy pre-trial detention. The EU raised its concerns at the UN Human Rights Council during 2020.

In 2020, the COVID-19 pandemic exacerbated the situation in the country. Security forces charged with ensuring respect for COVID-19 related restrictions have often overreacted, especially on the island of Anjouan. Political tensions have increased in a perceived climate of autocratic tendencies. The opposition boycotted parliamentary and local elections in January 2020, considering them neither free nor credible, transparent and inclusive, an assessment shared by many observers. Social networks were monitored, and authors of articles considered offensive were tracked down. Regular harassment of journalists has led to self-censorship. The opposition and some media outlets alleged that several dozen political prisoners were held in humiliating conditions in 2020. Among other persons, former President Sambu has been under house arrest without trial since 2018, despite his deteriorating health. Weaknesses of the judicial system, significant irregularities in electoral processes, discrimination and violence against women, and insufficient protection of children (abuse, forced labour, trafficking in persons) are also among the areas of concern.

**2. EU action - key focus areas:** In a generally difficult political context in 2020, the EU focused on cases of detention without trial. The EU raised this issue on several occasions, including the case of former President Sambu. This action, as well as EU's support to the healthcare system in the context of the COVID-19 pandemic, contributed to the aim of protecting individuals.

**3. EU bilateral political engagement:** Due to logistical difficulties in the context of the COVID-19 pandemic, no Article 8 Political Dialogue meeting took place in 2020. However, the EU delegation used social networks to raise awareness about the importance that the EU attaches to human rights on various occasions, such as on the International Day Against Homophobia, Transphobia and Biphobia and on the World Day Against the Death Penalty. Furthermore, cases of detention without trial were raised on several occasions.

**4. EU financial engagement:** A foreseen EU project supporting justice in Comoros could not go ahead, as important pre-conditions on the Comorian side were not met. However, a capacity-building program based on initial orientations of the EU justice program was set up by the French Embassy and implemented with Justice Cooperation International (worth EUR 1 million) in 2020. Its aim was to carry out an organisational analysis of the Comorian judiciary, and to design and implement a program to support capacity building for professionals and/or non-governmental organisations in the field of justice. Through the European Instrument for Democracy and Human Rights, the EU supported the implementation of the national roadmap for combating violence against women and minors 2017-2020 as well as a project aiming at the creation of a helpline for abused children and women (EUR 500,000). Furthermore, the EU supported a project strengthening the capacity of civil society to observe elections (EUR 300,000). Comorian civil society has been

supported via two facilities: Media4Democracy and Supporting Democracy. Under the latter, Comorian national observers were trained. In the area of basic healthcare, the EU supported Comoros (EUR 500,000) in the fight against the COVID-19 pandemic via the French Red Cross.

**5. Multilateral context:** The EU regularly raises human rights issues concerning Comoros at the UN Human Rights Council, most recently in September 2020. On that occasion, the EU expressed its concern about the human rights situation in Comoros, noting repeated reports of individuals deprived of their liberty, solely based on their political views or public activism. The EU also highlighted the continued house arrest of a former Head of State, examples of prolonged judicial supervision and reports on intimidation of journalists.

## Republic of Congo

**1. Overview of the human rights and democracy situation:** The gap between formal protection of fundamental freedoms and human rights and the concrete translation of the legislation into practice has been widening. An effective functioning system of democratic checks and balances is not in place in the country and the freedom space left to NGOs, primarily active in the field of human rights and democracy, has been shrinking. Lack of political and economic transparency and accountability prevents political and economic inclusiveness.

The government's restrictive measures in the context of the fight against the COVID-19 pandemic have objectively narrowed the political space, in particular with respect to the freedoms of expression and assembly, participatory governance as well as public movement and action of the political forces and civil society. Various NGOs have criticised on many occasions the restrictive measures in the context of the state of sanitary emergency, in particular home confinement and the curfew and their impact on the fundamental liberties, economic and social rights of the most vulnerable social strata. The sanitary crisis has exacerbated important flows regarding the functioning of the judiciary, very poor conditions in overcrowded prisons and the arbitrary behaviour by and lack of professionalism of the law enforcement bodies. Frequent use of torture and extrajudicial killings suggest a clear regression in terms of human rights, in the run-up to the presidential election of March 2021.

**2. EU action - key focus areas:** In 2020, the EU in Congo engaged actively with relevant authorities and CSOs while implementation in parallel projects supporting the key actors in the field of human rights. Taking into account the major deficiencies observed in terms of respect of human rights, together with the repercussions of the sanitary crisis and ahead of the presidential election of March 2021, the EU political and cooperation action has focused on restrictions of the freedom of expression, press and assembling, arbitrary and unjustified measures by the judiciary and the law enforcement bodies, the protection of girls and women from gender-based violence and the promotion of the rights of indigenous peoples.

**3. EU bilateral political engagement:** Informal political dialogue was maintained throughout 2020 between the EU and the Ministry of Justice and the Promotion of the Rights of the Indigenous Peoples. Constructive meetings between the two parties, including at high-level,

allowed working out solutions about human rights issues linked to arbitrary detentions, protection of indigenous people and other human rights concerns resulting from dis-functioning justice mechanisms and law enforcement bodies during the pandemic. The EU maintained its dialogue with CSOs to share views and discuss key human rights concerns. In a COVID-19 health context, two online campaigns, intended to promote women's rights and human rights in all their diversity through the projects implemented by NGOs and supported by the EU, were implemented in 2020. Particular focus has been placed on young people with a competition, involving students on subjects relating to human rights in the form of oratory games. The adoption of the EU Action Plan on Human Rights and Democracy 2020-2024 was also the subject of an awareness-raising activity with civil society. The 'Generation Equality' campaign was transversal to all activities which take place in partnership with the French Cultural Institute, French Embassy, Congolese authorities, universities and media.

**4. EU Financial engagement:** After three years of successful implementation, the project 'Acting together to defend the rights of minorities and vulnerable groups', funded by the European Instrument for Democracy and Human Rights (EIDHR), completed its activities in 2020. Two EIDHR projects started in 2018 with a combined budget of EUR 715.000: '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 'Project to monitor and evaluate public debt in the Republic of Congo'. The projects continued their activities throughout 2020. Two new EIDHR-supported projects started their activities in 2020: the project PACTE (EUR 341.000) to combat torture and arbitrary detention and, with regard to the protection of groups in vulnerable situations, the project 'Strengthening capacities for the promotion and protection of the rights of the indigenous peoples of the Bouenza region' (EUR 334.657). Five new projects were signed in 2020 following EIDHR calls for proposals: a project aiming at providing support for the procedure of consultation and participation of indigenous populations and local communities within the framework of creating the Messok Dja protected area (EUR 211.850); a project titled 'Tobatela bana: Promoting the rights and protecting vulnerable children in the Republic of Congo' (EUR 500.000); 'Kutelema na kuniokuama ya ba kento - Fighting against mistreatment of women' (EUR 413.923); 'Protecting women and girls against gender-based violence' (EUR 473.201); and 'Strengthening indigenous peoples in the Enyéllé district' (EUR 500.000).

**5. Multilateral context:** The ratification – still to be completed – of the Optional Protocol to the Convention against Torture would pave the way to a more regular external monitoring of the situation in a field that has raised concerns. 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. The Republic of Congo has voted in favour of the resolution supported by the EU and eventually adopted by the 75th UN General Assembly, regarding a moratorium on the application of the death penalty. A mid-term report in the context of the Universal Periodic Review is expected in 2021.

## Chad

**1. Overview of the human rights and democracy situation:** In 2020, 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, meaning that the parliament's legitimacy (and that of its decisions) has been a source of controversy. Concrete and important steps were taken in preparation of the presidential and legislative elections that are now scheduled to take place in 2021. These steps include the fixing of the dates, the registration of voters and issuing of voting cards, and the appointment of a new electoral commission. The quality of some of these steps has been criticised (e.g. voter registration in some regions seems to have not been entirely successful). Space for political contestation has been limited, according to the authorities largely due to measures linked to preventing the spread of the COVID-19 pandemic. *Les Transformateurs*, a popular movement in Ndjamena, some opposition parties and CSOs have questioned the openness of political space. The constitution was modified in 2020. This was in part done through a 'national inclusive forum' (parts of the political opposition and civil society did not participate in the process) and formally adopted by the parliament and the presidency.

Social and economic rights (notably healthcare and education) remained limited, as illustrated by the 2020 World Bank human capital index ranking Chad 173th out of 174 countries. Concerning fundamental rights and freedom of expression, several limitations were set in 2020. 12 press organisations were suspended from publishing due to non-compliance with regulations. The authorities have used suspension of internet access and/or social media access (via telecoms operators). A political party was suspended for posing a risk to state security after criticising the head of state. Political party demonstrations and mass meetings have been forbidden formally due to COVID-19 restrictions. To enforce these restrictions, some political parties and CSOs have experienced security forces surrounding their offices.

Insecurity was widespread in Chad. Boko Haram attacked military and civilian targets 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. The response of the armed forces is an issue of particular concern. In one case, 44 prisoners of a military action against Boko Haram died in custody of the Chadian authorities.

**2. EU action - key focus areas:** The main areas of EU action, as agreed with Chad, targeted improving the broad human rights situation (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 on security sector reform.

The EU engaged actively with civil society, including with human rights defenders. The EU focused on the protection of groups in vulnerable situations, gender equality and various projects fostering women's rights. In 2020, the EU monitored the electoral process, including potential funding contribution to the legislative elections to the UNDP basket fund. Notably, the dialogue with the authorities and other stakeholders focused on further inclusivity, transparency and credibility of the electoral process.

**3. EU bilateral political engagement:** Human rights were discussed during the EU-Chad Political Dialogue, although no Article 8 Political Dialogue took place in 2020. The establishment of a clear electoral calendar and process is a positive sign. The EU is closely



following these developments. The constitutional changes maintained the National Human Rights Commission. The EU continues its efforts to guarantee the respect of human rights by the Chadian forces engaged in the framework of G5.

The EU also specifically engaged with the Minister of Justice regarding the above-mentioned case of 44 prisoners who died while in the army's custody.

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

**4. EU financial engagement:** Projects under the European Development Fund (EDF), the European Instrument for Democracy and Human Rights (EIDHR), and 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 of security forces. However, some EU projects faced delays in 2020 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 included provisions 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). Discussions on this matter are progressing slowly.

**5. Multilateral context:** Chad's Universal Periodic Review (UPR) of November 2018 led to 204 recommendations. The government supported 195 of them during the 40th session of the Human Rights Council in March 2019, showing greater commitment than in the previous UPR cycle. Chad ended the death penalty for terrorism-related offences in 2020, thereby ending in principle the use of the death penalty.

## Côte d'Ivoire

**1. Overview of the human rights and democracy situation:** The human rights situation deteriorated in 2020 in the context of tensions around the presidential election of 31 October, which worsened institutional, political and community structural fragilities and was characterised by a lack of consensus. The debate over the constitutionality of Alassane Ouattara's candidacy for a third term has crystallised tensions. Electoral violence left at least 87 people dead and nearly 500 injured between August and November, according to official data. The year was marked by a restriction of civil liberties and an increase in allegations of political manipulation of justice, arbitrary detentions and irregularities in judicial procedures. There is an overall discrepancy between the law and the constitution, which guarantee most civil and political rights, and practice. Freedom of expression, association, assembly and peaceful demonstration, guaranteed by the Constitution, were challenged in 2020. Between 19 August and 1 December, despite the electoral period and invoking COVID-19, the government issued seven inter-ministerial orders prohibiting marches and other demonstrations (the legal bases of which have been challenged). The opposition's call to keep the electoral process from taking place led to attacks against electoral institutions and deadly fights between militants based on political and ethnical divides.

The judicial system is in place and most aspects are functioning. However, access to justice continues to be limited for the majority of Ivorians, who have a very low level of confidence in an otherwise under-resourced judiciary (0.83% of the state budget in 2020). Several political and civil society leaders were put or maintained in jail expecting judgement, including two pro-Soro (opposition) MPs detained since December 2019. In March 2020, six journalists were sentenced to heavy fines for ‘spreading false news’ or ‘*flagrant délict de diffamation*’. Respect for social, economic and cultural rights is not fully effective despite slight progress. The Human Development Index 2020 ranks Côte d'Ivoire 162nd out of 189 countries. Child labour remains a reality and a cultural fact, particularly in agriculture, mining, transport, domestic work and trade. Violence against women remains high in the country: practices such as female genital mutilation (FGM reportedly affecting more than 35% of women nationally but reaching very high rates in some areas), early marriage and polygamy are prohibited in law but continue to occur. LGBTI persons continue to be subject to discriminatory practices and homophobic and transphobic violence.

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

The five priority sectors in the strategy of the EU and its Member States are:

- Access to basic social services and respect for social rights: health, education, access to water, decent employment and social protection;
- Women's rights: 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;
- Rights of the child: 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:** The last Article 8 Political Dialogue meeting with the government took place on 23 June 2020. Several subjects were addressed by the European side on the respect of the national and international commitments of Côte d'Ivoire and the rule of law. In particular, reference was made to prison overcrowding and the lack of implementation of the new provisions of the Code of Criminal Procedure, the non-ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the withdrawal of the declaration of competence to the African Court on Human and Peoples' Rights (ACHPR).

**4. EU financial engagement:** The EU accompanied the electoral process leading up to the presidential elections on 31 October by providing support in terms of electoral technical assistance (total amount: EUR 1 million) and via civil society organisations for a total amount of EUR 5 million. This support, which incorporates the recommendations of the electoral missions that the EU has deployed in Côte d'Ivoire, has taken the form of the following actions:

- Support for the Project to Support Elections in Côte d'Ivoire (PACE) implemented by the UNDP;

- Establishment of an early warning mechanism to prevent electoral violence through the regional project implemented by WANEP;
- Training of cartoonists and teachers and education of young people in democracy through press cartooning (Cartooning for Peace and Tache d'Encre);
- Training of security forces officers and installation of 27 committees for monitoring, warning, conflict prevention and peacebuilding (K. Adenauer Foundation);
- Professional training of young journalists in media production, production of debate programmes and multimedia content for traditional and new media plus creation of a digital media platform entirely dedicated to young people (Studio Mozaik and Deutsche Welle Akademie);
- Awareness-raising actions and campaigns in favour of the inclusion of people with disabilities in the electoral process (CBM and the Confederation of Organisations of People with Disabilities of Côte d'Ivoire);
- Improvement of detention conditions and the fight against torture and the abuse of preventive detention implemented by FIACAT-ACAT;
- Organisation of a caravan to raise awareness of peace and the common values that the European Union and Côte d'Ivoire share in the context of the 'Committed to Peace' initiative, including a poster campaign, a major debate at the French Institute in Abidjan, a concert in Yamoussoukro and video capsules recorded by artists;
- Implementation of a project to combat the proliferation of small arms including a poster campaign anchored on the presidential elections (Coginta) carried out in partnership with Cartooning for Peace and Tache d'Encre.

**5. Multilateral context:** The issue of the respect for international justice was particularly sensitive in the electoral context. Following an order of the African Court on Human and Peoples' Rights of 22 April 2020, which asked Côte d'Ivoire to suspend the execution of the arrest warrant issued against the former president of the National Assembly Guillaume Soro and to provisionally release 19 of his relatives, Côte d'Ivoire has initiated the withdrawal of its declaration of competence allowing citizens and NGOs to directly seize the Court, arguing that it infringed on its sovereignty. Although the Ministry of Justice has specified that Côte d'Ivoire remains a party to the Court and bound to respect its decisions, it has refrained from doing so in relation to several judgments and orders of the Court relating to the reconstitution of the electoral administration and the right to elect and be elected. Moreover, the withdrawal of its declaration will only become effective in April 2021. Despite this, neither the ACHPR's decision concerning Guillaume Soro, which in mid-September ordered as an interim measure that he be allowed to be a candidate in the presidential election, nor a similar decision concerning Laurent Gbagbo on 25 September has been implemented by Côte d'Ivoire. Nor has Côte d'Ivoire executed the ruling on the reform of the electoral commission of 15 July 2020. This restriction of access to justice for citizens - a response also chosen by Benin (March 2020), Tanzania (November 2019) and Rwanda (February 2016) - and the motives put forward to impose them send the wrong signal for the protection and promotion of human rights.

## Djibouti

**1. Overview of the human rights and democracy situation:** Progress is being made on human rights in Djibouti. But allegations remain, which concern harassment against human rights activists, operating outside officially approved or tolerated human rights groups, of journalists and of some outspoken opponents of the government. However, it has often been difficult to get independent verification of these allegations. The opposition's ability to operate is constrained, and certain groups claim that journalists and activists critical of the government are regularly harassed, questioned or detained for brief periods.

The media is tightly controlled and the freedoms of assembly and association are restricted. In 2020, the Parliament worked on legislation concerning communication and election, as well as on a digital code.

The National Commission on Human Rights is active in addressing human rights violations. Its current legislation does not allow the National Human Rights Commission (CNDH) to review the electoral process.

**2. EU action - key focus areas:** The EU's priority is to provide support for credible human rights defenders, including institutions and NGOs, by giving them the means to carry out activities in defence and promotion of human rights.

The EU supported the National Assembly in setting up two caucus on gender and on women, the Human Rights Standing Committee and the adoption of the Law on Violence against Women. The EU supported the National Commission on Human Rights to publish its latest report and - through a specific project - to strengthen its relations with the Parliament.

The EU supported civil society, consolidating democratic governance and anchoring an inclusive and equitable civic culture in Djibouti. Its support aims at improving the legal and institutional framework governing CSOs and strengthening their voice and impact on development policies on issues such as justice, water and sanitation. It also aims to strengthen social solidarity by supporting the cooperatives and trade unions.

The EU continued to work 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 EU supported reforms initiated by the government in the justice area such as the revision of legislation (family, civil law, civil procedure, etc.), the replacement of the Sharia courts by ordinary courts, the measures taken for the implementation of the reform of judicial and penitentiary assistance.

**3. EU bilateral political engagement:** The EU continued to engage with the Republic of Djibouti in discussions on human rights and democracy, notably during the Article 8 Political Dialogue session in March 2020 where the discussion was open and covered a wide range of issues, including freedom of expression, freedom of association and the humanitarian situation and implementation of the Universal Periodic Review recommendations.

The EU remained engaged with the government, with the Ministry for Justice and with the Minister for Women and Family Affairs in particular, in order to encourage dialogue on human rights issues and the development of civil society.

**4. EU financial engagement:** The EU delegation manages several CSO projects in Djibouti under the European Development Fund and the European Instrument for Democracy and Human Rights, ranging from women's rights to rural resilience and the rights of persons with disabilities. Grants were contracted on the human rights line in 2019 and 2020 (Inter-parliamentary Union phase 1 and 2 and Women's Solidarity).

The first bilateral programme amounts to EUR 2 million and aims at consolidating democratic governance and anchoring an inclusive and equitable civic culture in Djibouti. It also aims at strengthening social solidarity by supporting the cooperatives and trade unions.

**5. Multilateral context:** Djibouti has ratified major human rights conventions and is engaging the international community on human rights issues. It has supported the UN moratorium on the use of the death penalty.

In 2020, the Foreign Minister asked the newly appointed OHCHR for assistance with implementation of recommendations accepted by Djibouti in its Universal Periodic Review, in honouring its human rights obligations towards migrants and in framing legislation to tackle hate speech.

## Democratic Republic of Congo (DRC)

**1. Overview of the human rights and democracy situation:** Human rights in the Democratic Republic of Congo under President Felix Tshisekedi took a downturn in 2020, against the backdrop of the gains made during his first year in office. Throughout the year, the United Nations Joint Human Rights Office (UNJHRO) documented 7,909 human rights violations and abuses throughout the Democratic Republic of the Congo, which represents an average of 659 human rights violations per month. This is a significant increase (+21%) compared to 2019. In other words, the relative improvement of the human rights situation that followed directly upon the election of President Felix Tshisekedi could have been of a temporary nature.

However, this increase in violations can be explained by the deterioration of the security situation in the provinces affected by armed conflict, in particular North Kivu, Ituri and South Kivu. In these provinces, the UNJHRO recorded a sharp increase of about 46% of the number of abuses committed by armed groups. The efforts of the authorities and other actors have not been able to calm the situation, and the absence of an effective DDR program has only worsened the situation.

In 2020, armed groups and militias were the main perpetrators of human rights violations documented across DRC (55%), as opposed to state actors (45%). Still, the number of human rights violations by state agents remains of concern. It is noteworthy that the secret service (Agence nationale de renseignements, ANR) was considerably less active in the first year of office of President Tshisekedi, but that this improvement was completely undone in 2020.

Overall, the national army (FARDC) was responsible for the highest number of violations among state agents, mostly in conflict-affected areas.

The most reported cases were violations of the right to physical integrity, including sexual violence, the right to property and the right to liberty and personal security. Concerning human rights violations related to democratic space, 2020 saw a stark increase in the restriction of fundamental rights and freedoms. This increase can partly be explained by the political context characterised by multiple crises within the ruling coalition, as well as by restrictions of fundamental freedoms taken by authorities at the provincial level. While many of the COVID-19 related measures were a legitimate attempt to save lives, the force used to enforce them was often excessive and even lethal: there were 14 victims of extrajudicial executions related to the measures taken in the context of the COVID-19 pandemic. Throughout the year, human rights defenders continued to face threats, intimidation, arbitrary arrest and detention from both state agents and armed groups.

One of President Tshisekedi's election promises to face the widespread human rights violations in the country was the fight against impunity. So far, this has produced mixed results. The ending of impunity in DRC for past and current serious crimes still faces major shortcomings that need to be addressed. Restoring accountability and the rule of law would allow improving to a greater extent the overall human rights situation in the country.

**2. EU action - key focus areas:** In 2020, the EU maintained regular and constructive contact with relevant partners in DRC, including government counterparts, the national human rights committee (CNDH), the UN Joint Human Rights Office (UNJHRO), national and international human rights NGOs, individual human rights defenders, women's rights activists, LGBTI rights activists, and others. In meetings with stakeholders, the EU delegation has been vocal to support human rights and has informed its positions and analysis on human rights topics. Moreover, while dealing continuously with the negative impact of the COVID-19 crisis on the population, the EU delegation continued its support to the electoral process, the protection of human rights defenders and freedom of expression, the fight against sexual violence, torture and impunity of mass human rights violations, and the protection of people in vulnerable situations, in particular those working in the mines.

**3. EU bilateral political engagement:** An important milestone was the political dialogue held with the Congolese government, as agreed in Article 8 of the Cotonou Agreement, during which all aspects of the EU-DRC cooperation were discussed, including human rights and gender equality. Throughout the year, more informal, constructive meetings took place. The launch of the Gender Action Plan III was accompanied by consultations with stakeholders from both government and civil society to discuss how the action plan could be adapted to the DRC context. Consultations were also organised to include independent civil society 'influencers' in the reflection of the new EU programme cycle.

**4. EU Financial engagement:** In 2020, the EU continued funding local mechanisms for the protection of human rights defenders, in addition to the European Instrument for Democracy and Human Rights, which allowed for a quick response to HRDs protection while strengthening the EU's early warning analysis and overall capacity to monitor human rights throughout the country. As of 2018, emergency assistance has been available in all 26 provinces of the DRC, enabling the EU delegation to contribute to medical, security and subsistence needs of HRDs on a large scale, while strengthening the capacities of local NGOs

from across the country to coordinate and cooperate. In 2020, 159 HRDs of which 14 are women and 139 are men have benefited of ad hoc protection measures. Conscious of the need to strengthen local media capacity in the long-run, the EU supports 'Internews' through a project that seeks to improve the access to information through online media by strengthening local media in their transition to online presence as well as their economic viability. In terms of the fight against sexual violence, the EU continues to support the work of the Panzi Foundation and Nobel Peace Prize winner Dr Mukwege's efforts to combat sexual violence in a holistic manner. Since the start of the integrated project in Eastern DRC in early 2017, 2287 women, men, girls and boys benefited from sexual healthcare and were able to re-integrate into their respective communities. The project helped to enrol over 1,904 children into schools, of which 320 were formerly working in artisanal mining sites. More than 11,768 men and women were sensitised on positive attitudes towards children and women, as well as on fundamental rights, accountability, good governance and democracy. The EU delegation signed a new project with the local NGO SOFEPADI that seeks to contribute to the building of peace and sustainable socio-economic development in the Northeast of DRC. Other projects funded by the EU aim to help building peace and socioeconomic development in the Northeast of DRC, supporting military and civil justice, constructing modern courthouses, fighting against torture, strengthening civil society in electoral observation and security sector reform.

**5. Multilateral context:** From a multilateral angle, the EU engaged in demarches on various human rights issues to inform DRC's position in the UN General Assembly Third Committee, most importantly on the moratorium of the death penalty. These demarches were always coordinated with the EU Member States, and often with like-minded countries such as Norway, Switzerland and the UK.

## State of Eritrea

**1. Overview of the human rights and democracy situation:** 2020 was dominated in Eritrea by the COVID-19 pandemic and the conflict in neighbouring Tigray. For the large part of the year, the spread of the virus was relatively low, both because of the country's isolation and the restrictive measures put in place by the government. Despite low numbers of confirmed positive cases, the lockdown had a negative impact on the economy and people's livelihood, in particular in the most disadvantaged areas of the country. In mid-December 2020, a spike in COVID-19 cases caused alarm. This sudden increase was probably linked to a larger influx of people from across the border with Ethiopia, including the return of Eritrean troops. Reports on serious human rights violations in the Tigray conflict are widespread, implicating also Eritrean forces. The reports need to be investigated by independent experts in order to establish facts and clear responsibilities.

A number of aspects of the country's human rights policies and specific practices remain of serious concern. No change was registered in 2020 regarding the Constitution that never entered into force, or in terms of political reforms. The situation concerning freedom of expression and assembly as well as media freedom also remained unchanged. The fate of political prisoners, detained journalists and prisoners of conscience remains unknown, despite recurrent requests from the international community. Some hundreds of prisoners

of conscience detained for their religious belief have been released from prison between May and December 2020.

**2. EU action - key focus areas:** The EU has regularly brought up human rights concerns in political dialogue meetings and human rights fora. The EU continued its support to activities aiming at the promotion of human rights, including economic, social and cultural rights, as well as those relating to the rights of vulnerable groups, such as women, children and persons with disabilities. The EU has also continued to engage in development cooperation, with a number of programmes under the EU Trust Fund which still require the final political approval by the authorities, with human rights occupying a privileged position in specific projects (e.g. support to the implementation of Universal Periodic Review recommendations) and also mainstreamed across various programme documents. With regard to the national service, the EU has constantly called for an end to its indefinite duration and the need for reform, possibly in combination with robust measures for job creation so as to absorb the workforce that would be demobilised. The implementation of the 'Procurement for emergency road rehabilitation' project has facilitated a dialogue on the National Service, as well as on labour issues in general, with a view to improving health and safety standards on the road construction sites.

**3. EU bilateral political engagement:** In 2020, two meetings of the political dialogue were scheduled and agreed with the Eritrean authorities, but due to the lockdown only one meeting took place in November. The agenda included major issues of concern and allowed a frank exchange on regional developments, the economy, human rights, including national service, and development cooperation issues. Human rights issues were also regularly discussed in informal meetings with the authorities.

**4. EU financial engagement:** Cooperation under the EUTF awaits the political approval of the Eritrean authorities. The financial instruments used by the EU delegation in the thematic area of human rights are the European Instrument for Democracy and Human Rights and the thematic programme Civil Society Organisations and Local Authorities. Currently, the EU delegation manages twelve projects for a total amount of EUR 4.5 million.

**5. Multilateral context:** Eritrea remained unwilling to cooperate with the UN Special Rapporteur (the new SR, Mr Mohamed Abdelsalam Babiker, was appointed in October 2020, replacing Daniela Kravetz), given its disagreement with the mandate of the Special Rapporteur, which it considers politicised. Eritrea repeatedly affirms its willingness to engage with UN thematic rapporteurs.

Eritrea reiterated its commitment to work within the Universal Periodic Review (UPR) mechanism. In its third UPR cycle, Eritrea supported 131 of 261 recommendations (an increase of 30% of recommendations accepted compared to those accepted in the second cycle). The recommendations that Eritrea supported mainly relate to: legal and general framework of implementation; women's rights; rights of other vulnerable groups and/or persons; civil and political rights; economic, social and cultural rights. The government has conducted internal consultations on the implementation of the accepted recommendations and aims to inform cooperation partners about the results once the process is completed.



One of the cooperation projects under consideration, for a value of EUR 5 million, aims at providing support to UPR implementation.

Eritrea is a member of the Human Rights Council until 31 December 2021.

## Eswatini

**1. Overview of the human rights and democracy situation:** In 2020, Eswatini continued to strive to fulfil its democracy and human rights obligations and to address the human rights challenges linked to the entrenched cultural patterns and patriarchal environment, taking into account it is a traditional monarchy and that 76% of the population lives in rural areas.

The year began with some demonstrations calling for opening of the political space and the freedom of expression. The COVID-19 pandemic impacted significantly on the economic, social and political life in the country, entailing a number of protests by healthcare workers' unions against the lack of personal protective equipment and the COVID-19 related medication shortages. Throughout the year, there were reports of excessive police force in responding to demonstrations and in enforcing COVID-19 rules.

The government showed awareness of the need to enforce human rights legislation and to amend some outdated acts, but the pace of these reforms was in general rather slow. The country faced persistent challenges related to women's rights, gender-based violence, rights of persons belonging to minorities and rights of LGBTI persons. Throughout the year, journalists continued to work in a challenging media environment. On the positive side, women's representation in government made slight progress in 2020, as His Majesty the King appointed several women in senior positions (principal secretaries, deputy ministers, members of the board in various commissions).

The government of Eswatini is validating with stakeholders, in particular with the parliament, the Computer Crime and Cybercrime Bill, which criminalises offences involving computer and network related crimes. It carries heavy penalties (fine, or jail, or both) for anyone publishing what the government would classify as fake news that is damaging to the country's image. This could see online news sites and online journalists targeted and will be closely monitored.

The Parliament has been processing new broadcasting legislation that envisages transforming state-owned media houses into independently controlled entities, regulating the broadcasting sector, including licences for community radios.

**2. EU action – key focus areas:** Cooperation between the EU and Eswatini - under instruments such as the 11th European Development Fund (EDF), Civil Society Organisation/Local Authorities and the European Instrument for Democracy and Human Rights thematic budget lines - progressed very well in 2020, with a number of projects implemented under the focal sectors of agriculture, social protection, public finance management and trade, taking due account of the COVID-19 pandemic. Projects implemented with CSOs continued to focus on the promotion and protection of democratic principles, the rule of law, rights and freedoms, gender equality and empowerment of women, rights of people with disabilities and the implementation of the Sexual Offences and Domestic Violence Act of 2018.

**3. EU bilateral political engagement:** There was no EU-Eswatini Political Dialogue under Article 8 of the Cotonou Agreement in 2020. Bilateral dialogues continued at EU ambassador level with His Majesty the King, the Prime Minister, Cabinet ministers and civil society organisations, to discuss a wide range of human rights issues in the country (civil, political, economic and social rights). They addressed, among other things, the EU support to the government's response to COVID-19 and its social and economic impacts, in particular in rural areas, advocacy activities in favour of the change of patriarchal patterns, the fight against gender-based violence and the protection of the rights of LGBTI persons.

**4. EU financial engagement:** The new support programme to the Economic Partnership Agreement implementation in the Kingdom of Eswatini under 11th EDF in 2020 as well as the other EU cooperation programs in Eswatini were designed to pay attention to gender equality, women's empowerment and a rights-based approach. Two new projects under the European Instrument for Democracy and Human Rights started implementation in January 2020. The first project, 'Women's Rights: Making Inroads towards Gender Equality, Participation and Equal Representation in Eswatini', conducted various community dialogues aimed at expanding national awareness of women's rights and enhancing their effective participation in leadership, governance and political decision-making in the country. The second project, 'The Civil Society Platform for Inclusiveness Project', supported CSOs with training on human rights and democratic principles and further facilitated the development of a collective platform to promote human rights in the country. EU also provided EUR 2.4 million in humanitarian assistance to the most vulnerable Swati households to address their food insecurity stemming from the COVID-19 pandemic and its social and economic impacts.

**5. Multilateral context:** Eswatini continued in 2020 to be committed to a multilateral diplomacy that promotes regional and continental integration. Positive bilateral relations with neighbouring countries, as well as engagement at the level of the Southern African Development Community, remained important priorities. Eswatini was due to be assessed under the Universal Periodic Review in 2020. Although the UPR assessment was postponed to 2021, the government has started the preparation of the state party's report on progress and challenges on human rights since 2016.

## Ethiopia

**1. Overview of the human rights and democracy situation:** Human rights and democracy proved to be challenging in 2020. The year was marked by abuses by government security forces, attacks on civilians by armed groups, deadly violence along ethnic lines and a political crisis.

Three main aspects defined the deterioration of security and human rights situation in the country: the outbreak of the COVID-19 pandemic with the first case registered in Ethiopia in March and the introduction of the State of Emergency in April 2020; large scale civil unrest in July after the assassination of the Oromo singer Hachalu Hundessa; and the military conflict in Tigray started on 4 November when PM Abiy ordered a 'law enforcement operation' after the Tigray People's Liberation Front (TPLF) had attacked the Northern Command.

Fighting escalated quickly during the first weeks of November and continued all through the end of the year despite official conclusion of the operation on 28 November, leaving a large

part of the population in Tigray in need of humanitarian assistance. Reports on human rights abuse by all parties to the conflict indicate severe violations, including the massacre in the town of Mai Kadra in West Tigray.

Furthermore, several violent clashes in other regions (in western and southern Oromia, Benishangul-Gumuz, Konso, Wollega) often along ethnic lines, triggered by particular events, erupted during 2020, with alarming level of human rights violations.

Parliamentary elections, due in 2020, were first postponed, then announced for 5 June 2021.

Important policy changes have significant implications on the human rights context, notably:

- A new law on hate speech and disinformation entered into force on 23 March 2020. Human rights groups warned that the law could have a negative effect on free expression and access to information online.
- In January 2020, the Ethiopian government unofficially changed its asylum policy, which for years granted all Eritrean asylum seekers refugee status as a group, and began registering only some categories of new arrivals at the Eritrea border, excluding others, particularly unaccompanied children.

**2. EU action - key focus areas:** Through numerous projects and initiatives, the EU and its Member States supported following key areas:

- Promotion of electoral reforms, inclusive political party dialogue and citizens' participation;
- Consolidation of a legal framework for the protection of human rights in line with international standards, accountable institutions, fair trial and good prison conditions;
- Promotion of recognition of the positive role of civil society and media; space for more independent and professional media and effective human rights defenders protection mechanisms;
- Promotion of decent work standards, 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 trafficking in human beings, 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:** Ethiopia remains a strategic partner for the EU and the EU is supporting its far-reaching democratic transition with important political and economic reforms being implemented. It strives for continued dialogue in the framework of the EU-Ethiopia strategic engagement. The EU has also voiced its deep concern about the conflict in Tigray when it broke out and called on the government in several statements and contacts to cease hostilities, return to dialogue, ensure press freedom and the rule of law and investigate reports about severe human rights violations. It called for full, rapid and unhindered humanitarian access to all people in need in all areas as well as the protection of IDPs and refugees.

Throughout 2020, the EU pursued its human rights engagement through human rights diplomacy and closely monitored the situation. The EU delegation and the embassies of the EU Member States engaged in a number of public diplomacy activities in promotion of human rights, governance and the rule of law and supported 16 Days of Activism against Gender-Based Violence.

The visits of the HR/VP and several EU commissioners, including Commissioner for Crisis Management, were occasions to highlight the importance that the EU attaches to the respect for human rights, decent living conditions for the Ethiopian citizens and a credible, inclusive and transparent electoral process.

In 2020, an EU EOM Exploratory Mission took place to assess conditions for the deployment of an EU electoral observation mission for parliamentary elections (then postponed to June 2021), following an invitation by the Ethiopian government to observe the elections.

**4. Multilateral context:** As a member of the United Nations, the African Union, IGAD and COMESA, Ethiopia is an important multilateral actor for the European Union and the region. Ethiopia is often aligned with EU positions on different issues like gender equality, climate and social issues. The country has a long tradition of ‘multi-multilateralism’, efficiently using both multilateral and bilateral channels to advance its interests.

Ethiopia is engaging actively in the Universal Periodic Review of the UN Human Rights Council and accepted many recommendations during its last cycle in 2019. A mid-term report about progress in implementing recommendations is expected by the end of 2021. The country’s next review is programmed for 2024.

## Equatorial Guinea

**1. Overview of the human rights and democracy situation:** In 2020, the overall human rights situation remained a source of serious concern in Equatorial Guinea, where human rights violations and abuses, political and civic oppression, and high levels of corruption continued to be reported. Freedom of expression, association and assembly remained severely curtailed. Local activists faced intimidation, harassment and reprisals. Political space for opposition groups remains extremely limited despite the 2014 initiative to legalise political parties. President Teodoro Obiang Nguema’s party (*Partido Democrático de Guinea Ecuatorial*) holds 99 out of 100 seats in parliament and the opposition has only one seat (last elections were held in November 2017).

The opposition political party CI (*Ciudadanos por la Innovación*) continues to be forbidden since 2018. Moreover, the civil society organisation CEID (*Centro de Estudios e Iniciativas para el Desarrollo*) was declared illegal in 2019 and members and leaders of the political party CPDS (*Convergencia para la democracia social*) were threatened and harassed. The Secretary General of CPDS was imprisoned in 2019, but was released after a year following international diplomatic pressure. A ‘dialogue platform’ (*Mesa de Diálogo*) is still in place, and the last session in July 2018 offered some opposition parties the rare chance to express themselves freely, although they considered that the whole process had been led under

strict government supervision. The regime tightly controlled press and television (the few private media outlets in the country are largely owned by people close to the regime). Internet penetration remains low.

The space for civil society remained constrained. Strict control and manipulation of the registration of organisations remain a concern. Further underscoring these heavy constraints is the decision by Equatorial Guinea to withdraw its request for membership to the Extractive Industry Transparency Initiative (EITI), one of the commitments for a series of reforms given to IMF. As a result of EITI membership, Equatorial Guinea would need to submit its extractive activities to the screening of civil society actors. Obligated by the IMF agreement to maintain a dialogue with the EITI board, it is expected that the government would reapply in late 2021.

**2. EU action: key focus areas:** EU's priorities regarding human rights and democracy in 2020 were:

- Support for civil society;
- Rule of law and abolition of the death penalty;
- Political and civil rights / development for all;
- Fostering democratisation: freedom of assembly, association and expression.

**3. EU bilateral political engagement:** A political dialogue between the EU and Equatorial Guinea took place in November 2018, the first session in six years. Although there has not been a formal follow-up since then for organisational and logistic reasons (the accreditation for Equatorial Guinea changed in September 2019 from the EU Delegation in Gabon to the EU Delegation in Cameroon), bilateral diplomatic talks have continued both in Malabo and in Brussels. During the talks, the EU continued to raise human rights issues in the country, and to call for greater freedoms for human rights defenders, political and civil society activists, and artists. The new Head of Delegation has not been accredited yet.

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. The country has formally expressed interest in joining the Post-Cotonou Framework when it will become effective in 2021. The new NDICI instrument makes it possible for the EU to programme bilateral cooperation despite Equatorial Guinea's upper-middle-income status.

The full abolition of the death penalty (and its elimination from the Criminal Code) also remains among the EU's objectives. Equatorial Guinea adopted a moratorium when it became a member of the *Comunidade dos Países de Língua Portuguesa* (CPLP) in 2014. In November 2020, a draft criminal code, where the death penalty is not included, was approved by the government and presented to the parliament.

**4. EU financial engagement:** In 2020, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights. Projects that were active or completed in 2020 included: ensuring access to quality healthcare for the most vulnerable population through the construction of a health centre in Sampaka; establishing a strategy promoting health and education rights in nine districts; and protecting and guaranteeing rights of children, adolescents and families living in conditions

of extreme poverty in Bata. Two new projects started in 2020. In the project APROFORT, the Portuguese NGO *Transparência e Integridade* provides support, protection and capacity building for civil society activists and organizations working in the field of human rights promotion and good governance. Through the second project, *Aldeas Infantiles 'SOS' Guinea Ecuatorial* with the support of *SOS-Kinderdörfer weltweit - Hermann-Gmeiner-Fonds Deutschland*, provides support in strengthening child protection and reducing gender-based 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. Neither did the country ratify the African Charter on Democracy, Elections and Governance, despite repeated calls to do so.

Equatorial Guinea was subject to the Universal Periodic Review 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. The large majority of them were accepted (204 recommendations – 92%); 11 rejected; and 6 noted. Notable rejected recommendations 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.

In the UN General Assembly, Equatorial Guinea has consistently supported the EU-co-sponsored resolution for a moratorium on the death penalty.

Equatorial Guinea has requested technical support for the harmonisation of legislation from the Community of Portuguese-speaking Countries in the framework of the death penalty moratorium.

## Gabon

**1. Overview of the human rights and democracy situation:** The situation as regards democracy, the rule of law and separation of powers remains worrying. On 18 December 2020, completely unexpectedly, the government put forward draft constitutional amendments clarifying succession in case of temporary or permanent vacancy of the presidential function (a triumvirate consisting of the Presidents of the Senate and the Assembly and the Minister of Defence), with the alleged aim of preventing situations of institutional blockage. The proposed amendments also provided for life-long immunity for the president.

Freedom of assembly remains very limited in practice and sanctions for what is considered 'illegal gatherings in public spaces' increased in June 2020. However, Gabonese authorities authorised the holding of the first National Forum of Civil Society on 10 December 2020, in Libreville, apparently in follow-up to exchanges with the EU. The 70 or so newspapers and

media actively enjoy the freedom to publish on any subject of their choice, despite some limitations observed in 2020.

Gabonese authorities acknowledged the long-standing problem with irregular detentions and announced the creation of an ad hoc commission in November 2020, following EU requests. The commission met twice before the end of 2020 to examine pending cases. Ritual crimes (abduction and murder of children and women) continue unaccounted for and unpunished around the country, reportedly linked with institutional figures and politicians.

Fight against corruption remains nominally high on the government's agenda. A major anti-corruption operation led, at the end of 2020, to two ministerial reshuffles, dismissal of public companies' managers and arrests.

In a welcome development, Gabon's parliament annulled in June 2020 the amendment to the Criminal Code introduced only one-year earlier criminalising homosexual relationships.

The impact of COVID-19 pandemic is noticeable in particular in the worsening of conditions of detention in prisons, where no visits are authorised at the moment, as well as in documented substantial increase in violence against women.

**2. EU action – key focus areas:** The EU aims to put a special focus on: democracy and governance; the fight against corruption; harsh conditions in prisons and lengthy pre-trial detention; ritual crimes; 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 credible, inclusive and transparent 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:** A joint EU-Gabon working group met from March to November 2020 and discussed openly all pending human rights and democratic governance issues identified in the framework of the intensified political dialogue (end 2019): freedom of speech and regulation of the media; freedom of assembly in public spaces; irregular detentions and conditions of detention; allegations of human rights violations during the 2016 post-elections crisis and reparations to eventual victims; independence of the judiciary; cooperation in the field of human rights.

On 18 December 2020, the Gabonese government and EU Heads of Mission wrapped up the activity of the joint working group. All human rights and democratic governance issues will continue to be closely followed and raised, as needed, in the framework of bilateral political dialogue. The Gabonese authorities flagged interest in working with the EU during their tenure on the UN Human Rights Council (2021-2023) and in preparation of the next Universal Periodic Review.

The EU delegation has been in regular contact with political and civil society stakeholders to promote the rule of law, fundamental freedoms, civil and political rights and good governance. In particular, the EU delegation continued to monitor closely the situation of political detainees and, more generally, detention and prison conditions. The EU delegation

maintained regular contact with the President of the National Commission for Human Rights (NCHR) and the President of the Constitutional Court.

**4. EU financial engagement:** The EU co-funded project for the promotion and protection of human rights in Gabon implemented by the UNDP has played a key role in: reinforcing the capacities of the National Commission for Human Rights (CNDH); contributing to the new draft Law on CNDH; and creating a permanent dialogue platform between the government (Ministry of Justice), CNDH and CSOs, despite a delayed implementation start.

Implementation of projects funded by the European Instrument for Democracy and Human Rights and the Civil Society Organisation/Local Authorities budget lines focused in 2020 on: promotion and support of sexual and reproductive health and rights (together with France); support to civil society, including in the area of elections and democratic dialogue; protection of the persons in the most vulnerable situations in the COVID-19 context.

**5. Multilateral context:** Gabon's election to the UN Human Rights Council for the 2021-2023 term will be a test for the convergence of views and cooperation with the EU in multilateral fora on human rights.

## Ghana

**1. Overview of the human rights and democracy situation:** The human rights situation in Ghana is generally calm and the country is considered as an example for the region and the continent. Ghana has competitive multiparty elections, a clear separation of powers, with a high concentration of power on the executive, and a relatively strong record of upholding civil liberties, including free press, freedom of religion or belief and freedom of expression. General elections held at the end of 2020 were perceived by domestic election observers (CODEO) and international election observation missions (EOMs), including the EU EOM, as generally transparent, inclusive and credible. However, the EU EOM pointed out that misuse of state resources and unregulated campaign finance continue to have a negative impact on the level playing field. In addition, women are still underrepresented in Ghana's political decision-making processes. Persisting human rights issues include weaknesses in judicial independence and the rule of law, corruption, political violence, prison overcrowding, child labour and the persistence of discrimination against women and LGBTI persons. The death penalty still exists in the legislation, but no executions have been carried out since 1993. Child marriages and adolescent pregnancies are common and there are estimates that both phenomena have increased during the COVID-19 pandemic. Ghana was in 80th position out of 180 countries in the Corruption Perceptions Index 2019. The country's first Special Prosecutor resigned in November 2020 citing lack of independence and political interference in his work. Ghana is ranked 'free' in the Freedom in the World Index 2020 by Freedom House, with a score of 82 out of 100, but fell in the World Freedom of the Press Index 2020 prepared by *Reporters sans Frontières* (ranking 30th position out of 180). The decline stems from a string of attacks on journalists since January 2018, in some cases reportedly carried out by police, as well as the murder of investigative journalist Ahmed Hussein-Suale in January 2019. In the 2020 V-DEM liberal democracy index (LDI), Ghana ranks 48th out of 179 countries.



## 2. EU Action - Key focus areas:

- **Judicial reform:** The EU Anti-Corruption, Rule of Law and Accountability Programme (ARAP) continued to support the judicial service with a view to, among others, develop measures to improve the efficiency and quality of the delivery of justice. In addition, ARAP looked at the difficulties in accessing key laws, court judgements and related judicial documents for the justice system and all court users. The programme developed an electronic web-based legal library in collaboration with the Judicial Service and the Council for Law Reporting. The e-library was launched in 2020 in the presence of the EU Head of Delegation. The aim is to have it as a one-stop shop for institutions working in the justice sector and all citizens, to access up to date legal information.
- **Economic and social rights:** The EU is funding two grant contracts to help eliminate child labour and trafficking in the fisheries sub-sector. These two grant contracts aim to help stopping child labour and trafficking in source and destination areas along the Volta Lake area of Ghana.
- **Fight against corruption:** The EU continued to fund the ARAP programme aimed at promoting good governance by reducing corruption and improving accountability standards in Ghana. The institutions involved are the Attorney General Office and the Director of Public Prosecutions, Commission of Human Rights, Judiciary, Police, Economic and Organised Crime Office, National Commission for Civic Education, the Environmental Protection Agency and civil society organisations through STAR Ghana facility. In 2020, ARAP supported several workshops and organised a number of capacity building trainings for the above-mentioned institutions. In particular, investigators, judges and prosecutors were trained to better respond to corruption.
- **Implementation of the Gender Action Plan:** The EU delegation is funding a multi-year project implemented by Oxfam Ghana and WillDAF Ghana working to end gender-based violence. The 'Enough' project aims to create an enabling environment for girls and women to know, claim and exercise their rights to end gender-based violence. An estimated number of 180 local legal literacy volunteers across six regions in Ghana have received access to legal advice and support services between July and September 2020.
- **Conflict prevention:** Launched in 2020, the Preventing Electoral Violence and Providing Security to the Northern Border Regions of Ghana (NORPREVSEC) programme addresses the root causes of inter-ethnic and communal violence in order to prevent the rise of violent extremism, as well as political and religious radicalisation, predominantly in five northern regions of Ghana with a potential of nation-wide impact. The outputs of this programme aim at strengthening and supporting relevant existing peacebuilding mechanisms and structures, constructed with the purpose of soothing and/or resolving land-related, chieftaincy and farmer-herder disputes.

**3. EU bilateral political engagement:** Several human rights issues were raised in the political dialogue between Ghana and the EU in January 2020, including safety of journalists, death penalty, prison overcrowding, rights of the child, women's political participation, political vigilantism and climate issues such as deforestation and illegal fishing. An EU Election Observation Mission was deployed in Ghana from the end of October 2020 to January 2021 for the 2020 presidential and parliamentary elections.

**4. EU financial engagement:** The Civil Society Organisation/Local Authorities programme was designed to complement the efforts of government in meeting priorities such as reducing youth unemployment, promoting the economic empowerment of women and providing support to groups in vulnerable situations such as persons with disabilities. Progress has been made in the final year of implementation. The project contributed to the employment of 6,000 youth and women by promoting local economic development. 2,919 beneficiaries established green businesses (56% of them being women). The majority (89.3%) of primary beneficiaries also reported improved income levels. The interventions have also created sustainable jobs for 266 persons with disabilities and young people.

**5. Multilateral context:** Ghana has signed and ratified most existing human rights instruments including International Labour Organization conventions. The country's next Universal Periodic Review in the UN Human Rights Council is scheduled for 2022.

## Guinea Bissau

**1. Overview of the human rights and democracy situation:** Guinea-Bissau is a fragile West African country of 1.8 million where most people live with less than 2 EUR per day, marred by longstanding political instability, corruption and cocaine trafficking. The economic impact of the COVID-19 pandemic has further inhibited the sustainable development of the country and is causing further social tensions. According to the Constitution, the political regime is a multiparty semi-presidential system of democracy. The presidential elections take place every five-years (last in December 2019) and the parliamentary elections every four years (last in March 2019). General Umaro al-Mukhtar Sissoco Embaló's self-inauguration as president on 27 February, supported by the Army, is problematic under the constitutional profile. It has been recognised by ECOWAS and de facto by the international community at large, EU included. Despite a formal separation of presidential, legislative, governmental and judicial powers, there is a heavy leaning towards a 'presidentialisation' of the regime, which shows some authoritarian trends. Several opponents, including Sissoco's challenger Domingos Simões Pereira or members of the previous government, have left the country fearing for their safety. They would face legal prosecution if they return to the country. Former PM Aristides Gomes has been a refugee in the UN compound since February 2020 and is not allowed to leave the country. Legal prosecution is pending on him too. Guinea-Bissau is facing many challenges impeding the improvement of the living conditions of the population as well as the full enjoyment of their human rights. One of the main obstacles is the political instability that had been affecting the country since the establishment of a multiparty system in 1994. Amongst the many problems faced by Guinea-Bissau, freedom of the media remains an issue. In February 2020, the state radio and TV stations were closed and placed under armed guard, in retaliation for their failure to cover President Sissoco

Embaló's inauguration – before the Supreme Court had a chance to take a position on the recourses. Another radio station critical of Sissoco has been raided and ransacked. Critics of the president have been aggressed.

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

Protecting and empowering individuals: Civil society is very active in Guinea-Bissau but suffers from a lack of resources and capacity, in spite of the support of the international community, including the European Union. The empowerment of women remains a key challenge. The human rights of persons with disabilities and children should also be enhanced, alongside those of LGBTI persons. The EU continues to support projects to build the capacity of civil society to combat and prevent child and forced marriage and gender-based violence, with a holistic approach including psychological, legal, health, economic and social empowerment support. Other projects support the right to health and WHO objectives of universal health coverage and the improvement of health professionals' performance, the rights of persons with disabilities and access to justice.

Building resilient, inclusive and democratic societies: With the support of the country's partners, the six-point road map titled 'Agreement on the Resolution of the Political Crisis in Guinea-Bissau' and the Conakry Agreement on the implementation of the road map were signed, allowing the country to form a consensual government and the 2019 parliamentary and presidential elections. Under the Conakry Agreement, the reforms of the justice system, the security sector and the Constitution, if led democratically to their term, should contribute to building a resilient, inclusive and democratic society. Several projects aim at consolidating economic governance and public finance management systems, as well as the rule of law in Portuguese speaking countries.

Promoting a global system for human rights and democracy: Guinea-Bissau should establish an independent human rights commission, which could join the NHRI network. Similarly, efforts to be part of inter-parliamentary networks should be encouraged. Regarding freedom of the media, a new project under the European Instrument for Democracy and Human Rights (EIDHR) will support the protection and promotion of the human rights of journalists and professionals of social communication in 2021. Another pilot EIDHR project aims to create adapted and formal programmes in the area of citizenship and human rights education. Finally, an European Development Fund (EDF) project aimed at 'Strengthening the resilience of local communities in defence of human rights and consolidation of the rule of law' involves the Human Rights League, as well as relevant actors from civil society and security forces.

New technologies: harnessing opportunities and addressing challenges: The main challenge is digital penetration that remains low and commensurate to the low level of development in Guinea-Bissau.

Delivering by working together: As a staunch supporter of effective multilateralism, the EU delegation works closely with partners – and the UN family in particular. As regards EU Member States, there has been strong cooperation as Team Europe in the immediate fight

against the COVID-19 pandemic – bringing four flights worth of medical equipment to the country.

**3. EU bilateral political engagement:** There is no formal political dialogue between the EU and Guinea-Bissau and no human rights dialogue. Human rights issues are raised on an ad hoc basis.

**4. EU financial engagement:** The development cooperation with Guinea-Bissau and its roughly EUR 150 million portfolio for the period 2014-2020 (EDF and thematic DCI, not counting blending in infrastructure) represent the main leverage and policy tool and is aligned to the country's national and sectorial development strategies.

**5. Multilateral context:** Guinea-Bissau is a party to the eight core international human rights instruments and is considering ratifying a number of Optional Protocols, as stated during the last UN Universal Periodic Review (January 2020). Once again, Guinea-Bissau has been asked to establish an independent National Human Rights Commission. Guinea-Bissau agreed to examine 197 recommendations, *inter alia*, on the ratification of the OPCAT, the OPCRC on a communications procedure, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the ICCPR on the acceptance of an individual complaints procedure, the Optional Protocol to the ICESCR, the Indigenous and Tribal Peoples Convention, ILO Convention 169 and the Rome Statute of the International Criminal Court. Guinea-Bissau should also step up its collaboration with human rights treaty bodies by submitting the periodic reports on time and respond favourably to the visit request made by the Working Group on Arbitrary Detention.

## Guinea

**1. Overview of the human rights and democracy situation:** The year 2020, marked by elections and the COVID-19 pandemic, saw a deterioration of the human rights, democracy and rule of law situation. Political conditions for transparent and credible elections were not present. Some progress observed in 2019, particularly in terms of the adoption of legislative texts, has been called into question. The risk of a setback to the achievements of the last 10 years is real. The authoritarian trend of the regime caused increasing limitations of civil liberties (notably freedom of assembly). Press freedom worsened and some journalists were harassed. Both around the March double scrutiny and the presidential elections, access to social media and telecommunications was severely limited. Civil society was less and less free to express its concerns. Despite relatively low numbers of COVID-19 cases, from March a state of emergency remained in force, including a curfew, a ban on large gatherings, restrictions on movement and a closure of borders. The state of emergency was also invoked to prevent opposition demonstrations. On 22 March, Guineans voted in a constitutional referendum and legislative elections that, however deemed not inclusive and boycotted by the opposition, paved the way for President Condé's third term. The controversial poll triggered violence, involving dozens of casualties in Conakry and other cities. In Nzérékoré, Forest Guinea, electoral tensions ignited longstanding inter-communal divisions, leading to violent clashes that left at least 32 people dead, 90 injured, and dozens of homes, shops and churches destroyed or damaged. Presidential elections were held on 18 October,

shortcomings in the electoral roles being only partly addressed. The post-election period was marred by violence, with the security forces killing at least 12 people, including 2 children. On 24 October, the electoral commission announced that Condé had won the election. His main challenger, Cellou Dalein Diallo, who on 19 October had claimed victory, rejected the official results. Alleging fraud, he called for mass demonstrations. Again, several opponents were arrested and sentenced. Diallo (whose headquarters remain locked down by security forces), and other opposition leaders face legal prosecution that could lead to their ineligibility. The security forces frequently used excessive and at times lethal force when breaking up protests and in response to violence by demonstrators, leading to dozens of casualties by firearms.

They arbitrarily arrested and detained, also in military camps, scores of leaders and supporters of the National Front for the Defense of the Constitution (FNDC), including Sekou Koundouno, Ibrahima Diallo and Oumar Sylla. Members of the security forces continued to enjoy almost total impunity for their excessive use of force and other human rights abuses. Despite the risk of COVID-19 infections, authorities took no steps to reduce severe overcrowding in prisons, with Conakry's central prison, designed for 300 people, continuing to house around 1,500 inmates under harsh, substandard conditions. Three political detainees died, all members of the FNDC. No investigation was carried out to clarify the causes of these deaths. The judiciary continued to face various shortcomings, including lack of adequate courtrooms as well as insufficient personnel and resources to investigate and prosecute human rights violations and other crimes. Most investigations against members of the security forces did not result in charges. The government also failed to meet a self-imposed June 2020 deadline for the organisation of a trial for alleged perpetrators of the 2009 Conakry stadium massacre. Despite repeated international calls, 11 years after security forces massacred over 150 peaceful opposition supporters and raped dozens of women at a stadium on 28 September 2009, those responsible have not been tried. The court building for the trial is still in construction. Five people charged in the case have been in detention beyond the legal limit while they wait for the trial to start. 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 2020.

Guinea's rich natural resources have so far brought little benefit to the population. The expansion of the bauxite and iron sectors meant thousands of farmers losing their home, often for inadequate compensation, and damaging vital water sources in the area. The projected Souapiti hydroelectric dam, is expected to displace 20,000 people. More than 10,000 people displaced in 2019 have yet to receive alternative farmland or support finding new livelihoods and are struggling to access adequate food and other essentials. Although the State is committed to promoting gender equality and combating violence against women and girls, the revised Civil Code still discriminates against women. Although the Guinean Constitution prohibits torture as well as any cruel, degrading or inhuman treatment, 97.5% of women between the ages of 15 and 49 have undergone female genital mutilation (FGM). These practices are prohibited under the 2016 Criminal Code, but its enforcement is very lax.

**2. EU action - key focus areas:** The human rights and democracy priority sectors in Guinea are: justice and the fight against impunity; democratisation and the fight against corruption;

ensuring safety; and gender equality. In 2020, the EU concentrated its efforts in the fight against the pandemic and the situation of instability created by the predicted polls.

**3. EU bilateral political engagement:** No political dialogue between the EU delegation and the Government of Guinea has been possible in 2020, but the EU has been active as a mediator in the political crisis, notably in the framework of the G5 Group (EU, African Union, ECOWAS, France, US). The EU delegation remained in close contact with the authorities, with the opposition and strengthened collaboration with civil society through regular coordination meetings. The EU has expressed its views on the Guinean situation on several occasions through statements and declarations.

**4. EU financial engagement:** To fight against the COVID-19 pandemic, Team Europe in Guinea has mobilised more than EUR 45 million in 2020. Moreover, EUR 2 million for justice were mobilised, and IcSP projects for a total of almost EUR 8 million continued. In 2020, the EU and Member States continued to support the authorities and civil society notably through: EIDHR and CSO/LA instruments, IcSP (WANEP) and bilateral cooperation PARJU help in the follow-up of specific human rights issues with civil society, which have strengthened the role of NGOs. A regional project is addressing trafficking in human beings in six countries: Benin, Côte d'Ivoire, Ghana, Guinea, Nigeria and Togo (EUTF EUR 17.4 million).

In the field of human rights, the following projects deserve to be mentioned:

- A project with 'Terre des Hommes', to rehabilitate infrastructure in nine prisons and provide vocational training with a view of reintegration of detainees, completed in April 2020;
- 'Strengthening Civil Society Capacity for the Effective Protection of Human Rights Conventions and Treaties (RESPECT)', with the NGO 'Avocats sans Frontières', aimed at supporting civil society in the analysis, monitoring and reporting of HR violations, in a context aggravated by the pandemic;
- 'Strengthening Legal Clinics', within whose framework lawyers assisted more than 1,250 people free of charge before the Guinean courts since the launch of the project in 2017.
- A project led by the NGO WANEP 'Electoral Violence Monitoring, Analysis and Mitigation Mechanism (EMAM)' and a system for monitoring crisis situations during electoral processes, which were used during the Guinean presidential elections;
- Two Article 3 IcSP interventions under the decision 'Support Programme for the Prevention of Violent Extremism and the Fight against Impunity in Guinea'. The first one, 'United in our differences!' (SFCG – EUR 2.3 million) deepened the understanding of the situation regarding the Prevention of Violent Extremism (PVE) in Guinea, as well as building the capacity of religious, political and traditional leaders in collaborative approaches to PVE, conflict transformation and leadership. The second project, 'Supporting victims' participation in the 28 September trial in Guinea' (FIDH, EUR 550,000), initially aimed at accompanying victims to the trial, which was scheduled to take place between the 2018 and 2019, but is still pending. This led to a review of activities/reallocation of funds, in particular in favour of increased legal, medical and psychological support to victims, and capacity building of judicial staff

and lawyers on good practices in the investigation and prosecution of serious human rights violations in cases of international crimes. It ended on 9 October 2020.

**5. Multilateral context:** Guinea was assessed in the framework of the Universal Periodic Review of the UN Human Rights Council on 21 January 2020. During this session, Spain made the following recommendations: 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 of all reports of torture; decriminalisation of same-sex adult relationships and promotion of human rights of LGBTI persons; urgent development of strategies to eradicate FGM; ensuring access to sexual and reproductive health services; 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:** While Kenya continued to stand out for its overall functioning democratic institutions, three broad categories of challenges dominated the human rights and democracy situation in 2020. The enforcement of restrictive measures in the framework of the COVID-19 pandemic led to acts of police brutality, which left 15 people dead in the first 9 weeks of the curfew. Women and girls have borne the brunt of the social effects of COVID-19, with a significant increase in cases of domestic violence and teenage pregnancies. The political discourse focused on the public consultations and constitutional reform proposals contained in the 'Building Bridges Initiative' (BBI), which will have implications on the structure of governance. Those in favour of the reforms point to significant democratic and human rights gains, in terms of gender parity and further decentralisation of power to the local governments. Those opposing the reforms fear an all-powerful executive and undermined independence for the judiciary branch, as well as – conversely – loss of the gender equality gains made in the 2010 Constitution. In view of previous instances of electoral violence, there is some anxiety amongst Kenyans and the international community about growing tensions and polarisation caused by the BBI debate and the succession to President Kenyatta in 2022.

Longer-term challenges remain in Kenya. Corruption is estimated to consume 30% of the country's public revenues, depriving Kenyans of essential services, and undermining their social and economic rights. Shortcomings in women's rights continue, including with regard to FGM. Relations between citizens and the security forces remain difficult, with the latter accused of carrying out enforced disappearances in the Muslim dominated areas of the country. Civic space is shrinking, human rights defenders face challenges and the media are subject to growing resource limitations, which lead to self-censorship.

**2. EU action - key focus areas:** The EU continued focusing its human rights engagement with Kenya on five key priorities: civic space; human rights and security forces; impunity and accountability; human rights defenders; and women's rights.

**3. EU bilateral political engagement:** In 2020, the EU's engagement on political and policy dialogue with Kenya continued, despite the COVID-19 pandemic. European Commission Executive Vice-President Margrethe Vestager visited Nairobi at the end of February to

review the EU's and Kenya's digital agenda and, more broadly, the strengthening of bilateral relations. Throughout the COVID-19 pandemic, EU Commissioners discussed regularly with their Kenyan interlocutors about bilateral trade and cooperation. In November, Presidents Michel and Kenyatta held a videoconference to discuss the impact of and response to the pandemic, the future of the EU's partnership with Africa, peace and security challenges in the Horn of Africa, and the deepening of the EU-Kenya political and economic relations.

Due to the pandemic, the EU's public outreach on human rights was mainly conducted via social media messaging in relation to specific events, such as the International Human Rights Day and the International Women's Day. In February 2020, the EU delegation organised a screening of the film 'A girl from Mogadishu' with key guest speakers, to draw attention to the ongoing fight against FGM in the region and in Kenya.

**4. EU financial engagement:** The EU continued implementing PLEAD, the EU's programme supporting the Kenyan justice actors in their path to increased efficiency and coordination in the justice sector and towards greater access to justice.

In 2020, the EU delegation started implementing grants under the European Instrument for Democracy and Human Rights to a number of projects supporting human rights defenders in domains such as juvenile justice, indigenous peoples, the fight against extra-judicial killings and women land rights.

In addition, the EU signed a grant with the Kenya National Commission on Human Rights, to assist them with the monitoring of, and responding to, human rights implications of the government's COVID-19 response.

The EU Water Towers programme, which aimed at addressing environmental degradation of several protected areas in Kenya, continued under fire in 2020 in relation to indigenous communities' rights. The latter claim ancestral right in the forest, while the government considers them illegal squatters. A further extension by the EU of the timeline of the programme, to allow the government to seek the informed consent of the indigenous communities, was unfortunately met with a lack of progress on all sides, and the programme finally expired in September.

**5. Multilateral context:** Kenya underwent its third Universal Periodic Review at the Human Rights Council in January 2020. Delegations mostly welcomed progress made in implementing the recommendations of the previous review and encouraged Kenya to pursue its efforts, notably on women's rights, female genital mutilation, civic space, fight against corruption, strengthening the judiciary and accountability of the security forces.

In June, Kenya was elected for a non-permanent seat at the UN Security Council in 2021-2022.

Due to the COVID-19 pandemic, little multilateral action took place in any of the regional fora of relevance to Kenya. Kenya was one of the signatories of the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family in October 2020. It is not clear yet to what extent this will translate in a policy shift on women's rights, gender equality and sexual health and reproductive rights.

## Kingdom of Lesotho



**1. Overview of the human rights and democracy situation:** 2020 was a challenging year for Lesotho. In May, the partners in the governing coalition agreed to terminate the arrangement and the Prime Minister announced that he would resign in an attempt to avoid a vote of no confidence in the Parliament.

Dr. Moeketsi Majoro was sworn in as the new Prime Minister on 20 May, offering an opportunity to consolidate national leadership and accelerate reforms. The process related to reforms in key sectors, such as the judiciary, parliament, security institutions, public service, constitution, economic policy and media, has progressed very slowly and some deadlines have been missed. However, the National Reforms Authority has made some progress, with the leadership appointed, an indicative work plan released and a management committee formed.

Observing and respecting human rights remains critical to attaining peace and stability in the country. Reports of police brutality, gender-based violence and activities of criminal gangs present a serious threat to stability and development. Lesotho is faced with serious threats such as trafficking in human beings and drugs, and its efforts to address them are held back by weak judicial institutions and high levels of corruption. The delay of trials of high-profile criminal cases are also a major concern, having an impact on public confidence and preventing Lesotho from drawing a line under disputed events in the recent past.

**2. EU action – key focus areas:** A major EU focus has been to provide emergency support to the Lesotho judiciary to assist it in delivering fair and timely justice. In addition, the EU has been strongly supportive of the national reform process. Under the 11th EDF National Indicative Programme, the EU has committed to supporting civil society organisations with a total of EUR 1.71 million with key priorities in the areas of security sector reform and advancing the rule of law. Further support to the justice sector and the reforms process was initiated by signing a EUR 8.5 million Financing Agreement in August 2020.

**3. EU bilateral political engagement:** The EU delegation's main concern remains the reforms process, which the EU has supported since the beginning. The EU delegation maintains good relations with the UN, local non-governmental organisations (NGOs), the government and opposition politicians.

**4. EU financial engagement:** The EU, through the 11th EDF National Indicative Programme, continues to provide financial support for various social protection and development projects in Lesotho. One such project is implemented by UNICEF. Together with the Ministry of Social Development, it implements the child grant programme, orphan bursaries and old-age subsidies. In 2020, the action received additional EUR 5.5 million which will be used for cash transfers to mitigate socio-economic effects of the COVID-19 pandemic, bringing the budget for the whole action to a total of EUR 21.5 million. NGOs that received funding in 2020 included Women Lawyers of Southern Africa and Gender Links. Further financial support was awarded to strengthen civil society organisations such as Democracy Works Foundation and the Transformation Resource Centre. The EU also continues to support the Lesotho Judiciary through the Instrument Contributing to Stability and Peace (IcSP) by providing funding for foreign judges.

**5. Multilateral context:** Lesotho is not a signatory to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. However, there has been no execution since 1995 and death sentences are in practice converted to life sentences. Lesotho is also a state party to major international human rights instruments even though some have not been ratified. Lesotho's last Universal Periodic Review session was held on 22 January 2020 and identified progress such as the Anti-trafficking Bill of 2020, which seeks to combat trafficking in human beings by sentencing convicted perpetrators to life imprisonment. The bill passed by the National Assembly is currently awaiting approval from the Senate and will come into law once it gets royal assent. A National Human Rights Commission, which strives to align itself with the Paris Principles, is expected to be established as soon as the bill is passed. The Parliament also approved the Disability Equity Bill, which seeks to provide a number of legal rights and social protection for persons with disabilities.

## Liberia

**1. Overview of the human rights and democracy situation:** In 2020, Liberia remained a fragile country marked by economic, social and governance challenges as well as institutional fragility. The 8 December mid-term senatorial elections and constitutional referendum unfolded peacefully and Liberia passed this important test for its democracy and peace consolidation process. Liberian voters, political actors (party representatives, national observers) and institutions (electoral commission, poll workers, security forces) showed a strong commitment to peace and democracy, expressed in a calm and orderly election, with a relatively low (37%) turnout. The elections proved the capacity of the country and its administration to conduct a credible, inclusive and transparent national election, the first one after UN Mission's in Liberia (UNMIL) departure in 2018. In a few polling places, some incidents caused the suspension and re-run of voting, although these incidents do not tarnish an overall peaceful and orderly electoral process. In the run-up to the elections, there were some irregularities, like incidents of 'trucking' of would-be voters coming from other counties, allegedly paid by candidates to register in those locations during the voter registration period, which fuelled tensions. Before and during the elections, there were localised incidents of electoral violence, as well as incidents of intimidation of female electoral candidates. The elections resulted in a significant loss of support to the ruling coalition (CDC) and enhanced presence of the opposition (CPP) in the Senate. Only two women won senatorial seats, out of 15 winning candidates, and one was harassed. This is a reminder of the great challenges that still exist to increasing the very low women public representation in Liberia and addressing obstacles that women candidates or would-be candidates face – which were also referenced by the EU Election Observation Mission in 2017. The COVID-19 pandemic had a harsh impact on many livelihoods in the informal sector. The government took special measures to bring food, electricity and water support to vulnerable households. However, the management of the crisis confirmed institutional and governance challenges, including on the sound management of funds related to the COVID-19 response, transparency and accountability. Among the human rights concerns in the COVID-19 context, there were: incidents of disproportionate police interventions enforcing the lockdown; enhanced risks for the safety of women and children; conditions in overcrowded prisons; and some frictions between government officials and the media. CSO

and watchdog institutions like the Independent National Commission on Human Rights (INCHR) found a stronger voice to hold the government accountable for human rights issues, publishing statements which expressed concern about the human rights situation under the state of emergency.

**2. EU action – key focus areas:** In 2020, the EU and Member States took forward the key priorities using the full range of tools available. As in previous years, issues of good governance, accountability and transparency, as well as human rights (including fight against sexual and gender-based violence and female genital mutilation, and improving prison conditions), were included on the agenda of the EU-Liberia Article 8 Political Dialogue.

**3. EU bilateral political engagement:** At the EU-Liberia Political Dialogue on 7 February, the EU acknowledged the government's commitment to fighting gender-based violence, while recalling that it is still widely spread. The EU stressed that FGM is a grave human rights violation, and expressed regret that FGM was not included in the Domestic Violence Act passed in 2019, encouraging the government to issue an executive order while working with the legislature to ban FGM. The EU recognised the ongoing dialogue with traditional actors, but emphasised that a ban on FGM is also necessary.

The EU and Member States participated in public diplomacy initiatives. In November and December, the EU delegation collaborated with the Press Union of Liberia ahead of the mid-term senatorial elections and supported a programme under the title 'Countering Hate Speech, Strengthening Conflict Sensitivity in Journalism and Social Media towards Supporting Peaceful Elections in Liberia'. Under this campaign: teams monitored and countered hate speech and inflammatory messages on Facebook; radio spots were broadcasted in six counties; two events were held in Monrovia - a two-day peer review workshop for radio talk-show hosts and senior journalists, and a peace forum for media stakeholders, youth and CSOs, police and the military. This campaign contributed to a peaceful electoral process, and enhanced public visibility of the EU's role as an actor in support of peacebuilding efforts in Liberia.

The EU delegation and Member States participated in local statements of the international community before and after the senatorial elections, condemning an incident of electoral violence and calling for a peaceful electoral process, and commending the Liberian people, government, political actors, NEC and security forces for the peaceful and orderly development of the elections. On the election day, the EU delegation and Member States carried out a diplomatic watch exercise in Monrovia and four other counties.

**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, rights of the child and the justice sector. European Instrument for Democracy and Human Rights (EIDHR) projects in Liberia in 2020 included work with local CSOs to promote human rights. The EU-UN Spotlight Initiative, launched in 2019 to reduce prevalence of gender-based violence and promote access to sexual and reproductive health and rights, was adapted to address the vulnerability of women and girls during the COVID-19 crisis. 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 two 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. The EU and EU Member States backed the government's COVID-19 response with an EU emergency budget support for a total of EUR 14.95 million, with complementary training and awareness raising actions and provision of personal protective equipment for an amount of almost EUR 2 million. Ongoing EU projects were adapted and funds reallocated to address specific COVID-19 challenges. Examples of such projects are:

- Liberian women and girls continue to be subjected to high levels of sexual and gender-based violence including rape. The COVID-19 pandemic and the closure of schools exacerbated the vulnerabilities of girls who became exposed to increased risks of gender-based violence. In 2020, a project funded under the EIDHR continued to support seven girls' forums in Margibi, Gbarpolu and Montserrado counties. It helped girls make informed decisions about their sexual and reproductive health and rights and report cases of sexual and gender-based violence, and distributed soap making packages to these forums to enhance the income generation and economic empowerment of girls.
- Prison conditions in Liberia remain a cause of concern, with overcrowding in almost all detention facilities, aggravated by the backlog of court cases resulting in lengthy periods of pre-trial detention for a large number of people. The COVID-19 pandemic further exacerbated the situation. In 2020, an EIDHR project contributed to protecting the human rights of prison detainees in Liberia, including support to vocational education and training of prison inmates in areas like tailoring, thereby improving their conditions for employment and reintegration in the labour market and social environment once released.

**5. Multilateral context:** Liberia has ratified the main international human rights instruments, but many still need to be integrated into domestic law. In November 2020, Liberia participated in the third cycle of the Universal Periodic Review.

## Madagascar

**1. Overview of the human rights and democracy situation:** The Government of Madagascar recognises the challenges of a country characterised by pockets of extreme poverty, insecurity in rural areas, significant primary healthcare and education needs, serious issues related to gender equality and rights of the child, reported limitations to the freedom of expression and poor detention conditions. Some of these challenges were exacerbated in 2020 by the COVID-19 pandemic.

Despite the government's efforts to improve detention conditions and to reform the judiciary and the penitentiary system, guaranteeing the access of all detainees to a fair trial within a reasonable timeframe remains a challenge. In general, in overcrowded prisons, persons in detention often experience psychological abuse, malnutrition, and lack of access

to healthcare. Around half of the detainees are in pre-trial detention, sometimes for years. The decreasing trust of the population in an inefficient and underfinanced judiciary system, affected by corruption, has led to cases of mob justice.

Although steps were taken to empower women, violence against women remains a serious problem. According to UNICEF, many children suffer physical abuse at school or in their families. In some rural areas, the population is vulnerable to criminal activities, due to a weak presence of the state. A recurring nutritional crisis in the South, caused mostly by drought, put 1.15 million people in an emergency situation of acute malnutrition in December 2020, including many children. Only one out of three children completes primary education, the quality of which is often low, reflecting weaknesses in teachers' training.

The influence of business persons and politicians who own media outlets can lead to self-censorship. In addition, some journalists, whistle-blowers and human rights defenders were arrested in 2020, prosecuted, for example, for 'inciting hatred of leaders and disturbing public order'.

Senate elections in December 2020, boycotted by the opposition, followed a reform reducing the number of senators from 63 to 18, which may weaken the Senate's position in the system of checks and balances. A reform - perceived by many stakeholders as controversial - of the specialised jurisdiction for corruption (Pôles Anti-Corruption), which would have weakened its role in the anti-corruption framework, had been blocked by the former Senate, dominated by the opposition.

**2. EU action - key focus areas:** In 2020, EU action focused on transparency and the fight against corruption, aiming at building a resilient, inclusive and democratic society via support for institutions, NGOs and civil society, such as:

- BIANCO (Bureau Indépendant Anti-Corruption), PAC (Poles Anti-Corruption) and the Ministry of Justice: to computerise the follow-up procedures of investigations;
- Ministry of Justice: to put in place a strategy to fight corruption in the judiciary system and to strengthen the inspectorate;
- Court of Auditors: to carry out audits of public procurement (public works) and information systems (AUGURE – the state's human resources management system);
- Ministry of Finance: to strengthen the monitoring of results in budget execution through sector performance plans and the implementation of annual work plans to improve the quality and efficiency of budget allocations;
- Transparency International: to investigate the incidence of corruption in the health sector and to develop a health sector corruption barometer;
- Consortium of NGOs: to carry out citizen monitoring and control of public expenditure and in particular COVID-19 expenditure management;
- Fanainga (formerly Fonds Commun Multi-Bailleur d'Appui à la Société Civile), an innovative programme aiming to strengthen the capacities of civil society organisations to play a key role in development in favour of the most vulnerable and marginalised people and communities in view of triggering sustainable social change;
- Safidy: a local election observatory established by the EU, which observed the 2020 Senate elections.

At the same time, the EU contributed to the use of new technologies via support to the audit of the AUGURE system and to a system for the digitalisation of the judiciary.

**3. EU bilateral political engagement:** Respect for human rights is an essential element of the EU's political dialogue with Madagascar. At the second political dialogue meeting under the presidency of Andry Rajoelina in August 2020, the EU highlighted specific human rights issues, encouraging the government to further improve the situation of detainees, particularly in the context of the COVID-19 pandemic. The EU also encouraged further progress concerning the draft Law on Access to Public Information and in the area of freedom of expression, calling upon the government to preserve the space of action of journalists and human rights defenders. Furthermore, the EU expressed support to the Independent National Commission for Human Rights.

During a mutiny in a prison in August 2020, 23 out of 88 escaping prisoners were killed by security forces, triggering strong public criticism. The EU, together with France and Germany, published a widely disseminated local statement, describing the killing of prisoners by security forces as 'disproportionate'. The statement requested to identify those responsible and underlined that beyond the construction of modern and secure detention centres, supervised by trained staff, a fundamental reform of the criminal justice and prison system was necessary.

**4. EU financial engagement:** Various projects for persons with disabilities, children, women, youth, families in urban areas, delinquents (women, minors) are funded by the EU for a total of more than EUR 1 million per year. Since 2013, the EU has been implementing the project DINIKA to strengthen civil society (EUR 10 million). A project worth EUR 17 million for the period 2014-2020, entitled 'Administration for all' (NFD), aims at strengthening the efficiency and integrity of the public administration, e.g. regarding the delivery and quality of public services, human resources management, support for public authorities, and support for judicial follow-up to penalise the infringements noted.

**5. Multilateral context:** In March 2020, the final report of the 2019 Universal Periodic Review of Madagascar was adopted. Most delegations had acknowledged progress made and commended the country's efforts to improve the human rights situation. Delegations had expressed concerns in key areas such as the rights of the child, torture and excessive use of force by security forces, gender-based violence and discrimination against women, prison conditions, as well as freedom of expression and association. Out of 203 recommendations, Madagascar supported 174, and 29 were noted. Madagascar, among other things, pledged to strengthen efforts to combat discrimination and violence against women, to investigate, prosecute and punish abusive use of force and acts of torture by the security forces, to reform the penitentiary system and to strengthen efforts in the fight against corruption. The UN organised workshops and consultations in support of these pledges and assisted in implementing a system of tracking.

## Democratic Republic of Malawi

**1. Overview of the human rights and democracy situation:** On 8 May 2020, the Supreme Court confirmed an earlier ruling calling for new presidential elections, after detecting irregularities in the previous ones. This was an important moment in reaffirming the independence of the Malawian courts. Despite some electoral violence, the new elections went ahead and, mainly due to the short notice, took place with local observers but without any regional or international observation mission. Lazarus McCarthy Chakwera, representing the Tonse Alliance, a newly formed political grouping of nine opposition parties, was elected with a comfortable majority as the new President of Malawi on 23 June 2020.

The new government vowed to uphold democratic principles and announced a number of strong measures, including reducing presidential powers and strengthening the independence of governance institutions such as the Anti-Corruption Bureau, the Malawi Human Rights Commission and the Ombudsperson. The Independent Police Complaints Commission was set up in autumn, and the Access to Information Act was finally operationalised after having been approved in 2017.

Malawi presented its Universal Periodic Review report of human rights at the United Nations in November 2020. The report showed some progress on the rights of the child, the fight against corruption and access to information. However, a number of other important files remained open. Among these were: the prison conditions, the abolition of the death penalty, the rights of LGBTI persons and sexual and reproductive health and rights.

The fight against gender-based violence was declared a ‘national cause’ at the end of 2020, with explicit support from the president and several public figures. Amendments to the Penal Code and campaigns raising awareness about gender-based violence are ongoing, along with the EU-UN Spotlight Initiative which is about to enter into its second phase.

As in other countries, the COVID-19 pandemic had detrimental effects on Malawi’s socio-economic fabric and on the situation of young women and girls in particular (with a sharp increase in child marriages, domestic violence and rape).

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

**Protecting and empowering individuals:** Through the Chilungamo programme, the EU supported the prosecution of over 10,000 gender-based violence cases in 2020, continued to build capacity for victim support units and allowed the release of thousands of prisoners, with overcrowding in prisons reduced from 260% to 186%. The Spotlight Initiative reached a total of 182,924 households and 926 school structures to raise awareness on gender-based violence and facilitate access to services for survivors. The ‘Improving Secondary Education in Malawi’ programme provided bursaries to 2,521 vulnerable secondary school students, 2/3 of whom were girls, ensuring their right to education and increasing their protection from child marriage. On the same line, the Skills and Technical Education programme provided bursaries to 931 vulnerable youth (of which 712 were girls), in addition to mainstreaming gender-based violence prevention activities in all the technical and vocational education and training (TVET) centres targeted.

**Building resilient, inclusive and democratic societies:** The EU provided support to the National Initiative for Civic Education to observe the fresh presidential elections. More than 5,000 observers were deployed successfully. It also increased its contribution to the UNDP

Electoral Basket Fund by EUR 2 million providing support to the electoral reform process after the fresh elections.

**New technologies: harnessing opportunities and addressing challenges:** The UNDP National Registration Programme was extended by an additional year, and the EU contribution increased by EUR 1.7 million. The increase will allow birth registration of 8 million Malawian children in the National Registration System.

**Delivering by working together:** The EU rolled out a Team Europe initiative in autumn 2020 to support the country's COVID-19 response with a total amount of EUR 60.5 million. It includes measures supporting the immediate health response, improving water, sanitation and hygiene and mitigating the pandemic's social and economic impact, especially for the households in the most vulnerable situations.

**3. EU bilateral political engagement:** Throughout the year, the EU continued to engage actively with both the previous and the new government, despite the COVID-19 pandemic, including through the political dialogue on 16 December 2020. It touched upon topics such as: good governance, sound public finance management and the fight against corruption; the death penalty and the treatment of minorities in Malawi, especially persons with albinism and LGBTI persons; and gender equality and gender-based violence.

**4. EU financial engagement:** In 2020, the EU continued to support good governance and the rule of law through its programmes focusing on access to justice, support for groups in vulnerable situations (in particular victims of hate crimes or gender-based violence), public finance management and promoting the civic space in Malawi. In 2020, the EU signed two new grant contracts under the European Instrument for Democracy and Human Rights, one with Reprieve to improve living conditions in prisons and to fight against torture and other cruel, inhuman or degrading treatment, and the other with Oxfam on access to information.

**5. Multilateral context:** Malawi was active presenting its Universal Periodic Review report in 2020, with the final report due in February 2021. In summer 2020, Malawi was elected to be the next Chair of the Southern African Development Community from August 2021. Malawi gained a seat at the UN Human Rights Council in 2020, starting from January 2021 for three years. It is the first time Malawi seats at the HRC since its creation in 2006.

## Mali

**1. Situation générale des droits de l'homme et la démocratie:** L'année 2020 a été marquée par de nombreux événements ayant un impact sur les droits de l'homme et la démocratie. Dans le cadre de la contestation des élections législatives du mois d'avril, le mouvement du 5 juin Rassemblement des forces patriotiques (M5-RFP), a multiplié les appels à des manifestations particulièrement intenses du 10 au 13 juillet (actes de violences et de destruction). La réaction violente des autorités a entraîné la mort de 14 manifestants dont deux mineurs, lors de l'intervention de la police nationale, de la gendarmerie nationale, de la Garde nationale et selon le rapport, de la force antiterroriste.



Cette contestation des pouvoirs publics a connu son paroxysme avec la survenue d'un coup d'état militaire le 18 août 2020, entraînant l'arrestation de plusieurs personnalités, y compris celle de l'ancien président Ibrahim Boubacar Keita.

Plusieurs personnalités politiques, de l'administration publique ou encore de la société civile ont été arrêtés et placés en détention par la Sécurité d'Etat avant d'être judiciairisées.

Au-delà de Bamako, les populations ont continué à subir des abus de la part de groupes armés terroristes et de milices communautaires sur une grande partie du territoire. Les Nations unies ont également relevé des violations des droits de l'homme ainsi que du droit international humanitaire de la part des forces de défense et de sécurité maliennes (FDSM), au Centre notamment. Malgré certains progrès observés déjà en 2019 concernant l'ouverture d'enquêtes, rares sont celles qui aboutissent à un procès judiciaire. Aucune n'a abouti en 2020 à une condamnation.

Le rapport de la Commission d'enquête internationale indépendante, remis au SGNU le 26 juin et rendu public en fin d'année, qui a enquêté sur des violations des droits de l'homme et du droit international humanitaire au Mali entre 2012 et 2018, constitue une opportunité pour renforcer et accélérer la lutte contre l'impunité.

Le recul du gouvernement de transition concernant l'avant-projet de loi portant prévention, répression et prise en charge des violences basées sur le genre, est une occasion manquée de faire avancer le droit des femmes et des filles dont la situation n'a cessé de se détériorer au Mali.

**2. Action de l'UE – domaines prioritaires:** La stratégie de l'Union européenne pour les droits humains et la démocratie s'est donnée trois axes prioritaires :

- La justice, notamment la lutte contre l'impunité, l'égalité d'accès à la justice, l'amélioration des conditions de détention.

La délégation de l'UE a renforcé le dialogue politique avec les autorités maliennes y compris en ce qui concerne les exactions commises par les FDSM lors des opérations militaires au Centre. La délégation de l'UE a également engagé un projet pour soutenir la lutte contre l'impunité au Mali à travers un soutien de la société civile pour documenter les cas de violation et accompagner les victimes.

Le projet pour la constitution d'un observatoire citoyen contre l'impunité et pour la redevabilité a démarré ses activités en janvier 2020 facilitant la collecte et le rapportage de la société civile sur des cas de violations de droits de l'homme ainsi que le partage d'informations d'intérêt public à l'aide des plateformes web et mobiles.

Par ailleurs le nouveau programme d'appui à la justice au Mali a commencé, avec l'objectif d'améliorer les conditions de détention des mineurs, femmes et hommes dans diverses prisons du pays en adéquation avec les engagements internationaux du Mali sur le respect des droits de l'homme.

- Droits des femmes, notamment lutte contre les violences basées sur le genre et la participation à la vie publique.

La délégation de l'UE a continué à faire le plaidoyer auprès du gouvernement du Mali pour l'adoption de l'avant-projet loi sur les violences basées sur le genre (VBG) et pour la réforme du Code des personnes et de la famille, qui devraient notamment servir à criminaliser la pratique de l'excision ou interdire le mariage d'enfants.

Dans le cadre du programme Spotlight Initiative, des évaluations des capacités et de besoins des institutions nationales et locales et des organisations de la société civile ont abouti à des plans de renforcement de capacités dans le domaine de la lutte contre les VBG qui seront exécutés en 2021. La production d'une série télévisée sur les VBG a été finalisée et sa diffusion débutera en 2021, contribuant aux multiples efforts d'éducation et de sensibilisation des populations.

- Droit des enfants, combattre leur exploitation économique notamment pour les enfants des rues, lutte contre le trafic.

Le projet pour l'inclusion des enfants en situation de rue dans le système de protection de l'enfance au Mali a permis, en 2020, la prise en charge holistique d'urgence et le référencement vers des partenaires d'enfants en situation de rue à Bamako (programme de 'rescolarisation' et de formation professionnel).

**3. Engagement politique bilatéral de l'UE:** Au cours de l'année 2020, le dialogue politique avec les autorités maliennes a été impacté par plusieurs facteurs : la situation politique intérieure, le coup d'Etat du 18 août 2020, ainsi que la situation sanitaire, liée à la COVID-19.

La délégation de l'UE, avec les Etats membres, ont toutefois joué un rôle clef dans le cadre de la crise post-électorale de mai 2020 et a multiplié les rencontres afin de trouver des solutions d'apaisement. La délégation de l'UE a su conserver un canal de discussion avec les différentes parties et appuyer les bons offices de la CEDEAO. La coordination avec les missions EUTM et EUCAP a été essentielle pour utiliser leurs canaux spécifiques afin de renforcer de faire passer des messages.

Une fois les conditions réunies par les autorités de la transition, l'articulation de nos différents instruments a permis la reprise rapide de nos actions, fondée sur un partenariat éclairé et une redevabilité mutuelle avec les autorités maliennes.

**4. Engagement opérationnel et financier de l'UE:** La liste des programmes liés aux droits de l'homme au Mali es ample. Les montants des programmes pluriannuels sont les suivants:

- Justice/FED: Programme d'appui à la justice (PAJM EUR 12 million et PAJM II EUR 6,7 million);
- Etat civil/FFU: Programme d'appui au fonctionnement de l'état civil au Mali (EUR 25 million);
- Éducation/FED: Programme d'appui à l'enseignement fondamental (EUR 20m million) et Programme d'appui à l'inclusion scolaire au Mali (EUR 40 million);
- Lutte contre les violences faites aux femmes et aux filles et les pratiques néfastes/FED: Programme Spotlight (EUR 15 million);
- Droits de l'Homme/IcSP: Soutenir la lutte contre l'impunité au Mali EUR 2,5 million; Soutien à l'opérationnalisation de la composante police de la Force conjointe du G5 Sahel au Mali (EUR 3,5 million);

- Droits de l'Homme/IEDDH (EUR 1,5 million): Observatoire citoyen contre l'impunité et pour la redevabilité; Justice pour les survivantes de violences basées sur le genre; Inclusion des enfants en situation de rue dans le système de protection de l'enfance au Mali;
- Société Civile/FED – Project HIBISCUS (EUR 5 million): Renforcement de capacités société civile (genre, droits de l'Homme, décentralisation, appui aux nouveaux acteurs de la société civile);
- CSO & LA (EUR 3,2 million): Écoles coraniques/inclusion des enfants.

**5. Contexte multilatéral:** Un certain retard est à relever en ce qui concerne le rapportage que doit effectuer le Mali dans le cadre des conventions internationales sur les droits de l'homme (par exemple le CEDAW). Le Mali n'a pas encore honoré en 2020 les engagements pris lors du troisième cycle de l'Examen périodique universelle, en 2018, en matière par exemple de criminalisation de l'excision ou d'interdiction du mariage d'enfants.

La ratification de la plupart des conventions internationales et protocoles additionnels sur les droits de l'homme devrait à présent être prolongée par la transposition et l'application dans la cadre légale malien.

## Mauritania

**1. Overview of the human rights and democracy situation:** Since his election in 2019, President Ghazouani managed to establish a climate of political openness and appeasement and to instil a constructive political atmosphere conducive to reforms. He made concrete commitments in terms of human rights and public freedoms. However, he faces the inertia of public administration and of a deeply conservative society.

Despite the legal and institutional progress made in recent years in the field of human rights, the international community continues to express serious concerns in this area and highlights the lack of effective implementation of existing legislation.

The main issues raised are the lack of independence of the judiciary, corruption, impunity, abusive treatment by law enforcement officials, violence against women, early and forced marriage, racial and ethnic discrimination and child labour. In addition, prison conditions, arbitrary arrests and prolonged pre-trial detention still need to be improved.

In 2020, significant progress was made in the field of human rights. Mauritania remains the leading Arab country in the Reporters Without Borders Press Freedom Index. In July 2020, Mauritania set up a National Observatory for Women's and Girls' Rights (ONDFF), which has the mandate to formulate, monitor and evaluate concrete proposals to promote women's and girls' rights in public policies. Having been assessed to conform to the Paris Principles, the National Human Rights Commission (CNDH) was granted 'Status A' at the end of December 2020. Another positive step forward in terms of freedom of association was the recent adoption by the National Assembly of the draft law governing associations, foundations and networks. This law on associations had been awaited for several years and

will radically change the life of Mauritanian associations as it provides for the replacement of the existing authorisation regime with a prior declaration regime.

However, several stumbling blocks remain to be addressed. For example, despite its adoption by the Council of Ministers, the draft Law on Violence against Women and Girls has still not been approved by the National Assembly. Despite the efforts undertaken by the government, conditions in places of detention remain of concern. With regard to access to civil status, according to a World Bank report, around 10% of the population is still not registered on the biometric system of civil status records. These are mainly people from the most disadvantaged groups, the Harratines and black Mauritians, who are therefore deprived of work, access to basic services, particularly education and healthcare, or the rights granted to citizens (financial transactions, etc.). A number of allegations of torture or ill-treatment of demonstrators by law enforcement officials or for breaching curfews were reported in 2020. Eight homosexuals were sentenced in January 2020 to two years in prison for 'unethical acts'. The sentence is severe even though it could have been much worse given that homosexuality is theoretically punishable by death in Mauritania (although in practice the law is not applied). In February 2020, several members of the Alliance for the Refoundation of the Mauritanian State (AREM) and a group of evangelists were arrested for promoting a secular state and apostasy respectively. After months of detention, their trial, which took place in October, resulted in lenient sentences that led to the immediate release of most of the detainees.

**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 2020 focused mainly 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:** Given the small number of resident diplomatic missions of EU Member States (Germany, Spain, France) and also the UK, a shared ownership of the strategy resulted in a homogeneous and coherent line of communication. Political advisers and heads of cooperation regularly discuss and coordinate on human rights issues. There is also ad hoc coordination with interested missions of non-resident Member States. The issue of human rights is systematically discussed at each meeting of the Heads of Mission of the EU Member States. The subject is also an integral part of the political dialogue with the Mauritanian authorities and are regularly discussed with concerned Ministers such as the Minister of Justice and of Social Affairs, Children and Family, the Commissioner for Human Rights as well as during formal political dialogue. Local events are generally organised jointly with Member States, including activities to commemorate international human rights days. Social media are used to convey messages, raise awareness and maintain contact with the local population. Events related to human rights projects often benefit from the participation of EU ambassadors in order to increase their visibility.

A thematic group 'Justice and Human Rights' was set up at the beginning of 2017, bringing together periodically Mauritania's partners involved in these fields, including the EU and its Member States. The group is led by the Office of the High Commissioner for Human Rights.

Given the health context linked to the COVID-19 crisis, public diplomacy events have been restricted in 2020. However, as part of the gender and health communication strategy (in support of the National Health Development Programme) developed in 2019, various activities were organised during 2020. The campaign against gender-based violence (entitled 'Alach Ca?' meaning in *hassanya* 'Why this?') implemented by the NGO *Medicos del Mundo* has attracted a lot of attention in this country where women's rights are little recognised or respected. In addition to a vast multimedia campaign (large billboards in Nouakchott, messages on social networks and national media, four video capsules, a song with a video clip by four renowned singers etc.), several photographic exhibitions, workshops and four concerts (totalling 13,500 participants) were organised in Nouakchott and its region to convey strong messages about the different abuses suffered by girls and women in Mauritania.

**4. EU financial engagement:** The implementation of the Justice Strengthening Support Programme (PARJ, EUR 12.6 million from the 11th EDF) has been implemented in 2020, following the adoption by the Council of Ministers of the National Strategy for the Justice Sector in December 2019. Among many initiatives and projects under the European Instrument for Democracy and Human Rights, an intervention aimed at strengthening the capacities of CSOs working in the fields of eradication of the legacy of slavery and victim support was signed in December 2020. The EU and Member States still support many activities under the Gender Action Plan II (2018-2020), which is structured around three components: physical and psychological integrity; economic, social and cultural rights; and civil and political rights.

**5. Multilateral context:** Mauritania has begun its three-year term (2020-2022) in the UN Human Rights Council, which should encourage it to raise its profile and take on more public responsibilities in this area. In 2020, Mauritania prepared for its third Universal Periodic Review (UPR) on 19 January 2021. The preparation took place in an inclusive manner with significant participation of civil society under the aegis of the National Human Rights Commission. In November 2020, the National Human Rights Commission organised a session to present the UPR and the reports of various Mauritanian associations, in particular to the diplomatic corps and UN agencies. Joint demarches were made to the Ministry of Foreign Affairs, Cooperation and Mauritanians Abroad to solicit the support of the Mauritanian government for the positions defended by the EU in international fora.

## Mauritius

**1. Overview of the human rights and democracy situation:** Mauritius has a generally good track record of protection and respect for human rights. It remains the top ranking country in overall governance in Africa according to Mo Ibrahim Index of African Governance 2020. The general elections of 2019 were considered as overall credible, transparent and inclusive by international observers, even if some complaints were filed at national level. Rural elections also went smoothly at the end of 2020. The year was however marked by major corruption scandals, which saw the dismissal of the Deputy Prime Minister in June 2020. Irregularities in emergency procurement during the confinement period also led to two arrests.

**2. EU action - key focus areas:** The EU continued to establish itself as a major player in the protection of human rights in Mauritius and was active throughout the year, particularly during the three-month lockdown period.

The EU continued to support human rights and democracy in Mauritius in partnership with the government, intermediary human rights institutions and the civil society. In 2020, the priority areas of cooperation were: women's rights, the rights of the child and the elimination of violence against children, the rights of LGBTI persons, and strengthening the rule of law and human rights institutions. These priorities became even more important in the light of COVID-19 pandemic.

The EU maintained its engagement on women's rights and preventing violence against women. During the lockdown period, the EU held digital campaigns to promote respect for women and children, and prevent violence against them. The gender policy dialogue with the Minister of Gender made good use of the recommendations made by the Vice-President of the CEDAW Committee who visited Mauritius at the beginning of 2020 in the framework of an EU project.

The EU made a joint statement with the Ombudsperson for Children against violence on children in a confinement context. The EU-funded project with the Ombudsperson organised various talks and sensitisation events on issues of violence against children and other issues like sexual education in schools.

**3. EU bilateral political engagement:** The EU-Mauritius Article 8 Political Dialogue could not be held in 2020 due to the COVID-19 pandemic. The next session is foreseen for the first semester of 2021.

The high-level policy dialogue on gender, co-chaired by the Minister of Gender Equality and the Head of EU Delegation, was held in July 2020 after the lockdown. It saw the adoption of a Joint Monitoring Framework to track progress on the implementation of the EU-Mauritius Gender Action Plan, and reviewed progress in the key performance indicators related to the promotion of gender equality, addressing gender-based violence, as well as the economic empowerment of women and girls.

**4. EU financial engagement:** Besides advocacy, the EU also supported direct actions with civil society. Funding was granted to NGOs for actions in the field of gender equality, protection of women's rights, support to women and children in vulnerable situations, as well as advocacy for the rights of LGBTI persons. The grant contracts were signed during the 16 Days of Activism against Gender-Based Violence from 25 November to 10 December 2020.

A major development in 2020 was the adoption of the Children's Bill, a comprehensive legislation that encompasses all aspects of protection of the rights of the child. The EU had provided technical assistance for the drafting of this legislation and lobbied intensively for its adoption.

In December 2020, the EU stepped up its actions for the protection of the rights of LGBTI persons through the signature of an advocacy project, focusing on the capacity building of two NGOs. Capacity building of the National Human Rights Commission and the Ombudsperson for Children was also part of the EU-funded projects.

**5. Multilateral context:** Mauritius is signatory to most of the UN treaties and conventions on human rights. The country has the required national and international legislative framework for the protection of human rights. Commitment towards more EU international initiatives in the area of human rights could be sought. Support of Mauritius for initiatives on ending trade in goods linked to torture and death penalty, on UNGA resolutions on the moratorium on the death penalty and on country-specific human rights resolutions will be pursued.

## Republic of Mozambique

**1. Overview of the human rights and democracy situation:** The overall human rights and democracy situation in Mozambique remained challenging in 2020. The year was marked by an overall deterioration of human rights, in particular in connection with the escalation of the armed violence in Cabo Delgado and in the context of the COVID-19 pandemic and its social and economic impacts. On the positive side, there was a further commitment of the parties to the implementation of the Maputo Peace and Reconciliation Agreement (signed in 2019), allowing for a progress in the demobilisation, demilitarisation and reintegration. 2020 also saw the creation and launch of a Human Rights Defenders Platform, and the revocation of a Decree of 2018 that had sought to impose significant fees for various forms of media licensing and accreditation.

The armed violence in Cabo Delgado has led to an escalation of human rights violations, including massacres such as the beheading of more than 50 young civilians in Xitaxi/Muidumbe in November. The total casualties reached approximately 2,100 deaths by the end of the year, and the number of internally displaced persons more than doubled in the second half of the year from 250,000 to 560,000. Half of the people affected by violence in Cabo Delgado are children and there are reports regarding the recruitment of children into armed groups, kidnappings, sexual and gender-based violence against women and girls.

Journalists continued to work in a deteriorating media environment. No clarity was brought on the disappearance of the journalist Ibraimo Mbaruco, working at the Palma community radio, who disappeared on 7 April, despite calls by NGOs and the international community (including the EU). On 23 August, the offices of the local independent weekly *Canal de Moçambique*, known for its very critical stance on the government, were burned. Following the murder of a prominent domestic electoral observer - Anastácio Matavele - on the eve of the October 2019 general elections, the trial was concluded in June 2020 with the court sentencing four members of the Mozambican police rapid intervention unit (UIR) to prison sentences of 23-24 years. Overall, activists and human rights defenders continued to face a challenging civic space.

**2. EU action - key focus areas:** In 2020, the EU continued to focus on key areas such as the consolidation of peace, democracy, and good governance. There was also a particular focus (through the Spotlight Initiative) on gender-related discrimination and violence, as these issues were exacerbated by the COVID-19 pandemic.

On 22 April 2020, the Foreign Affairs Council adopted conclusions on Mozambique, coinciding with the beginning of its new political cycle. Among other things, the Council expressed concerns over the continuously deteriorating security and humanitarian situation in the Cabo Delgado province.

The European Parliament expressed its concerns at two plenary debates (human rights emergency debate on 17 September and a debate on the deterioration of the situation in Mozambique on 15 December). Following the first of these debates, the EP adopted a resolution, calling on the Mozambican authorities to ensure the promotion of democracy, human rights, effective local governance and the effective restoration of the rule of law in northern Mozambique. The EP recalled that compliance with international humanitarian law and respect for democratic liberties were crucial for the success of the Peace Agreement signed in 2019 between the government and the opposition RENAMO.

It also underlined the importance of protecting the rights of journalists, human rights defenders, activists and all those simply exercising their human rights and expressing their views on issues of public concern, and called on the Mozambican authorities to conduct an impartial investigation into all suspected cases of vandalism of news outlets, suppression of freedom of speech and accusations pertaining to the harassment and intimidation of journalists.

**3. EU bilateral political engagement:** In February 2020, Mozambique received the return visit by the EU EOM 2019 Chief Observer who presented to the authorities the final report with concrete recommendations, taking into account the irregularities and electoral violence that marked the electoral process in 2019. The first ever EU-Mozambique policy dialogue on human rights and governance was held on 16 October 2020 in Maputo. It allowed for a discussion of issues of mutual interest, such as the implementation of UN Security Council resolution 1325 on Women, Peace and Security. Moreover, two comprehensive political dialogue sessions took place in Mozambique in 2020, the first one in Maputo on 5 June, and the second one in the northern province of Niassa on 17 November. Various challenges related to the promotion and protection of human rights, good governance and peace were addressed on these occasions.

**4. EU financial engagement:** A new four-year programme, ‘Support to fight corruption in Mozambique’, focusing on the justice system, was signed in July 2020 with EU contribution of EUR 8.5 million, and its implementation started. It has two components: reinforcement of key institutions such as the General Prosecutor’s office, Supreme Court, Judiciary School, Judicial Police, etc.; and targeting CSOs, professional associations, academia and media.

The EU contributed to supporting, through I-IDEA and IMD, (Mozambican branch of the Institute for Multiparty Democracy), an induction course for all the new parliamentarians. All the new provincial leadership (governors, secretaries of state in the provinces) as well as their staff were trained. On a positive note, I-IDEA was accredited by the Mozambique Government in 2020.

The EU Programme for Non-State Actors in Mozambique: Participation for Inclusive Growth – PAANE yielded some positive results in 2020: the revitalisation of District Advisory Councils, the training of public servants on the Access to Information Law, the design and implementation of webinars about monitoring the state budget, support to COVID-19



prevention tools and information, the creation of civic incubators for youth in Cabo Delgado province and the organization of a Conference on Extractive Industry in Tete.

**5. Multilateral context:** On 13 November, UN High Commissioner for Human Rights Michelle Bachelet called on all actors to take urgent measures to protect civilians in Cabo Delgado. Throughout 2020, the EU and its Member States were supportive of the UN agencies, UNHCHR, UNHCR, UNICEF, IOM, WFP and ICRC, in particular in connection with the security and humanitarian crisis in Cabo Delgado.

## Namibia

**1. Overview of the human rights and democracy situation:** In general, Namibia has a good track record on human rights and democracy and this continued in 2020. Namibia's democracy is developing and maturing, as highlighted by peaceful and transparent elections for the Local Authorities and Regional Councils held in November 2020. As regards human rights, the country is a remarkable example of press freedom, ranked as the number one spot for Africa.

Despite these positive overall observations, issues related to women's rights, the rights of the child and the rights of LGBTI persons need to be urgently addressed, as the challenges in these areas intensified during the COVID-19 pandemic. In 2020, the cases of sexual and gender-based violence increased to almost 6,000. The case of a young woman, who disappeared and whose body was found six months later, led to nationwide protests and arrests after confrontation with the police. In response, the president spoke out in favour of doing more to fight gender-based violence and various legal acts have been initiated to this effect.

Children were particularly affected by the pandemic in terms of school dropouts, teenage pregnancies, and child marriage. After the first lockdown, more than 30,000 pupils did not return to school and 3,600 schoolgirls had fallen pregnant.

Several cases concerning same-sex marriages are still pending in Namibian Courts, undermining the rights of LGBTI persons. As regards corruption, Namibia dropped by five positions (from 52nd to 57th out of 180 countries) in the Transparency International Corruption Perceptions Index between 2018 and 2020. The 'Fishrot' scandal, linked to fishery quota auctioning, is an example showing that governance and transparency are still a matter of concern. In the meantime, increasing unemployment, poverty and social inequality continue to be key challenges to this upper-middle income country, which ranked at 130 out of 189 countries in the last Human Development Index (HDI).

**2. EU action - key focus areas:** The EU continues to support human rights and democracy in Namibia through cooperation programmes in the following priority areas: economic, social and cultural rights; women's rights, including action on gender-based violence; rights of the child; and rights of persons belonging to minorities with special attention to indigenous/marginalised people.

Examples of EU-funded projects in the key areas include the following: ‘Strengthening the roles of CSOs and women in democracy’ which helps CSOs play an active role in gender policies; ‘Survivors speak up’ with preventive measures and enhanced protection for survivors of gender-based violence; ‘Violence, alternatives to Corporal Punishment and the Child Care and Protection Act’ is implementing fully-fledged outreach and information campaign against child abuse and gender-based violence.

‘Step change in governance and inclusiveness’ aims to help San communities with, *inter alia*, representation on human and land rights, gender, youth involvement, climate change, conservancy law, labour law.

The EU also supports Early Childhood Development and Pre-Primary Education for communities hardest hit by the lockdowns. Children and their parents will receive learning materials, food vouchers, and will promote COVID-19 protective behaviours, as well as information about safeguarding and protection of children.

**3. EU bilateral political engagement:** On 30 September 2020, the EU and Namibia held the Article 8 Political Dialogue, which included exchanges on human rights and democracy.

**4. Multilateral context:** Namibia is a strong and active supporter of the multilateral system, sponsoring several thematic resolutions such as on the fight against racism as well as country-specific resolutions when initiated through UN Rapporteurs. It had to postpone the visit of the Special Representative on Indigenous Peoples scheduled for 2020. Namibia joined - as a core member - the EU-initiated group in support of the UN Secretary-General’s appeal on Gender-Based Violence and COVID-19. Namibia is also a leader on the important UN theme of Women, Peace and Security (UNSCR 1325 and subsequent resolutions). The Women, Peace and Security Agenda is strongly supported by the EU and its Member States in the UN. Namibia is currently a member of the UN Human Rights Council until 2022. The EU and UNESCO co-hosted the launching of an EU supported project on Intellectual Property and Local Content in Namibia, together with media, government, other development partners, civil society organisations and Namibian artists.

## Niger

**1. Overview of the human rights and democratic situation:** Even if some progress has been made on the human rights situation in Niger, serious challenges remain especially as regards the recent abuses perpetrated by the Nigerien defense and security forces. Space for exercising civic and political rights has shrunk in Niger, as public authorities have gradually limited freedom of expression and freedom of assembly over the past years. Nevertheless, the ongoing peaceful electoral process is a significant progress.

On 27 December 2020, Niger organised the first round of the presidential elections (second round on 21 February 2021) along with legislative polls, with a participation rate of 69%, heading Niger towards a first democratic transfer of powers from an elected president to another elected president. Nevertheless, space for exercising civic and political rights has shrunk in Niger, as public authorities have gradually limited freedom of expression and

assembly over the past years. This trend has grown stronger in the context of COVID-19: since the beginning of the pandemic, 27 people have been arrested in Niger. This number includes activists and high-profile journalists, such as NGO leaders and bloggers, but also teachers and students. Nevertheless, in 2020, Niger has made some progress when it comes to press freedom (57/180 on the Reporters Without Borders' ranking, improving by nine positions). Unfortunately, Niger still has the lowest Human Development Index (ranking 189/189) and the highest rate of child marriage with 30% of girls married before the age of 15 and 75% before the age of 18. The number of security incidents have been increasing in Niger, especially in Diffa region (30 000 newly displaced people). Insecurity has also increased in the regions of Tahoua and Tillabery with attacks from non-state armed groups targeting the Nigerien armed forces, the community chiefs and affecting the access of humanitarian partners and of population to basic services and humanitarian assistance. The deadly attack on 9 August 2020 against humanitarian staff (including six French citizens) in Kouré, 60 km from Niamey, drew the terrorist threat closer to the capital. In recent months, the attention of the international community has focused on allegations of abuses by Niger's security and defense forces in the UN peacekeeping operation in Mali, and in the so-called 'three borders' region. According to the UN and press reports, more than 100 locals would have been victims of extrajudicial killings since 2019. While the government initially denied any involvement of the army, the National Commission for Human Rights investigated and recently release a report confirming the killing of at least 70 unarmed civilians.

**2. EU action – key focus areas:** The EU has played an important role to consolidate electoral process' transparency and inclusiveness, especially through EU-supported citizen's observation networks (COCEN and WANEP-EMAM, and WANEP-COSEF Network). The EU has been engaged upstream the elections through support to the CENI and through the organisation of a national forum on 19 November 2020, jointly with the UN and ECOWAS, gathering civil society and political parties involved in the electoral process (leading to the adoption of a 'code of good practice' towards peaceful elections).

The EU has supported the investigation mission of the CNDH on alleged abuses perpetrated by the army in Tillabery region.

Human rights has been a priority of EUCAP Sahel Niger especially through advice, training and confidence building (population/internal security forces) including through the Women, Peace and Security Agenda.

**3. EU bilateral political engagement:** The EU, its Member States and the CSDP mission EUCAP Sahel Niger are strongly involved in the promotion and protection of human rights in Niger, through concrete actions and supports, political dialogue and public diplomacy. As reported, Heads of Mission regularly exchange views on human rights during their regular meetings.

Several meetings have been organised by EU Heads of Mission with Nigerien authorities, especially with CNDH, and with civil society. Human rights have been raised during the political dialogue organised with the government on 3 July 2020, including discussions on specific cases, leading to concrete outcomes such as the release of several human rights defenders.

The EU delegation in Niger has undertaken several diplomatic actions towards Nigerien authorities on human rights, in close coordination with Member States, especially on the EU priorities for the 75th UN General Assembly.

**4. EU financial engagement:** The EU and EUCAP Sahel Niger have supported the G5 Sahel Joint Force with implementation of the Human Rights and International Humanitarian Law Compliance Framework. The EU has mobilised EUR 37 million to that end.

In 2020, a top-up financing of EUR 11.4 million has been added to the budget support AJUSEN (security and justice) with special attention to human rights (access to justice, fight against illicit trafficking and trafficking in human beings) along with a support to the CNDH.

Support has been granted on several occasions to the civil society through the third Programme d'Appui à la Société Civile (PASOC III) and through CSBSS 2018-202. This includes support to human right defenders in a fragile context and capacity building to strengthen citizens' participation, women in particular.

**5. Multilateral context:** Niger is a key actor both in the Sahel region (constructive role within the G5 Sahel) and more broadly in the West African region such as its positive presidency of ECOWAS between August 2019-September 2020. As a non-permanent member of the UN Security Council from January 2020 for a two-year mandate, Niger has been playing a constructive role on human rights. Jointly with Belgium, Niger has drafted a presidential statement condemning the attacks perpetrated against schools.

The opening of a UN human rights office in Niamey, agreed in 2019, has been delayed because of the COVID-19 pandemic.

## Nigeria

**1. Overview of the human rights and democracy situation:** The human rights situation in Nigeria remains highly complex with significant differences across the country, with a number of violent and escalating conflicts, particularly in the North East, the Middle Belt and the North West, and diverging trends on various human rights issues. The secondary impacts of the COVID-19 pandemic and the measures taken to address it (e.g. lockdown, restrictions of movement) have increased unemployment, poverty and worsened the human rights situation. Abuses by security forces enforcing lockdown were witnessed; there was a surge in sexual and gender-based violence; resources were syphoned off from humanitarian aid; a declining security and a shrinking economy led to civil unrest and crime. In October, Nigeria faced three weeks of large-scale protests against the controversial Special Anti-Robbery Squad (SARS) and police brutality in general. The protests became a conduit for the youth to vent their anger, and gradually turned from peaceful to violent with several casualties perpetrated by Nigerian security forces and widespread looting across the country. In contrast, the civic space remained vibrant. Investigative reporting has made the media (in particular the new media) an effective and credible watchdog and boosted its credibility among the public. Social media played a key role during the #EndSARS protests.

The situation in the North East remains one of the worst humanitarian and protracted crises in the world, with allegations of security forces abuses in the campaign against insurgents. The International Criminal Court announced that the statutory criteria for opening an investigation into atrocities perpetrated by both the Nigerian Security Forces and Boko Haram in Nigeria's North East had been met. In the North West, violence and lawlessness has increased, where recent attacks include pillaging, kidnapping for ransom, burning and looting of entire villages, indiscriminate killing of civilians and gender-based violence. In turn, the North Central region continues to be plagued by repeated clashes between farmers and herders over access to natural resources as well as wider communal violence. In the South, criminal gangs and crime syndicates known as 'cultists' are widespread. Cultists threaten, extort, kidnap, rob, rape, traffic human beings and drugs, participate in oil bunkering and fight over territory causing collateral damage to innocent by-standers. Piracy has enduring implications for human rights, where the Gulf of Guinea is the stage to more than 90% of the world's kidnappings for ransom at sea. Trafficking in human beings remains a profitable undertaking due to its low prosecution and conviction rate. The number of emblematic cases of people in detention also raise concern. These include death sentences (a de facto moratorium on carrying out these sentences is in place since December 2016), prolonged detention without trial, lack of transparency and access to justice, including, but not limited to the cases of: Mubarak Bala, Yahaya Sharif-Aminu, 13-year-old Omar Farouq, and Professor Richard Solomon Musa Tarfa – with substantial EU engagement (coordinating dialogue and provision of legal aid). More generally, there is a very high number of awaiting-trial prisoners in Nigeria's prisons (around 2/3 of the country's overall prison population).

**2. EU action - key focus areas:** The EU's human rights priorities in Nigeria fall under five core headings:

- Human rights and conflict/post-conflict situations: Through political dialogue, development cooperation and crisis response the EU contributes to addressing multiple conflicts in Nigeria.
- Strengthening rule of law in compliance with international human rights instruments: The EU delegation held high-level meetings on correctional services with the Minister of Interior. Through the Rule of Law and Anti-Corruption programme (RoLAC) and the Criminal Justice Responses to Terrorism and Violent Extremism programme, the EU is working towards increased compliance with criminal justice laws. Several workshops have also been organised with the Nigerian military on the protection of civilians.
- Elections: In 2020, the EU supported a national discussion on the conduct of elections during the COVID-19 pandemic, which contributed to the conduct of credible, inclusive and transparent elections in two off cycle governorship elections in Edo and Ondo states. The EU worked to implement relevant recommendations of the EU Election Observation Mission 2019 with a particular focus on promoting dialogue on electoral reforms.
- Human rights of women: In 2020, the EU was at the forefront of the fight against sexual and gender-based violence in Nigeria through various actions aimed at raising public awareness; mobilising actions from citizens and government; strengthening institutional capacity to deal with the problem; providing assistance to victims. Through intense political engagement and with the support of the EU-UN Spotlight Initiative and the RoLAC programme, the EU contributed to put women equality and

the fight against gender-based violence at the centre stage of the political and public debate. In 2020, the Spotlight Initiative brought its advocacy to the highest level by engaging the President of Nigeria, H.E. Muhammadu Buhari, in a national town hall dialogue on sexual and gender-based violence. Through the RoLAC programme, the EU contributed to setting-up several Sexual Assault Referral Centres (SARCs) where victims can access a range of support services.

- Rights of persons belonging to minorities and groups in vulnerable situations, including persons with disabilities, children and LGBTI persons: The EU provides support to LGBTI persons in Nigeria and regularly consults and works with local NGOs on the issue. During the pandemic, the EU provided substantial support towards the ability of drug users to access treatment and basic services.

**3. EU bilateral political engagement:** The seventh high-level EU-Nigeria ministerial dialogue took place in November 2020 with the aim of reinvigorating high-level dialogue and launching a strategic and comprehensive partnership. A substantial number of issues were discussed: from peace and security to respect for international humanitarian law, from investment and trade to energy, from digitalisation to migration.

In February 2020, the EU-Nigeria Human Rights Dialogue was relaunched. Key issues on the agenda included the protection of human rights in a context of counter-terrorism operations, the death penalty, discrimination of LGBTI persons, the rights of women and children, gender equality, freedom of expression and the rule of law, human rights and migration, the challenges facing democratic governance and emblematic human rights cases.

The Commissioner for Crisis Management, Janez Lenarčič, visited Nigeria, including the North East, in January 2020 in order to assess the humanitarian situation.

**4. EU financial engagement:** With a total allocation EUR 562 million, the 11th European Development Fund allocation has focused on interventions to improve governance, strengthen the rule of law and expand social equity, with a reinforced focus on the North of the country.

Since 2014, almost EUR 245 million in humanitarian assistance has been allocated to Nigeria. In 2020, the EU provided an additional EUR 26.5 million, predominantly allocated to respond to the humanitarian situation in the North East. Member States have also contributed substantial amounts.

Since 2014, the Instrument contributing to Stability and Peace has supported Nigeria with EUR 26.4 million in response to the different crises in the North East, in the Niger Delta and the Middle Belt. This engagement has supported dialogue and mediation initiatives in the Niger Delta, in the North East and the Middle Belt as well as capacity building of security and justice actors to implement de-radicalisation programmes in prisons, and enhance their civilian protection policies and practices

In response to the pandemic, the EU, through its Team Europe Initiative, quickly mobilized EUR 50 million in support of the UNDP to ensure optimum care of the confirmed COVID-19

cases and to contain further spread of the outbreak through an inclusive and nationally owned response.

**5. Multilateral context:** The most recent Universal Periodic Review of Nigeria took place in 2018. During the review, 22 EU Member States made recommendations including on: 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 2020, the overall human rights situation in Rwanda remained unchanged. The Rwandan government reacted with foresight and effectiveness to the COVID-19 pandemic, declaring and implementing the first lockdown in Sub-Saharan Africa and adjusting measures regularly. A number of incidents were reported, most notably: the killing of three persons by police, physical abuse of citizens by local authorities, as well as arrest and (mostly) short-term detention of 12 media practitioners for violating lockdown measures. The pandemic had a massive impact on the enjoyment of social and economic rights (food, housing, education) by many Rwandans. The government adopted a Social Protection Response and Recovery Plan, providing a large-scale extension of its social assistance programmes, delivering food assistance to vulnerable urban populations, cash transfers or public works programmes.

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 serious human rights violations – excessive use of force, suspicious deaths in custody, extra-judicial killings, and enforced disappearances. Human rights advocates continue to report arbitrary detentions and use of inhuman or degrading treatment in detention facilities and in ‘transit’ 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. In particular, vague wording of the Genocide Ideology Law has been exploited to stifle public dissent or criticism creating an environment of self-censorship for journalists, bloggers and citizens fearing reprisal and prosecution. Freedom of association remains stifled by burdensome registration procedures.

While the legal framework addressing women’s rights in Rwanda is good (as is the women’s representation in the National Assembly), weak implementation of laws and policies coupled with discriminatory social norms hamper the realisation of women’s rights. Exacerbated by restrictions of movement and the closing of schools for the COVID-19 pandemic, Rwanda experienced an increase of gender-based violence, sexual abuse against children, and a surge in teenage pregnancies. On LGBTI issues, Rwanda remains the only country in East Africa that does not criminalise consensual same-sex relations, but it has no provisions in its legal code to protect LGBTI individuals from discrimination, nor does it recognise unions and partnerships between same-sex individuals.

Rwanda continues to host about 145,000 refugees from DRC and Burundi, and hosts the Emergency Transfer Mechanism to evacuate refugees from Libya to ensure their safety during status determination and resettlement.

**2. EU action – key focus areas:** The EU and its Member States have continued to focus on two main priority areas: the most serious violations of human rights - enforced disappearances, arbitrary detentions and use of torture and other inhuman or degrading treatment in detention facilities; and the area with the most significant restrictions of human rights - political rights, freedoms of expression, association and assembly. Belgium and Germany support capacity building of the National Commission of Human Rights (acting as National Preventive Mechanism under the OPCAT) to conduct visits to detention facilities with a view to preventing torture. 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, Germany and Sweden promoted the rights of LGBTI persons or advocated against gender-based violence through various initiatives.

**3. EU bilateral political engagement:** The EU continued to engage on human rights and democracy with Rwanda within the framework of regular political contacts 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 specific individual cases. During 2020, the EU and Member States' missions have had several exchanges with authorities on human rights-related issues, particularly with respect to the Human Rights Council agenda and in preparation of the Universal Periodic Review (UPR) in 2021.

**4. EU financial engagement:** The EU delegation and EU Member States supported projects or initiatives that work towards the achievement of EU human rights priorities for Rwanda. Following a call for proposals in 2019 and the award of contracts, four projects started implementation related to freedom of expression and the rights of journalists, the reintegration of prisoners as well as the rights of persons with mental and intellectual disabilities. In 2020, five Rwandan journalists participated in a series of webinars on access to Information during a pandemic, offered by the EU facility 'Media4Democracy'. The EU also provided emergency funding to protect one human rights defender.

**5. Multilateral context:** Rwanda signed all UN human rights conventions, with the exception of the Convention for the Protection of All Persons from Forced Disappearances, the Rome Statute of the International Criminal Court and most Optional Protocols. Rwanda showed strong commitment to the UPR process, in particular by engaging with civil society and diplomats. Rwanda's third UPR took place in January 2021. In preparation, the government organised meetings to provide stakeholders, including EU delegation and Member States involved in cooperation in the sector, with an opportunity to comment on the report before this was submitted to the Cabinet for validation. The final draft was amended taking account of comments made by development partners in this consultation.

## 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 is relatively good, especially by regional standards (the country ranks 12/54 in the 2020 Mo Ibrahim Index of African Governance). Despite an overall positive human rights record, some issues of concern remain, such as: gender-based discrimination and violence, including domestic violence, which has increased during COVID-19 pandemic; child labour and sexual abuse against children; corruption; access to justice and independence of the judiciary; poor access to social services.

In the run-up to the presidential elections scheduled for July 2021, political tensions heightened around proposed changes to the national electoral legislation at the end of 2020. A requirement for any presidential candidate to have been born and live on the national territory, which would have effectively disqualified opposition former Prime Minister Trovoada (born in Gabon and living abroad since the 2018 legislative elections), was finally removed. Another amendment had originally foreseen the need for the presidential candidates to have the backing of a political party. The conflict was subsequently resolved and the law was amended by Parliament, following an initial presidential veto, and finally promulgated.

**2. EU action - key focus areas:** The EU's priorities in São Tomé and Príncipe 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:** Annual EU-São Tomé and Príncipe - political dialogue could not take place in 2020, due to restrictions related to the COVID-19 pandemic. Consultations with authorities, particularly the Minister of Justice, took place in 2020 in preparation of programming of 2021-2027 EU cooperation, revealing a strong wish for EU's support for the reform of the justice sector.

**4. EU financial engagement:** In 2020, the implementation of projects previously awarded (financed from the European Instrument for Democracy and Human Rights, CSO/Local Authorities DCI thematic line or intra-ACP programmes) started or continued despite the COVID-19 pandemic, notably in the areas of strengthening: the rights of the child; democratic control and oversight of civil society in the fight against corruption; and civil society's participation and capacity to monitor and implement public policies with an impact on food security. A significant project 'Combating gender inequalities and domestic and gender-based violence (GBV)' (EUR 2.5 million), which will allow the Centre for Support against Domestic Violence (CACVD) to take forward and expand its activities to the whole archipelago, will start implementation soon.

In 2020, in the framework of COVID-19 emergency response, the project '*Medidas urgentes de mitigação do impacto do COVID19 nos setores económicos e sociais afetados*' (EIDHR: EUR 120.000) granted to the NGO Alisei aims at maintaining employment and minimum income in the sectors of transformation and tourism, as well as to prepare reopening of the tourism sector.

**5. Multilateral context:** São Tomé and Príncipe prepared for the third cycle of Universal Periodic Review starting in January 2021. In relation to the recommendations of the 2015 Universal Periodic Review, effective steps are still needed to, among others, ratify international human rights instruments, to establish an independent and effective National Human Rights Institution, strengthen women's and girls' access to sexual and reproductive health and rights, as well as effectively combat domestic violence.

## Senegal

**1. Overview of the human rights and democratic situation:** The overall human rights situation in Senegal remained globally satisfactory in 2020, 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, including on women's rights and the rights of the child, although social and cultural resistances and fears about a negative impact on social stability hamper the political room for manoeuvre on these topics. Improvements are expected regarding women and the rights of the child (early marriage, FGM) but subject to a delayed process to elaborate updated legislative framework. This concerns in particular the full implementation of a comprehensive legislative framework, including protective measures: the national legislation on the rights of the child ('Code de l'enfant') is still pending. While koranic schools under the authority of Soufi brotherhoods are deeply rooted in tradition, the weaknesses of this scheme include abuse and exploitation of many of these pupils, e.g. for forced begging. Some signs point to a greater awareness of abuse of children in such establishments, but condemnation remains timid. In November 2020, 43 persons were arrested, following investigation into alleged mistreatment and torture in a number of rehabilitation centres controlled by a religious leader, but judiciary sentences were mild. Moreover, the adoption of the new law regulating koranic schools remains pending. The situation regarding the rights of LGBTI persons is a matter of growing concern: the legislation is punitive and intolerance and direct threats towards sexual minorities have been increasing in recent years. Actions to protect the rights of LGBTI persons are followed by accusations held against NGOs and 'the West', of promoting a hidden agenda in favour of homosexuality, aimed at imposing foreign (Western) values. The authorities have taken a strong position against foreign pressure or aid promoting sexual education, deemed contrary to local culture and values.

Efforts are being made to improve the poor detention conditions in Senegalese prisons, but long pre-trial detention largely responsible for overcrowding prison remain an issue. The death penalty was abolished in 2004, but the Second Optional Protocol to ICCPR has not been endorsed, and Senegal does not support multilateral initiatives in favour of the death penalty moratoria. 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 that could be used in a restrictive way. A decree dating from 2010, strictly restricting space for public demonstrations in downtown Dakar, remains the legal basis to prevent public demonstrations in the capital. Following President Sall's re-election in February 2019, the presidential majority in the parliament adopted a new constitution, re-enforcing the powers of the president through suppressing the prime minister function and the need for

government ministers to have the confidence of the parliament. A new set of measures was adopted, establishing a national sanitary disaster situation (COVID-19 second wave) bypassing the National Assembly.

**2. EU action – key focus areas:** EU action focused on the rights of women, children and persons in detention. Greater attention is also granted to the rights of LGBTI persons. The EU also supported the fight against impunity, the strengthening of civil society and promoted freedom of expression and assembly in Senegal.

**3. EU bilateral political engagement:** The EU provided a rapid and multidimensional support to Senegalese authorities in the context of the COVID- 19 pandemic, including budget support and reorientation of projects, but also communication actions to raise awareness on preventive efforts and in-kind assistance for persons in vulnerable situations, including children.

The EU is following up on the implementation of the Election Observation Mission deployed for the presidential election on 24 February 2019 in providing support to the authorities in improving further the electoral processes, in line with conclusions and recommendations discussed within the political Commission of the National Dialogue.

The EU delegation supported the 11th training session in international human rights law, focused on women’s rights organised in November together with the French Embassy, the René Cassin Foundation and the German Friedrich Neumann Foundation.

**4. EU financial engagement:** Under the European Instrument for Democracy and Human Rights (EIDHR), a new grant was allocated to Samu Social Senegal with the aim of strengthening the social and health protection system and the economic resilience of groups in vulnerable situations in the context of COVID-19 pandemic in Senegal.

Financial assistance (EUR 10 million) under the 11th EDF aimed at strengthening the rule of law continued, in particular with regard to the fight against corruption and money laundering. In the framework of this project, the EU continued the construction of judicial infrastructures in support of the implementation of the new judicial map to improve access to justice for the population at large. The three grant projects awarded in 2019 to CSOs on access to justice, prison conditions and the fight against corruption and money laundering for a total amount of EUR 1.4 million and an EIDHR grant (EUR 260,000) on the follow-up of DDHR recommendations are being implemented. A EUR 2 million direct grant to a youth organisation platform aims at supporting political participation of youth on policies – such as employment – that concern them directly.

The security sector reform programme SENSEC UE (EUR 10 million under the 11th EDF), has been ongoing since January 2018, providing support to the Senegalese security forces (police, gendarmerie and customs) on three main axes: reinforcing their capacities in the fight against terrorism and organised crime; reinforcing authorities’ capacities in borders management; promoting a better governance of the sector.

**5. Multilateral context:** Senegal is an active member of the UN Human Rights Council (HRC). In October 2020, Senegal was elected to serve a second, consecutive term from 2021 to 2023. In 2019, Ambassador Coly Seck of Senegal served as President of the UN HRC.

Senegal underwent its Universal Periodic Review in November 2018 and submitted conclusions in November 2019. Recommendations concerned mainly women's rights, rights of the child, and rights of persons with disabilities, ethnic minorities and LGBTI persons. In response, the Senegalese government highlighted its progress 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 participation by civil society organisations in mid-term review and progress monitoring in the implementation of the recommendations.

## The Seychelles

**1. Overview of the human rights and democracy situation:** Seychelles has a good track record of upholding human rights. The country occupies third position in the 2020 Mo Ibrahim Index of African Governance. The holding of credible, inclusive and transparent 2020 presidential and legislative elections confirmed Seychelles' democratic transition and consolidation process. As confirmed by the incumbent president in his first address, Seychelles remains committed to advance on the path of democracy, good governance and rule of law.

Reforms in the area of human rights continued in 2020. The Truth, Reconciliation and National Unity Commission remains operational and its discussions are public. The body has proved its value as a useful mechanism allowing citizens to raise human rights violations which occurred during and after the 1977 coup d'etat. With regard to the Anti-Corruption Commission, it has operated under an improved legal framework since 2019.

**2. EU action - key focus areas:** The EU continues to support human rights and democracy in Seychelles through cooperation programmes in the following priority areas: institutional strengthening of human rights and governance related institutions, fight against corruption, combating gender-based violence and drug abuse. The strengthening of key institutions is under way, to which the EU makes a valuable contribution via its financial and technical assistance.

**3. EU bilateral political engagement:** The EU-Seychelles Article 8 Political Dialogue could not take place in 2020 due to the COVID-19 pandemic and the next session is foreseen in mid-2021. Seychelles is an important international ally of the EU, including on climate change, protection of biodiversity and on the fight against piracy and trafficking in the Indian Ocean. Seychelles perceives the EU as a reliable partner on good governance and capacity building.

**4. EU financial engagement:** The EU continues to support human rights and democracy in Seychelles through cooperation programmes. The EU projects focus on the following priority

areas: institutional strengthening of human rights and governance related institutions, fight against corruption, combating gender-based violence and drug abuse.

**5. Multilateral context:** The incumbent President confirmed in his first address the country's support to multilateralism. Seychelles is for instance part of the Global Alliance for Torture Free Trade with the objective to end trade in goods used for capital punishment and torture. Seychelles will seek increased convergence on positions and voting patterns with the in international fora.

## Sierra Leone

**1. Overview of the human rights and democracy situation:** 2020 was again marked by a period of tensions between government and opposition parties that affected the civic space. The propagation of polarising messages on social media added to the tensions. On 24 March 2020, the President declared a 12-month State of Emergency (SoE) as a measure to prevent the transmission of COVID-19. The opposition denounced the vast presidential powers created by the SoE and the arrest of numerous opposition figures. Violent riots and incidents occurred in Freetown, Lunsar and Tombo. The opposition also denounced the outcome of the controversial Commissions of Inquiry into the wrongdoings of the past administration as a biased approach to tackling corruption in the country. At the end of the year, political tensions lowered and government and opposition both committed to a legislative process to enact into law a Bill for the Establishment of an Independent Commission for Peace and National Cohesion. On the human rights agenda, Sierra Leone made some important progress. Seditious libel was abolished in July 2020, opening the space for freedom of expression and association, addressing one of the recommendations of the 2018 EU Election Observation Mission (EOM). At the end of the year, the government announced the setup of a task force to make progress on the Constitutional Review Process and, among others, to look into the abolition of the death penalty recommendation. In March, the ban against pregnant girls and teenage mothers attending school was lifted. The creation of the Sexual Offences Model Court (SOMC) in July 2020, as foreseen in the amended Sexual Offences Act passed in October 2019, is a positive development, which contributed expediting court proceedings over cases of sexual and gender-based violence.

**2. EU action – key focus areas:** EU actively engaged with representatives of the government and opposition parties to promote dialogue and de-escalate political tensions. The EU encouraged a shared commitment to institute mechanisms for meaningful inter-party dialogue. EU focused on electoral processes, defending the rights of women and girls, addressing threats to civic space for civil society, promoting sound economic governance and the abolition of the death penalty and improved access to justice.

**3. EU bilateral political engagement:** On 6 March, the EU and Member States held an Article 8 Political Dialogue meeting with the President of Sierra Leone. The EU welcomed the creation of the Sexual and Reproductive Health Taskforce, which received the mandate to review the policy on pregnant girls' access to school, to identify bottlenecks to adolescent access to education and to establish a comprehensive sexuality education curriculum for all schools. The EU encouraged a partnership approach to promote inclusive quality education

and evidence-based policymaking and implementation around a shared agenda. The EU also welcomed the government's commitment to reducing teenage pregnancy and early marriage, including the launch of the 2018-2022 National Teenage Pregnancy and Child Marriage Reduction Strategy. In December, the EU promoted coordinated action by diplomatic missions and carried out a diplomatic watch exercise to observe the particularly contentious by-elections in Constituency 110, Western Area Freetown. EU's bilateral discussions with the political leadership also focused on the reduction of political tensions, the constitutional review process and electoral reform priorities, the promotion of freedom of expression and civic space and abolition of the death penalty.

**4. EU financial engagement:** Through its governance sector support programme (EUR 27 million under 11th EDF), the EU continued to provide substantial contribution to democratic reforms, notably support to electoral cycle operations, public sector reform, the establishment of a functional civil registry in accordance with international human rights conventions and the strengthening of parliamentary legislative capacity and accountability.

The programme includes significant assistance towards electoral legal reform and institutional capacity building of electoral management bodies in order to manage and implement transparent, effective, cost-efficient and gender and disability-inclusive electoral operations in line with EOM recommendations. A complementary grant was awarded in 2020 under the European Instrument for Democracy and Human Rights (EIDHR) to the lead national umbrella organisation of domestic observers in view of supporting electoral observation and citizens' participation in democratic governance reforms leading up to the 2022-2023 electoral cycle. The action supports civil society engagement in electoral observation and monitoring of the implementation of the EOM recommendations, as well as in priority governance reform processes such as the review of the decentralisation policy, the forthcoming national mid-term census and voter and civil registration operations.

Action continued under an EIDHR-funded programme to promote increased political participation and equal representation of women in decision-making processes. The 2020 parliamentary re-run elections witnessed an unprecedented participation and election of female candidates.

Under the CSOs and Local Authorities Instrument and the National EDF programme, the EU continued to support a substantive number of actions to promote youth inclusive and gender-responsive local participatory processes. Close to EUR 16 million was awarded in 2020 to local authorities and EUR 3.4 million to Sierra Leonean CSOs to support CSOs-LAs partnerships in view of gender empowerment and improved service delivery at district level, inclusive of people with disabilities.

The EU continued to support access to free quality education for all children at basic level and technical and vocational education and training (TVET) for those who cannot access higher education. The EU made a EUR 13 million contribution to a multi-donor trust fund managed by the World Bank in support of the national Free Quality Basic Education programme. The EU also contributed EUR 13 million to support youth employment through local economic development and TVET and funded the rehabilitation and construction of 100 schools for approximately 5,000 children in marginalised rural areas.

**5. Multilateral context:** Through a range of outreaches and demarches, the EU encouraged the government of Sierra Leone to align itself with EU positions on the multilateral agenda at the UN and in relation to the Kimberley Initiative. International partners in Sierra Leone agreed on joint messages regarding respect for rule of law, due process, presumption of innocence, respecting the separation of powers and use of anti-corruption mechanisms. Ireland provided support to the Ministry of Foreign Affairs and International Cooperation to produce the National Report ahead of Sierra Leone's third Universal Periodic Review in 2021.

## 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. In the run up to elections planned in early 2021, the fragility of the country has been further exacerbated in the second half of 2020 due to tensions over the implementation of the electoral model. The lack of security and rule of law remain major obstacles to ensuring the protection of human rights. Basic policing functions, access to justice and correctional facilities are only 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 ensuring respect for and protection 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 implemented. The continued 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, although the Electoral Law was passed in February 2020, subsequent contestation of the universal vote model enshrined in the law led the Electoral Law to be put aside and superseded by a political agreement between the Federal Government and the Federal Member States, opting for a return to an indirect electoral model instead. 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 and violations, including occurrences of violence, at both federal and regional level.

Freedom of expression and freedom of the press continues to be severely constrained, and attacks against journalists remain common. There is insufficient protection to ensure the respect of women's and girls' rights which continue to be seriously violated, including by sexual and gender-based violence. Efforts to pass a sexual offenses bill to address such issues were undermined by the Federal Parliament, which rejected the bill without having considered it during a first reading in parliament. The situation on the rights of the child and reports of forced recruitment of minors by Al Shabaab remain of 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 could serve to improve the human rights situation still needs to be

concretised. Chronic instability and the focus on security issues continue to make it difficult for the Federal Government of Somalia to implement and respect key human rights commitments. The increasing focus on electoral politics over the course of 2020 has interfered with efforts to keep human rights issues on the agenda.

**2. EU action – key focus areas:** EU support to Somalia is guided by the objective to rebuild the state, improve stability and reduce poverty. EU activities in the area of human rights in 2020 continued to focus on: promoting gender equality and women's rights, ending violence against women and children, supporting the democratisation agenda, including electoral processes, promoting freedom of speech and freedom of the press, and improving access to justice through institutional capacity building, supporting mobile courts and legal aid provision, as well as the promoting 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. Despite the EU's strong support for the preparation of universal elections, a political agreement reached by leaders of the Federal Government and the Federal Member States in September 2020 settled on holding indirect elections instead, which remain to be conducted.

**3. EU bilateral political engagement:** The protection of human rights is an important element that the EU addresses in its regular exchanges with government counterparts at all levels. Throughout 2020, during the three Article 8 Political Dialogues held with both the Prime Minister and the President of Somalia, human rights have consistently formed part of the agenda. The need to promote and to protect human rights in Somalia remains a priority for the EU. Topics such as media freedom, arrests of journalists, the yet-to-be-established Human Rights Commission and the passing of relevant legislation, such as the Sexual Offences Bill, have been among the topics raised. Aside from the formal political dialogues, human rights form part of the agenda during bilateral dialogues with Somali authorities, wherein the key messages are reiterated. 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 engaged in advocacy efforts on various human rights-related topics. The EU will continue to advocate for the implementation of human rights commitments following the 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.

**4. EU financial engagement:** In 2020, the EU pursued its financial support to a range of projects related to strengthening the respect for human rights in Somalia (including the autonomous region of Somaliland), both through ongoing projects under the European Instrument for Democracy and Human Rights (EIDHR) for a total of EUR 2 million and the EU Emergency Trust Fund for Africa, the latter supporting projects in the areas of rule of law, corrections, and security sector reform for a total of EUR 20.3 million. The EU is also supporting projects implemented by civil society organisations that focus on enhancing



political representation of women, the rights of 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. The EU increased its support at the end of 2020 by contracting new projects under the EIDHR amounting to EUR 3 million, focusing on the fight against gender-based violence and the opening of civil and democratic space.

**5. Multilateral context:** Although several human rights-related international commitments have been ratified by the Federal Government of Somalia, 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. With Somalia as a member of the UN Human Rights Council since 2018, there remains an opportunity to reinforce the work done with key government actors in favour of a strengthened enforcement of human rights commitments. This also represents an opportunity for civil society actors to lobby more effectively for the respect of human rights in Somalia. Somalia has yet to adopt and/or ratify a number of other key international commitments, including the Rome Statute of the International Criminal Court. The human rights record of Somalia will be reviewed in 2021 in the context of the UN Human Rights Council's Universal Periodic Review.

## 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 respect for human rights in the society. The government, active and robust media, civil society and an independent judiciary all play their role in monitoring and addressing human rights violations. Corruption continues to be a major threat for the development of the country, with political leadership and the administration taking several important initiatives in 2020 to address it as a part of an overall effort to strengthen governance.

Realisation of socioeconomic rights and elimination of inequalities remains a major challenge, with the situation deteriorating in 2020 due to the impact of the COVID-19 pandemic. Gender-based violence (GBV) and femicide remain serious human rights challenges. In 2020, the government took a visible public stance against the situation in this area with the adoption of the first national strategic plan to combat GBV and femicide. The government also announced the creation of the National Council for Gender-Based Violence and Femicide and put forward three legislative initiatives to improve the response to GBV and domestic violence.

Other human rights challenges that South Africa faces and the EU follows closely include the treatment of migrants and the situation of human rights defenders. After outbreaks of xenophobia and violence against refugees and migrants in 2019, the situation continued to be a matter of concern also in 2020, with anti-foreign sentiments growing in the wake of COVID-19. The government is yet to put forward an implementation framework for the 2019

National Action Plan to combat racism, racial discrimination, xenophobia and related intolerance. The often difficult situation of human rights defenders, particularly in the mining and environmental sector, gained international visibility in 2020. One human rights defender was killed after having opposed the extension of a coalmine, while many others continued to face intimidation.

**2. EU action - key focus areas:** EU collective action in 2020 was focused on: maintaining dialogue, providing support, offering assistance and engaging a broad range of stakeholders in the areas of: socioeconomic rights; gender equality, women empowerment and gender-based violence; inclusion (migrants/refugees, LGBTI persons and persons with disabilities); and rule of law, access to justice and the fight against impunity.

**3. EU bilateral political engagement:** Although the seventh EU-South Africa Human Rights Dialogue was postponed due to COVID-19, the EU and South Africa continued to engage regularly on human rights, both formally and informally. The Head of EU Delegation participated in a large number of public events to promote human rights in general as well as specifically in the context of South Africa's efforts to tackle inequalities and ensure that constitutionally guaranteed human rights can be fully enjoyed by all in South Africa. In particular, this included participation in an event for the International Women's Day, with a focus on deconstructing the 'traditionally' male-associated industries such as mining and energy. In May, the Head of Delegation gave opening remarks at the launch of 'Out & Proud: LGBTI Equality and Rights in Southern Africa', an EU-funded project promoting the rights of LGBTI persons in the region, and - in July - addressed a webinar that launched the results of a survey showing the rise of GBV during the COVID-19 lockdown. On gender-related issues, as Chair of the Gender Development Partners Group, the EU delegation led EU Member States and other diplomatic missions in a video campaign against GBV. The EU delegation also organised and funded a webinar on 'toxic masculinity' and the role of men in the fight against GBV. On the issue of migration, in December, the Head of Delegation took part in the launch of a UNICEF project funded by the EU, aiming to strengthen child protection systems. In February, on the anniversary of Nelson Mandela's release from prison, the EU delegation launched an EU-funded report on inequalities in South Africa.

**4. EU financial engagement:** In the midst of the COVID-19 pandemic, the EU reallocated EUR 2 million to UNICEF for support through the Department of Basic Education to disadvantaged schools and EUR 2.5 million to three civil society organisations to address socio-economic rights in the COVID-19 crisis. The EU disbursed the first tranche of EUR 2 million for the programme 'Gender Equality and Women's Empowerment', and to support the government to undertake the first national GBV prevalence survey in 2021. Furthermore, two new projects tackling racism and xenophobia started in 2020. One aims to support socio-economic cooperation between African migrants and host South African communities to reduce conflicts in KwaZulu Natal (KZN). The other offers support to help investigate xenophobic acts through the training of the South African Police Service (SAPS), in partnership with the African Policing Civilian Oversight Forum (APCOF). In the field of rule of law, access to justice and the fight against impunity, the EU disbursed the last payment of EUR 2 million to the Department of Justice and Constitutional Development (total of EUR 25 million).

**5. Multilateral context:** South Africa's non-permanent membership of the UN Security Council and its chairmanship of the African Union in 2020, created new opportunities for EU cooperation with South Africa - an important partner for advancement of human rights at multilateral level. South Africa focused on gender equality in multilateral context in 2020, lobbying strongly for the adoption of an AU Convention on Violence against Women during its AU Presidency. South Africa also voted in favour of the EU co-sponsored UNGA resolution on establishing common international standards for torture-free trade.

## South Sudan

**1. Overview of the human rights and democracy situation:** While the formation of the Revitalized Transitional Government of National Unity (RTGoNU) on 22 February 2020 provided some hope for accountability for human rights violations and abuses, the implementation of the Peace Agreement has stalled for much of the year. The missed reconstitution of the Transitional National Legislative Assembly has prevented key legislative reforms, including on any of the accountability mechanisms. Corruption remains rampant, with South Sudan scoring at the bottom of Transparency International's Corruption Perceptions Index in 2020.

Violence against civilians has continued, resulting in regular killing and injuring of civilians, cattle raiding and looting of property. These incidents of subnational violence, although historically rooted in South Sudan, have 'taken on an increasingly militarized character'.<sup>13</sup> While violations against the rights of the child mark an overall decline in 2020, children continue to be victims of grave violations, with almost 50% of children recruited and used in combat roles. In February 2020, the parties to the Revitalized Agreement signed and endorsed a comprehensive action plan to end and prevent all grave violations against children. However, the delays surrounding the formation of the government bodies and the outbreak of COVID-19 pandemic affected its implementation.

Sexual violence and other forms of violence against women and girls have also continued. The closure of schools since March 2020 as a COVID-19 measure has reportedly led to a high rate of early child marriages, teenage pregnancies and sexual violence. The full scale of sexual violence is believed to be underreported.

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. The space for civil society, journalists and human rights defenders remains heavily constrained, with recurrent arbitrary arrests and detentions. There is both censorship and self-censorship in the country's media.

There have been some positive developments in 2020, especially in the second half of the year, with a number of convictions in military and civilian courts for gang rape and rape. In

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<sup>13</sup> Human Rights Division, UN Mission in South Sudan, Quarterly Brief on Violence Affecting Civilians January-March 2020.  
[https://www.ohchr.org/Documents/Countries/SS/Quarterly\\_brief\\_on\\_violence\\_affecting\\_civilians.pdf](https://www.ohchr.org/Documents/Countries/SS/Quarterly_brief_on_violence_affecting_civilians.pdf)

December 2020, South Sudan officially inaugurated the country's first Gender-Based Violence and Juvenile Court.

South Sudan has not had a national election since the year before independence. The year ended without the completion of the long-due appointment of the unified governance bodies foreseen by the Peace Agreement. Moreover, delaying tactics by majority parties did not allow the start of the constitutional review process, one of the pre-requisite for credible, transparent, inclusive elections at the end of the transition period.

In 2020, humanitarian needs have remained high, aggravated further by unprecedented heavy flooding. Attacks on aid workers have continued. Humanitarian access in some areas has been hindered by violence and COVID-19 restrictions on movement. December 2020 reports<sup>14</sup> confirm that 60% of the country's population face either a state of official food crisis or worsening food insecurity.

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' (POC) sites across the country. In September 2020, the UN announced the transition of two POC sites to camps for internally displaced under the protection of the South Sudanese authorities, raising fears of increased vulnerability.

**2. EU action – key focus areas:** The key EU priority in 2020 was to support the implementation of the peace process, through financial and political actions, as well as COVID-19 pandemic preparedness and response efforts. In July 2020, two EU Humanitarian Air Bridge flights provided over 89 tonnes of medical and humanitarian supplies in one of the largest EU air bridge operations since its launch. The EU has also provided support to Human Rights Defenders (HRDs), to anti-misinformation platforms and to women's empowerment. The EU co-led strong advocacy against persisting violence and its impediments to humanitarian aid, through both diplomatic and media channels.

**3. EU bilateral political engagement:** The bilateral engagement is constrained by South Sudan not being a signatory of the Cotounou Agreement and by the delayed and partial implementation of the inclusive governance foreseen by the Peace Agreement. Nonetheless, the EU has advocated in all its exchanges with government authorities for the need to improve the respect for human rights, and to increase transparency of the public finances, which are closely linked to the fundamental economic and social rights of the population. Formal demarches were carried out often jointly with EU Member States, for example on the abolition of the death penalty. The EU is on the forefront of raising human rights defenders issues with the wider international community in Juba, including through following individual cases and facilitating exchanges between EU ambassadors and HRDs.

**4. EU financial engagement:** In 2020, EU funding enabled the first ever registration of the South Sudan Human Rights Defenders' Network and continued to support enhancing the capacity of human rights defenders to protect themselves and to support HRDs at imminent

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<sup>14</sup> <https://news.un.org/en/story/2020/12/1080432>

risk of violence and/or with acute protection needs. The EU is also assisting access to information, freedom of expression and addressing hate speech. In 2020, the EU has stepped up its engagement on gender equality with a dedicated financial allocation for women's empowerment.

**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, accountability for perpetrators and justice remain largely absent and enforcement of domestic laws is hampered by resource constraints, lack of institutional capacity and lack of durable peace. Cooperation with African Union bodies and various bodies of the UN Special Procedures has slowed down, also due to the COVID-19 response measures and restrictions.

## Sudan

**1. Overview of the human rights and democracy situation:** Throughout 2020, Sudan continued on the path of political and economic transition, faced with a complex environment, including a deteriorating economic situation, further exacerbated by the COVID-19 pandemic. While Sudan's Transitional Government undertook several positive steps to improve the situation of human rights in the country, several challenges remained. In February, Sudanese authorities indicated their willingness to cooperate with the International Criminal Court (ICC), including ensuring that ICC suspects appear before the Court. The ICC prosecutor visited Khartoum in October and discussed modalities of cooperation with Sudanese authorities, including on the execution of outstanding arrest warrants. In July, the Transitional Government adopted several important legal reforms such as the criminalisation of female genital mutilation. Sudan also approved wide-ranging amendments to its Criminal Law, including repealing the death penalty for apostasy as well as the movement restrictions on women travelling with children that required them to obtain consent from a male guardian. In August, the Juba Peace Agreement between the Transitional Government and the Sudan Revolutionary Movements was concluded, signifying an important milestone for the ongoing transition and paving the way towards sustainable peace in Sudan.

Notwithstanding the progress achieved, many challenges remain such as the death penalty not being fully banned, new and revised legislation not yet fully implemented and root causes of conflict in Darfur and other conflict-prone regions still requiring to be addressed. The committee to investigate the violent crackdown on protesters in Khartoum on 3 June 2019 has neither released its findings nor held perpetrators accountable. The Transitional Legislative Council and some key transitional commissions such as the Electoral Commission, as stipulated in the 2019 Constitutional Declaration, have yet to be established. In addition to extreme poverty and financial exclusion, sexual and gender-based violence remained one of the most prevalent and persistent issues faced by women and girls in Sudan. Furthermore, the humanitarian situation remained dire with more than 9.6 million people in need of humanitarian assistance.

**2. EU action – key focus areas:** The EU's key focus areas in Sudan continued to be: promotion of greater space and a safe, conducive environment for human rights defenders

and civil society organisations; ensuring greater freedom of expression in the press, the media and on digital platforms and freedom of speech; protection and promotion of the human rights of women and children; protection and promotion of the human rights of migrants, refugees and internally displaced persons; fostering inclusive and peaceful governance that respects human rights and vi) promoting economic, social and cultural rights, with a focus on women and youth. In addition, in light of Sudan having embarked on a civilian-led transition since late 2019, the EU has also focused on providing institutional support to the transitional authorities to enhance the implementation of reforms.

**3. EU bilateral political engagement:** In 2020, the EU encouraged and supported Sudan's ongoing peace efforts and democratic transition. The EU and its Member States reiterated calls to the Sudanese authorities to secure justice for past atrocities, including through full cooperation with the ICC, and to take concrete legislative and policy steps to advance protection of human rights. The EU also [welcomed Sudan's decision to ban female genital mutilation](#).

In February, HR/VP Borrell paid a visit to Sudan reconfirming the EU's strong commitment to support the democratic transition and reform agenda underway in the country. The High Representative also gave a keynote speech at the University of Khartoum and had an exchange of views with students who he encouraged to remain engaged in the democratic process, to ensure that the future of Sudan will fulfil their ideals. During the visit, the High Representative also travelled to Darfur where he met with the local authorities and IDPs, underlining that the EU continues to stand in solidarity with the people affected by conflict and humanitarian crisis.

In June, the EU operated two Humanitarian Air Bridge flights to Sudan to deliver critical supplies such as protective equipment, water purifiers, medical kits and medical staff to support Sudan's fight against COVID-19. During 2020, the EU activated twice the Union's Civil Protection Mechanism to respond to the devastating floods and heavy rainfall that hit Sudan late summer and to assist Sudan in catering for the growing influx of Ethiopian refugees to Sudan due to the ongoing conflict in Tigray, Ethiopia. The EU Commissioner for Crisis Management Lenarčič visited Sudan in December, including the refugee camps in Eastern Sudan, to underline the EU's solidarity with Sudan, which accepted more than 60,000 refugees from Tigray. In October, the [EU signed the Juba Peace Agreement as a witness](#), acknowledging it as an historic achievement paving the way for inclusive and comprehensive peace in Sudan.

Throughout the year, women's economic empowerment and political participation in Sudan featured highly on the EU's agenda, including through specific development cooperation initiatives such as [Support to Economic Opportunities for Youth and Women](#) funded through the EU Emergency Trust Fund for Africa. The EU Delegation to Sudan regularly exchanged with women human rights defenders and the Head of EU Delegation co-chaired a roundtable discussion on women's economic empowerment on International Women's Day.

**4. EU financial engagement:** Throughout 2020, the EU continued to support a number of projects relating to human rights in Sudan through European Instrument for Democracy and Human Rights and Civil Society Organisations and Local Authorities funding. In December, the EU, alongside some of the EU Member States, committed core funding to the Office of the UN High Commissioner for Human Rights in Sudan (OHCHR) for 2021-2022. Notably,

OHCHR plays a key role in ensuring that the Transitional Government has the necessary tools and capacity to advance with the political reform agenda, including legal reforms, transitional justice, ratification of core human rights treaties, as well as in supporting the work of Sudan's civil society actors. In addition, since August, the EU has also been financing positions within the Ministry of Justice to support the country's legal reforms.

The EU remains committed to accompanying Sudan on its political, economic and social reform path, in order to make the transition to democracy a success. Besides providing support to the most vulnerable through the provision of humanitarian aid, the EU also focuses on social protection to help cushion the impact of economic reforms on the population, basic service delivery as well as on economic opportunities for youth and women, peace process and democratic governance. In June, [the EU co-hosted with Sudan, Germany and the UN a virtual ministerial level Sudan Partnership Conference](#), raising USD 1.8 billion in development and humanitarian funding in support of Sudan's civilian-led transition. Notably, half of the pledges came from the EU and its Member States.

**5. Multilateral context:** In June, the UN Security Council approved a new nationwide political mission, the UN Integrated Transition Assistance Mission (UNITAMS), to support Sudan's transition. At the same time, the UN-AU Mission in Darfur (UNAMID) withdrew at the end of December, raising concerns about the protection of civilians. In July, the OHCHR indicated that its country office in Khartoum was operational. In October, the UN Human Rights Council discontinued the mandate of the UN Independent Expert on human rights on Sudan but kept Sudan on its agenda through reporting of the High Commissioner for Human Rights.

## Tanzania

**1. Overview of the human rights and democracy situation:** The United Republic of Tanzania remains a peaceful, multi-ethnic, religiously tolerant and stable country, but the negative trend observed with the deterioration of human rights over the past years continued in 2020. Opposition politicians and civil society faced problems as the space for political and civic freedoms was reduced (including through an increasingly restrictive legal environment), notably in the run-up to the elections held in October 2020. Although the main presidential opposition candidate had returned to the country safely – after two years abroad and ever since suffering a near-fatal attack—and the campaign was mostly peaceful, several voices highlighted the role of electoral institutions and state authorities in undercutting the credibility and transparency of the process. Civic education, domestic as well as international election observation were limited, and multi-party democracy suffered a regression as the party in power Chama Cha Mapinduzi (CCM) came to nearly monopolise parliamentary representation. The elections in Zanzibar archipelago saw tight security constraints and violent incidents, including deadly violence. Fundamental freedoms remained constrained. New regulations and their implementation affected girls and women's rights, control over NGOs and civil society, human rights defenders, people in vulnerable situations, including LGBTI persons, and media (traditional media, including radio, and social media).

**2. EU action – key focus areas:** The EU followed individual cases and sought to promote democracy, for example expressing concern in cases such as the attack against the leader of the opposition in the Tanzanian Parliament (EU Heads of Mission issued a joint local



statement), and the shortcomings of the electoral process (a Declaration by the High Representative on behalf of the EU was issued).

The EU also followed up on arrests and prolonged remand imprisonment of journalists and human rights defenders – a peak in such cases was observed around the elections.

The EU issued communication and upheld its stand against the death penalty – and President Magufuli maintained the de facto moratorium in 2020, converting some death sentences into life imprisonment.

A public diplomacy campaign that included events and several activities upheld the theme of gender equality and the elimination of all forms of gender-based violence throughout the year.

The EU continued the implementation of projects on human rights, and it launched two new projects on business and human rights (corporate human rights). A project on albinism discrimination found renewed dynamism.

**3. EU bilateral political engagement:** In 2020, the EU and Tanzania held no political dialogue, as understood under the Cotonou Agreement Article 8.

Important aspects of the EU Democracy Action Plan could not be followed up significantly. There was no formal follow-up of the EU 2015 Electoral Observation Mission recommendations and no dialogue was possible with the electoral management bodies for the 2020 process.

**4. EU financial engagement:** Given the Tanzanian government's own priority on women's economic empowerment and the EU priorities as rolled out in the ongoing and new Gender Action Plans, in 2020 the EU pursued financial engagement with financial and private sector engaging in important initiatives for women in business and innovation area. Specific projects included countering child marriage and female genital mutilation.

Dialogue between civil society – including the private sector – and public authorities as well as media participation have been important engagements in 2020, to foster active citizenships and community peacebuilding, both in the mainland and in the archipelago of Zanzibar.

**5. Multilateral context:** A report from experts for the UN Office of the High Commissioner of Human Rights called on the Tanzanian government to end the crackdown on civic space in July 2020 and the High Commissioner herself denounced the situation in the Human Rights Council in September. The EU mentioned Tanzania in its statement in the same session of the Council.

The EU partnered with UN Women and UN Population Fund (UNFPA) in campaigns against gender-based violence.

## The Gambia



**1. Overview of the human rights and democracy situation:** Upon taking over power in 2017 from the previous autocratic regime, the current dispensation pledged to implement democratic reforms, respect of human rights and the rule of law, with a new constitution at its core. Over time, cracks and fissures started to appear in this promising image, with reforms coming to a near standstill in 2020 due, in part, to the COVID-19 crisis. A particular setback was the rejection by the National Assembly, at the second reading, of a draft new constitution. Highlights included the progress made by The Gambia in terms of domestication of the Rome Statute, and the steps taken towards the adoption of its Prevention and Prohibition of Torture and International Crimes Bills. The year 2020 started with the '3 Years Jotna' protests in January, triggered by the President's decision to serve the full, constitutional five-year term instead of stepping down after three years. The protests, initially peaceful, turned grim and were met with police violence. Two radio stations were shut down for providing a platform to '3 Years Jotna' leaders, but were eventually allowed to re-open. In view of the presidential elections to be held in 2021, it remains critical to ensure that credible, inclusive and transparent elections are conducted. The draft Elections Bill 2020, encompassing this and other changes to the electoral context, was left pending at the level of the National Assembly. The Constitutional Review Commission (CRC) wrapped up its work in 2020 with the completion of a draft new constitution, result of a careful balancing of norms and legal obligations deriving from international treaties but also from cultural values and traditions. At the level of the National Assembly it fell short of the required 75% majority, which abruptly brought the constitution-building process to a halt. The EU Delegation to The Gambia, HR/VP Borrell, the US Embassy and the UK High Commission, publicly took a stance to convey their disappointment that the draft constitution did not make it to the referendum stage.

Hearings in front of the Truth, Reconciliation and Reparations Commission (TRRC) have continued throughout 2020 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 work of the TRRC was supposed to be finalised before the end of 2020 and its report published in February 2021, but hearings are still ongoing. Conservative societal attitudes vis-à-vis same-sex relationships were brought to light at two major occasions in 2020. Most noteworthy was the backlash experienced by the National Human Rights Commission (NHRC) and by one of its Commissioners, Imam Baba Leigh, specifically due to the NHRC's annual report recommendation to put in place legal and other measures to protect the human rights and ensure equal treatment of LGBTI persons in the country. The storm caused by the NHRC's report occurred very soon after the EU delegation was affected by the controversy caused by social media posts made at the occasion of the International Day Against Homophobia, Transphobia and Biphobia (IDAHOT Day, 2020), which resulted in the Head of EU Delegation to The Gambia receiving threats.

A draft Bill on People with Disabilities was proposed to the National Assembly. If passed, it would be the first of its kind for The Gambia. The situation of persons with disabilities is difficult, as they remain marginalised with limited access to services including employment, education, healthcare and mobility. Violence against women and girls, early and forced marriage, and female genital mutilation are still widespread in Gambian society, despite the 2016 law forbidding the latter practice. Domestic violence has increased during the pandemic with few assistance mechanisms in place. According to a joint report

commissioned by the Government of The Gambia, the Commonwealth Secretariat and UN Women, currently 19 laws need to be amended and 10 laws repealed to end discrimination in the legislation. In 2020, a bill to amend Women's Discriminatory Laws was withdrawn from the National Assembly after second reading. COVID-19 has in general had huge implications on the lives of the Gambians. By the end of 2020, the number of casualties was still very low but the impact on the country's biggest economic sector, tourism, has resulted in mass lay-offs. Food security has become a concern, especially in the urban areas, with rising costs and no alternative income opportunities. In the rural areas, thanks to a good 2020 agricultural season and thriving horticulture, food security has not suffered too much, although the situation is precarious.

**2. EU action - key focus areas:** The EU remains committed to supporting the ongoing democratic transition with the aim of consolidating peace and stability by strengthening democratic institutions in full respect of human rights and the rule of law. In 2020, EU activities focused on supporting the security sector reform (SSR), as well as the ongoing legal reforms. Most importantly, the EU monitored closely any developments related to the electoral context and the constitutional review process. The EU has also funded programs on good governance, strengthening the civil society and building civic education. As an example, in the area of civic education, the EU funded a programme to actively engage the wider public on political rights by reaching out to people via local and community radios.

**3. EU bilateral political engagement:** The EU's support to the Gambian government included frequent and productive political discussions and policy dialogues at all levels. Despite the difficulties caused by the COVID-19 pandemic, the EU continued to actively participate in steering committees for sectoral reforms – such as in the areas of SSR and governance - to promote its positions on human rights and democracy building in close co-ordination with Member States and like-minded actors.

**4. EU financial engagement:** In 2020, the EU and its Member States contributed with 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.

**5. Multilateral context:** 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 ruling on 23 January 2020, the ICJ ruled in favour of The Gambia's request for provisional measures in accordance with the Genocide Convention. The Gambia has continued proceedings with international support from the Organisation for Islamic Cooperation (OIC), The Netherlands and Canada and submitted a 500-page memorial in 2020 to the International Court of Justice.

## Togo

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Togo was particularly affected by the political crisis between August 2017 and December 2018. Subsequently, tensions cooled down but mutual mistrust between political actors are persisting. The presidential elections in February 2020 did not stabilise the situation, as the victory of the incumbent President Faure Gnassingbé was highly contested by the main opponent, Messan Agbéyomé Kodjo, leader of the coalition DMK who claims to have won the elections and describes himself as the 'Democratically Elected President'. For these claims, he was arrested and put into custody in April 2020. Subsequently released, he went into hiding. Therefore, at present day in Togo, both the presidential majority and the main opposition believe that the other side is illegitimately acting, which considerably weakens the democratic system in the country. At the end of 2020, some prominent DMK members were arrested and then released. It is not clear yet whether the opposition, and particularly the DMK, will take part in the regional elections foreseen for 2021. Serious concerns about the human rights situation in Togo were also raised when Ferdinand Ayité, human rights activist and director of an opposition newspaper, was sentenced to a fine for defamation in November 2020. In general, while Togo is still globally a relatively stable democracy at least partially respectful of the rule of law, especially if compared to other countries in the region, concerns for human rights and democracy, and for possible future developments, remained high in 2020. The COVID-19 pandemic did not help to improve the situation.

**2. EU action – key focus areas:** The EU is actively engaged to promote dialogue, de-escalate political tensions and promote human rights in Togo. The EU delegation closely follows the evolution of the situation and encourages all the Togolese political actors to choose dialogue in order to reach ultimately sustainable solutions based, as much as possible, on consensus, due to the challenges that the country is facing. The EU actions in support of human rights and democracy in Togo focus on improving the judicial system, supporting national reconciliation, capacity-building of police forces, strengthening the role of women and their access to maternal health services, as well as empowering civil society.

**3. EU bilateral political engagement:** On 8 December, the EU and Member States held the 21st Article 8 Political Dialogue meeting with the Togolese authorities. In general, the meeting confirmed the good political relations between the EU and Togo, as well as the will to strengthen them further. The Togolese side notably approved EU priorities particularly in terms of judicial sector improvement and good governance. However, a hesitation from the Togolese side to engage concretely or discuss their policy, and especially on human rights and democratisation, was perceived.

**4. EU financial engagement:** EU cooperation programmes in Togo have focused on the following areas: improvement of the judicial system (EUR 7.37 million); support to national reconciliation, conflict prevention and peacekeeping (EUR 160.000); support to the modernisation of administrative services (EUR 15.36 million); capacity-building of police forces (EUR 1.44 million); implementation of EU Gender Action Plan (EUR 800.000); and civil society empowerment (EUR 5 million).

**5. Multilateral context:** In promoting human rights and democracy, the EU delegation and Member States embassies have worked together to build a conducive political dialogue with both Togolese authorities and other stakeholders in the framework of the Cotonou Agreement between the EU and ACP countries. The coordination of international engagement in Togo is especially ensured by the so-called 'Group of the Five' (G5), which includes the ambassadors of Germany, France, and the United States, the UN system coordination mechanism, and the EU delegation.

## Uganda

**1. Overview of the human rights and democracy situation:** During 2020 and in the run-up to the elections planned on January 2021, the human rights and democracy situation in Uganda deteriorated significantly. The political freedoms and space for civic activism were constrained. The period of electoral campaign saw the deadly repression by security forces of demonstrations (at least 54 victims died on 18-19 November), severe restrictions affecting candidates of the opposition (notably Robert Kyagulanyi, aka Bobi Wine), and limitations of media freedoms and civil society. NGOs, professional experts and journalists working on elections were curtailed, and the limited electoral observation possibilities impacted the transparency and legitimacy of the process. Many measures designed to control the COVID-19 pandemic were abused and implemented with double standards throughout the electoral process resulting in the lack of a level playing field for presidential candidates. The LGBTI community was also targeted during the COVID-19 lockdown in Uganda. The EU joined forces with Ugandans and international partners, speaking out against abuses and maintaining dialogue with all stakeholders.

**2. EU action - key focus areas:** In 2020, the EU continued to advocate for the protection of civic space and human rights in Uganda including through protecting and supporting individuals at risk, human rights and land rights defenders and through trial observation and visits. The EU delegation granted the EU 2020 HRD Award to Aimé Moninga in recognition of his work with male survivors of conflict-related sexual violence.

The EU focused on building institutional legitimacy (anti-corruption, access to justice) for a more resilient, inclusive and democratic society in Uganda. Impunity continues to raise concern, and the EU continued calling for neutral investigations into the pre-electoral violence of November 2020. Through its public diplomacy, the EU played an active role in organising actions and activities on international thematic days (Women's Day, Democracy Day). The EU and Member States promoted the global system for human rights on international criminal law and the ICC field office in Uganda. The EU continued to provide significant support to civil society, in particular through the Democratic Governance Facility and the Civil Society in Uganda Support Programme.

**3. EU bilateral political engagement:** Concerns about the violations of freedoms of peaceful assembly and expression, difficulties derived from COVID-19 restrictive measures, and the important contribution of civil society in Uganda were raised including during the Article 8 Political Dialogue with President Museveni in 2020.

The EU could not deploy an electoral expert mission for the presidential and parliamentary elections due to a lack of response (and interest) by Ugandan authorities. Nevertheless, the EU delegation carried out a diplomatic watch exercise with the deployment of about 60 diplomats from the EU delegation and Member States across 13 districts of Uganda.

The EU, including through mobilisation by Members of the European Parliament, continued to engage in quiet diplomacy in support of LGBTI persons in Uganda, an approach supported by the LGBTI community itself. In 2020, the EU continued its efforts for the abolition of the death penalty despite the president still supporting it in public. A courtesy call was paid to the Commissioner General of Prisons on the International Day for the Abolition of the Death Penalty.

**4. EU financial engagement:** The Democratic Governance Facility (DGF) II programme continued to play an important role in 2020, supporting 75 partners, including both state institutions and civil society organisations, to implement projects across a wide range of democratic governance topics: provision of free legal aid to tens of thousands of Ugandans; improved democratic accountability at local level through training of local officials and empowerment of community groups; increased transparency and accountability in the area of national resource management, especially in the Albertine region for the exploitation of oil reserves. In preparation of the January 2021 elections, the DGF also supported women's leadership, media reporting, civic and voter education and domestic observation during the elections.

Through its Instrument contributing to Stability and Peace, the EU contributed to the mitigation of electoral violence before, during and after the 2021 elections. Firstly, the Women's Situation Room project covered 30 districts in Uganda by training 1,500 women and 1,500 youth in civic education and peacebuilding and peace advocacy throughout the country. Secondly, the Uganda Radio Network action trained journalists across the country in conflict sensitive journalism techniques and facilitated dialogue with key stakeholders on peaceful elections.

The EU-UN Spotlight Initiative to eliminate violence against women and girls in Uganda was officially launched by the president in March 2020 on the International Women's Day. Although this was the second year of implementation, much of the work took place during 2020. The initiative provided support to 11 districts and 26 civil society organisations. Under the European Instrument for Democracy and Human Rights budget line, five new contracts were signed to support CSOs in fighting violence against women and children, especially as a result of COVID-19.

**5. Multilateral context:** In December, UN human rights experts (special procedure of the Human Rights Council) expressed serious concerns about the violence ahead of Uganda's elections, urging authorities to put an end to the arrest, detention and harassment of political opponents, civil society leaders and human rights defenders.

In 2020, the EU and Member States presented three human rights related demarches to the Minister of Foreign Affairs supporting multilateral action. With support from the EU-funded Justice and Accountability Reform programme, Uganda significantly reduced its backlog on human rights treaty reporting to UN treaty bodies and in 2020 the government approved four out of five overdue reports.

## Zambia

**1. Overview of the human rights and democracy situation:** 2020 was a challenging year for Zambia, with the impact of the COVID-19 pandemic exacerbating an already difficult macroeconomic context, impacting severely on the livelihoods of citizens. In domestic politics, the Constitutional Amendment Bill continued to dominate the discourse on the state of Zambia's democracy, until it finally failed to pass in October due to the lack of the required 2/3 majority of votes in the Parliament. Reports of incidents that restricted the fundamental freedoms of assembly, association and expression continued to be received throughout the year. In December, two people were shot dead in Lusaka as police dispersed an assembly of members of the main opposition party. This triggered significant reactions and a statement from the spokesperson of the HR/VP.

The government continues to pronounce itself against corruption, but in practice more action is needed to investigate the cases. Between 2017 and 2019, Zambia fell 17 places in the ranking of Transparency International's Corruption Perception Index. New legislation passed in 2020, notably the National Planning and Budgeting Act and the Public Procurement Act, created a framework to enhance transparency in governance going forward.

In 2020, women's and girls' rights continued to face significant obstacles in Zambia, with an already high prevalence of gender-based violence and child marriage. The government has demonstrated leadership to reduce early child marriage, both within Zambia and in the international arena, with the hope to register structural changes in the next few years. Sexual and reproductive health and rights remain a key issue, reflected in Zambia's alarmingly high adolescent pregnancy rate. Poverty and vulnerability remained significant challenges in 2020, again exacerbated by the socioeconomic impact of COVID-19. The rights of the child and the quality of education also need further attention. Consensual same-sex activity continues to be criminalised. A more general issue as elections approach is the use of language in the public sphere which could incite violence.

There is political commitment in Zambia to alleviate the conditions of persons in correctional facilities, to advance the protection of refugees and to enhance the rights of people with disabilities. The situation of people with Albinism, including their protection from crime and their access to services, requires constant attention.

**2. EU action- key focus areas:** In 2020, the EU delegation and the resident EU Member States in Zambia supported the implementation of agreed strategic priorities and objectives throughout the year, both at the political level and through their development relations. During the period 2016-2020, the EU has focused its action on the following areas:

- advancement of women's and girls' rights, including sexual and reproductive health and rights and the fight against gender-based violence;
- promotion of economic, social and cultural rights, including children and their right to good education and good health;

- enhancement of transparent governance, including the fight against corruption, access to information and freedom of expression, assembly and association;
- 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;
- cultivation of an environment of non-discrimination, with a focus on the rights of marginalised groups.

The EU worked to implement relevant recommendations of the EU Election Observation Mission 2016, 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.

**3. EU bilateral political engagement:** In the framework of the Zambia-EU Article 8 Political Dialogue that took place in November 2020, 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 and the moratorium against the death penalty.

In the course of 2020, 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; meeting with the president, relevant ministers, the Electoral Commission of Zambia and other senior interlocutors; 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 activities organised as part of the EU delegation's public diplomacy.

The EU delegation and the EU Member States present in Zambia advocated EU priorities in the field of human rights and democracy throughout the year, *inter alia*, through the press, radio and social media. They took up the opportunity of National Day speeches, civil society events, launching of development projects and 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 support human rights and democracy via grants awarded to CSOs, to the national Human Rights Commission and the National Assembly, as well as via technical assistance to the government. The EU and several Member States are contributing to Zambia's electoral process – ahead of the August 2021 general elections - both through the Democracy Strengthening Zambia programme managed by UNDP and through direct grants to CSOs.

The EU delegation supports human rights and democracy in Zambia via the European Instrument for Democracy and Human Rights and via the Civil Society Organisations - Local Authorities Programme. 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 the rights of persons in detention and their reintegration into society, the programme in favour of the inclusion of persons with disabilities, 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, among others, to the support of women's rights in Zambia through the large EU

Programme (EUR 24 million) to prevent sexual and gender-based violence and to provide services to survivors of violence.

**5. Multilateral context:** The third Universal Periodic Review cycle 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 rejected recommendations 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:** In 2020, the overall human rights and democracy situation significantly deteriorated in Zimbabwe, with multiple reports of arbitrary detention and harassment, torture and inhuman or degrading treatment, including towards members of the opposition, restrictions on access to justice, and targeting of journalists and others investigating or speaking out against corruption.

The reported detention of untried prisoners in a maximum security prison together with convicted criminals suggests a serious violation of the principle of presumption of innocence. Public declarations inciting disrespect, hatred or violence towards various parties including churches, civil society actors and representatives of diplomatic missions also contributed to increased tensions and risks to individuals' enjoyment of human rights.

The scope for effective opposition, and the parliament's capacity to conduct effective scrutiny and promote accountability were reduced as a consequence of a Supreme Court's ruling challenging the opposition leadership, as well as by continued internal power struggles and external repression. The judiciary was on several occasions used as a tool for political purposes.

Despite the lack of individual events of large-scale violence such as the ones that led to casualties in 2018 and 2019, the year 2020 was overall characterised by an increasing number of human rights violations targeting government critics and dissenting voices in general, including representatives from the opposition, media, trade unions and civil society. The perpetrators of these violations, in several cases allegedly state security agents, continue to enjoy impunity. Measures to fight the COVID-19 pandemic were used as an excuse to limit the freedom of expression, press freedom and freedom of assembly. The government postponed the holding of by-elections necessitated by the recall of opposition MPs from the Parliament.

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

Protecting and empowering individuals: The EU supported a variety of projects to advocate for constitutional alignment, empower civil society organisations and their key watchdog



roles vis-à-vis public institutions, to fight discrimination (with a specific focus on women/gender equality and children) and to empower minorities (specifically persons with disabilities or HIV).

**Building resilient, inclusive and democratic societies:** The EU continued its support and advocacy for increased access to justice, citizen's participation, constitutionalism, promotion/protection/access to civil, socio-economic and political rights, and reinforcement of democratic institutions (including legislative bodies and independent commissions such as the Zimbabwe Electoral Commission). An Election Follow-up Mission to assess the state of play of the 2018 EU Election Observation Mission recommendations was postponed from 2020 to 2021.

**Promoting a global system for human rights and democracy:** The EU actively supported human rights and democracy projects. The EU financed projects that protected and promoted the rights of LGBTI persons, focused on women empowerment and fought against gender-based violence, strengthened non-state actors, as well as peacebuilding initiatives and peace mediation.

**New technologies: harnessing opportunities and addressing challenges:** The EU supported projects that aim at increasing community access to information and participation in governance processes. In this respect, the EU remained vocal regarding the freedom of expression, press, and access to information in Zimbabwe. The EU also supported projects that use new technologies to strengthen the transparency and accountability of key sectors (such as the mining sector, its governance, impacts on the people as well as on the environment).

**Delivering by working together:** The EU contributed to multi-donor funds (such as the Health Development Fund) and participated in the launch of several multi-donor and multi-actor projects - mostly with UN bodies. The Spotlight Initiative to end violence against women and girls is one of the most important launching events in 2020 in this regard. Spotlight is supported in partnership with the UN agencies (UNDP, UN Women, UNFPA, UNICEF, ILO and UNESCO) and the Government of Zimbabwe. The EU delegation also took part in regional programmes and coordination exercises in conjunction with other delegations.

**3. EU bilateral political engagement:** Due to the COVID-19 Pandemic, the formal political dialogue had to be postponed at the end of 2020. The EU HoMs held a meeting with the Minister of Foreign Affairs in October 2020 to raise human rights concerns. The EU issued one joint local statement on human rights on 20 May 2020, as well as a total of 12 human rights related public messages on social media. HR/VP Borrell also reacted publicly in a tweet from 24 July on human rights concerns about the well-being of persecuted journalist Hopewell Chinono. Furthermore, tweet campaigns around the extension of the restrictive measures (February 2020) and countering disinformation on government's anti-sanction day (25 October 2020) touched on respect for human rights.

**4. EU financial engagement:** Programming exercises are based upon a broad range of consultations with a diversity of actors, including grassroots organisations, civil society, researchers, national institutions (including national human rights institutions), businesses

and the donor community. The political dialogue has also systematically dedicated an important part to discussions around the EU's cooperation exercises and programming, thus making the link between political priorities and funding. Multi-donor fora have also helped develop cooperation synergies and complementarity of actions and funding where needed. Public diplomacy was an important part of the EU delegation communication on the EU's presence and financial engagement in Zimbabwe. EU and EU Member States' Heads of Missions (HoMs) ensured strong coordination and took part in joint public diplomacy exercises. However, due to the COVID-19 pandemic, the activities that are usually held in a physical format (EU HoMs joint field missions, etc.) could not take place. The EU delegation therefore intensified its activities on social media throughout 2020. The EU delegation's official account on Twitter is now one of the most influential official accounts in Zimbabwe with more than 105.000 followers.

**5. Multilateral context:** The EU regularly raises Zimbabwe's non-compliance with international human rights and democracy standards in multilateral fora. In September 2020, the EU made a statement on the significant deterioration of the human rights situation in Zimbabwe during the 45th session of the UN Human Rights Council.

## Arabian Peninsula

### Bahrain

**1. Overview of the human rights and democracy situation:** The enjoyment of civil and political rights, such as freedom of expression and association, continued to be restricted based on the Terrorist Act, through an overly broad definition of terrorism and trials on counter-terrorism grounds. Altogether 12 individuals were sentenced to death in relation to terrorism charges, after exhaustion of all legal remedies. In July, the Court of Cassation confirmed the death sentences in two cases, but no death sentences were implemented in 2020. Allegations of torture and ill-treatment of detainees continued to be reported. Some of the complaints were investigated and quickly denied by the National Institute for Human Rights and the Ombudsperson's office, whose overall independence and effectiveness however remain difficult to assess.

Human rights defender Nabeel Rajab, who had been sentenced in 2018 to five years in prison on charges of spreading false information, insulting a sisterly country and damaging state security, was released from prison on 9 June and granted a non-custodial alternative sentence. However, several political activists continued to be imprisoned under severe terms. On 12 March, King Hamad pardoned 901 detainees partly on humanitarian grounds due to the COVID-19 pandemic. Other 585 detainees were granted a non-custodial alternative sentence and released from prison.

Bahrain has achieved significant progress in the fight against trafficking in human beings and kept advancing on socio-economic rights through initiatives in the areas of housing, education and healthcare. However, in some of these areas, the Shia community continued to face instances of discriminatory treatment. Bahrain's longstanding commitment to

promoting inter-faith dialogue and peaceful coexistence took another step forward in October when a Memorandum of Understanding against antisemitism was signed between the US Government and the King Hamad Global Center for Peaceful Coexistence, following the normalisation of ties with Israel in September.

Despite progress on gender equality, Bahraini legislation continued to discriminate against women in relation to 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. A national human rights action plan will be adopted after a series of consultations and workshops.

**2. EU action – key focus areas:** The EU and Member States continued to raise human rights issues, including individual cases, in their engagements with Bahraini authorities, mainly with the MFA and the national human rights institutions.

In 2020, the HR/VP Spokesperson issued three statements on individual human rights cases in Bahrain. Following the High Criminal Court of Appeals' confirmation of the death sentences for Mohammed Ramadan and Hussain Al Moussa, a statement on 9 January called on the Bahraini authorities to halt the execution of the two individuals and ensure that their re-trial would be in accordance with international law and standards.<sup>15</sup> On 10 June, the release of prominent Bahraini human rights defender Nabeel Rajab was welcomed, following the decision of a Bahraini court to grant him a non-custodial alternative sentence to the five-year jail term he was serving since 2016 for peacefully expressing his opinion.<sup>16</sup> On 13 July, following the final confirmation of the death sentences for Mohammed Ramadan and Hussein Al Moussa by the Court of Cassation, a call was reiterated to halt the executions. It reaffirmed the EU's strong and unequivocal opposition to the use of the death penalty as well as the call on the Bahraini authorities to establish a moratorium on executions as a first step towards the abolition of death penalty and to commute all pending death sentences.<sup>17</sup> The EU's strong opposition to the death penalty was communicated also by the EUSR for Human Rights Eamon Gilmore who called Foreign Minister Zayani on 29 June.

On 9 June, the German Federal Government Commissioner for Human Rights Policy and Humanitarian Aid welcomed the release from detention of human rights defender Nabeel Rajab.<sup>18</sup> On 13 July, she expressed her regret over the decision by the Court of Cassation in Bahrain to dismiss the appeal Mohamed Ramadan and Husain Moussa, and thus clear the way for execution.<sup>19</sup> She called on the government of Bahrain to refrain from carrying out the executions and to readopt the de facto moratorium that existed between 2010 and 2016.<sup>20</sup>

On 27 October, the Ambassadors of France, Italy and Germany attended a virtual Human Rights and Diplomacy workshop hosted by the Bahraini MFA with several hundred

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<sup>15</sup> [https://europa.eu/newsroom/content/bahrain-statement-spokesperson-confirmation-th\\_de](https://europa.eu/newsroom/content/bahrain-statement-spokesperson-confirmation-th_de)

<sup>16</sup> [https://eeas.europa.eu/regions/middle-east-north-africa-mena/80701/bahrain-statement-spokesperson-release-human-rights-defender-nabeel-rajab\\_en](https://eeas.europa.eu/regions/middle-east-north-africa-mena/80701/bahrain-statement-spokesperson-release-human-rights-defender-nabeel-rajab_en)

<sup>17</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/82794/bahrain-statement-spokesperson-upholding-death-sentences\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/82794/bahrain-statement-spokesperson-upholding-death-sentences_en)

<sup>18</sup> <https://twitter.com/BaerbelKofler/status/1270389491006689281>

<sup>19</sup> <https://twitter.com/BaerbelKofler/status/1282745090138607616>

<sup>20</sup> <https://twitter.com/BaerbelKofler/status/1282745091459887104>

participants where they voiced their rejection of the application of the death sentence under all circumstances and called for a moratorium on executions.

**3. EU bilateral political engagement:** The EU Delegation in Riyadh (covering Bahrain) and Member States continued to attend court cases in close liaison with other like-minded embassies. The 2020 round of the EU-Bahrain Human Rights Dialogue was postponed till early 2021, as the Prime Minister Khalifa bin Salman Al Khalifa passed away close to the foreseen date.

In the context of combating the COVID-19 pandemic, the EUSR for Human Rights reached out to Bahrain calling for the humanitarian release of vulnerable persons in detention who are among the most exposed to contracting the coronavirus. In his letter to FM Zayani from 1 April, he raised also individual cases such as that of Nabeel Rajab. In a follow-up phone call with the FM in June, the EUSR voiced the EU's opposition against the death penalty in the face of two imminent executions, welcomed the release of Nabeel Rajab and called on Bahrain to release other jailed human rights defenders.

In 2020, the EU participated in a virtual workshop in which it informed about the main features of the EU Action Plan on Human Rights and Democracy 2024 and the Bahraini authorities provided a state of play of the elaboration of its future national action plan on human rights.

**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. It rarely aligns with EU priorities, be it thematic or geographic. It has issued no standing invitation to UN Special Procedures. Many requests to visit are pending, such as by the Special Representative on torture. In December, Bahrain presented its candidacy for the Presidency of the HRC (which in 2021 pertains to the Asia Pacific Bloc) but was not elected. Bahrain is a party to the most core UN human rights treaties but has not ratified the Optional Protocol of the Convention against Torture, the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty nor the Convention on Enforced Disappearances.

## Iraq

**1. Overview of the human rights and democracy situation:** In 2020, the overall human rights situation in the country remained challenging. Early in 2020, a violent crackdown against protesters, as well as the COVID-19 pandemic and subsequent lockdowns, affected significantly the large protest movement that had started in late 2019. Instances of intimidation, including assassinations, forced some prominent protesters to flee to the Kurdistan Region of Iraq (KRI) or abroad in early 2020. In the second half of the year, only sporadic smaller scale demonstrations took place, mainly in Nasseriyah and Baghdad. The new government headed by Prime Minister Mustafa Kadhimi that was formed in May, promised socio-economic reforms and early parliamentary elections in 2021. The Council of

Representatives adopted a comprehensive Electoral Reform Law in 2020. The government managed to deliver on compensation to families of the victims of the violence against protestors. However, repeated calls for accountability for human rights violations were met with inconclusive investigations.

Starting August 2020, protests erupted in the KRI by civil servants demanding unpaid wages amid the protracted budget negotiations between Baghdad and Erbil. The protests were met with a repressive response and the Kurdistan Regional Government (KRG) took measures restricting journalists, including by raiding and closing down news outlets.

Iraq continued to face human rights challenges as a result of several years of conflict, including discrimination against minorities, lack of due process and fair trial standards, as well as gender-based violence. Reports of torture in police detention centres and interrogation cells in formal and informal prisons were frequent. The death penalty continued to be applied under the Law on Counter-terrorism. Since August 2020, several people were executed, followed by 21 persons in one day in November. Iraqi families perceived or suspected of Da'esh affiliation, because of family name, tribal affiliation, or area of origin, experienced difficulties obtaining security clearances required to get identity cards and other civil documents. This led to restrictions in their freedom of movement, access to education for their children, right to work and access to welfare benefits.

Lockdowns related to the COVID-19 pandemic resulted in an increase in domestic violence in Iraq. The draft Anti-Domestic Violence Law was sent to parliament but was not adopted. On 15 May 2020, discrimination against LGBTI persons became a countrywide topic of conversation after the rainbow flag was jointly raised by the EU delegation and the embassies of UK and Canada marking the International Day Against Homophobia, Biphobia and Transphobia.

**2. EU action - key focus areas:** The EU human rights policy in Iraq in 2020 focused on the response to the protest movement and, in a broader sense, the protesters' legitimate democratic demands, including electoral and socio-economic reforms.

The EU's policy continued to address: the protection of civilians in areas of conflict and easing the return of IDPs; the protection of minorities, as well as national and social reconciliation; women's empowerment; the rule of law, including fair trial standards for Da'esh related crimes; and protection of human rights defenders.

**3. EU bilateral political engagement:** The EU continued its advocacy with Iraqi authorities at all levels for the respect of human rights, including in relation to the protests. Statements were issued locally, calling for an end to the violence against protestors, human rights activists and journalists, as well as for accountability for crimes against them. While the government showed itself more amenable to calls from the international community (and activist themselves), it was largely unable to end abuses against protestors.

On 8 September 2020, the EU-Iraq Partnership and Cooperation Agreement Subcommittee on Human Rights and Democracy was held in a virtual format. The meeting, the first since 2015, provided an opportunity to discuss the broader human rights situation in Iraq. In

response to the Iraqi government's push on camp closures, the EU advocated jointly with the UN on the need for IDP returns to be safe, voluntary, informed and dignified. The EU maintained its strong stance against the death penalty and issued a statement following the 21 executions carried out in November, calling for a moratorium on the death penalty.<sup>21</sup> Threats against human rights defenders required multiple interventions throughout 2020.

The EU continuously advocated for credible, transparent and inclusive 2021 elections with the government of Iraq, relevant political actors and the civil society. The EU decided to support the preparation of elections and began exploring the possibility of an EU observation mission as part of its broader support on democracy. In addition, the EU supported reform programs addressing widespread corruption, poor public financial management and deficient public service delivery.

**4. EU financial engagement:** In 2020, the EU continued to support human rights-related projects through various EU financial instruments. The five key areas supported by EU interventions were: capacity building of civil society and freedom of media (EUR 5.2 million); security: rule of law, developing human-rights compliant counter-terrorism legislation (EUR 7 million), digitisation of evidence in support of trials of ISIS suspects in Iraq and Europe (EUR 3.5 million); youth and civic engagement (EUR 11.4 million); reconciliation through support to dialogue, conflict reduction between IDPs and host communities (EUR 6.5 million); support to human rights defenders (EUR 600.000).

The EU also decided to make a significant financial contribution (EUR 5.5 million) to an UN-led project aimed at increasing the capacity of the Independent High Elections Commission in preparation of elections.

**5. Multilateral context:** Iraq is party to a number of international human rights conventions but has not ratified many of these conventions. Iraq has 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, 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.

The OHCHR Special Rapporteur on the human rights of internally displaced persons visited Iraq in February 2020 and raised concerns about IDPs difficult access to civil documentation and services, access constraints faced by humanitarian actors and camp closures leading to forced returns. The Special Rapporteur also addressed the situation of displaced minorities, children and families with a perceived affiliation to ISIL and reports of sexual and gender-based violence against IDPs.

## Kuwait

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<sup>21</sup> [https://eeas.europa.eu/delegations/iraq/88955/iraq-statement-spokesperson-reported-executions-convicted-terrorists\\_en](https://eeas.europa.eu/delegations/iraq/88955/iraq-statement-spokesperson-reported-executions-convicted-terrorists_en)

**1. Overview of the human rights and democracy situation:** Despite a historically high number of women running for the parliamentary elections on 5 December 2020, none of them was elected. In Kuwait, women were granted the right to vote and to stand in elections in 2005. There is no mechanism in place (e.g. quota) to increase women participation in political life.

Self-censorship in traditional press and social media remained an issue. Bloggers and social media users were arrested or jailed for, *inter alia*, insulting the Kingdom of Saudi Arabia, religion, violating national unity. The government has relaxed book censorship laws but the control *ex post* is still in effect. The Parliament adopted an amendment to the Law on Publications and Editions allowing any party to put matters subsequently to the Court.

Despite reforms related to the rights of migrant workers, who make up two thirds of Kuwait's residents, they sometimes faced inadequate legal protection, abuse and forced labor, mainly due to the *kafala* sponsorship system.

The Parliament is yet to pass comprehensive legislation to address the situation of the Bidoons ('stateless persons'). It is estimated that their number ranges from 88,000 to 100,000 persons depending on the source. They are entitled to a five-year renewable residency, free education and healthcare. However, reports indicate that this is not always the case.

Freedom of assembly and association is guaranteed only to Kuwaiti nationals. Non-nationals are banned from participating in any public gathering aiming to petition/broadcast an exclusive cause. Following arrests in 2019, three Bidoons advocating for the rights of Bidoon community were sentenced to ten years in prison in 2020. Thirteen others were acquitted.

Women are discriminated regarding laws on inheritance, marriage and child custody. They are also unable to transfer their citizenship to their children. As a positive development, Kuwait adopted a Law on Protection from Domestic Violence, establishing shelters and a hotline, counselling and legal assistance for victims, and providing for emergency protection (restraining orders). However, the legislation does not envisage penalties for domestic violence. 'Honor killing' of women remains an issue of concern.

The LGBTI community continued facing the risk of arrest and harassment. A transgender woman was arrested several times for 'imitating women' and reportedly harassed and assaulted while in detention.

Prison conditions and overcrowding remained a concern.

Kuwait maintains the death penalty for non-violent offenses, including drug-related charges. No executions have been reported since 2017, without declaration of a formal moratorium.

**2. EU action - key focus areas:** The EU delegation and EU Member State embassies, established the EU Informal Working Group on Human Rights and, in parallel, worked closely with like-minded countries, and international organisations to encourage further advancement of human rights in Kuwait, such as protection of migrants and empowering women.

The EU delegation organised with local partners a webinar to strengthen women's political participation. The event looked into general policy framework, opportunities available for women and state's support to encourage women's political participation. The event provided training for women willing to stand for elections, with the aim of strengthening their skills.

EU Heads of Missions issued a joint press release to mark the International Day for the Elimination of Violence against Women and the Head of EU Delegation participated in a TV program. The goal of these joint activities was to advocate against gender-based violence and discrimination, and to empower women.

The EU delegation awarded the 2020 Chaillot Prize for the Promotion of Human Rights in the Gulf region to Kuwaiti civil society initiative 'Gray Area', which raises awareness on the exclusion experienced by people born of Kuwaiti mother and non-Kuwaiti father.

**3. EU bilateral political engagement:** The EU engaged regularly with Kuwaiti institutions dealing with human rights and local civil society and promoted EU human rights policies and initiatives by using all available means including traditional media and social media platforms.

In 2020, the EU expanded its engagement with Kuwait on human rights. In February 2020, the EEAS and Kuwaiti MFA conducted the first informal human rights dialogue in Brussels. Both sides discussed developments in the area of human rights and cooperation in multilateral fora.

**4. EU financial Engagement:** The EU supported human rights aspects of education activities of local civil society organisations in Kuwait. The EU delegation granted over EUR 4,000 to a Kuwaiti CSO - LOYAC Academy of Performing Arts engaging with youth through art and dance, under the umbrella of an annual Festival of Art and Dance. The EU delegation also contributed EUR 8,800 to a project led by the Kuwaiti Society of Human Rights providing legal education and legal support to migrant workers and advocating with society on these issues.

**5. Multilateral context:** Kuwait maintains a constructive dialogue with its international counterparts.

Kuwait underwent its third Universal Periodic Review in early 2020. Most of the recommendations concerned violence and discrimination against women, the need to ensure the rights of domestic and other foreign workers, the situation of the stateless persons, abolition of the death penalty and freedom of expression and assembly. In preparation for the UNGA Third Committee sessions, the EU delegation delivered demarches on EU priorities to the Kuwaiti MFA.

Kuwait has put forward its candidacy for the Human Rights Council (2024 – 2026), for the Committee on the Rights of Persons with Disabilities (2023 – 2026) and for the Executive Council of UNESCO (2021 – 2025). Kuwait shows an active involvement on these topics – that implies closer future cooperation on these and potentially other human rights topics.



## Oman

**1. Overview of the human rights and democracy situation:** The human rights situation did not undergo substantial changes in 2020. The death of Sultan Qaboos in January 2020 ended a reign of 50 years, the longest in the Arab World. His cousin Sultan Haitham succeeded him and undertook important reforms, in an attempt to modernise the Sultanate in order to respond to the current challenges, especially in socio-economic terms. A significant number of international human rights treaties were signed or ratified. Authorities continued to enforce the moratorium on the death penalty and freedom of religion or belief and increased efforts to address trafficking in human beings. Restrictions persisted over the space for political debate and freedom of expression. Women continued to face discrimination in a number of areas. The sponsorship (*kefala*) system remained an issue of concern.

The de facto moratorium on the death penalty since 2001 continued. Government and religious leaders continued to protect freedom of religion or belief and to promote religious tolerance. No frictions were reported between the main Islamic schools (the dominant Ibadi school and the Sunni and Shiite schools). Followers of other religions (Hinduism, Buddhism, Christianity) are also allowed to practice their religion. The government continued its efforts to tackle trafficking in human beings by prosecuting traffickers and conducting trainings for law enforcement, prosecutorial and judicial personnel. It identified victims and provided them with basic care and continued to fund and operate shelters. The government continued its work under its first Five-Year Action Plan (2018-2022) as well as its first public awareness campaign against trafficking in several languages.

The space for political debate and freedom of expression, freedom of assembly and media freedom remained restricted. The authorities reportedly targeted social media activists. Popular apps and platforms remained blocked reducing the ability of Omanis and migrant workers to connect and communicate with their families and communities abroad amid the pandemic and associated movement restrictions. Oman continued to discriminate against women with respect to marriage, divorce, inheritance, nationality, and responsibility for children in its Personal Status Laws. Women's representation in public office or senior legal positions remains disproportionately low. To date, no woman has ever served as a judge in the country.

Migrant workers continued to face the risk of mistreatment and abuse due to the shortcomings of Oman's Labour Laws and the restrictive *kafala* sponsorship system that ties them to their employers. However, a slight improvement was marked by the reform in sponsorship requirements: Since June 2020, migrant workers can transfer their sponsorship without permission (in the form of a no-objection certification) from their sponsor after completing a two-year contract.

**2. EU action – key focus areas:** Throughout 2020, the EU has monitored the human rights situation in the country including individual cases, labour rights and trafficking in human beings. 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 ongoing political dialogue at many 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 officials meeting took place in Brussels on 19 September 2019 encompassing an enhanced political dialogue component and sectoral policy cooperation discussions. Due to the global pandemic, the senior official meeting envisaged for 2020 could not take place. In March 2020, the Delegation to the Arabian Peninsula (DARP) of the European Parliament visited Muscat, where consultations on a wide range of issues of bilateral interest, including human rights, took place. The Delegation to the Arabian Peninsula met, also, with the Omani Human Rights Commission.

**4. Multilateral context:** In April, Sultan Haitham signed a Royal Decree on the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, thereby fulfilling an important commitment made during the last cycle of Oman's Universal Periodic Review. In June, Oman ratified the International Convention for the Protection of All Persons from Enforced Disappearance with two reservations.<sup>22</sup> In September, Oman ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), while declaring reservations to two clauses of Article 8, paragraph 1.<sup>23</sup> Oman voted against the EU-led Resolution on the moratorium on the use of the death penalty at the UN General Assembly.

## Qatar

**1. Overview of the human rights and democracy situation:** Throughout 2020, Qatar continued to reform its Labour Laws aiming at improving the living and working conditions of its large migrant worker population (over 85% of the country's population). Those reforms entailed the de facto dismantling of the sponsorship (*kefala*) system in the country. In November, the Government of Qatar announced to hold the first ever elections for the Advisory Body (Shura Council) in 2021. Political and civil liberties continued to be subject to restrictions. Backsliding occurred with regard to the death penalty, as one execution was reported, as well as on women rights.

In January, new legislation extended the abolition of exit visas to essentially all migrant workers, including domestic workers, allowing them to leave the country either temporarily or permanently if they desire to do so.<sup>24</sup> In August 2020, new legislation removed the requirement for migrant workers to obtain their employer's permission to change jobs<sup>25</sup> and adopted the first non-discriminatory minimum wage in the Gulf region.<sup>26</sup> These measures,

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<sup>22</sup> Oman does not recognize the competence of the Committee in cases of enforced disappearances provided in article 33 and it does not consider itself bound by the provisions of article 42, paragraph 1

<sup>23</sup> (a) The right of everyone to form trade unions and join the trade union of their choice, [...]'; and '(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country'

<sup>24</sup> Ministerial Decision No. 95 of 2019 published on 16 January 2020. Exempted from the regulation are only members of the Qatari Armed Forces who still require their employer's consent to leave the country as well as a limited number of workers in key posts in companies.

<sup>25</sup> Law 19 of 2020 of 30 August 2020.

<sup>26</sup> Law 17 of 2020 of 30 August 2020. The minimum wage will enter into effect six months after the publication of the law in the Official Gazette on 8 September 2020.

labelled as historic by the International Labour Organization (ILO), effectively entailed the dismantling of the *kafala* sponsorship system that previously governed the employment of migrant workers and yielded extensive control over the workers to the employer. In October 2020, the ban on outdoor working hours during summer was extended increasing workers' protection from heat stress.

In November, the government announced the organisation of the first ever elections for 30 of the 45-member Advisory Body (Shura Council) in October 2021. In December, the government confirmed the compliance with FIFA regulations including on rainbow flags which will be allowed at stadiums in the context of the FIFA 2022 World Cup despite LGTBI restrictions under the Qatari Penal Code. While Islam is the state religion as per the Constitution, eight registered Christian denominations continued to be allowed to hold services in dedicated places of worship. Other non-registered religious groups remained unregulated but allowed to practice their faith in private. The Doha International Center for Inter-faith Dialogue held conferences on inter-faith dialogue and religious tolerance on a regular basis.

Political and civil liberties continued to be significantly restricted. In May, a foreign citizen, convicted of murder by a Qatari court, was executed ending a 17 year-long de facto moratorium on the death penalty. Legislation limiting the freedom of speech, including restrictive procedures on the establishment and closure of newspapers, and the confiscation of assets of a publication remained in place with self-censorship being the primary result. The Law on Combating Cybercrime continued to apply to digital media curtailing free speech and press. While 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. In October 2020, women on several flights were strip-searched, with some subjected to intimate medical examinations, at Doha airport after an abandoned new-born baby was found in the terminal. The Qatari government apologised for the incident and referred staff in violation of procedures to legal prosecution.

**2. EU Action – key focus areas:** The EU continued to raise human rights issues with its Qatari counterparts, including migrant workers' rights. The EU welcomed labour reforms entailing the dismantling of the *kafala* sponsorship system in January 2020<sup>27</sup> and September 2020,<sup>28</sup> respectively. EU Heads of Mission in Qatar welcomed the announcement by the government on the organisation of the first ever elections for 30 of the 45-member Advisory Body (Shura Council).<sup>29</sup> Following the execution of a foreign citizen in May, the EU reached out to the competent Qatari authorities reiterating the EU's principled stance against the use of the death penalty in all cases.

**3. EU bilateral political engagement:** The EU regularly engaged with Qatari interlocutors on human rights issues, as part of the overall political relations between the EU and Qatar.

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<sup>27</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/73192/qatar-statement-spokesperson-changes-exit-visas-domestic-workers\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/73192/qatar-statement-spokesperson-changes-exit-visas-domestic-workers_en)

<sup>28</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/84604/qatar-statement-spokesperson-dismantling-kefala-system\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/84604/qatar-statement-spokesperson-dismantling-kefala-system_en)

<sup>29</sup> <https://m.facebook.com/GermanEmbassyDoha/posts/2839146326411092>

The EUSR for Human Rights visited Qatar in February 2020 on his first mission to the Gulf region and engaged with Qatari authorities and the National Human Rights Committee. Throughout his visit, the EUSR acknowledged progress in the gradual abolition of the *kefala* system and commended the cooperation with the ILO and the attention paid to labour rights and workers' welfare including in the context of the preparations of the FIFA 2022 World Cup. He made a field visit to the construction site of the Lusail stadium where he talked to workers and their representatives and assessed their working and housing conditions. The EUSR also pointed out to laws and amendments unduly restricting freedom of expression and encouraged further progress on women's rights. During his visit, the EUSR opened the International Conference on 'Social Media: Challenges and Ways to Promote Freedoms and Protect Activists' in Doha. Members of the European Parliament also attended the conference.

**4. EU financial engagement:** There is no EU financial support provided for human rights-related activities in Qatar. However, in July 2020, the EU Delegation to Kuwait – co-credited to Qatar – together with the ILO and the Qatari Ministry of Social Affairs – organised an online workshop through the instrument for Technical Assistance and Information Exchange where European experts provided guidance and advice about the establishment of job-matching platforms (existing in EU Member States) aimed at improving labour market conditions for foreign labour and to enhance labour mobility.

**5. Multilateral context:** Following its 2017 re-election, Qatar was a member of the Human Rights Council for the period 2018 – 2020. Qatar did not ratify any of the international human rights instruments in 2020 to which the country is not yet a party. The UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena Douhan, visited Qatar in November 2020 and published preliminary findings of the visit.<sup>30</sup> Following the recommendation of the Subcommittee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, the National Human Rights Committee of Qatar remained fully compliant with the Paris Principles, which certify the independence of national human rights institutions. In 2020, the National Human Rights Committee continued to be instrumental in i.e. referring complaints by migrant workers to the relevant bodies and making recommendations to cabinet to strengthen the protection of human rights. Qatar voted against the EU-led resolution on the moratorium on the use of the death penalty at the UN General Assembly.

## Saudi Arabia

**1. Overview of the human rights and democracy situation:** The human rights situation in Saudi Arabia remained a matter of continued concern in 2020. KSA continued rolling out reforms under Vision 2030, including related to the empowerment of women in public space. The penal system underwent significant modifications marked by the announced abolition of death penalty for juveniles and the abolition of flogging as a form of punishment. 27 persons were executed in 2020, compared to 184 in 2019 (drop of 85%).

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<sup>30</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26495&LangID=E>

However, no political reforms have accompanied these developments and several violations of civil and political rights were reported. The public space for debate and dissent remained curtailed with anti-terrorist bodies used to trial civilians and human rights defenders undergoing prolonged detention.

Progress was achieved during 2020 with regard to women empowerment generally and particularly in the economic sphere.<sup>31</sup> In April, a Royal Decree, which has not been officially published, expanded the provisions of a 2019 law setting the age of minors at 18 years and exempting minors from death penalty, but still setting a maximum prison term of ten years to convicted minors, including the possibility to prosecute and convict minors under the Anti-Terrorism Law. In May, KSA authorities announced their decision to replace flogging as a punishment with jail time and fines. According to the Human Rights Commission, 27 people were executed in 2020, marking a sharp decline compared to previous years,<sup>32</sup> partially attributed to an informal moratorium on executions for drug related crimes. In November, the Ministry of Human Resources and Social Development announced the Labour Reform Initiative, which, once implemented, would revise substantially the sponsorship (*kefala*) system allowing foreign workers to terminate their contract, switch jobs, open bank accounts and get their exit/re-entry visa without the permission of their employer. However, the announced reform would exclude important categories of workers, such as domestic workers.

These reforms were not accompanied by an opening on civil and political space. Detentions of human rights defenders, activists and clerics continued. Alleged cases of ill-treatment and torture of detainees were reported. The Counter-terrorism Law and the Specialized Criminal Court continued to be used to trial civilians. A prominent case of women human rights defenders was that of Loujain al Hathloul. After undergoing prolonged detention since May 2018, hearings took place in early 2020 with her case transferred in November to the Specialized Criminal Court. On 28 December she was sentenced to five years and eight months in jail under Article 43 of the Penal Law for Crimes of Terrorism and its Financing. The Court suspended two years and 10 months of her sentence, and backdated the start of her jail term to May 2018. She was subsequently released although only on probation and with prohibition to travel for five years.

**2. EU action - key focus areas:** The EU raised human rights issues in various engagements with the Saudi authorities, mainly with the MFA and the Human Right Commission. Recurrent topics in those discussions were the situation of detained human rights defenders including the women activists, the discontinuation of trial monitoring by diplomats, the use of the Specialized Criminal Court for civilian trials, the use of the death penalty as well as the status and protections of migrant workers, especially from the Horn of Africa.

The EU reacted publicly to the sentencing of the Saudi women human rights defender Loujain al-Hathloul by the Specialized Criminal Court, handling terrorism cases, to five years and eight months in prison. The EU regretted this, especially as she had been prosecuted for

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<sup>31</sup> According to the General Authority for Statistics, women's participation in the job market increased, despite the Covid-19 crisis, to 31.4% in 2020/Q2 from 23.2% in 2019/Q2.

<sup>32</sup> Number of executions in recent years: 2015: 158, 2016: 154, 2017: 146, 2018: 149, 2019:184.

advocating basic women's rights, which were part of the very reforms the Kingdom of Saudi Arabia had been introducing.<sup>33</sup>

**3. EU bilateral political engagement:** The EU regularly engaged with Saudi interlocutors on human rights issues, as part of the overall political relations between the EU and KSA. Such exchanges involved in particular the EUSR for Human Rights and the Chairman of the Saudi Human Rights Commission throughout the year, as well as the visit of the delegation to the Arabian Peninsula of the European Parliament to Riyadh in February 2020. 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 common EU messages to be transmitted bilaterally to KSA authorities at different levels.

In parallel, and in close coordination with EU Member States, the EU sought to strengthen its dialogue with Riyadh on human rights-related matters, including preparatory work for the launching of a regular human rights dialogue. As part of these efforts, the EU engaged with the Saudi Minister of Foreign Affairs during his latest visit to Brussels,<sup>34</sup> as well as with the Chairman of the Saudi Human Rights Commission and the Saudi Minister of State for Foreign Affairs.

The European Parliament held an urgency debate in October on the situation of Ethiopian migrants in detention centers in Saudi Arabia and adopted a resolution.<sup>35</sup>

**4. EU financial engagement:** There is no EU financial support provided for human rights-related activities in KSA. However, on the occasion of the International Human Rights Day, the EU delegation funded a human rights workshop, in which the EU Action Plan for Human Rights and Democracy was presented. It was followed by a storytelling workshop and a creative content competition. In the framework of G20, EU Member States Denmark, Sweden, and Finland as well as Norway contributed with a joint Nordic parallel session entitled 'A Nordic Perspective: The Economic Benefits of Women's Empowerment' at the virtual W20 Summit in October 2020. In the framework of the International Day for the Elimination of Violence against Women, the Belgian Embassy organised a video conference with the Belgian Center for Equality for Men and Women while the Embassy of the Netherlands funded a roundtable discussion on fighting violence against women.

**5. Multilateral context:** At Human Rights Council in Geneva, 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. The EU also voiced its concern about a number of those individual cases in multilateral fora, including at

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<sup>33</sup> 'Statement by the Spokesperson on the case of Loujain al-Hathloul', [https://eeas.europa.eu/delegations/saudi-arabia/91059/saudi-arabia-statement-spokesperson-case-loujain-al-hathloul\\_en](https://eeas.europa.eu/delegations/saudi-arabia/91059/saudi-arabia-statement-spokesperson-case-loujain-al-hathloul_en)

<sup>34</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/86039/saudi-arabia-high-representativevice-president-borrell-meets-foreign-minister-faisal-bin\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/86039/saudi-arabia-high-representativevice-president-borrell-meets-foreign-minister-faisal-bin_en)

<sup>35</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2020-0260\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0260_EN.html)

the March<sup>36</sup> and September<sup>37</sup> 2020 sessions of the HRC. Majority of the EU Member States signed a Joint Statement on the human rights situation in Saudi Arabia at the September 2020 HRC session. KSA did not ratify any of the international human rights instruments in 2020 to which it is not yet a party (e.g. International Covenant on Civil and Political Rights).<sup>38</sup> KSA voted against the EU-led resolution on the moratorium on the use of the death penalty at the UN General Assembly.

## United Arab Emirates

**1. Overview of the human rights and democracy situation:** In 2020, there was no change to the UAE's approach to civil and political rights and political pluralism: political participation of citizens through democratic institutions remains very limited. There is no fully elected representative body.

In this context, important human rights challenges remain, particularly regarding the fundamental freedoms. Even if the constitution guarantees free speech, the enjoyment of freedom of expression is severely limited. Under the 1980 Law on Printed Matter and Publications, the authorities can censor local or foreign publications based on very broad criteria including criticism of domestic policies, the economy, the ruling families, religion or the UAE's relations with its allies. The UAE continues to employ vaguely worded and loosely interpreted provisions in the Penal Code and other laws to imprison peaceful critics, political dissidents and human rights activists. A case in point is human rights defender Ahmed Mansour who continues to serve a ten years' prison sentence on speech-related charge.

Concerns also continue to exist with regard to prison conditions, the right of fair trial and due process, especially in state security-related cases. These include allegation of torture and ill-treatment at state security facilities.

The death penalty can be applied in the UAE as punishment for crimes endangering the society's safety, including for crimes such as murder, rape, terrorism, drug trafficking. It is however rarely carried out and there were no reported executions since 2017.

During the COVID-19 pandemic, the UAE came under scrutiny regarding the treatment of foreign labour workers. Human rights organisations raised concerns over workers' exposure to lockdowns and harsh containment measures, limited access to healthcare and basic services, poor working conditions, unpaid wages and insecure income.

In 2020, the UAE adopted several new laws seeking to further promote the UAE as a tolerant, open and modern society that continues to be a destination for foreign direct investment and people from around the world. The UAE also embarked on a year-long human rights review to strengthen the country's human rights framework. A consultation

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<sup>36</sup> [https://eas.europa.eu/delegations/un-geneva/92522/hrc-43-item-4-human-rights-situation-require-councils-attention\\_en](https://eas.europa.eu/delegations/un-geneva/92522/hrc-43-item-4-human-rights-situation-require-councils-attention_en)

<sup>37</sup> [https://eas.europa.eu/delegations/un-geneva/86968/hrc-45-item-2-general-debate-hc-oral-update-eu-statement\\_en](https://eas.europa.eu/delegations/un-geneva/86968/hrc-45-item-2-general-debate-hc-oral-update-eu-statement_en)

<sup>38</sup> [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=152&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=152&Lang=EN)



process with government bodies and public institutions has been launched to draw up a national human rights action plan. The plan will look at a broad range of issues relating to human rights including women's empowerment, humanitarian aid, interfaith tolerance, labour rights and workers' welfare.

A new family protection law was adopted and covers the persons with disabilities, older persons, women and children, whose concrete provisions yet remain to be seen. Regarding women's empowerment, the UAE is promoting gender equality and ensuring women participation in peacekeeping and conflict resolution. The Emirati Federal National Council (FNC) is currently composed of 50% by women, while one third of the Cabinet consists of women covering education and international cooperation among other areas. A 2020 law guarantees equality of salary for all, including in the private sector. Despite these improvements, discrimination of women continues to exist in the UAE, including through provisions of Federal Law No 28 of 2005 regulating personal status matters.

The new laws, announced in November, also contain provisions allowing non-Emiratis to have their personal affairs dealt with according to the law of their home country. The changes also mean that the laws of a person's country of origin can be used for divorces and inheritance. The changes also cover wills and inheritance. Suicide and attempted suicide will be decriminalised, with those attempting suicide subject to receive mental-health support. A new law mandates that translators are provided for defendants and witnesses in court, if they do not speak Arabic. The court must ensure legal translators are available. New privacy laws mean that evidence related to cases of indecent acts will have to be protected and cannot be publicly disclosed.

With the signing of the Abraham Accord between the UAE and Israel in 2020, Abu Dhabi was aiming to portray itself as a promoter of inter-faith dialogue. These endeavors are to be further reinforced through the planned establishment of an inter-faith center, the Abrahamic Family House in Abu Dhabi, hosting Islam, Christianity and Judaism under the same roof.

**2. EU action – key focus areas:** Working closely with EU Member States, the EU has monitored the human rights situation in the country throughout 2020, including individual cases, labour issues and trafficking in human beings. The judicial developments regarding the situations of human rights defenders were addressed consistently with the UAE authorities at various levels.

**3. EU bilateral political engagement:** The EU addressed human rights issues in its regular dialogue with the national authorities.

The UAE is the first country in the Gulf region with which the EU set up a comprehensive dialogue on human rights. On 20 February, the ninth round of the EU-UAE Human Rights Dialogue was held in Brussels. Discussions took place on a number of issues, including labour rights, freedom of religion or belief, protection of persons with disabilities, gender equality, etc. The EU also raised the issue of the death penalty, freedom of expression, right to a fair trial and cyber and anti-terrorism laws.



During the dialogue, there was shared interest to continue dialogue on the issues of the UN Women, Peace and Security (WPS) agenda and the National Human Rights Action Plans. Two workshops were organised on these issues. During these virtual workshops, the EU shared its experience in drawing up its third EU Action Plan on Human Rights and Democracy 2020 - 2024, while UAE counterparts updated on the drafting process of their national action plan. On WPS, the UAE presented its initiative to offer training for third countries, in cooperation with UN Women. Synergies in the training programs were highlighted.

In May, the EUSR for Human Rights reached out to the UAE in the context of his global outreach in support of vulnerable detainees threatened by the spread of COVID-19. In his letter to Minister of State for Foreign Affairs Gargash, he called for the release of vulnerable detainees, including individual cases of jailed activists.

**4. EU financial engagement:** There is no EU financial support provided for human-rights related activities in the UAE.

**5. Multilateral engagement:** In 2020, the EU contributed to setting up a SDG working group chaired by the UN Resident Coordinator. The Terms of Reference were finalised in December 2020 and activities will start in 2021. One of the objectives of the group is to 'engage in substantial dialogue on various SDG related matters' which may include dialogue on human rights-related issues.

In 2020, the EU carried out demarches and outreaches with the UAE on the death penalty, on the Uighurs' situation in China, and on a number of resolutions in the UNGA Third Committee.

The UAE has not ratified several core UN human rights treaties, notably the International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty, the Optional Protocol of the Convention against Torture and the Convention on Enforced Disappearances.

## Yemen

**1. Overview of the human rights and democracy situation:** In 2020, the conflict in Yemen continued to affect negatively what was already the world's worst humanitarian crisis. After the apparent decrease in fighting intensity reported in 2019, hostilities increased on many fronts in 2020. This escalation in military action was not deterred by the public health threat posed by the COVID-19 pandemic. On the contrary, it exacerbated the effects upon a population and a sanitary system already on the very edge of collapse. As a result of this violence, the vulnerability of the population against systematic human rights violations continued to increase.

Children suffer disproportionately from human rights violations. According to the report of the UN Group of Eminent Experts, 'a generation of Yemen's children has been immeasurably damaged through child recruitment, abuse and deprivation of their most basic human rights, including education'. According to data from the 2020 Global Gender Gap Report, Yemen

continues to be one of the worst places in the world to be a woman. The Group of Eminent Experts, as well as independent CSOs continue to report acts of gender-based violence committed by all parties to the conflict, in contravention of International Human Rights Law and International Humanitarian Law.

Yemen lies at the bottom of Reporters Without Borders' World Press Freedom Index, in 167th position out of 180 countries listed. All parties to the conflict continued to arbitrarily arrest, mistreat and forcibly disappear journalists.

Life for Yemenis has become even more challenging, with economic indicators deteriorating and those most vulnerable suffering the consequences of severe cuts to essential aid operations.

**2. EU action - key focus areas:** The EU focused its actions in Yemen on: protection of children, protection of women, freedom of press and the rights of journalists, and prison conditions.

**Protection of children:** In 2020, the EU, represented by the EU delegation, joined Switzerland in co-chairing a newly established dedicated Yemen Children and Armed Conflict (CAAC) Group of Friends (GoF). This GoF is convened on a quarterly basis by the two co-chairs in Amman and with UNICEF as the leading child rights agency. It aims to jointly advocate for respect to International Human Rights Law and International Humanitarian Law.

**Protection of women:** The EU funded an initiative that aims at promoting women's protection and well-being at the local level in Yemen, focusing on: capacity building of local women-led CSOs and women's groups' representatives to develop and lead grassroots peacebuilding initiatives; strengthening collaboration between grassroots women's groups, women-led CSOs, and women-led Track II groups; and engagement of local-level media.

**Freedom of Press and the rights of journalists:** The EU co-funded with France a project implemented by the French Media development agency, CFImedias and the Yemen Media Emergency Response (YMER+), an integrated initiative that aimed at building the capacities of the local media on humanitarian journalism. This project ended in December 2020.

**Prison conditions:** The EU supported an initiative targeting youth and women in prisons implemented by Prison Reform International (PRI). The project's aim is to contribute towards the reduction of the overcrowding and recidivism rate of few selected prisons in Yemen by promoting informal justice mechanism, restorative justice, strengthening the correctional and rehabilitation department and introducing reintegration schemes for prisoners with special focus on gender responsive justice. Due to the situation in Yemen in relation to the spread of COVID-19 and other epidemic diseases, PRI received a request from the authorities to intervene and provide support to the prison departments across the country to assist them in protecting prisoners from COVID-19.

**3. EU bilateral political engagement:** In close coordination with the Office of the Special Envoy (OSESFY) and EU Member States, the EU consistently advocated for the respect of minorities and facilitated the release of members of the Baha'i community that were

imprisoned in Sana'a by Ansar Allah. Similarly, the EU also raised the issue of journalists detained by Ansar Allah.

The EU advocated for the involvement of women in decision-making and the peace process. Together with its Member States, the EU regretted the absence of women in the government Cabinet, which was formed in December 2020.

In addition, the EU has continued to play a leading role in coordination and advocacy for the respect of International Humanitarian Law. Two meetings of humanitarian senior officials and a side event during the UN General Assembly Ministerial week were co-hosted by the EU and Sweden. This event convened the humanitarian community and defined a constructive engagement seeking to increase humanitarian access and respect of humanitarian principles.

**4. EU financial engagement:** The EU supported UN agencies (including OHCHR), ICRC and international NGOs working on protection, promotion of women's and children's rights and reduction of gender-based violence in Yemen. In this regard, EU partners provided protection services to affected populations, as well as continued monitoring with the aim to increase protection of civilians through the deployment and training of human rights field monitors documenting and reporting on International Humanitarian Law and Human Rights Law violations.

The EU co-financed an online human rights film festival, called the 'Yemen Karama film festival', which included a series of discussions, drawing attention to the human rights situation in Yemen.

The EU funded several human rights-related interventions: to promote women's rights and protect them from violence (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 and in decision-making, the monitoring on human rights violations in Yemen, and the production of good quality humanitarian journalism.

**5. Multilateral context:** During the 45th regular session of the UN Human Rights Council in Geneva, the EU supported the extension and strengthening of the mandate of the Group of Eminent Experts, which was approved with 22 votes in favor, 12 against and 12 abstentions. The EU also joined the HRC consensus in supporting a resolution tasking the High Commissioner to continue providing technical assistance in the field of human rights to the Government of Yemen and to the National Commission of Inquiry.

## Asia

### Afghanistan

**1. Overview of the human rights and democracy situation:** The overall situation of human rights in Afghanistan remained fragile and challenging. The population continued to suffer widespread human rights violations and abuses, partly as a result of the continuing conflict, but also because of weak governance, lack of access to justice and certain long standing harmful practices. Conflict-related violence continued to lead to deaths, injuries and displacement. Gender-based violence against women and girls persisted as did violations of the rights of the child. Members of the minority groups, especially Hazara and Shia, continued to face harassment and violence. Threats and attacks against human rights defenders, journalists and media workers increased. Death sentences continued to be imposed.

After a complicated election characterised by long delays over disputed results, on 18 February 2020 the incumbent President Ashraf Ghani was declared the winner of the 2019 presidential elections. This led to a political crisis, with Ghani's main opponent, Dr. Abdullah, declaring himself the winner. As in the past, the dispute was finally resolved by a power-sharing agreement signed on 17 May 2020 between the two opponents, with Ghani securing the Presidency and Abdullah appointing half of the Cabinet and becoming the head of the main governmental body for the peace talks, the High Council of National Reconciliation. By the end of the year, most ministers of the government were endorsed by the Parliament.

After lengthy negotiations, the US-Taliban Agreement and the US-Afghan Government Joint Declaration were signed on 29 February 2020. These opened eventually the way to the direct intra-Afghan peace negotiations which started on 12 September 2020, in Doha. Despite all hopes, the peace talks did not result in a reduction of violence. The increased targeted killings of journalists, human rights defenders, civil society activists and civil servants were of a particularly high concern.

**2. EU action - key focus areas:** Human rights are a key component of the 2017 EU Strategy on Afghanistan. EU priorities in 2020 continued to be: the rights of the child, women's rights, human rights defenders, the fight against torture and ill-treatment, the death penalty, civilian casualties, access to justice, freedom of expression, people in socially vulnerable situations and/or persons with disabilities, returnees and internally displaced persons (IDPs). The EU was also active in supporting the fight against corruption and the strengthening of democratic institutions.

**3. EU bilateral political engagement:** The Special Working Group on Human Rights, Good Governance and Migration under the Cooperation Agreement on Partnership and Development (CAPD) was postponed to 2021 due to COVID-19. However, the EU closely followed the human rights and democracy situation and engaged with key stakeholders including government officials, CSOs and human rights defenders through political dialogue, public diplomacy and development cooperation activities. In the context of the electoral process, the EU emphasised the need to respect the Afghan Constitution and the fundamental principles of democratic governance and welcomed the political agreement in May 2020 ending the deadlock following the presidential electoral dispute. In bilateral contacts and public statements, the EU urged the swift formation of a government while emphasising the need for the respect of human rights and accountability in the nomination of ministers.

In relation to the peace process, the EU underlined the importance to maintain and further strengthen the democratic and human rights achievements since 2001, with special relevance to women's rights. The EU also strongly advocated for an inclusive peace process, where all stakeholders, including women, minorities and victims of war, are represented and their voices are heard. The EU repeatedly called for an immediate and comprehensive ceasefire to end the decades long suffering of the Afghan people and restore their confidence in a political settlement to the conflict. The EU and its Member States strongly condemned in several statements the targeted killings of media workers, civil society activists and civil servants, called for their protection, and for thorough investigations and judicial proceedings against the perpetrators.

The EU remained fully committed to promoting an open civic space, freedom of expression and access to information. On World Press Freedom Day on 3 May 2020, EU Head of Missions issued a joint press statement stressing that media freedom was among the great achievements of Afghanistan that must be protected. The principles of freedom of expression, the right to information and the safety of journalists were particularly highlighted in relation to the process of reviewing the Media Law and NGOs Law.

The EU continuously pushed for the effective implementation of existing legislation and policies on women's rights and the rights of the child, as well as for further necessary improvements. In two major cases of sexual harassment of women and children, one against members of the national women football team and another against schoolchildren in Logar province, the EU closely monitored the follow-up actions, including through contacts with the Attorney General Office (AGO) and the Supreme Court (SC). The EU and Member States demanded an impartial investigation into the allegations of sexual abuse of boys in Logar province and the protection of the victims. Moreover, the EU played an active role advocating for the parliamentary approval of the Child Protection Act.

**4. EU financial engagement:** In 2020, the EU continued to be a key donor and supporter of gender equality and human rights in Afghanistan. The EU Delegation in Kabul implemented five contracts in support of civil society, human rights, gender equality and the media. The projects focused on: the promotion of human rights and support to their defenders; strengthening the rights of persons with disabilities and their participation in local governance in view of improved and equitable service delivery; promoting CSOs to engage as gender-responsive actors of development and enable children and women in conflict with the law to avoid unnecessary detention, reduce reoffending through rehabilitation and become successfully reintegrated into society. In addition, in 2020 the EU delegation launched a call for proposals to advance Afghan women's economic empowerment and maximise their contribution to growth and poverty reduction.

**5. Multilateral context:** Ahead of the 2020 Afghanistan Conference, at the EU's initiative, Afghanistan's major development partners laid down a set of political and governance criteria for their continuing support for the country. This document, titled 'Key Elements for Sustained International Support to Peace and Development in Afghanistan', was prominently reflected also in the outcome documents of the 2020 Afghanistan Conference, the joint political communiqué and the Afghanistan Partnership Framework (APF). Human rights, including the rights of women, children and persons belonging to minorities are crucial

elements of such a conditions-based approach, to which the EU, the broad international community and the Government of Afghanistan committed.

## People's Republic of Bangladesh

**1. Overview of the human rights and democracy situation:** Bangladesh, one of the most densely populated and disaster-prone countries in the world, has been very successful in reducing poverty and increasing access to primary education in the last decades. Despite these positive socioeconomic developments, a quarter of the population is still living below the poverty line and income inequality remains a serious challenge. The human rights situation in the country continues to raise concern and has further deteriorated during the COVID-19 pandemic. Space for civil and political rights is shrinking since the last decade, and a general climate of intolerance persists as indicated by the rise in cases of repression.

The government of the Awami League party has been in office since 2008, for the third consecutive term, while the space for pluralistic democratic process and opposition has been continuously declining. Extrajudicial killings and enforced disappearances remain a matter of major concern and require thorough and conclusive investigations. Concerns over allegations of widespread use of torture and ill-treatment continue to be raised by local and international observers, including the UN Committee against Torture. Since the implementation of the Digital Security Act (DSA) in 2018, freedom of speech has continued to decline as the Act regulates citizen's speech in digital space. The COVID-19 pandemic has aggravated the trend, with numerous journalists and others detained and arrested since the start of the lockdown, and many more reports of harassment of journalists.

Progress is noticeable on the rights of the child in the country, with increasing primary school enrolment rates. However, the juvenile justice system is inadequate, poorly enforced, and provides few alternatives to confinement for children. Bangladesh has made improvements in women's rights. At the same time, women and girls continue to face sexual harassment, rape, domestic violence, child marriages, and other forms of violence, aggravated by the COVID-19 pandemic which affected its support to women.

Despite signing in 1997 of the Chittagong Hill Tracts Peace Accord, peace and stability remain fragile due to the slow implementation. The legal framework in Bangladesh does not sufficiently guarantee the protection of religious, ethnic and descent-based minorities and vulnerable groups (including LGBTI persons). Ethnic and linguistic minorities are often victims of land grabbing and have limited access to fundamental social rights.

Bangladesh continues to implement the death penalty, and its application was extended to rape convicts.

Throughout 2020, Bangladesh continued to demonstrate solidarity with refugees providing shelter to 860,000 Rohingya in Cox's Bazaar. However, the situation of the refugees in the country is deteriorating and issues such as freedom of movement, access to health, communication services, justice, education, freedom of operation for humanitarian workers and INGOs, and the technical assessment of Bhasan Char need to be addressed without further delay.

**2. EU action - key focus areas:** The EU actions in Bangladesh focus on promoting 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's and children's rights, protection of religious, ethnic, decent-based minorities and vulnerable groups (including LGBTI persons), the death penalty and cooperation at the UN.

Progress on workers' safety is observable under the EU-led Sustainability Compact, particularly in the Ready-Made Garments (RMG) sector. However, while trade unions are being registered, labour rights violations, such as child labour, anti-union discrimination, lack of sufficient freedom of association and collective bargaining continue to persist in formal and informal sectors. In the framework of the Everything But Arms (EBA) Enhanced Engagement, the EU stressed through several letters and high-level meetings with Bangladeshi authorities the urgent need to align labour legislation with ILO standards and pressed for a Labour Rights Roadmap. 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.

**3. EU bilateral political engagement:** The Head of EU Delegation and seven EU Member States' Ambassadors led three high-level demarches on the Digital Security Act (DSA) in 2020 with the Foreign Secretary, the Foreign Minister and the Law Minister, raising also individual cases. On the same occasion, a proposal for technical assistance for amending the DSA, through the European Commission's instrument for Technical Assistance and Information Exchange, was made. Two demarches were carried out (at the Chair and the Senior Secretary level of the Bangladesh Election Commission). Multiple meetings took place (in March, October, November and December 2020) within the framework of the Everything But Arms (EBA) Enhanced Engagement mission, aimed at developing the Labour Rights Roadmap aligning Bangladesh's labour legislation with the applicable UN norms and standards.

**4. EU financial engagement:** The EU delegation sponsored different projects aiming to support: marginalised and vulnerable groups; civil society and its inclusion in decision-making processes; social, economic and minority rights; freedom of expression; prevention of gender-based violence; the rights of the children (including children negatively affected by migration, violence against children, children in contact with the law, child labour and children with disabilities; improved access to primary education). A major focus of the EU financial support went to alleviating the Rohingya refugee crisis, through contributions to the Joint Response Plan (JRP) and the Sustaining Support for the Rohingya Refugee Response donors conference co-hosted by the EU with the US, UK and UNHCR on 22 October 2020, which raised USD 597 million for the Rohingya refugee humanitarian response.

**5. Multilateral context:** The EU continued to encourage Bangladesh authorities to align with the UN norms and standards, as outlined in the 2018 Universal Periodic Review (UPR) recommendations. The EU delegation participated in two workshops on the National Implementation Plan of the Bangladesh UPR, during which the Head of the EU Delegation delivered remarks.

## Kingdom of Bhutan

**1. Overview of the human rights and democracy situation:** Since 2008, Bhutan 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 have been reported in 2020, despite the COVID-19 crisis and subsequent resource and capacity constraints negatively contributing to progress in certain areas.

Bhutan made significant progress regarding the rights of the child, notably in expanding education and reducing infant mortality. The Kingdom has one of the lowest child mortality rates in the region. In 2020, Bhutan strengthened the legal framework and institutions for child protection, *inter alia*, by developing the first-ever National Child Policy, revising the National Youth Policy, endorsing national Standard Operational Procedures for Gender-Based Violence and adopting early identification and safe referral procedures for child victims. In December 2020, the Penal Code was amended by Parliament, in order to decriminalise homosexuality. The changes are awaiting the approval by the King of Bhutan to become a law. In relation to media freedom, Bhutan showed important progress improving by 27 slots to rank 67th in the Reporters Without Borders World Press Freedom Index 2020.

Since the 2018 elections, nine members of the Lhotsampa minority sit in the National Assembly, and two of them 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. According to the government, the King has granted Bhutanese citizenship to an estimated 10,000 stateless persons living in the country over the past years and more are awaiting citizenship.

Bhutan made modest improvements in gender parity, life expectancy and education. Political representation of women remains low. Gender-based violence remains a challenge for Bhutan and the COVID-19 pandemic and the related lockdowns worsened situation (as also seen in many other parts of the world). In 2020, Bhutan saw an increase of 36.6% in cases of gender-based violence.

**2. EU action - key focus areas:** The EU action continued along the three objectives: support the Bhutanese government's efforts to strengthen democracy through the empowerment of local authorities and the creation of a vibrant civil society; assist Bhutan's efforts to protect women's and children's rights, and promote gender equality; and call for ending discriminatory treatment of minorities.

**3. EU bilateral political engagement:** The EU's continued engagement with Bhutan and the goodwill created with Bhutanese authorities gave the EU numerous opportunities to raise a number of human rights-related issues, notably during the last EU-Bhutan Annual Consultations held on 15 December 2020.

**4. EU financial engagement:** The EU's ongoing support project to civil society continued in 2020 to address, *inter alia*, women's political and social empowerment, to create civic awareness and citizens' participation as well as on socio-economic empowerment initiatives and vulnerability reduction initiatives.

Furthermore, through the European Instrument for Democracy and Human Rights support to a pilot project to assist the Bhutanese Parliament in enhancing its legislative and oversight capacities, strengthening the professional capacity of the Parliament Secretariat and enhancing parliamentary communications and dialogue capacities is provided. The project focuses on the thematic areas of gender equality and the political participation of women in



the public sphere as well as on environmental challenges and human rights. In the last quarter of 2020, a new EU-funded project in support of civil society organisations and CSOs' engagement with the Parliament was signed. Activities of the new project will start in 2021.

**5. Multilateral context:** Bhutan positively interacted with the UN Human Rights Council Universal Periodic Review in May 2019 where it received 220 recommendations, of which it accepted 157 and noted 63. As a follow-up to this review, Bhutan conducted two national stakeholder consultations in 2020 in order to move forward the implementation of the recommendations. Bhutan will also establish – with support from the OHCHR – a National Recommendation Tracking Database for which a first workshop is foreseen for early 2021.

While generally committed to human rights in its Constitution, Bhutan has ratified and implemented only two out of the nine human rights conventions: the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) along with two of its Option Protocols. Bhutan has signed but not ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Rights of Persons with Disabilities (CRPD). For the latter, at the January 2020 session of the National Assembly, the Prime Minister suggested that the policy should first be implemented and only afterwards a decision on the enactment into law should be made. At the EU-Bhutan Annual Consultations in December 2020, the EU reiterated its offer to provide Bhutan with technical assistance for the ratification and implementation of the remaining conventions as well as regarding Bhutan's membership in the ILO.

## Brunei Darussalam

**1. Overview of the human rights and democracy situation:** Since the entry into force of the new Sharia Penal Code in spring 2019, Brunei has a dual judicial system based on common law and a parallel Sharia Law system, which foresees capital or corporal punishments for adultery and same-sex relations, including death by stoning and amputation. The Sharia Penal Code also imposes criminal liability and corresponding punishment for children, and the death penalty for blasphemy. So far, the authorities have not enforced these provisions. In line with the country's commitments at the 2019 Universal Periodic Review, no executions were carried out in 2020. Prison conditions generally meet international standards.

Freedom of religion or belief remains limited, with Shafi'i Islam as the official religion, and restrictions to the practice of the four other religions recognised by Brunei (Buddhism, Christianity - Catholic and Anglican - Hinduism and Taoism). Non-Muslims also suffer other forms of discrimination (e.g. as regards social benefits, access to the army or public jobs).

Other serious human rights issues relate to civil and political rights, most notably the absence of democratic elections. The country has been under a state of emergency since 1962, which restricts freedom of assembly and expression and grants the Sultan the right to pass legislation without review. Brunei has no actual political opposition and almost no independent civil society. There have been no general elections since 1965, and elections are only held for village-level councils that play a consultative role.

National legislation contains a range of provisions, e.g. the Sedition Law, that restrict press freedom and silence criticism of the Sultan and the government. The largest media are state-run. Brunei featured in 152nd place in the World Press Freedom Index 2020. While the authorities monitor online speech, Brunei still has an active online community. There are important restrictions to freedom of association, as the activities of non-governmental organisations can be suspended at any time for any reason, and freedom of assembly (e.g. strikes are illegal).

Brunei has several laws in place to fight trafficking in human beings (e.g. Women and Girl Protection Act, 2019 Prevention of People Smuggling Order and 2019 Anti-Trafficking in Person Order). In 2020, Brunei started to prepare legislation on the protection of persons with disabilities.

On gender, Brunei's Islamic Law tends to disadvantage women in areas such as divorce and child custody. The new Sharia Penal Code criminalises 'indecent behaviour', requires women to dress 'modestly', and makes abortion and extramarital sexual relations capital offences. In addition, Brunei legislation denies women the right to confer nationality on their children on an equal basis with men. As a result, there are thousands of stateless residents whose rights and benefits are denied. Stateless children do not have free access to education but have to pay a fee, albeit minimal.

**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 in order to help promote a global system for human rights and democracy. There is no dialogue on human rights with Brunei but human rights concerns are regularly raised by the local EU representation and during the visits of the non-resident Head of Delegation. No such visit could be held in 2020 due to travel restrictions related to the COVID-19 pandemic.

**3. EU bilateral political engagement:** Bilateral relations are very limited given the fact that the negotiations for a Partnership and Cooperation Agreement (PCA) remain on hold. The EU delegation continues to follow human rights developments, in liaison with the two EU Member States with in-country missions.

**4. Multilateral context:** Even though in 2019, following the Universal Periodic Review, the Sultan publicly committed to the ratification of the Convention against Torture (UNCAT), Brunei had not yet ratified UNCAT as of the end of 2020. In November 2020, at the Third Committee of UNGA 75, Brunei (among eleven Asian countries) voted against the resolution for the abolition of the death penalty. In 2021, in its capacity as Chair of ASEAN, Brunei will chair the ASEAN Intergovernmental Commission on Human Rights (AICHR).

## Kingdom of Cambodia

**1. Overview of the human rights and democracy situation:** During 2020, the human rights situation in Cambodia continued to be a matter of concern, in particular regarding political and civil rights. In February 2020, the European Commission decided to temporarily and

partially withdraw the tariff preferences granted to Cambodia under the European Union's 'Everything But Arms' (EBA) trade scheme due to serious and systematic violations of the human rights principles enshrined in the International Covenant on Civil and Political Rights (ICCPR). The decision entered into effect in August 2020.

The Cambodian People's Party (CPP) remains the only party with representation in the National Assembly and at the local and provincial level. The situation for members of the dissolved opposition party, the Cambodia National Rescue Party (CNRP), remains critical. The trial of the former CNRP President, Kem Sokha, accused in 2017 of 'conspiring to commit treason', began in January but was suspended in March 2020 due to COVID-19 concerns. The trial has remained suspended since. In November 2020, the courts issued mass summons to over 130 individuals, including the leadership in exile of the dissolved CNRP, who have been charged with various crimes, such as incitement, conspiracy and attack, which carry penalties of 15 to 30 years' imprisonment. The mass summons include the leadership in exile of the dissolved CNRP, activists and supporters. The CNRP leadership in exile will be tried in absentia, since they are not allowed to return to the country to defend themselves in court. Hearings are conducted by grouping the accused, sometimes in large groups of over 50 people.

The situation for human rights defenders deteriorated in 2020. Freedom of assembly has been limited and small groups of people intending to hold peaceful rallies have been stopped and removed by the police, sometimes using excessive force. Labour rights also remain limited, especially with regards to the right to collective bargain, the right to strike and the right to organise and be represented by a union (ILO Conventions 85 and 98). Following small demonstrations in August and September, some were charged with incitement to commit a felony, among them prominent union leader Rong Chhun. Environmental and land activists have been especially targeted. Freedom of expression continues to be limited. Cambodia ranked 144th out of 180 countries in the 2020 World Press Freedom Index. Cambodia also ranked 127th out of 128 countries in the World Justice Project's Rule of Law Index 2020. The environment for civil society remained restricted.

**2. EU action - key focus areas:** Due to COVID-19 restrictions, many regular activities could not be organised and public diplomacy and outreach had to be conducted through virtual means, or in small groups, and publicised through social media. In the context of the partial withdrawal of EBA, EU's advocacy focuses on the importance of protecting and empowering individuals, notably in a context where the government has been held responsible for serious and systematic violations of the human rights enshrined in the ICCPR. At the same time the EU promotes the building of resilient and inclusive societies and delivers by working together with other stakeholders in Cambodia. For example, in engaging in public diplomacy through social media, the EU delegation worked together with UN agencies' local offices for the International Women's Day and Human Rights Day in order to ensure larger outreach.

Engagement in the context of EU-funded development projects and programs in Cambodia stressed the rights-based approach to development and put the focus on the protection and promotion of human rights through the SDGs and the 2030 Agenda.

**3. EU bilateral political engagement:** In the framework of the EBA withdrawal procedure the EU has maintained an enhanced engagement with Cambodia to monitor closely the human rights situation in the country in particular through regular bilateral political contacts and consultations with different stakeholders, including civil society. The EU's focus during 2020 was mainly on political and civil rights, land disputes and labour rights. Regular contacts are maintained at all levels with relevant stakeholders, including among civil society, human rights organisations and trade unions. The 11th EU-Cambodia Sub-Group on Institution Building, Administrative Reform, Legal and Judicial Reform, Governance and Human Rights took place in November 2020, as a preparatory meeting for the EU-Cambodia Joint Committee. The Joint Committee, scheduled for 30 November 2020, had to be postponed due to COVID-19.

**4. EU financial engagement:** The EU continued to support human rights and democracy in Cambodia through its cooperation instruments, mainly providing support to civil society and the Office of the High Commissioner for Human Rights (OHCHR). The EU managed more than 20 grants under the European Instrument for Democracy and Human Rights and the thematic programme Civil Society Organisations and Local Authorities covering a broad range of issues, including freedom of expression, land issues, rights of migrants, gender equality and protection of the environment. In 2020, the EU, in response to the economic and social impact of COVID-19, strengthened support to the groups of people in vulnerable situations, and launched a new budget support programme focused on social protection.

**5. Multilateral context:** In 2020, there was no special resolution on Cambodia at the UN Human Rights Council. The Special Rapporteur on the human rights situation in Cambodia, Rhona Smith, submitted her annual report to the Human Rights Council in August 2020 and an interactive dialogue with her took place in October during the 45th session of the HRC. She did not manage to visit the country during the year due to travel restrictions related to COVID-19. This was the last year of her mandate and the new Special Rapporteur was scheduled to be appointed during the following HRC. Also during the 45th session of the HRC, the report of the Secretary General on the 'Role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights' was presented. The Office of the High Commissioner for Human Rights (OHCHR) saw its biennial memorandum of understanding extended in the final days of the year 2020. In terms of Cambodia's reporting obligations, it is worth highlighting that concluding observations by the Committee on the Elimination of Racial Discrimination were issued in January 2020. In June 2020, Cambodia also submitted its report on the implementation of the International Covenant on Economic, Social and Cultural Rights.

## People's Republic of China

**1. Overview of the human rights and democracy situation:** In 2020, civil and political rights continued to be severely challenged. The situation of people belonging to ethnic minorities and of human rights defenders, as well as the enjoyment of freedom of expression continued to deteriorate steadily. The space for civil society continued to shrink, with non-

governmental organisations, social organisations, religious organisations and academia able to function only under strict supervision by government structures.

Chinese policies directed to people belonging to ethnic minorities continued to be implemented during 2020. In Xinjiang, the political re-education camps continued to function, despite official announcements that they would be closed because citizens had 'graduated'. Independent reports, based on open source information, satellite imagery and testimonies from people who left China, alleged the use of forced labour targeting people belonging to the Uighur minority or other minorities.<sup>39</sup> Reports also indicated that forced labour transfer schemes were being carried out in Tibet.<sup>40</sup> Other reports, based on similar data collection methods, referred to the use of forced sterilisation and forced birth control targeting women belonging to the Uighur minority or other minorities.<sup>41</sup> Detentions and trials of ethnic Tibetans continued both in Tibetan Autonomous Region (TAR) and Tibetan inhabited areas (in Sichuan, Gansu, Qinghai and Yunnan provinces). Several Tibetans have been convicted of inciting separatism, endangering state security and arson, punishable by heavy sentences. A number of Tibetans detained in previous years have died in detention. In August 2020, protests broke out in the Inner Mongolia Autonomous Region, as a new policy on the use of Chinese in schools was introduced. The authorities detained at least 8,000 ethnic Mongolians resisting plans to significantly reduce the use of the Mongolian language in schools.

The use of surveillance systems increased during 2020, being applied not only in the implementation of policies targeting ethnic minorities, but also in the management of the COVID-19 pandemic. In this context, a neighbourhood-watch system, introduced at the beginning of the crisis, was complemented by mandatory tracking software and advanced human recognition technologies. Reliable reports indicate that this software was also used to track the movements of human rights activists, journalists and religious activities.

Freedom of religion or belief continues to be severely limited not only for people belonging to ethnic minorities (e.g. Uighurs and other Muslim minorities; Tibetan Buddhists), but all across China for different religious groups. During the COVID-19 pandemic, there were several crackdowns on Christian underground churches which had organised their services online, as online religious activities are forbidden by law.

Several human rights activists and lawyers were detained or tried without due process being respected, and without access to defence lawyers of their choice. Throughout 2020, there were reports of numerous instances of: secret detention and trial; physical and non-physical torture; denial of medical aid to detainees; forced medication and other forms of violence; and harassment of the family members of detained activists.

Several Chinese journalists and bloggers are currently being detained. As the pandemic spread in China, the government censored and removed reports and online commentaries that had challenged the official narrative. Several Chinese freelance reporters covering the COVID crisis in Wuhan were detained. One of them has been tried and sentenced to four

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<sup>39</sup> <https://www.aspi.org.au/report/uyghurs-sale>

<sup>40</sup> <https://jamestown.org/program/jamestown-early-warning-brief-xinjiangs-system-of-militarized-vocational-training-comes-to-tibet/>

<sup>41</sup> <https://jamestown.org/product/sterilizations-iuds-and-mandatory-birth-control-the-ccps-campaign-to-suppress-uyghur-birthrates-in-xinjiang/>

years' imprisonment for 'picking quarrels and stirring up trouble'.<sup>42</sup> In 2020, a total of 17 foreign journalists left the country after their visa or accreditation were not renewed, or after other forms of harassment. These journalists had often reported about sensitive topics.

**2. EU action - key focus areas:** 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; and supporting freedom of religion or belief. The EU continued to call on China to fulfil its obligations under international law, including the UN Charter, as well as under China's Constitution.

The European Parliament held an urgency debate on the situation of the Uighurs in December, focussing in particular on the issue of forced labour. The European Commission concluded in principle negotiations with China on the Comprehensive Agreement on Investment (CAI), including provisions on the ratification of key ILO conventions on forced labour.

**3. EU bilateral political engagement:** The 38th round of the EU-China Human Rights Dialogue was postponed due to the pandemic. However, the commitment to hold the next human rights dialogue was recalled in high-level bilateral meetings during 2020. During the EU-China Strategic Dialogue and the EU-China Summit in June, the EU side raised the situation in Xinjiang and Tibet, media freedom, as well as the cases of EU citizen Gui Minhai and two Canadian citizens Michael Kovrig and Michael Spavor. During the EU-China leaders' meeting in September, the EU side also referred to the situation in Inner Mongolia. One EU Member State held its annual human rights dialogue with China in a virtual format.

The EU continued to raise concerns on individual cases of human rights defenders, who had disappeared, been detained or sentenced. During 2020, the EU issued several statements, including HR/VP spokesperson's statements on the occasion of the detention, sentencing or release of prominent human rights defenders, as well as statements on the occasion of major anniversaries. The EU Delegation in China and EU Member States organised and supported a number of public diplomacy activities to mark the most significant human rights anniversaries.

**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 and through grassroots support. A special focus of the cooperation was the rule of law. Other topics included women's rights, the rights of the child, and rights of groups in vulnerable situations, as well as defence in death penalty cases. EU Member States also funded a number of projects including support to vulnerable groups, labour rights, and the promotion of the rule of law.

**5. Multilateral context:** China continued to actively promote its vision of human rights, arguing for a primacy of economic and social rights, economic development and national characteristics over political and civil rights. This vision, promoted also via ad hoc resolutions in multilateral fora, calls into question the principles of universality and indivisibility of human rights. The EU continued to promote the universality, indivisibility and interdependence of human rights based on the UN Charter and standards, highlighting the

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<sup>42</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/91048/china-statement-spokesperson-sentencing-journalists-lawyers-and-human-rights-defenders\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/91048/china-statement-spokesperson-sentencing-journalists-lawyers-and-human-rights-defenders_en)

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 referred to the human rights situation in China in its item 4 statements on situations that require the Council's attention, issued during the March and September sessions of the UN Human Rights Council, as well as during the October meeting of the Third Committee of the UN General Assembly. The EU raised its concerns about the detention of a number of human rights defenders as well as EU citizen Gui Minhai. It also called on China to abide by its international obligations, and respect freedom of religion or belief and freedom of expression, as well as the rights of persons belonging to ethnic minorities, expressing grave concerns regarding the situation in Xinjiang.

## Hong Kong Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation:** In 2020, the erosion of rights and freedoms, that were meant to be protected until at least 2047, accelerated in Hong Kong. Interventions by the mainland authorities called into question China's willingness to uphold its international commitments and the Hong Kong Basic Law.

The imposition on 30 June of a National Security Law (NSL) through a decision by the Standing Committee of China's National People's Congress (NPCSC) raised grave concerns. Numerous pro-democracy activists, lawmakers and journalists were arrested during the year, including on NSL and public order charges.

The trend towards self-censorship in the media, academia and civil society has accelerated.

The Legislative Council (LegCo) elections that were due to take place on 6 September were postponed for one year, with the government citing the COVID-19 outbreak as justification. The NPCSC issued a decision to extend the term of LegCo pending the elections.

Most lawmakers from the opposition pan-democrat camp decided to continue serving for the period of the extension. However, on 11 November, the NPCSC adopted a decision that allowed lawmakers to be immediately disqualified by the executive without any due process, right of appeal or involvement of the judicial authorities. The Hong Kong Government immediately declared four sitting pan-democrat lawmakers to have been disqualified under the decision. Further 15 pan-democrat lawmakers subsequently resigned in protest.

In December, prominent pro-democracy activists Joshua Wong, Agnes Chow and Ivan Lam were incarcerated after convictions for unlawful assembly. Another prominent pro-democracy figure, media executive Jimmy Lai, was denied bail. Several others left Hong Kong to seek asylum.

**2. EU action - key focus areas:** The EU repeatedly expressed its grave concern at steps taken by China that are not in conformity with its international commitments (Sino-British Joint Declaration of 1984) and the Hong Kong Basic Law. The EU recalled that these steps seriously undermine the 'one country, two systems' principle and the high degree of autonomy of the Special Administrative Region of Hong Kong.



The EU has highlighted that the NSL presents concerns, particularly in relation to the lack of safeguards and clarity in the law, and its extraterritorial provisions.

The EU is further engaging with and supporting civil society in Hong Kong and observing the trials of pro-democracy activists.

**3. EU bilateral political engagement:** The EU has voiced its concerns regarding the situation in Hong Kong in its contacts with the Chinese authorities at the highest level, including at the summit in June, and the Leaders' Meetings held in September and December.

The EU also expressed its position through a series of public statements, notably through the EU declarations of 22 and 29 May, 1 July, 3 August and 12 November 2020. G7 Foreign Ministers, including the HR/VP, issued a statement on 17 June 2020. The HR/VP Spokesperson issued statements on the human rights situation in Hong Kong on 10 August, 24 September, 2 November and 29 December 2020.

The European Parliament held an urgency debate on Hong Kong and adopted a resolution by a wide majority on 19 June 2020.

Following the imposition of the NSL, the EU adopted an initial response comprising a package of measures to be taken at national and/or EU level (Council conclusions of 28 July). Key actions taken under the Council conclusions include: the suspension by six EU Member States of their extradition agreements, or negotiations for such an agreement; heightened scrutiny by Member States' authorities of relevant exports for end-use in Hong Kong; coordination by EU and Member States diplomatic representatives in Hong Kong to observe court hearings of pro-democracy activists; and intensification of their contacts with civil society organisations. Hong Kong students, academic and university staff remain encouraged to participate in higher-education exchanges under Erasmus+ and bilateral exchange schemes run by Member States. No new negotiations with Hong Kong were launched. At the Foreign Affairs Council of 7 December, it was agreed to pursue the implementation of the measures contained in the Council conclusions, and to consider additional measures in case of a further deterioration.

**4. EU financial engagement:** The EU is looking at possibilities to step up its engagement and support for Hong Kong civil society, in line with Council conclusions. The annual EU-Hong Kong workshop on trafficking in human beings took place in December in a virtual format.

**5. Multilateral context:** The EU repeatedly called on China to uphold its national and international obligations and to respect human rights in Hong Kong. At the Human Rights Council in Geneva, the EU expressed its concerns in its item 4 statement on situations that require the Council's attention, as well as in the EU statement at the end of the 43rd session and the opening of the 44th session.

The Human Rights Committee began its latest periodic review of compliance by Hong Kong SAR with the International Covenant on Civil and Political Rights.

The EU reiterated its position on Hong Kong at the UNGA Third Committee on 5 October 2020.

## **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. Local media continued to express a broad range of views, though concerns about self-censorship continued to increase. Journalist associations expressed concerns about anti-pandemic measures being used to restrict freedom of the press and of assembly. The Macau Portuguese and English Press Association (AIPIM) released a statement on 18 March voicing concern at the inclusion of Macao within the scope of the Chinese government’s decision to ban US journalists from three North American media outlets from working in China. Furthermore, citing management concerns, local organisers closed the World Press Photo Exhibition 2020, which featured photographs of Hong Kong’s anti-government protests.

Freedom of assembly continued to be generally respected in Macao. However, the NGO Macao Conscience expressed worries that the government was abusing public health concerns to ban all forms of memorial events after the police repeatedly denied applications to commemorate the Tiananmen crackdown. Following pressure from the central government, calls to strengthen national security legislation were made during the year.

Macao is a destination country for trafficking in human beings. It was downgraded to Tier 2 Watch List in the US Annual Trafficking in Persons report. The US State Department reported that Macao did not fully meet the minimum standards for the elimination of trafficking, but was making significant efforts to do so.

Macao has not effectively enforced freedom of association and collective bargaining as enshrined in International Labour Organization (ILO) conventions. There continue to be no moves to establish an independent human rights body in accordance with the recommendation issued by the UN Committee against Torture in December 2015.

The government took several positive steps to enhance labour rights. Most significantly, it enacted the first comprehensive Minimum Wage Law, establishing a statutory minimum wage for all workers except domestic helpers and employees with disabilities. The authorities also increased statutory maternity leave from 56 to 70 days and passed a new Law Regulating Employment Agencies, with a specific focus on protecting migrant workers. The Chief Executive indicated that the government would launch a legislative process relating to trade unions to protect workers’ rights.

Discrimination on the grounds of sexual orientation and gender identity continues to cause concern, notably in the fields of employment, education, and healthcare.

**2. EU action - key focus areas:** EU key focus areas in Macao are the fight against trafficking in human beings and the rights of LGBTI persons. The lack of access to Macao due to the COVID-19 pandemic limited cooperation opportunities in 2020.

**3. EU bilateral political engagement:** The EU-Macao Joint Committee did not take place in 2020 due the COVID-19 pandemic.

## Taiwan

**1. Overview of the human rights and democracy situation:** Taiwan is a vibrant pluralist democracy with a system of governance based on the rule of law and the respect of fundamental freedoms. Elections are held regularly in a fair and transparent manner, most recently on 11 January 2020. The situation of human rights is one of the most advanced in Asia and Taiwan is a pioneer of the rights of LGBTI persons in the region. Taiwan was the first in Asia to legalise same-sex marriages. In August 2020, Taiwan established its National Human Rights Institution (the National Human Rights Commission) in line with the Paris Principles. In December, Taiwan launched its first National Action Plan on Business and Human Rights, making it the second place in Asia to do so. The death penalty remains an issue of concern. In April, the authorities carried out the execution of Weng Jen-hsien. Taiwan is working on the domestication of ILO C188 Work in Fishing Convention 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 groups in vulnerable situations. The EU remained in contact with several agencies in charge of human-rights related issues. Contacts with major CSOs also continued, allowing for the exchange of information and gathering ideas on how to further promote human rights issues in Taiwan.

**3. EU bilateral political engagement:** The third EU-Taiwan human rights consultations took place on 15 July in a virtual format. Discussion focused on the death penalty, 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.

The EU remained engaged on the abolition of the death penalty, raising this issue on a regular basis with the Taiwanese authorities, calling on Taiwan to reinstate a de facto moratorium and pursue a policy leading towards the abolition of capital punishment. In November, the Head of the EETO attended the inauguration of the Taiwan Parliamentary Human Rights Commission, where he called for the abolition of the death penalty.

On the rights of LGBTI persons, the European Economic and Trade Office (EETO) coordinated and led the international participation in Taiwan's Pride Parade, the largest of its kind in Asia.

**4. EU financial engagement:** In 2020, the EETO organised, promoted or supported a number of events and initiatives on human rights. These activities resulted in increased public awareness and enhanced exchanges between the EU and Taiwan, both with government agencies and NGOs. Coherently with the EU political engagement, the EETO supported the Taiwan Alliance to End the Death Penalty in the organisation of exhibitions of death row inmates' paintings across major cities in Taiwan. On 24-25 September, within the framework of the EU-Taiwan Judicial Exchange Programme, the EETO contributed to the organisation of a seminar on the judicial treatment of mentally disordered offenders in the criminal justice system and alternatives to the death penalty.

**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. Taiwan has regularly published reports on its implementation of these treaties and invited international experts to review them. A third review of Taiwan's implementation of the ICCPR and ICESCR is scheduled for October 2021.

## Iran

**1. Overview of the human rights and democracy situation:** The situation of human rights in Iran remained a matter of concern in 2020. Iran carried out executions at an extremely high rate. A major source of concern continued to be the use of death penalty also for juvenile offenders, protestors and dissidents. 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 as well as human rights activists remained matters of serious concern. Several reports raised alarm over an alleged increased pressure by the authorities on Iranian minorities. Iran continued to accommodate millions of mainly Afghan refugees within its borders and provide them with healthcare and education. However, the COVID-19 crisis exacerbated the vulnerability of the least protected in Iranian society, in spite of the adoption of a national strategy to address the pandemic. A positive development in an overall difficult situation was the significant further 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.

**2. EU action - key focus areas:** The EU continued to follow very closely the situation of human rights in Iran, including individual cases, and to address all issues of concern, as part of its comprehensive policy approach, using public and private diplomacy as well as bilateral and multilateral tools. The EU repeatedly called on Iran to pursue a consistent policy towards the abolition of capital punishment and strongly condemned the use of death penalty for juvenile offenders, protestors and dissidents through public statements. The EU reiterated its concern regarding the situation of political prisoners and of EU-Iranian dual nationals arbitrarily detained in Iran and urged the authorities to ensure that all prisoners are at least kept in safe conditions. In 2020, the EU also continued to call on Iran to investigate the disproportionate use of force by Iranian security force during and in the aftermath of nationwide protests in November 2019.

**3. EU bilateral political engagement:** Human rights are part of a broad and comprehensive agenda of cooperation with Iran which is based on the Joint Statement from 16 April 2016 on EU-Iran relations. Therefore, the EU continued to raise its concerns in dialogue with the Iranian authorities regarding both the general human rights situation and individual cases. Through this political engagement, the EU has continuously called for improvements in the human rights situation in Iran. Human rights were discussed in the context of the fifth EU-Iran High-Level Dialogue held on 9 December 2020 in virtual format due to the COVID-19 pandemic. The EU and Iran agreed that a meeting between the EUSR for Human Rights and his Iranian counterparts in Iran's judiciary will be convened as soon as epidemiological situation allows the resumption of physical meetings.

**4. Multilateral context:** The Government of Iran received 329 recommendations following Iran's Universal Periodic Review in November 2019 - including from 26 EU Member States - and asserted that most of the recommendations from its Universal Periodic Review in 2014 had been implemented. At the 43rd session of the Human Rights Council, Iran accepted 143

of the 329 recommendations. At the 45th session of the HRC, Germany delivered a joint statement on behalf of 47 countries, including all EU Member States, on the human rights situation in Iran. As in previous years, the EU supported the resolution on the human rights situation in Iran tabled by Canada during the UN General Assembly in New York, as a resolution that is fact-based and free of unverified allegations.

## 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 and freedom of expression, assembly, association, religion or belief in particular. In 2020, the COVID-19 pandemic exposed specific challenges of human rights and democracy in the Republic of Korea. The trace, track and contain method of the Republic of Korea was praised for successfully containing the virus but disclosing personal information exacerbated discrimination and stigmatisation of persons belonging to social minorities including LGBTI persons, foreigners/immigrants and religious groups. Concerns were raised by parts of the domestic and international audience regarding official measures taken that appeared to hamper the fully free operation of CSO's dealing with DPRK human rights issues, including the adoption by the National Assembly of legislation criminalising the launching of anti-regime leaflets to the DPRK. Although 2020 was a challenging year for human rights, there were also important developments such as the major revision of a number of domestic labour laws, paving the way for the Republic of Korea to ratify key ILO conventions. Other developments include the alternative military service for conscientious objectors, voting in favour of the resolution on the moratorium on the use of the death penalty during the UNGA Third Committee, and the decriminalisation of abortion. The National Assembly passed bills on the aggravated punishment of digital sex crimes, which was prompted by a series of online sexual abuse occurred earlier in the year. The government and civil society are working to address the discrimination against persons belonging to minorities and socially vulnerable groups both online and offline.

**2. EU action - key focus areas:** EU action in the Republic of Korea in 2020 continued in line with the five strands of action of the new Action Plan for Human Rights and Democracy 2020-24: protecting and empowering individuals; building resilient, inclusive and democratic societies; promoting a global system for human rights and democracy; new technologies: harnessing opportunities and addressing challenges; and delivering by working together.

**3. EU bilateral political engagement:** Amid the COVID-19 pandemic, the EU found innovative ways to reach out and maintain its role in engaging with the government and human rights civil society organisations. The EU engaged with the Ministry of Justice and CSOs to prevent sexual violence against children, notably in regard to a campaign to end the prosecution of minors for prostitution and raise the age of consent from 13 years of age. On the abolition of death penalty, EU submitted to the Constitutional Court and the Ministry of Justice a letter from the EUSR for Human Rights and carried out a demarche in support of the resolution on the moratorium on the use of the death penalty. Together with the National Human Rights Commission, the EU organised a conference that expressed support to the shared goal of eliminating hate and discrimination, and encouraged the adoption of an Anti-discrimination

Law. The EU continued to engage with CSOs via the project 'EU Policy and Outreach Partnership in the Republic of Korea (EUPOP)'. Series of webinars and workshops were organised bringing together CSOs and youths from Europe and Korea through the Korea-EU CSO Network (KEN). The EU continued to engage with Member States and organisations promoting the rights of LGBTI persons by setting an online booth for the virtual Seoul Queer Culture Festival.

**4. EU financial engagement:** Under the public diplomacy EUPOP project, the EU launched a Korea-EU civil society network to facilitate information and experience sharing between Korean and European CSOs. These platforms provided an excellent opportunity to enhance engagement with local CSOs and Korean audiences. In an effort to combat all forms of discrimination, the EU co-financed the 2020 Conference on Combating Hate and Discrimination with the National Human Rights Commission of the Republic of Korea through the Technical Assistance and Information Exchange Instrument funding.

**5. Multilateral context:** The Republic of Korea for the first time voted in favour of the resolution on the moratorium on the use of the death penalty during the UNGA Third Committee. As in the previous year, the Republic of Korea did not co-sponsor resolutions on North Korean human rights situation.

## Democratic People's Republic of Korea (DPRK)

**1. Overview of the human rights and democracy situation:** Information gathered through interviews with people who have left the country and other credible sources pointed to persisting patterns of serious human rights violations. There were no indications that the government had taken positive action to address long-standing, systematic, widespread and gross human rights violations described in the 2014 Commission of Inquiry report. Outside observers expressed concern that the COVID-19 pandemic may have aggravated further the human rights and humanitarian situation. Some outside organisations reported increased punishment for unauthorised travel. There was concern that the reduction of imports stemming from the closure of the border with China could have negatively impacted the economic and social rights of people dependent on markets for their livelihoods. This may have exacerbated existing problems stemming from an inefficient economic system and damage to food production from severe weather. The consequences for the persons and communities in the most vulnerable situations, including children, persons with disabilities and detained persons may have been even more severe. The withdrawal of many international staff from the country due to travel restrictions halted the implementation of most humanitarian relief projects.

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

Protecting and empowering individuals: The European Commission supported European organisations in the DPRK working on food security projects to improve the nutritional status of the groups and communities in most vulnerable situations by restoring livelihood assets at collective farm and community level. Projects also supported the health and socio-economic conditions for certain particularly vulnerable groups, including persons with disabilities and older people, for example through the provision of medical care in rural clinics.

Promoting a global system for human rights and democracy: The EU took a leading role in international efforts to highlight violations of human rights in the DPRK. The EU maintained close contact with UN human rights institutions and mechanisms working on the DPRK, including the Special Rapporteur and the OHCHR field-based structure in Seoul. The human rights situation in the DPRK was discussed in dialogue with third countries. The EU continued to call for the respect of international obligations to prevent citizens of the DPRK who have left the country without permission from being subject to refoulement. Frequent interaction was maintained with civil society organisations outside the country who are engaged in the documenting of evidence of violations and advocating future avenues of accountability.

**3. EU bilateral political engagement:** The EU maintained a policy of critical engagement towards the DPRK. The EU encouraged all countries to implement sanctions fully as a means of persuading the DPRK that its interests would be served by engaging in credible negotiations and taking early steps towards complete, verifiable and irreversible denuclearisation of the Korean peninsula. The EU stood ready to support, where appropriate, diplomatic initiatives aimed at building sustainable peace on the peninsula. Bilateral contact with the DPRK government was maintained through local representation of the EU in Pyongyang by EU Member State embassies and the accreditation to the EU of a DPRK diplomat based in Berlin.

**4. EU financial engagement:** Financial engagement in 2020 was limited to food security projects and support to civil society organisations assisting vulnerable communities.

**5. Multilateral context:** The EU initiated and then facilitated the passing by consensus of resolutions on the human rights situation in the DPRK at the UN Human Rights Council and the UN General Assembly. The resolutions served to keep international attention on the issue, reiterated that perpetrators of human rights violations must be held accountable, and called upon the DPRK to engage in measures to improve the situation and fulfil its state obligations. EU Member States raised the issue of human rights in the DPRK at the UN Security Council, insisting on holding a formal debate.

## India

**1. Overview of the human rights and democracy situation:** India is a democratic and pluralist country where the 1950 Constitution, relevant legislation and mandated institutions serve to warrant citizens' rights. The government of India is committed to improving the situation of disadvantaged groups and India has functional judicial institutions, credible, transparent and inclusive elections as well as an active civil society and a vibrant media landscape that seeks government accountability and action. Human rights institutions at national and state level are in place and have important mandates to ensure the protection and promotion of human rights. However, structural issues such as a lack of institutional capacity, unequal distribution of resources and access to services, as well as engrained attitudes continue to hinder the full protection of human rights.

A number of concerns marked the year 2020. These included developments related to the

Foreign Contribution (Regulation) Amendment Act (FCRA) and the Citizenship Amendments Act.

The space for civil society in India shrank over the past year, notably due to the effects of the Foreign Contribution (Regulation) Amendment Act (FCRA) passed in September 2020 that regulates the acceptance and utilisation of foreign contributions and makes it more difficult for NGO coalitions and alliances to operate. The freezing of the bank accounts of Amnesty International India in September on the allegation of possible violations of the FCRA and money laundering, thereby bringing the work of the organisation to a halt, was another concerning development. Whereas an official court order was issued in December 2020 allowing Amnesty International to withdraw limited funds for staff relief measures, the case is currently under judicial review.

India's 200 million Muslims, the largest minority group, are reported to face increased discrimination, prejudice and violence as seen during the New Delhi riots in early 2020. Most recently, so called 'love jihad-laws' referring to an alleged conspiracy by Muslim men to convert Hindu women through marriage, have been passed in some Indian states. The discrimination of Dalit women and girls, while prohibited by law, is also of particular concern. The detention of several human rights defenders, journalists and lawyers, related to the protests against the Citizenship Amendment Act, and the Bhima Koregaon case, and based on criminal laws, such as the Unlawful Activities (Prevention) Act, have resulted in years-long detentions without trials or possibility for bail. The latest arrest of the 83-year human rights activist and Jesuit priest, Stan Swamy in October 2020 under the Unlawful Activities (Prevention) Act for his alleged role in the Bhima Koregaon violence and accusations of assisting Maoist groups, is a case of concern, which has received widespread international attention. The reactions of the Indian government to the ongoing farmers' protests, including arrests of activists and charges brought against journalists for allegedly 'misreporting' facts, are another case of concern.

Over a year after the government revoked the special status of Jammu and Kashmir, the Indian government claims a return to normality. UN human rights experts have called on the government to take urgent action to address the human rights situation in the territory, including alleged arbitrary detention, torture and ill-treatment, as well as the criminalisation of journalists covering the developments. In 2020, Internet connection in the valley remained restricted at 2G level, making it difficult for journalists to cover events. The Armed Forces Special Powers Act remains in force in Jammu and Kashmir (as well as in some North-eastern States), allegedly allowing serious human rights violations. The Indian Army recently created a 'human rights cell' tasked with examining reports on such violations and ensuring the army's compliance with human rights conventions. The last major Kashmir leader in detention was released in October 2020 and local district elections, first since the revocation of the special status of Jammu and Kashmir in August 2019, took place in November and December 2020.

The COVID-19 crisis exposed and exacerbated existing inequalities, not least for women and children. Following the strict lockdown in March, the UN appealed to the government following an order of the Indian Supreme Court to ensure the well-being of more than 100 million migrant workers who often found themselves jobless and forced to travel long distances home.

Four men were executed in March 2020 – the first execution in the country since 2015 - for

committing a brutal gang rape and murder in 2012, publicly known as ‘the Nirbhaya case’.

**2. EU action - key focus areas:** EU activities and events regularly promote all key policy areas relevant to human rights in India and focused on the following priorities: defending the integrity of the person; combating discrimination and inequality; promoting gender equality; promoting the rights of the child; supporting domestic institutional and individual rights and human rights defenders.

**3. EU bilateral political engagement:** 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.

During the 15th EU-India Summit in July 2020, leaders from both sides agreed on the relaunching of the local EU-India Human Rights Dialogue last held in 2013. The dialogue is scheduled to take place in early 2021.

The EU human rights defenders’ local focal points continued in 2020 to be in close contact with multiple defenders and organisation and a number of letters have been send by the EU delegation to the human rights defenders’ focal point of the National Human Rights Commission addressing arrests and prison conditions of human rights defenders.

**4. EU financial engagement:** The EU also supports human rights and the work of civil society actors through its programmes and projects. The EU delegation, together with Member States, supported a large number of projects contributing to the identified priorities.

Under the European Instrument for Democracy and Human Rights, the EU continued to support projects addressing caste-based discrimination, bonded labour, torture and death penalty, as well as projects promoting the rights of the child, gender equality, rights of persons belonging to minorities, indigenous peoples’ rights and the rights of LGBTI persons, and supporting human right defenders. In 2020, two new contracts focusing on addressing the human rights impact of COVID-19 and promoting business and human rights in the extractive industries were also signed.

The EU continued its support to the WeEmpower Asia programme implemented by UN Women and aiming 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.

Under the framework of the Partnership Instrument, two three-year projects were continued in 2020 with the focus on enhancing engagement between EU and Indian CSOs focusing on the rights of persons with disabilities, private sector action on sustainable development goals, and confidence-building.

**5. Multilateral context:** India is a party to several international human rights instruments and United Nations human rights bodies, including the UN Human Rights Council. India resumed membership of the UN Human Rights Council on 1 January 2019 for the term 2019-2021.



## Indonesia

**1. Overview of the human rights and democracy situation:** Indonesia's record on human rights saw some reversals in 2020. Indonesia was the most affected country in Southeast Asia by the COVID-19 outbreak with 743,000 cases reported by the end of 2020. Overcrowding and unsanitary facilities posed a health threat to Indonesia's prison population of more than 250,000 prisoners. 30,000 inmates were released to minimise COVID-19 risks. The pandemic has brought both new challenges to solve and deepened existing tendencies for human rights violations, including issues related to medical workers' rights, information transparency, and freedom of expression, workers' rights and social security, domestic violence, and limited freedom of movement. In addition, specific groups such as women, children, ethnic minorities, and LGBTI groups have been particularly affected.

Violence intensified in the provinces of Papua and West Papua. Extra-judicial killings, excessive use of force, arrests, harassment and intimidation of protesters and human rights defenders were reported. Attacks on religious minorities in Indonesia continued. According to the Indonesian National Human Rights Commission, in September members of the security forces may have tortured and killed a pastor of the Protestant Evangelical Church and three goldminers. In November, Islamist militants attacked the Christian-majority village of Lembantongoa in Sulawesi, killing the village elder and three Christian farmers.

While no executions were carried out in 2020, the number of death penalty prosecutions and convictions continued to increase. According to the Institute for Criminal Justice Reform (ICJR), there were approximately 355 people on death row at the end of 2020. The LGBTI community continued to face discrimination, including in the labour market. Indonesia is not a party to the Refugee Convention. However, as of July 2020, Indonesia hosted on humanitarian grounds 13,653 refugees and asylum seekers. On 9 December 2020, local and governors' elections took place concurrently for the first time, in a peaceful and orderly manner.

**2. EU action - key focus areas:** In terms of protecting individuals, advocacy for the abolition of the death penalty remains a major priority for the EU. The new Penal Code included in the Parliament's 2021 legislative programme includes draft provisions that would criminalise same-sex extra-marital sexual relations and new provisions governing death penalty. The EU continued to monitor ongoing revisions of the draft through regular meetings with government, parliament and civil society. In terms of building resilient, inclusive and democratic societies, non-discrimination and the protection of minority groups is also a key area of EU engagement. The EU closely monitored the expected changes to the blasphemy law and its application. Working together, the EU delegation and EU Member States' embassies engaged with government and parliament on freedom of expression, freedom of religion and belief, discrimination against minorities including LGBTI persons, and the need to protect human rights defenders such as journalists and ethnic minority representatives from Papua. They also closely followed issues relating to women's enjoyment of human rights, business and human rights and access to justice and penal policy, and consistently raised the importance of promoting and safeguarding women's rights in interactions with the authorities and civil society actors.

Throughout the year, the EU promoted the universality of human rights on International Women's Day, World Press Freedom Day, the International Day Against Homophobia, Transphobia and Biphobia, World Refugees Day, the Day in Support of Victims of Torture, European and World Day Against the Death Penalty, the 16 Days of Activism against Gender-Based Violence, and International Human Rights Day. Initiatives included the EU4Wartawan Journalists' Writing Competition on the theme of 'Women's Rights in times of COVID-19' and '100% Human Film Festival'.

**3. EU bilateral political engagement:** During the EU-Indonesia Joint Committee held in Jakarta in February 2020, the EU underscored the promotion and protection of human rights, gender equality, women's empowerment, investing in sustainable development, the reduction of inequalities, good education and healthcare for all, and the fight against climate change as essential parts of EU foreign and security policy. In December, the European Commission Vice President Dubravka Šuica delivered a speech at the 13th Bali Democracy Forum on 'democracy and the COVID-19 pandemic'. The EU also continues to engage governments in the region, including Indonesia, when faced with the phenomenon of Rohingya boat people to conduct search and rescue operations and find solutions for their safe disembarkation and welcomed the positive steps taken by the Indonesian authorities in this context.

**4. EU financial engagement:** In 2020, the EU continued to work closely with Indonesian civil society organisations with over 20 projects supported, including through the European Instrument for Democracy and Human Rights. These projects addressed the promotion and protection of human rights and of democratic principles. They covered a wide spectrum of areas such as: the abolishment of death penalty, the prevention of torture and other ill-treatment, business and human rights, non-discrimination (i.e. gender identity and sexual orientation), rights of groups in vulnerable situations (i.e. children, women, persons with disability), rights to education, rights to health, women economic empowerment, protection of human rights defenders, and access to justice. Five new projects (with a value of EUR 7 million) started in 2020. They focused on the public health crisis and on the socio-economic impact of the COVID-19 pandemic and on human rights.

**5. Multilateral context:** Indonesia participated in three Human Rights Council sessions during 2020, covering issues including racism and xenophobia and the human rights situation in several countries (Belarus, Burundi, Syria, Yemen and the Democratic Republic of Congo). In April, the United Nations General Assembly adopted a resolution at the initiative of Indonesia and others (Switzerland, Singapore, Norway, Liechtenstein and Ghana) calling for international cooperation and multilateralism in the fight against COVID-19. Indonesia has joined the World Health Organisation's Solidarity Call to Action, calling for a COVID-19 Technology Access Pool in order to realise equitable global access to COVID-19 health technologies. Indonesia engaged in the work of the UNGA Third Committee on issues related to the moratorium on the death penalty, torture, executions, and on country specific resolutions for Syria, DPRK, Myanmar, and Crimea/Sevastopol. In addition, Indonesia focused on the rights of women and children, political rights and migrant workers.

## 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.

For the first time in nine years, no executions took place in Japan in 2020, but the retention of the death penalty remains a major concern for the EU. There is an ongoing debate in Japan about the reform of the criminal justice system. Detention conditions also need further improvement.

The Japanese government revised its fifth Policy Plan for Gender Equality Promotion in December 2020. It recognised that it had missed the goal set in 2005 of at least 30% of leadership positions occupied by women by the end of 2020, and that it would make efforts to meet this target. The fifth Policy Plan also includes a target of 35% for women political candidates by 2025. In 2020, Japan strengthened measures to address violence against women, and the COVID-19 strategy of the government took into consideration the situation of women who are disproportionately affected.

As regards the rights of the child, separated or divorced parents cannot have shared custody. On 10 April 2020, the Japanese Ministry of Justice released the results of a legislative survey on the child custody system and child-raising situation in 24 countries. The survey will be a reference for the Family Law study group, established by the Ministry of Justice.

The rights of LGBTI persons are not widely debated publicly, but there was progress at local government level.

In response to the COVID-19 pandemic, Japan introduced a travel ban, which notably denied foreign residents to return to Japan. It was widely criticised, including for being in conflict with family reunification rights.

**2. EU action - key focus areas:** The EU action in Japan in 2020 focused on: addressing the death penalty, gender equality, non-discrimination (LGBTI issues), rights of the child, criminal justice and the rights of persons in detention, and support to civil society.

**3. EU bilateral political engagement:** The EU continued to take a firm stance against the death penalty and to engage strongly on gender issues and the economic empowerment of women.

The regular consultations on human rights between the EU and Japan took place in May 2020 and reaffirmed the good partnership and value of cooperation in international human rights fora. Discussions on human rights matters continued at all levels, reinforced by the provisional application since February 2019 of the EU-Japan Strategic Partnership Agreement.

On 8 July 2020, the European Parliament adopted a resolution on the international and domestic parental abduction of EU children in Japan. The EU raised this issue with Japanese authorities, including at the human rights consultations in May.

Public diplomacy remained an important component of the EU's work on human rights in Japan. The EU delegation and embassies of the EU Member States worked together in 2020 to make active use of social media, on issues such as gender equality, the rights of LGBTI

persons, the rights of the child, and international human rights related events. The Head of EU Delegation and EU Heads of Mission promoted the EU's stance on human rights through speeches and presentations. Additionally, the delegation's EU MAG (online magazine in Japanese language) published an article, on 'EU External Action on Human Rights'.

**4. EU financial engagement:** The EU continued to fund different projects, focusing in particular on: awareness raising on the criminal justice system in relation to the death penalty; gender equality, including advocacy, policy dialogue and capacity building on women empowerment; labour and environmental standards and business conduct in relation to supply chains in Asia.

**5. Multilateral context:** Japan plays an important role in the UN Human Rights Council, in which it was re-elected to serve until 2022, and in the UNGA Third Committee. The EU and Japan continued to cooperate closely in the multilateral context. During 45th session of the HRC, Japan aligned itself with the EU on eight resolutions: human rights in Belarus, the Independent Expert on international order, unilateral coercive measures, the right to development, human rights in Syria, human rights in Burundi, human rights in Venezuela, and the contribution of the Human Rights Council to prevention of human rights violations. Japan co-sponsored the EU resolution on the situation of human rights in the DPRK. Japan was also vocal about the situation in China, including in Xinjiang and Tibet, as well as about the new security law in Hong Kong.

However, positions also diverged. At the 75th session of the UNGA Third Committee, Japan abstained on the resolution on the situation of human rights in Myanmar. Japan also traditionally votes against the resolution on the moratorium on the use of the death penalty and the relevant resolution in the HRC.

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 implementation of the EU-Japan Economic Partnership Agreement.

## Lao People's Democratic Republic (Lao PDR)

**1. Overview of the human rights and democracy situation:** The overall situation of human rights and democracy in the Lao PDR has largely remained unchanged in 2020 with no particular sign of improvement. The country continued to lag behind in terms of effective implementation of its international human rights obligations in several areas. The rights to freedom of expression, association and peaceful assembly remain restricted. Laos has been repeatedly rated as one of the worst performing countries with regard to press freedom and is ranked 172nd out of 180 in the 2020 World Press Freedom Index. The state continued to exercise close control over media and civil society, while law enforcement and accountability are particularly weak. There has been no progress in investigating previously reported cases of enforced disappearances. The death penalty continues to be applied in the Lao PDR but no execution has taken place since 1989. Nevertheless, in January 2020, eight people were sentenced to death for drug trafficking. Although the Lao government continued its anti-

corruption drive during the year, corruption remains widely spread. Lao PDR ranked 134th out of 179 in the 2020 Transparency International Corruption Perceptions Index.

The number of confirmed COVID-19 cases was extremely low but the global crisis and the national lockdown exacerbated the existing deep inequalities within society and impacted the socioeconomic rights especially of the people belonging to the more vulnerable groups. Domestic violence against women and children increased over the year. Services for people living in remote areas or for persons with disabilities were disrupted.

**2. EU action - key focus areas:** The EU's advocacy priorities for 2020 continued to be on protecting individuals through advocacy on behalf of human rights defenders, and empowering individuals through consultations with and support to Lao civil society. In terms of promoting a global system for human rights and democracy the EU also focused on Lao PDR's action plan for the accepted recommendations under the third cycle of the Universal Periodic Review. The EU has also aimed to deliver by working together, both engaging with the Lao government in line with the follow-up action plan of previous human rights dialogue meetings with the EU as well as supporting capacity building for Lao ministries and National Assembly members relating to human rights conventions and related international obligations and commitments.

**3. EU bilateral political engagement:** Several human rights related activities envisaged for 2020 did not take place due to the COVID-19 pandemic restrictions, notably the annual EU-Laos Human Rights Dialogue and the Civil Society Fair.

As an active member of the Governance Sector Working Group (GSWG), a policy dialogue forum between the government and donors, the EU continued co-chairing in 2020 the Sub-Group on Legal and Institutional Oversight. The EU, together with Switzerland, the Ministry of Home Affairs and UNDP, also took a proactive role to identify the priorities and opportunities for engagement of local civil society within the GWSG. As a result, a growing number of civil society organisations were invited to actively participate in GSWG discussions and workshops, and, overall, a more diverse presence of CSO representatives is now observed in various meetings, workshops and consultations organised by the government. On 15 December 2020, the EU delegation participated in the commemoration of the eighth anniversary of the disappearance of the community development worker, Sombath Somphone.

**4. EU financial engagement:** In 2020, the EU provided continuous support both by participating in and financially contributing to the informal Civil Society Working Group meetings between CSOs, government and donors, and maintaining its engagement and dialogue with CSO partners. Both the European Instrument for Democracy and Human Rights and the thematic programme Civil Society Organisations-Local Authorities represent significant tools to support the activities of civil society and capacity building for CSOs. The EU increased its support to CSOs. In 2020, more than 40 local CSOs and INGOs received EU financial support either directly or indirectly through sub-grants. EU financial and operational support for the governance sector has continued to be shaped mainly within the 'Citizen Engagement for Good Governance, Accountability and the Rule of Law' programme (CEGGA), co-funded with Switzerland and Germany, in order to support civil society

engagement, strengthen core parliamentary functions, and enhance the implementation of the rule of law and human rights.

**5. Multilateral context:** The third Universal Periodic Review (UPR) cycle for the Lao PDR took place in January 2020. Out of the 226 recommendations received, the government supported 160 recommendations, and noted 66 recommendations. In close cooperation with the UN country office and other development partners, the EU provided technical support for the preparation of the national report, the participation of the delegation (government and CSO representatives) at the UPR Working Group meeting in January 2020 and aims to support the implementation of activities to address the UPR recommendations. Lao PDR remained non-committal with regard to calls for: the abolition of the death penalty; the signing and ratification of key international human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED); the facilitation of an enabling space for civil society; the establishment of a national human rights institution in line with Paris Principles, and standing invitations to all UN Special Representatives.

## Malaysia

**1. Overview of the human rights and democracy situation:** The human rights situation in Malaysia evolved against the backdrop created by the COVID-19 pandemic, a turbulent political environment, with little advancement or reforms on human rights. Religion and race issues became more politically prominent, particularly in the insecure environment related to COVID-19. Malaysia experienced a change of government early in the pandemic, in February 2020. The Pakatan Harapan coalition government was replaced by Perikatan Nasional (PN), a Malay-based coalition. Malaysia maintained the de facto moratorium on executions introduced in 2018, but a number of offences continue to carry a mandatory death penalty and death sentences continue to be given by the courts. In August 2020, the Federal Court upheld the constitutionality of the mandatory death penalty. Although Malaysia rose to 101st place out of 180 in the 2020 World Press Freedom Index, freedom of expression and of the press continued to be challenged due to the pressure applied on critical speech, with journalists, human rights defenders and members of parliament placed under investigation. Crucial legislative proposals also remained blocked in Parliament. The new government took a firm line on the treatment of refugees and undocumented migrants. Police raided a television station during a probe into a documentary it had shown about the treatment of undocumented migrant workers. Malaysia hosts over two million documented migrant workers, as well as an estimated two to five million undocumented migrants, mostly from Indonesia and Bangladesh and making up 15% of the workforce. It also hosts the largest Rohingya community in Southeast Asia with 180,000 refugees and asylum seekers registered according to UNHCR, the vast majority from Myanmar. In January, the government launched a five-year plan to end child marriage, the 'National Strategy Plan in Handling the Causes of Child Marriage'.

**2. EU action - key focus areas:** In terms of protecting individual rights, one of the key focus areas for EU action remains advocacy for the abolition of death penalty. The project 'Together for the abolition of the death penalty in Central Africa and Southeast Asia',

implemented by Ensemble Contre La Peine de Mort (Together against the Death Penalty) in cooperation with the Anti-Death Penalty Asia Network, lobbies for the abolition of the mandatory death penalty, as a step before complete abolition. In terms of empowering individuals, the EU organised a women's human rights video campaign, with a series of four videos on social media channels, communicating messages on violence against women, child marriage and human rights. The videos stimulated debate on social media about human rights and women's issues. In the context of building resilient and inclusive societies, the EU has also continued its focus on assistance for migrant workers, including activities to ensure that women migrant workers are able to access gender responsive services.

**3. EU bilateral political engagement:** In the face of severe restrictions related to COVID-19, political uncertainty and stalled progress towards a Partnership and Cooperation Agreement, the primary means of EU engagement was linked to project-related activities. For example, under an EU-funded project 'Promoting National Unity and Inter-racial Harmony', the Institute for Democracy and Economic Affairs collaborated with the Institute of Malaysian and International Studies and Universiti Kebangsaan Malaysia to hold 12 focus group discussions around Malaysia. The dialogues created a platform for understanding on how different communities perceive and understand race relations and their views on the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). In the context of the COVID pandemic and Malaysia's critical position in key supply chains, the EU actively engaged with the authorities to ensure the establishment of measures that guarantee both the full protection of workers and the continued production of personal protective equipment at a level that could meet increased demand. The EU regularly emphasised to government and business the importance of taking action to ensure the respect of fundamental labour rights including the elimination of forced labour. The EU also continues to engage governments in the region, including Malaysia, when faced with the phenomenon of Rohingya boat people to conduct search and rescue operations and find solutions for their safe disembarkation.

**4. EU financial engagement:** Several projects with civil society organisations re-directed activities to support target groups with emergency needs, while larger regional projects focused on vulnerable communities not reached through official channels, such as stateless communities, migrant workers and indigenous people, also with a gender perspective. The EU delegation also supported the Malaysian Human Rights Commission as part of the COVID-19 response. Under an EU-UNICEF programme, 'Protecting children affected by migration in Southeast, South, and Central Asia', UNICEF Malaysia in partnership with the EU is working with the government and other stakeholders to ensure that children affected by migration in Malaysia are protected and their rights promoted including through strengthened child protection services.

**5. Multilateral context:** Malaysia announced its decision to present its candidature to the UN Human Rights Council (HRC) for the term 2022-2024. Meanwhile the government made no visible progress on accession to the six international core human rights conventions which Malaysia has still not ratified. Although a party to 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), it has not withdrawn its reservations to CEDAW, CRC and CRPD and has not fully implemented the

CEDAW and CRC Committees' recommendations. For the second time since 2018, Malaysia gave its support to the UN General Assembly resolution on the moratorium on the use of the death penalty.

Malaysia has joined the World Health Organisation's Solidarity Call to Action, calling for a COVID-19 Technology Access Pool in order to realise equitable global access to COVID-19 health technologies.

Malaysia called for the support of the Association of Southeast Asian Nations (ASEAN) in finding a common solution to the Rohingya crisis. It also called for a solution to the Rakhine State crisis, including citizenship for the Rohingya and voluntary, safe and dignified return.

## Maldives

**1. Overview of the human rights and democracy situation:** Since the election of President Ibrahim Mohamed Solih in November 2018 in the country's third democratic elections, there has been a noticeable improvement in the human rights and democratic situation in the Maldives. However, challenges remain. During its third cycle of the Universal Periodic Review in November, the Maldives provided an overview of its main challenges, and reiterated its commitment to key pledges such as judicial reform, anti-corruption, prison reform, and gender equality.

Amidst the COVID-19 pandemic and restrictive measures, there was an increase in reports of domestic and gender-based violence, leading to protests and rallies by women's rights groups demanding shelters and reallocation of funds for the protection of victims. A national campaign against domestic violence was launched in July.

The government received criticism and public backlash over reports of a number of cases of sexual abuse of minors, leading to the resignation of the Minister of Gender, Family and Social Services in February. A number of measures have been taken in this area. The Child Rights Protection Act came into effect in February and a Presidential Commission to Inquire into Child Rights Violations was established subsequently. A Child and Family Protection Service was established in March, while the first Children's Ombudsperson appointed in July.

Misinterpretations of a report on the Maldives' commitments to uphold the UN Convention on the Elimination of All Forms of Discrimination Against Women led to a social media campaign against a leading women's rights NGO, Uthema, highlighting the continued threats against human rights defenders and civil society actors and persisting restrictions to freedom of expression.

COVID-19 exacerbated the vulnerabilities of migrant workers. The government established dedicated COVID-19 clinics for migrant workers and worked together with foreign embassies to repatriate thousands of undocumented expatriate workers. At the same time, authorities attracted criticism for cracking down on protests by migrant workers who were demanding months of owed wages. Remaining in the Tier 2 Watch List for Human Trafficking for a third



consecutive year, the Maldives aimed to address the issue by amending the Anti-Human Trafficking Act and passing the National Anti-Human Trafficking Action Plan (2020-2022).

The Maldives continued to make progress in terms of media freedom, moving up 19 ranks to 79th position in the Reporters Without Borders (RSF) Press Freedom Index. No charges have been pressed yet in the 2014 abduction and murder of journalist Ahmed Rilwan, due to insufficient evidence. Foreign experts are being brought in to assist with the probe.

A number of developments highlighted continued security challenges facing the country. These included: the stabbing of three foreigners in Hulhumale' in February by suspected jihadists; an arson attack on speedboats in a harbour in March which was claimed by ISIS; and the arrest of six suspected extremists following a counter-terrorism operation in November. The Maldives also detained the first local insurgent who returned from a foreign warzone, suspected of taking part in the Syrian conflict.

**2. EU action - key focus areas:** The EU continued to focus its action in the following priority areas: strengthen the respect for civil and political rights; reinforce the rule of law, independence of judiciary and the separation of powers; and promote the political representation and economic empowerment of women.

**3. EU bilateral political engagement:** Several high-level political dialogues took place throughout the year by EU and Member States officials. The first senior officials meeting took place in Malé in February, discussing, *inter alia*, governance, democracy, human rights, rule of law, security, and sectoral cooperation. The fifth annual EU-Maldives policy dialogue was held in November 2020 with the participation of 17 Heads of Missions at which all matters of concern were addressed. The EU and Member States issued a number of press releases - individual or jointly with the Maldives - throughout the year, focusing on the strategic priorities. The EU continued to work closely with civil society, having regular meetings with CSOs, human rights defenders, and media.

**4. EU financial engagement:** As an upper middle income country, the Maldives have graduated from EU's bilateral development assistance but has benefited from other financial instruments. The EU has allocated an EUR 3 million grant for the Maldives' COVID-19 response in the spring 2020.

**5. Multilateral context:** The Maldives continued to demonstrate its commitment to multilateralism through engagement with international and regional fora. President Ibrahim Mohamed Solih and Foreign Minister Abdulla Shahid were involved actively in high-level meetings throughout the year. A high-level delegation consisting of cabinet members and senior officials, including three Ministers and the Attorney General, took part in the third cycle of the Maldives' Universal Periodic Review in November. The Maldives announced its candidacy for the 76th UNGA Presidency (2021-2022), and Human Rights Council (2023-2025), and its intention to present a candidate for the position of Secretary General of the UN World Tourism Organization (2022-2025). Supreme Court Justice Aisha Shujune Muhammad was elected to the UN Subcommittee on the Prevention of Torture in October, further illustrating Maldives' renewed commitment to engage with international treaty bodies and human rights mechanisms.

## Mongolia

**1. Overview of the human rights and democracy situation:** Mongolia has made significant progress since it set out on the path to democracy, human rights and rule of law more than 30 years ago. In March 2020, the legislation on the National Human Rights Commission of Mongolia (NHRCM) entered into force, strengthening the Commission's independence. Some challenges persist for civil society organisations, media and human rights defenders. Vulnerable groups and persons belonging to minorities often face discrimination and there are recurring issues on the rights of the child and child labour. Effective remedies for violations of human rights are limited, and a comprehensive anti-discrimination legislation is still lacking. Legislation that increased political control over the judiciary remained in place. A wave of arrests of political figures around the time of the elections in June was a cause of concern. While the death penalty no longer exists in Criminal Law, it is still referenced in the Constitution. Finally, as in many other countries, the COVID-19 pandemic presented a challenge to human rights in Mongolia, with the impact especially felt by the most vulnerable.

**2. EU action - key focus areas:** The EU continued to focus its action on support to groups in vulnerable situations and civil society empowerment. A specific focus, reflected in dialogue with the authorities as well as in support to projects, was the fight against child labour and other forms of exploitation of children. The EU also refocused some activities in order to tackle the immediate health and economic consequences of the COVID-19 pandemic.

**3. EU bilateral political engagement:** The annual EU-Mongolia Human Rights Dialogue was held on 25 November 2020 and it was followed on 3 December by the EU-Mongolia Joint Committee – both in a virtual format. The dialogue was the occasion for the parties to confirm their shared commitment to the principles of democracy, human rights and the rule of law. The EU expressed its continuing support for Mongolia's endeavours to promote human rights in the country. The two sides discussed potential areas for further cooperation, in particular the rights of women and girls and strengthening of the judiciary. The EU also raised issues of concern, namely that the death penalty is yet to be abolished completely in the Constitution, rights of the child, the fight against torture and the independence of the judiciary.

The planned public diplomacy activities, such as a conference on the rights of the child and the annual EU Human Rights Award were postponed in light of the restrictions on organising large-scale public events during the pandemic. The Head of Delegation delivered video messages to mark Human Rights Day, World Children's Day and the International Day for the Elimination of Violence against Women. These are available on the delegation's social media channels and website.

**4. EU financial engagement:** In 2020, the EU launched its first budget support programme in Mongolia to boost employment and improve transparency in public finances, with an upfront disbursement aiming to address the social and economic consequences of COVID-19. Included in the grant is a technical assistance project with UNDP, FAO, ILO and UNIDO, focusing on transparency and oversight of the budget as well as employment creation in the non-mining sectors for youth and for persons with disabilities. In 2020, three new projects

were launched with the overall aim to empower CSOs, strengthen labour rights and safeguard the rights of the child. The EU also continued to support human rights and democracy through several ongoing projects, carried out with Member States or other partners. The focus included: support to the empowerment of herders; the fight against child labour and trafficking for labour or sexual exploitation; training for journalists on forced labour and fair recruiting; and support to civil society, including youth civic engagement and participation in local economy.

**5. Multilateral context:** Mongolia's third Universal Periodic Review took place in November 2020. Mongolia received 190 recommendations out of which 20 were noted, while the remaining 170 will be examined. Mongolia underlined its commitment to the Universal Periodic Review process, affirming measures, among others, to promote gender equality, combat gender-based violence and enhance the National Human Rights Institution (NHRI). The recommendations that Mongolia noted focused on: the ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol; the ratification of the 1954 Convention relating to the Status of Stateless Persons and the Convention on the reduction of statelessness; the rights of LGBTI persons; the abolition of the death penalty; and the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## Myanmar

**1. Overview of the human rights and democracy situation:** The general election was held on 8 November 2020, which proceeded in an orderly, credible and transparent manner. Despite the pandemic, turnout was estimated at above 70%. Disenfranchisement and cancellation of voting took place in some areas due to conflict reduced participation, especially of ethnic minorities. The National League for Democracy achieved a convincing victory although Myanmar's democratic transition continued to be hampered by Constitutional provisions reserving 25% of Parliament's seats for the military. The military contested the results of the election, leading ultimately to a coup against the legitimate civilian government less than three months after the election.

Myanmar slipped to 139th place on the 2020 World Press Freedom Index, down one spot from 2019. Some 584 people were serving sentences or awaiting trial for politically motivated cases as of October 2020 and intimidation and threats of violence against journalists, human rights defenders and political activists continued unabated according to NGOs. COVID-19 presented new opportunities to stifle critique. The internet remained shut down in several townships in Rakhine State due to security concerns, hampering effective preventive actions related to COVID-19 and limiting electoral campaigning. Clashes between the Tatmadaw and some ethnic armed organisations escalated, notably in Rakhine State, with reports of human rights abuses committed by both sides, including killing of civilians, arbitrary arrests, use of civilians (including children) as human shields and torture. New population displacements occurred in northern Shan, Chin and Rakhine States. However, clashes between the Arakan Army and the Tatmadaw ceased in November and the two sides began talking about holding elections in those townships in Rakhine State where they had been cancelled. As regards accountability, Myanmar's Independent Commission of Enquiry (ICoE) to investigate the events in August-September 2017 in Rakhine submitted its final

report to the President in January 2020. The President transmitted the Report to the Attorney General and the Tatmadaw for relevant proceedings on the basis of its findings. Its work was hampered by a restrictive mandate and by its failure to interview any victims in Bangladesh. However, even with these limitations, the ICoE went further than any previous domestic investigation relating to Rakhine State and found that 'some members' of Myanmar's security forces committed abuses. Although it found no evidence of genocidal intent nor cases of sexual violence, the President instructed the Attorney General and the military to act on the report. So far, no indictments have been announced.

**2. EU action - key focus areas:** The EU continued to promote protection and empowering individuals with priority action focused on non-discrimination and fundamental freedoms, and to address the building of a resilient, inclusive and democratic society with priority to economic and social rights and strengthening democracy and the rule of law. In terms of promoting a global system for human rights and democracy, the EU's main concerns included: civil and political rights and accountability for crimes under international law; continued institutionalised discrimination against ethnic minorities, including the Rohingya; and the return of refugees, by addressing root causes of conflict in line with the Annan Commission's recommendations. The EU continued to call for improvement in living conditions, including freedom of movement and access to basic services and livelihoods for ethnic minorities, in particular in Rakhine, Chin and Shan States. The EU also reiterated calls for unfettered humanitarian access to conflict-affected populations. In April 2020, the Council extended for another year the EU restrictive measures on Myanmar and expanded the list of individuals subjected to travel ban and asset freeze.

**3. EU bilateral political engagement:** The sixth EU-Myanmar Human Rights Dialogue was held in October. Due to the COVID-19 pandemic, an 'Everything But Arms' (EBA) in-country monitoring mission was not possible although the EU and Myanmar continued to engage on EBA obligations. In-country policy dialogue on education was held on two occasions during 2020. In March, the EU advocated for non-discriminatory access to education, particularly in Rakhine State but also in other conflict-affected states, and for the rolling out of the Myanmar curricula for refugees in Cox's Bazaar. The EU delegation continued monitoring around 30 cases of and lawsuits against human rights defenders and activists. Specific cases were raised with the government at the human rights dialogue and through public diplomacy. Following an invitation by the Chairman of the Union Election Commission, the EU deployed a reinforced Electoral Expert Mission for the general elections in 2020.

**4. EU financial engagement:** In 2020, 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 sectors. The 'My Childhood, My Right' project continued working, for its second year together with the Department of Social Welfare to strengthen the core components of the child protection system. In January 2020, a project started under the European Initiative on Democracy and Human Rights with the objective of ensuring the safety and protection of journalists and other content producers in Myanmar as well as providing awareness training for the authorities, including the police and military, on the role of journalism in a democracy.

In January 2020, the 'Deepening Access to Justice' programme (MyJustice II) began. It aims to raise awareness of people's legal rights, improve justice services, strengthen community efforts to resolve disputes and address justice policy reforms. It included a call for proposals to support civil society work on key COVID-19 justice related issues, in particular sexual and gender-based violence, the conditions of persons in detention, and the rights of returning migrant workers. The project also aims to establish a transitional justice-related civil society platform and engage with government stakeholders on the issue. EU support to elections also continued with assistance to Union Election Commission and through training and empowerment of electoral stakeholders to participate in the electoral process.

**5. Multilateral context:** While Myanmar cooperated with the UN Secretary General's Special Envoy, it continued to refuse cooperation with the UN Special Rapporteur on human rights in Myanmar. The mandate of the UN Independent Fact-Finding Mission on Myanmar ended in September 2019 and its collected evidence was handed over to the UN Independent Investigative Mechanism for Myanmar (IIMM). The IIMM transmitted its second annual report to the UN General Assembly in August 2020 and presented it to the Human Rights Council in September. Following the institution of proceedings by The Gambia 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 January 2020, the ICJ ordered Myanmar to undertake a number of provisional measures to preserve the rights of the parties concerned from irreparable prejudice before the Court gives its final decision. Myanmar submitted its first report on the provisional measures in May and a second report in November. The EU presented a resolution at the HRC on the human rights situation in Myanmar, adopted in June 2020. In November 2020, the EU jointly sponsored a resolution with the Organisation of Islamic Cooperation in the UN General Assembly Third Committee which was adopted with a large majority.

## Federal Democratic Republic of Nepal

**1. Overview of the human rights and democracy situation:** 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.

The dissolution of the House of Representatives on 20 December 2020 ended the period of relative stability in Nepalese politics since the election of Prime Minister Oli in 2018, but was challenged before the Supreme Court, which is currently examining the decision in its capacity to interpret the Constitution.

14 years after the end of the armed conflict and the signing of the peace agreement, the transitional justice process lacks effectiveness 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 National Human Rights Commission published a list of 286 individuals suspected of serious human rights violations during the civil war, these cases have not been referred to the attorney general and new commissioners have been appointed after the dissolution of

the House of Representatives on 20 December. At the 75th UNGA, Foreign Minister Gyawali reiterated the government's commitment to adhere to the Supreme Court ruling, international obligations and the constitutional provisions.

The pandemic and the resulting lockdown have had a severe impact on human rights, notably with an increase of domestic violence, limited access to supporting services and the police. Children, who could not attend school for 10 months, suffered in particular. While the discrimination of Dalit women and girls, although prohibited by law, remains of concern, Nepal made substantive legal progress in terms of rape, with a zero-tolerance policy, tougher penalties and criminalisation of unofficial arbitration settlements. Nevertheless, the question of impunity remains in certain cases, as well as caste based bias in the overall issue of effective implementation of the law.

**2. EU action - key focus areas:** EU actions and activities in Nepal in 2020 focused notably on: rule of law; gender equality; non-discrimination; economic and social rights; and rights of the child;

**3. EU bilateral political engagement:** In 2020, the EU delegation continued to play a significant role as the co-chair 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 in the role of chair (in turns with Member States) of the Human Rights Defenders Working Group. All these mechanisms provide fora for looking into and assessing the human rights situation, including transitional justice matters. Furthermore, the Finnish Ambassador (until March) and the German Ambassador acted as EU Gender Champions, focusing on the support for opportunities for women and girls.

Regarding caste-based violence and discrimination, the EU delegation, together with the Member States and other like-minded partners, made a joint statement in June 2020 against the killing of six young people and condemning violence and discrimination based on caste and on any other grounds.

The 12th EU-Nepal Joint Commission took place on 2 October and discussed, *inter alia*, democracy, good governance, human rights, women empowerment, social inclusion and social justice, non-discrimination, children and women's rights as well as rule of law and the peace process.

**4. EU financial engagement:** In 2020, the EU delegation together with Member States supported a large number of projects contributing to the above-mentioned priorities.

In the area of rule of law and governance, the EU delegation has focused on local governance, promoting accountability and transparency, through budget support, technical assistance and projects. CSO support has contributed to an increased participation of marginalised groups and communities as well as to promoting the rule of law and governance. The EU also provided financial support to the National Human Rights Commission and supported CSOs in organising events for the preparatory works of the Universal Periodic Review (UPR) process, resulting in comprehensive reports being submitted to the third cycle of the UPR process. In addition, despite the challenges of the pandemic an ongoing project continued to improve capacities of journalists and promote transparency and accountability through investigative journalism.

The EU delegation has pursued the issue of gender equality as a cross cutting issue in all development cooperation programmes with several CSO projects directly addressing the

issue. This includes strengthening the voices of victims of sexual violence, combating child, forced and early marriage as well as a project capacitating elected women representatives. This project was well received by participants for fulfilling their role and enhancing effective performance. A new project started in 2020 on combating gender-based violence caused by the COVID-19 pandemic focusing on supporting service providers to continue functioning during the lockdown periods.

On non-discrimination and economic and social rights, the EU delegation supported CSOs towards combating all kinds of discrimination, notably caste-based discrimination and project support has contributed to this objective. A new project was launched focusing on issues of marginalised communities and women to enable them to enhance their access to economic, social and cultural rights.

**5. Multilateral context:** Nepal has been re-elected as a member of the UN Human Rights Council for the term 2021-2023 as well as to the CEDAW Committee. The government reiterated its commitment to protect and promote human rights, including via public addresses of Prime Minister Oli to UNGA and of FM Gyawali in Geneva and outlined its foreign policy priorities as creating an enabling environment for the enjoyment of human rights by attaining economic development and providing means of implementation of human rights obligations.

Having completed two Universal Periodic Review (UPR) cycles (2011 and 2015), Nepal is going through its third UPR which had been postponed to January 2021 due to the COVID-19 pandemic.

## Pakistan

**1. Overview of the human rights and democracy situation:** The Government of Pakistan's commitment to human rights remained selective in 2020. Women's rights, the rights of LGBTI persons, the rights of the child and the rights of persons in detention were high priority areas in Pakistan's human rights response to COVID-19, which focused on the most vulnerable segments of society. The other big priority of the government was the advocacy at the United Nations and other multilateral fora on the situation in Kashmir.

An important positive development on the rights of the child was the adoption of the Zainab Protection Act 2020. The first Chairperson and Commissioners for the National Child Rights Commission were appointed in February 2020. On women's rights, two bills were passed to improve women's economic rights and access to justice. Following the renewed attention on rape incidents in Pakistan, two anti-rape ordinances came into force in December 2020, using a more comprehensive definition of rape. The Punjab Prison Rules underwent a holistic reform after 42 years, most notably aligning with the International Covenant on Civil and Political Rights (ICCPR). Moreover, the Ministry of Human Rights, with the support of the EU, launched helplines for victims of domestic abuse (including a mobile application) as well as a citizens' human rights information portal, to increase the overall human rights awareness amongst citizens. While the number of people on death row remains high (4,225 people awaiting execution in 2020), no execution was carried out in 2020. The President, the Prime Minister and the Minister of Human Rights made frequent public statements and commitments during the year on a number of human rights issues, including condemning

torture and enforced disappearance. These commitments are yet to be translated into effective and sustainable implementation.

In 2020, enforced disappearances continued with impunity. Restrictions on freedom of expression and the impunity of crimes against journalists persisted, with new rules regarding social media and online platforms and online harassment of female journalists, constituting sources of particular concern. Members and supporters of the Pakistan Tahhafuz Movement (PTM), who openly challenge the security agencies and denounce human rights violations in ex-Federally Administered Tribal Areas (FATA), continued to be targeted by the authorities. Freedom of religion or belief remains an issue of concern, as 2020 saw increased Shia-Sunni tensions, blasphemy accusations and continued forced conversions of Christian and Hindu girls. Death penalty remains mandatory for blasphemy cases, and 40 people remained on death row under this charge as of late 2020. The government has not signalled any prospects for reviewing the blasphemy legislation. Minorities including Shia Muslims continued to be victims of sectarianism and religious extremism. In September 2020, PM Imran Khan appointed a Special Assistant to the Prime Minister (SAPM) on Religious Harmony and the Middle East to diffuse intra-faith and inter-faith tensions. Commissioner positions within the National Commission for Human Rights, which has the function to hold the state accountable for human rights abuses, continued to remain vacant since May 2019, making the Commission dysfunctional.

The pressure and difficulties that International Non-Governmental Organisations (INGOs) faced in previous years gradually decreased in 2020, while Non-Governmental Organisations (NGOs) have reported less surveillance and pressure than in previous years.

The work of the government and opposition on legislative acts was rather limited in 2020, with the government largely relying on ordinances to pass laws instead. In the area of democracy and accountability, the anti-corruption agenda of the government remained prominent throughout 2020, but the government was accused of targeting mainly the political opposition. Severe capacity gaps continued to exist in the judicial system. The effects of an ineffective justice system and limited access to justice continued to create a chain of human rights violations.

**2. EU action - key focus areas:** Freedom of religion or belief was a key priority for the EU in Pakistan in 2020. Other important priorities were work against death penalty, as well as against gender-based violence. In all these areas, the human rights public diplomacy activities of the EU delegation relied on public events, social media and the local press, generating widespread debate on human rights.

On freedom of religion or belief, there have been multiple outreaches to religious minority leaders, to influential Muslim clerics, to the Council of Islamic Ideology, to the Minister of Religious and Inter-faith Affairs and to the newly appointed Special Assistant to Prime Minister (SAPM) on Religious Harmony and the Middle East. The engagements culminated in an unprecedented intra and inter-faith roundtable in December 2020, resulting in a joint statement to promote the constitutional rights of minorities and combat hate speech, among others.

To mark the World Day against the Death Penalty, the EU delegation organised a live screening of a one-of-a-kind art performance based on four original short stories of death row prisoners. The screening was attended by officials of the Pakistani government and was live streamed on one of Pakistan's largest digital news portals.



The EU delegation also ran an online campaign titled #PakistaniSHEros during the 16 Days of Activism against Gender-Based Violence. The EU delegation collaborated with Pakistan's largest online news portal for the campaign, which reached over 8 million people and had an overwhelmingly positive response.

**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.

The two high-level consultations that took place in 2020, the EU-Pakistan Political Dialogue in October, and the Pakistan-EU Strategic Dialogue in November, provided opportunities to discuss matters of common interest, including in the area of human rights and democracy. The EUSR for Human Rights Eamon Gilmore and the Minister of Human Rights Dr Shireen Mazari had regular calls throughout the year, discussing in particular the issue of prisoners' release, the situation for minorities and reform on the death penalty.

Pakistan is a beneficiary of the EU's Generalized Scheme of Preferences Plus (GSP+) preferential trade regime. Besides human rights, the scope of GSP+ also addresses international labour rights, environmental and good governance commitments. The European Commission's 2018-2019 GSP+ Report to the European Parliament and Council was adopted in February 2020. It shows a mixed picture of commitment. As part of the ongoing monitoring of the implementation of the commitments by Pakistani authorities, the Commission received an extensive reply to the EU's 'list of salient issues' which will feed into the assessment of Pakistan's compliance with its obligations and the 2021 GSP+ Report.

The 11th meeting of the EU-Pakistan Joint Commission and its Sub-Group on Democracy, Governance, Rule of Law and Human Rights was postponed to early 2021.

**4. EU financial engagement:** The EU continued to implement 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 public in the field of human rights.

The EU also supported several CSOs through the European Instrument for Democracy and Human Rights on projects related to the rule of law, access to justice, rehabilitation of torture victims, restricting the application of death penalty, enhancing women's rights and participation, preventing violence against women and girls and advocacy and capacity building on freedom of expression and access to information.

**5. Multilateral context:** Pakistan's re-election to the UN Human Rights Council from 2021 until 2023 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 coordinator on behalf of the Organisation of Islamic Cooperation (OIC) in Geneva.

Under the Promotion of Human Rights programme experts were seconded to the Ministry of Human Rights to assist in the Committee on the Elimination of Discrimination Against Women (CEDAW) country reporting procedure for the fifth periodic review and facilitated the participation of senior ministerial officials at the 75th Session of the Committee on the Elimination of Discrimination Against Women (CEDAW) in Geneva.

## Philippines

**1. Overview of the human rights and democracy situation:** Despite the positive engagement with the UN Human Rights Council (HRC), the patterns of human rights violations and abuses remain unchanged. The war on illegal drugs continues unabated resulting in the killing of numerous alleged criminals. A culture of impunity prevails in the country with a lack of effective, impartial and transparent investigations. Before the HRC, the government undertook to review deaths under investigation. The red-tagging phenomenon (malicious blacklisting of critical individuals or organisations as Communist or terrorist or both, regardless of belief or affiliation) has led to harassment and killings of many but also had a chilling effect on freedom of expression and association. The 2020 World Press Freedom index further downgraded the Philippines, placed 136th out of 180 countries, as a consequence of restrictions on press freedom and the abuse of Cyber Libel Laws. There remains an ongoing public debate on the possible reintroduction of the death penalty, something which would run counter to the international human rights obligations of the Philippines. While the country had made progress on social and economic rights in recent years, the preferred 'security approach' to address the COVID-19 pandemic has impacted the realisation of social, economic and political rights. The country maintains an independent and active Commission on Human Rights and a vibrant civil society despite the constraints.

**2. EU action - key focus areas:** The EU has supported the protection and empowerment of individuals in particular of human rights defenders, women and girls, indigenous peoples and children. Many of these actions have taken place in Mindanao. The EU has also supported the building of a resilient, inclusive and democratic society through advocating for freedom of the press, including in the cases of Maria Ressa and Reynaldo Santos, while following with concern other developments limiting access to information such as the non-renewal of the franchise of ABS-CBN media network. The EU promotes a global system for human rights and democracy through the monitoring process of the Generalised Scheme of Preferences' (GSP+) special incentive arrangement during which the EU engages with the Philippines on the fulfilment of the country's commitments with respect to core international human rights conventions. A dialogue takes place in this context. The EU and its Member States have a constant dialogue with the Philippines' Commission on Human Rights and CSOs. The EU has engaged with local stakeholders to exchange best practice on how to fight the increasing risks associated with new technologies, including the risk of disinformation. The EU delegation also seeks to deliver by working together with EU embassies in Manila, through joint events to mark human rights days, a human rights film festival and collaborative public diplomacy on issues such as the death penalty.

**3. EU bilateral political engagement:** The holding of the first EU-Philippines Joint Committee in January 2020 was a landmark in the implementation of the Partnership and Cooperation Agreement and provided a bilateral forum to discuss human rights as well as all aspects of the EU-Philippines relationship. The creation of a Subcommittee on Good Governance, Rule of Law and Human Rights was agreed and it subsequently met for the first time. The EU's GSP+ Country Report on the Philippines (2018-2019) was published in February 2020 and the monitoring process for the period 2020-21 started.

**4. EU financial engagement:** EU financial engagement on human rights themes included: financing agreements with the government in the area of justice reform and support to national human rights institutions through its Justice Sector Reform Programme: ‘Governance in Justice (GOJUST)’; support to civil society through calls for proposals under the European Instrument for Democracy and Human Rights and the thematic programme Civil Society Organisations and Local Authorities, and support to the Mindanao Peace Process through the EU’s Instrument contributing to Stability and Peace.

**5. Multilateral context:** The Philippines is a member of the Human Rights Council for the period 2019-2021. The government has engaged actively with some special procedure mandate holders, although the last official visit occurred in 2015.

Following the Human Rights Council (HRC) resolution 41/2 on the human rights situation in the Philippines, in June 2020 the High Commissioner for Human Rights presented a report and held an enhanced interactive dialogue on the Philippines. During the dialogue, the Justice Secretary announced the creation of an ‘inter-agency panel’ to review 5,600 deaths under investigation. In October, HRC resolution 45/33 on technical cooperation and capacity building for the promotion and protection of human rights in the Philippines was adopted by consensus. The government and the UN also agreed on a four-year joint programme addressing the resolution’s concerns. The EU recognised the Philippines’ commitment to engage in improving the human rights situation and fully comply with its international human rights obligations by joining the consensus in adopting the resolution.

During the 75th UN General Assembly, the Philippines voted against all country resolutions except on Syria where it voted in favour, moving from an abstention. In a shift from previous vote (abstention in 2018), the Philippines supported the resolution on the moratorium on the death penalty. In the 43rd, 44th and 45th sessions of the HRC, it opposed all country resolutions except on Syria, where in the last two sessions it abstained. It also abstained on the resolution on Belarus.

In December, the International Criminal Court Prosecutor stated that the information available provided a reasonable basis to believe that the crimes against humanity of murder, torture and the infliction of serious physical injury and mental harm as other inhumane acts were committed in the course of the war on drugs. The Office of the Prosecutor expects to reach a decision to seek authorisation to open an investigation in the first half of 2021.

## Singapore

**1. Overview of the human rights and democracy situation:** The COVID-19 pandemic notwithstanding, Singapore successfully organised general elections on 10 July 2020, resulting in broader political representation and subsequently in the unprecedented establishment of a Leader of the Opposition position in Parliament. The pandemic has affected different segments of society to different degrees resulting in new discourse about the need to renew the social compact. While Singapore’s ‘model’ has proved broadly successful, questions remain as to the limits it imposes on fundamental freedoms, including freedom of expression, freedom of the media, freedom of assembly and the right to political

participation. Opposition parties state they are limited in their ability to contest elections, while civil society actors argue they are limited by broadly construed defamation legislation, the legal right of government ministers to declare online content as false, and restrictions on the freedom of assembly with courts declaring that even one person can constitute an illegal assembly. Singapore ranked 158th of 180 in the 2020 World Press Index, a significant decline in its position of 151st during the previous year. The death penalty and corporal punishment, including judicial caning, remain in use in Singapore and their use is largely uncontested, in the absence of public debate. Male homosexuality continues to be criminalised. Trans people must adhere to a strict multi-step gender recognition procedure, creating significant difficulties according to civil society activists.

Measures to prevent and contain the spread of the COVID-19 pandemic saw the introduction of new contact tracing technologies that further increase an already high level of surveillance, raising concern about data governance and data privacy. In addition, strict COVID-19 confinement measures have further aggravated the serious situation of migrant workers, particularly those living in workers' dormitories. Following COVID-19 outbreaks at these dormitories in mid-2020, Singapore pledged to improve the conditions of these migrant workers and announced the building of additional dormitories with higher standards to reduce density of occupation. Moreover, migrant domestic workers are excluded from Singapore's main Labour Law. Singapore embarked on a gender equality review in the autumn of 2020.

**2. EU action – key focus areas:** EU action in 2020 focused on cooperation with local counterparts to advance the implementation of human rights commitments as well as the ratification of three fundamental ILO conventions on freedom of association (Convention 87), forced labour (Convention 105), and discrimination (Convention 111), which all seek to protect and empower individuals and can help build resilient and inclusive societies. EU action also aimed to raise awareness about the EU founding values, including freedom of expression, freedom of the media and gender equality, and to facilitate discussions about these values in Singapore. Moreover, the EU continuously advocated for a moratorium on the death penalty in statements issued prior to scheduled executions.

**3. EU bilateral political engagement:** The EU maintained its role as a key convenor for discussions on human rights in Singapore. Equally, it continued to organise events on human rights, and conduct meetings with civil society representatives. The EU held its annual panel discussion on the death penalty on 25 March 2020 focusing on the standing of the death penalty in international law. Moreover, the EU continues to issue statements when learning about executions, including recommending the introduction of a moratorium on the death penalty. The Trade and Sustainable Development Board under the EU-Singapore Free Trade Agreement provides another avenue of engagement on labour rights and environmental rights with the Singaporean authorities and public stakeholders.

**4. EU financial engagement:** Financing of civil society organisations by foreign entities remains prohibited in Singapore. The EU delegation's activities consisted of monitoring and reporting of the situation, coordinating closely with Member States and like-minded countries, as well as organising meetings with members of local civil society and supporting discussions on human rights in Singapore.

**5. Multilateral context:** Due to the COVID-19 pandemic, Singapore's Universal Periodic Review at the UN Human Rights Council was postponed from 2020 to 12 and 14 May 2021. In preparation for this review, the EU delegation co-organised several sessions to learn from civil society representatives about the state-of-play of the human rights situation in Singapore. The review by the Committee on the Rights of Persons with Disabilities planned for April and August 2020 was likewise postponed, with the dates for future review yet to be communicated. In addition, the review of Singapore by the Committee on the Elimination of All Forms of Racial Discrimination was moved from August 2020 to its next session in November-December 2021. In the UN General Assembly, Singapore maintained its principled position against country-specific human rights resolutions and abstained in these cases, while it voted against the resolution on a moratorium on the use of death penalty.

## Sri Lanka

**1. Overview of the human rights and democracy situation:** 2020 was a challenging year for human rights and democracy in Sri Lanka. The Parliament approved a new 20th amendment to the Constitution restoring wide-ranging powers for the executive presidency. It gives the President, among others, the power to dismiss the Prime Minister without parliamentary approval, to dissolve parliament two and a half years into term, and to make appointments to the courts, including the Supreme Court, and the independent commissions.

Independent institutions in the areas of reconciliation, accountability and human rights created by the former administration remain in place, whereas their leadership was changed through new presidential appointments. In February 2020, Sri Lanka announced its withdrawal from co-sponsoring the UNHRC resolution 30/1 on promoting reconciliation, accountability and human rights in Sri Lanka, noting its unconstitutional nature. Instead, a domestic mechanism to investigate past abuses was announced, although no progress so far has been noted. On 26 March, President Rajapaksa pardoned Sunil Ratnayake, a soldier sentenced to death for the killing of eight Tamil civilians in 2000. In July, former head of the Criminal Investigations Department (CID), Shani Abeysekera, who oversaw investigations of abuses committed during the previous Rajapaksa administration, was arrested for allegedly concealing evidence.

The government has announced its intention to amend the Prevention of Terrorism Act (PTA). 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. On 14 April, Hejaaz Hizbullah, a human rights lawyer and activist, was arrested by the CID under the PTA on allegations of aiding and abetting the Easter 2019 terrorist attacks and inciting communal disharmony. Hizbullah has not been charged to date and has been denied confidential access to legal counsel. On 16 May, Muslim poet Ahnaf Jazeem was detained under the PTA for a book of poems that the CID alleges promotes extremism. He remains in detention with no access to legal counsel.

The numbers of people affected by COVID-19 remained relatively low in Sri Lanka in comparison to other countries in the region. The COVID-19 response has however

exacerbated multiple social and economic issues, affecting the rights of minorities and vulnerable groups. On 11 April, the government announced that all COVID-19 victims would be cremated within 24 hours of death, although WHO guidelines recommended either burial or cremation. Muslims have repeatedly sought a policy revision, as cremation goes against Islamic tradition. The policy has been widely criticised locally and internationally, including by UN Special Rapporteurs. On 1 April, the authorities announced that anyone criticising the government's response to the pandemic would be arrested. Disinformation spread around the pandemic has led to the stigmatisation of vulnerable communities and those who contract the virus.

The pandemic has also turned the spotlight to the alarming conditions in the country's prisons, which are operating at nearly four times their capacity. On 29 November, prisoner unrest over the identification of positive cases in a major, high security prison, led to the deaths of 11 inmates, mainly due to gunshot injuries.

The NGO secretariat, which regulates civil society organisations, has been placed under the authority of the Ministry of Defence. Civil society activists and organisations have reported heightened surveillance by state intelligence services. On 2 June, President Rajapaksa established a Presidential Task Force to build a Secure Country, Disciplined, Virtuous and Lawful Society 'to curb the illegal activities of social groups which are violating the law' and the Presidential Task Force for Archaeological Heritage Management in the Eastern Province 'to preserve Buddhist heritage'. Both taskforces are mono-ethnic, their members drawn from the Sinhala majority.

**2. EU action - key focus areas:** The EU continued to: support the implementation of the UN HRC resolution through support to reconciliation, resettlement, transitional justice, non-recurrence and constitutional reform; and advance women's political, economic and civic 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 Sri Lanka's withdrawal from the UN HRC resolution.

Due to travel restrictions, most of the engagement with the government took place virtually or locally. A GSP+ monitoring also took place remotely this year, focusing, *inter alia*, on PTA and reconciliation measures. The EU delegation jointly with Member States conducted a number of meetings with representatives of the new government, meetings focusing on human rights and political issues including minority issues, and informal political consultations held between the EU and Sri Lanka in Colombo in February. The meetings were sometimes followed by joint public statements.

**4. EU financial engagement:** The EU funds several projects which aim to support reconciliation processes, peacebuilding, transitional justice and civil society as well as the justice system with particular emphasis on vulnerable groups and promote women's rights and gender equality.

**5. Multilateral context:** Following Sri Lanka's announcement in February 2020 that it would no longer sponsor the resolution 30/1, the EU issued a statement expressing concern and calling for a sustainable reconciliation process, commitment to accountability, human rights, and continued engagement with the UN and international partners.

## Thailand

**1. Overview of the human rights and democracy situation:** The COVID-19 pandemic coincided with the rise of youth-led demonstrations following the court-ordered dissolution of the opposition Future Forward (FFP) party and the imposition of a 10-year political ban on its leader, Thanathorn Juangroongruangkit. The government declared a state of emergency in March to contain the spread of the pandemic, which remained in force throughout the year, and in October to deal with anti-establishment demonstrations for the duration of one week. While supporters of the government argued that stringent measures were necessary, human rights advocates claimed that the emergency decrees resulted in restrictions to freedom of expression and peaceful assembly and had a chilling effect on press freedom. Thailand dropped to 140th place (out of 180) in the 2020 World Press Freedom Index. Access to online information and media coverage was restricted and criminal proceedings were launched against Facebook and Twitter for not cooperating with the government. While security forces mostly reacted with restraint during the demonstrations, criminal charges were filed against over 200 individuals, including minors. Among them, 37 individuals including a 16-year-old student also faced charges under Article 112 of the Penal Code, which prohibits defaming, insulting or threatening the monarchy and prescribes imprisonment of three to 15 years. Counter-protesters were not charged.

Reports of intimidation, violence, and legal harassment against journalists, human rights defenders and land rights activists persisted despite the adoption of the 2019 National Action Plan on Business and Human Rights. Three criminal defamation lawsuits considered by a human rights group to constitute Strategic Litigation Against Public Participation (SLAPP) were accepted by courts, while four similar complaints filed by the same company were dropped. Cases against a former Education Minister in the Yingluck Shinawatra administration, nine protest leaders, and the mother of a prominent activist were also dismissed. The disappearance of exiled Thai dissident Wanchalearm Satsaksit in Cambodia, and the lack of progress in other cases of disappeared activists underscored the need for a law against torture and enforced disappearance. However, both the draft Act on the Suppression and Prevention of Torture and Enforced Disappearance as well as the draft Civil Partnership Act, which would increase the recognition of the rights of LGBTI persons, were delayed. No significant progress was made on the previously stated commitment to move toward abolishing the death penalty. The implementation of the National Screening Mechanism (NSM) to distinguish people in need of international protection from economic migrants took effect in June. The three southern border provinces saw less violence during the pandemic. However, the specific State of Emergency for the Deep South (in place since 2004) was extended until March 2021.

**2. EU action - key focus areas:** Restrictions imposed in response to the COVID-19 pandemic forced adjustments in the EU's human rights engagement although traditional forms of

outreach resumed in the second half of the year. In terms of protecting and empowering individuals, the EU sought simultaneously to address human rights implications of the pandemic and raise public awareness about the need to place human rights at the centre of government policy even during such times. The EU's response was to focus on groups in vulnerable situations who are at risk of marginalisation in direct awards of grants to CSOs. Working together to reinforce the EU's message on democratic pluralism, EU missions actively coordinated the observation of trials with potentially negative consequences for political pluralism, such as the Constitutional Court's proceedings against the opposition party FFP. Part of the combined EU effort to uphold democratic values was also directed towards freedom of expression and to continue to raise objections to the use of criminal defamation and computer crime laws against peaceful expression of opinion and the press. The EU addressed new challenges resulting from technological developments, for example on the European Day on the Protection of Children against Sexual Abuse and Sexual Exploitation, joining a regional virtual conference to draw the attention of policy makers and law enforcement agencies to the growing use of technology for the sexual exploitation of children.

**3. EU bilateral political engagement:** In the absence of many opportunities for high level bilateral engagement, largely as a result of the pandemic, and in the face of slow progress towards a Partnership and Cooperation Agreement and a degree of domestic political turbulence, the EU delegation and the Member States' embassies in Bangkok made regular use of diplomatic channels to engage the government in a dialogue aimed at protecting and expanding the democratic space, in line with the October 2019 Foreign Affairs Council conclusions on Thailand. Ultimately it proved possible to host the 15th EU-Thailand senior officials' meeting via videoconference on 28 October during which the EU addressed the full range of democracy and human rights issues and encouraged efforts towards concluding a Partnership and Cooperation Agreement.

**4. EU financial engagement:** The EU delegation manages an extensive portfolio of activities defending and promoting human rights both in Thailand and in the region. A number of significant projects concluded in 2020. A 54-month programme, 'Promoting stability, well-being and harmony for Myanmar Muslim and host communities in Thailand', ended in July. A five-year programme MIG-RIGHT, funded under the European Instrument for Democracy and Human Rights, continues through 2021 and supports Cambodian and Thai authorities in the improvements of policies and laws to protect Cambodian migrants from trafficking in human beings and people smuggling. A four-year project, 'Combating unacceptable forms of work in the Thai fishing and seafood industry', implemented by the ILO and which sought, among other things, to eliminate forced and child labour and tackle exploitation, was also completed. Other projects supported strengthening non-state actors' voices in forest governance in the Mekong, aimed at combating violence against women in southern Thailand and supported the rights of indigenous people to name just a few examples.

**5. Multilateral context:** In October, the Head of EU Delegation conducted an outreach at the Ministry of Foreign Affairs ahead of the meeting of the Third Committee of the UN General Assembly, calling on Thailand to support the UN resolution for a moratorium on executions, together with Mexico and Switzerland, co-chairs of the relevant UN working group. Ultimately, Thailand abstained. In June, the EU-supported Business and Human Rights Asia



project facilitated the UN virtual forum on Responsible Business and Human Rights to discuss progress, challenges and opportunities for advancing responsible business and human rights in the region against the backdrop of the COVID-19 pandemic. Co-organised by the UN Working Group on Business and Human Rights, UNDP, the ILO, UNICEF, UN Women and UN ESCAP, this forum explored how existing vulnerabilities of marginalised communities have been amplified by the crisis and how to include the build-back better approach in recovery efforts.

## Timor-Leste

**1. Overview of the human rights and democracy situation:** 2020 was a challenging year for Timor-Leste. The COVID-19 pandemic required the declaration of state of emergency in March and although the health crisis was avoided (no community transmission and no deaths in 2020), related measures took their toll on the human rights situation. Despite limited capacities, the National Human Rights Institution/Ombudsperson, called Provedoria, monitored the situation thoroughly. The COVID-19 crisis was worsened by political turbulences and a delayed approval of the 2020 budget, which hampered progress and investment in many areas, including in the field of human rights. The more structural human rights challenges include: widespread poverty and inequalities; gender violence; forced labour of children; high youth unemployment; fraud and corruption; deficient health and education systems; malnutrition and stunting of children; unclear land rights; discrimination against LGBTI persons or inaccessible infrastructure for persons with disabilities and restricted access to justice due to language barriers. 2020 was also a year of achievements, including an active and free civil society and a strong Provedoria including new competences on gender, the adoption of anti-corruption legislation, the Children Action Plan and a working plan on people living with disabilities.

**2. EU action - key focus areas:** The EU focussed its actions across four key areas:

**Protecting and empowering individuals:** The launch of the EU-UN Spotlight Initiative in March 2020 was the highlight of the year in terms of advancement for women's rights. The EU's role as leading promoter of equality and non-discrimination of LGBTI persons was highlighted at the International Day Against Homophobia, Transphobia and Biphobia on 17 May and at the 'Diversity Section' of the EU-supported Dili International Film Festival in October.

**Building resilient, inclusive and democratic societies:** In 2020, the EU undertook a Civil Society Mapping exercise, which will be used for the update of strategic and programming documents. The EU together with the Portuguese Cooperation marked World Press Freedom Day on 3 May by helping journalists during the state of emergency. Training on hate speech and disinformation was provided and the construction of a Press Centre for the Parliament was supported.

**Promoting a global system for human rights and democracy:** The Election Follow-up Mission, was rescheduled for 2021 due to the current travel restrictions. It is expected to concentrate on the recommendations of the 2017 EU Election Observation Mission and the 2018 EU Election Experts Mission, namely: consolidation of the electoral legalisation into a single electoral code; restoring the supervisory role of the CNE; ensuring an effective enforcement

and accountability of campaign financing; and strengthening the role and capacity of the media.

**New technologies: harnessing opportunities and addressing challenges; delivering by working together:** The year ended with the extension of the EU's human rights flagship programme in Timor-Leste, implemented by the Global Campus for Human Rights: the establishment of a Human Rights Centre within the Faculty of Social Sciences at the National University of Timor-Leste (UNTL). The action aims at enhancing the capacity and resources available by engaging existing academic institutions and establishing a Centre devoted to human rights and related areas in Timor-Leste. In the COVID-19 context, the training was reorganised as a 'blended-education' activity, which means a mix of e-learning with classic in-class course. This first ever e-learning course at UNTL was done with regional experts and provided entirely in Tetum.

**3. EU bilateral political engagement:** In the second half of 2020, an important round of policy dialogue took place with government authorities related to the three EU Budget Support Programme. It offered the opportunity to review with government, civil society, and other stakeholders progress of reforms in public finance management oversight, the advancement of de-concentration/decentralisation of State powers and responsibilities, and the improvement of the country's nutrition rates, especially for children. The annual political dialogue between Timor-Leste and the EU was postponed to the end of January 2021.

**4. EU financial engagement:** EU financial engagement under 11th European Development Fund (National Indicative Programme 2014-2020) is in line with the Strategic Development Plan 2011-2030 to transform Timor-Leste into an upper middle income country by 2030 based on inclusive growth enabling it to improve infrastructure, worker skills, education, training and health systems, and combat poverty and malnutrition. Positive results were observed in all areas linked to the priorities of the Human Rights Country Strategy. Under the joint EU-UN Gender Spotlight Initiative's Pacific window, a country programme has been defined for Timor-Leste.

**5. Multilateral context:** Timor-Leste is eager to become more integrated into the UN system through enhanced membership, such as in the Human Rights Council and human rights fora. The country is already part of several South East Asian human rights related fora such as the South East Asian National Human Rights Institutions Forum (SEANF) and the South East Asian Network of Women Peace Negotiators and Mediators. Several important reports will have to be presented to the relevant treaty bodies in view of the third Universal Periodic Review that the country will undergo in 2022. Preparations for this upcoming review cycle have already started in 2020.

## Vietnam

**1. Overview of the human rights and democracy situation:** In 2020, Vietnam further expanded its legal framework in the field of labour rights in line with international standards. While Vietnam has been increasingly making efforts in the fight against child labour and in the promotion of gender equality, civil and political rights violations continued. Particularly worrisome was the severity of restrictions and sentencing in cases related to the right to exercise freedom of expression online and offline. Social media users were increasingly faced

with arbitrary censorship when sharing critical views online. The government compelled major international social media companies to take down accounts or content critical of the government, creating a worrying precedent. Throughout 2020, several bloggers, journalists and human right defenders were arrested or sentenced, and state control of the media and restrictions on freedom of expression both online and offline continued. In the 2020 World Press Freedom Index Vietnam ranked 175th out of 180 countries. Some detainees were not able to receive visits including by lawyers, medical personnel and family, others were transferred to prisons far away from the residence of family members. The death penalty remains a serious concern and data on capital punishment is not published by the authorities. Vietnam also further restricted the operational environment for civil society organisations with the revision of decrees and administrative measures.

The Government of Vietnam ratified the core ILO Convention 105 on forced labour. Moreover, Vietnam committed to ratify the pending core ILO Convention 87 on freedom of association by 2023.

**2. EU action - key focus areas:** The EU's advocacy priorities for 2020 continued to be on: protecting and empowering individuals: freedom of expression (online and offline); freedoms of assembly, the press, religion or belief; labour rights; abolition of the death penalty,<sup>43</sup> and the fight against trafficking in human beings. The situation of human rights defenders was also a key area of concern. The EU insisted on the importance of upholding the rule of law to protect human rights and promote good governance, including in the case of land disputes, areas which can help build a more resilient and inclusive society. In terms of promoting a global system for human rights and democracy, the EU also focused on Vietnam's action plan for the accepted recommendations under the third cycle of the Universal Periodic Review. On several occasions, the EU reiterated its encouragement to issue a standing invitation to UN Special Procedures.

The EU delegation engaged actively in actions aimed at supporting human rights activists and consistently requested the possibility to observe trials and visit human right defenders in prison together with other EU embassies. Throughout the year, 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.

**3. EU bilateral political engagement:** Human rights were mainstreamed in bilateral discussions at all levels with the government. The EU, in close coordination with EU Member States and like-minded countries, maintained regular exchanges on human rights and reiterated its request for the release of all persons detained for exercising their freedom of expression both online and offline. The EU also insisted on access to legal aid, medical support and family visits for all prisoners.

At the EU-Vietnam Human Rights Dialogue, the EU expressed concerns over limitations on freedom of expression in Vietnam (both online and offline). Discussions also covered freedom of religion or belief, freedom of association and assembly, and the value of an

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<sup>43</sup> [https://eeas.europa.eu/delegations/vietnam/85345/vietnam-statement-spokesperson-two-death-sentences\\_en](https://eeas.europa.eu/delegations/vietnam/85345/vietnam-statement-spokesperson-two-death-sentences_en)

independent and robust civil society. The situation of human rights defenders was discussed at length. At the Subcommittee on Good Governance, Rule of Law and Human Rights, the EU offered technical assistance in various areas, including for the implementation of the accepted recommendations under the third cycle of the Universal Periodic Review as well as the recommendations from the Committee against Torture. At the EU-Vietnam Joint Committee, the EU stressed that all citizens should be able to peacefully and freely associate, express their views and contribute to public life.

**4. EU financial engagement:** Civil society organisations' actions were supported through grants in the domains of children's rights, gender equality and prevention of gender-based violence, freedom of expression, the rights of migrants, empowerment of civil society, business and human rights, cultural rights as well as COVID-19 response. In addition, Vietnam, with EU support, implemented activities to increase access to justice for persons in the most vulnerable situations, developed indicators to measure implementation of some HRC recommendations as well as assessed the compatibility of the Vietnamese legal framework with ICCPR.

**5. Multilateral context:** As part of the commemoration of 25 years of the Beijing Platform for Action on Women's Empowerment and the 20th anniversary of the UN Security Council resolution 1325 on women, peace and security, Vietnam, as non-permanent UN Security Council member (2020 – 2021), in partnership with the UN, hosted an International Conference 'Women's Role in Building and Sustaining Peace: from Commitments to Results'. In January 2019, in the third cycle of the Universal Periodic Review, Vietnam received 291 recommendations: it fully accepted 220 recommendations and 21 partially. In 2020, Vietnam prepared the national master plan for the implementation of the Universal Periodic Review recommendations accepted by the country. A mid-term assessment to enhance the effectiveness of the performance is planned in July 2021. Moreover, Vietnam is due to deliver a progress report on the implementation of the third ICCPR report priorities by March 2021.

## Oceania

### Australia

**1. Overview of the human rights and democracy situation:** Australia has a very solid human rights protection and promotion framework. A robust civil society, freedom of the press, rule of law and an independent judiciary reinforce and complement well-established democratic and human rights' governance. Australia 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 are:

- the overall condition of the indigenous population which remains dramatically behind on many key social indicators, such as incarceration rate, health, employment, education;

- the treatment of non-citizens (including asylum seekers) who are illegally in the country or have attempted to enter illegally, in particular with regard to mandatory and often prolonged administrative detention;
- the very low age of criminal responsibility;
- high rates of family, domestic and sexual violence, affecting in particular women and children;
- violence, abuse and neglect affecting people with disabilities and older persons.

The COVID-19 pandemic has had an impact on inequality, with the more vulnerable elements in society subject to more economic insecurity and more serious health impacts and having less resources to cope with the many consequences of the restrictions.

**2. EU action - key focus areas:** The EU and Member States engaged with Australian officials through a series of meetings/dialogues, demarches and outreach for common actions at international level. 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 engaged with the Australian Government and relevant agencies (in particular the [Australian Human Rights Commission](#)) and stakeholders to promote and protect human rights and support initiatives to e.g. counter racism and promote inclusiveness. In 2020, the exchange with stakeholders was particularly focused on Australia's Universal Periodic Review in 2021.

The EU supported and participated in international human rights-related days and events, especially via social media engagement. It continued its long-standing partnership with the Australian Human Rights Commission, including by sponsoring the 2020 Kep Enderby Lecture on racism, race relations and the Race Discrimination Act, and being associated with the Australian Human Rights Commission's #HumanRightsHeroes Awards and campaign.

**4. EU financial engagement:** The Delegation of the EU to Australia co-sponsored activities related to the protection and promotion of human rights and democracy in association with the Australian Human Rights Commission.

**5. Multilateral context:** Australia was until end of 2020 a very active member of the UN Human Rights Council. Its stance has been consistently very similar to that of the EU on all key human rights and democracy issues.

## Fiji

**1. Overview of the human rights and democracy situation:** Fiji is consolidating its democratic transition following the orderly general elections held in 2018. The Multinational Observer Group (MOG) report on the 2018 election set out 21 recommendations to be addressed for the next election cycle.

Alongside Fiji's active multilateral engagement on human rights, a number of human rights challenges persist in the country. Gender-based violence, restrictions to freedom of expression and freedom of assembly, as well as allegations of police and prison brutality continue to raise concerns.

Fiji's Constitution provides for gender equality, and women enjoy full property ownership rights. The percentage of women represented in the Parliament increased to its highest ever rate (19%) following the last election. The social and economic consequences of COVID-19 crisis have led to increase in gender-based, sexual and domestic violence. In November 2020, consultations were launched for the development of a comprehensive, whole of government National Action Plan to Prevent Violence Against Women and Girls (2021-2026), the first of its kind in the region and the second worldwide.

The Constitution provides for freedom of expression, as well as the freedoms of peaceful assembly and association. The Public Order Act allows the government to refuse applications for permits for any meetings or demonstrations deemed to prejudice peace, public safety and good order or to undermine the economy. It is not uncommon that authorities refuse or are slow to issue permits to organise rallies.

**2. EU action - key focus areas:** EU action continued to promote access to justice and respect to human rights including fostering gender equality, and supported CSOs in various areas of activity. Fiji benefits from several initiatives promoting gender equality and addressing gender-based violence, supporting economic rights, climate change adaptation and mitigation and improving the management of natural resources. The EU is also committed to addressing the impacts of the COVID-19 pandemic that go beyond purely health issues.

**3. EU bilateral political engagement:** Issues related to human rights and democracy were addressed, *inter alia*, during the fifth EU-Fiji High-Level Political Dialogue in October 2020 in Suva, held for the first time in a videoconference format.

In 2020, the EU Delegation for the Pacific also carried out a number of demarches and outreach activities inviting Fiji to support EU human rights initiatives and priorities at the UN level. With climate change and human rights inextricably linked in the Pacific region, the EU delegation will continue to actively promote climate change awareness and action through its interactions with Fiji.

**4. EU financial engagement:** The EU supported human rights and democracy through different projects during 2020. A significant programme focused on improving access to justice for the population, with particular emphasis on poor and marginalised people. Taking into account the socioeconomic impact of COVID-19, the programme has also supported the establishment of helplines.

Another major project aiming to support sustainable rural livelihoods was signed in June 2020 and is expected to contribute to poverty eradication and to enhance rural livelihoods, environmental sustainability, and food and nutrition security for all Fijians.

Fiji also benefits from the regional programme 'Pacific Partnership to End Violence against Women and Girls' as well as from the Spotlight initiative on the protection of women's rights and prevention of violence. Through its regional component, the Spotlight Initiative has initiated a multi-country research study on the cost of violence and its impact on the socio-economic development of Fiji, Solomon Islands and Marshall Islands. The EU also supports the work of CSOs in Fiji.

**5. Multilateral context:** Fiji had its third Universal Periodic Review in November 2019 in which it supported 207 of the total 242 recommendations. Fiji did not support recommendations made on issues such as: equality and non-discrimination (particularly on

the rights of LGBTI persons); freedom of expression, opinion and the right to information; juvenile justice; and further ratification of international human rights instruments. Issues raised and supported by Fiji include: tackling domestic violence, sexual exploitation of children and trafficking in human beings, as well as reform and providing necessary resourcing to the Fiji Human Rights and Anti-Discrimination Commission. Fiji announced at the Universal Periodic Review the Cabinet's decision to withdraw Fiji's reservations to the Convention against Torture (CAT).

Fiji has now acceded to all nine core UN human rights instruments, being the first and so far only Pacific island state to have done so. Fiji has not yet signed the Optional Protocol of the Convention against Torture (CAT-OP) or the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (CCPR-OP2-DP). Formal accession to the inter-state communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance is pending. Fiji's Parliament has ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Approval and ratification are pending for the Optional Protocol to the Convention on the Rights of the Child on the sale of children for prostitution and child pornography.

Fiji is a member of the UN Human Rights Council and the Asia Pacific Group's Vice-President for a three-year term (2019-2021). Fiji will chair the Human Rights Council in 2021.

## The Federated States of Micronesia

**1. Overview of the human rights and democracy situation:** The Federated States of Micronesia (FSM)'s ongoing domestic instability surrounding the Chuuk secessionist movement continues to threaten the country's unity and impact its international relations. The referendum on independence scheduled for March 2020 was postponed for the third time and is now expected to be held in 2022. FSM's judiciary is independent, and civil liberties are generally respected.

Women are ensured equal rights under the law, including those regarding property ownership and employment. FSM's National Constitution, as well as the four state constitutions prohibit sexual discrimination. Despite this, socio-economic discrimination and violence against women continue to be the most prevalent human rights problems facing the country, with no national legislation criminalising sexual assault, and domestic violence offenders usually receiving light sentences, if they face trial at all. The COVID-19 pandemic and its socio-economic impacts present a growing risk of violence and discrimination to women in vulnerable situations. Cultural factors in the male-dominated society limit women's representation in government and politics. FSM remains one of the few countries in the world with no women in its legislature.

FSM remains a source country for trafficking in human beings, including forced labour and sex trafficking. Despite the establishment of the Division of Anti-Human Trafficking in the Department of Justice, judges still lack specialised training on trafficking issues, including the sensitivities and needs surrounding the victims of trafficking. Unemployment, poverty, interruptions to regular migration and the disruption of family and social networks caused by



the COVID-19 pandemic also present a higher risk for the victims of trafficking in human beings.

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, although culture stigmatises public acknowledgement or discussion. FSM national law does not provide for the granting of asylum or refugee status, nor does it allow for those seeking asylum to be absorbed or naturalised. Individual states have no jurisdiction over such matters and are overridden by national law. No labour unions exist, although there are no laws against their formation. The right to strike and bargain collectively is not legally recognised. While human rights monitoring mechanisms have been set up in the government department, an independent National Human Rights Institution in line with the Paris Principles has not yet been established.

**2. EU action - key focus areas:** In light of the COVID-19 pandemic, and despite FSM remaining free of COVID-19, human rights concerns in FSM with regards to domestic violence, sexual discrimination and trafficking in human beings as well as exploitation of migrant workers now demand even greater attention. EU actions also focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women's rights, and supporting the engagement of CSOs in FSM society.

**3. EU bilateral political engagement:** Human rights were discussed during the EU's last informal political dialogue with FSM held in March 2017, as well as by the Head of EU Delegation with President Panuelo in 2020. Through policy dialogues and a number of different financial instruments, the EU continues to promote human rights, gender equality and the increased participation of women in decision-making. In 2020, the EU delegation carried out demarches and outreach activities inviting the Pacific island countries, including FSM, to support EU human rights initiatives and priorities at the UN level.

With climate change and human rights inextricably linked in the region, the EU delegation for the Pacific will continue to actively promote climate change awareness through its interactions with FSM.

**4. EU financial engagement:** The EU remains committed to supporting and raising awareness of civil society and non-state actors in FSM as an essential element of the implementation of the regional roadmap for CSOs in the Pacific. The EU works closely with government and civil society actors, as well as other regional organisations and donor partners to this end. In the National Indicative Programme for FSM designed under the 11th European Development Fund (EDF), a specific financial allocation was set aside for CSOs.

FSM ratified the Convention on the Rights of Persons with Disabilities and completed consultations and reporting for the CRC with support received through EU-funded projects. FSM is currently working on its new Disability Policy after the previous policy expired in 2018.

**5. Multilateral context:** FSM will undergo its third Universal Periodic Review in January 2021 (delayed due to the COVID-19 pandemic), with the final outcomes to be published in early 2021. Some progress has been made since FSM's previous review in 2015, but there is still much room for further improvement towards greater protection and promotion of human rights in the country.



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 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 did not accede to any further core human rights instruments in 2020.

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.

FSM is not a party to the 1951 Refugee Convention and its 1967 Protocol.

## Republic of Kiribati

**1. Overview of the human rights and democracy situation:** Parliamentary elections took place on 14 April 2020, with a second round on 21 April 2020. The elections were peaceful and resulted in President Taneti Maamau's Tobwaan Kiribati Party losing its majority in Parliament. However, the subsequent presidential election on 22 June 2020 resulted in Maamau being re-elected to a second term.

During 2020, the overall human rights situation in Kiribati was stable and there were no systematic abuses of human rights. However, not much progress was made during 2020 in strengthening legal frameworks against gender-based violence, which continues to be of great concern, as it is deeply rooted in traditional behavioural norms. There is a political will in Kiribati to eliminate violence against women and girls. Violence against children (42% of the population) and child malnutrition remain serious concerns. Although children have been legally protected from sexual exploitation since 2013, Kiribati remains a source country for girls subjected to sex trafficking. Prosecution of trafficking offenders remains an issue, as well as physical punishment of children. On a positive note, over 70% of young offenders are re-directed from the official justice system into schools or community service.

Climate change remained Kiribati's existential challenge during 2020. As the climate crisis in the Pacific further escalates, Kiribati may soon start experiencing reduced access to water, food and other basic services as well as the risk of becoming uninhabitable by the end of the century. This will lead to serious migration issues.

Discrimination on the basis of race or origin is prohibited by the Constitution. However, only native Kiribati can own land. Gender discrimination is prohibited only as regards to employment. The law does not prohibit discrimination on the basis of disability, sexual orientation, gender identity or social status. Women's participation in political life is relatively low. Following the 2020 election, only four out of the 46 members of the national legislature are women, one more than in the previous period.

The Kiribati 'Gender Equality and Women's Development (GEWD Policy) 2019–2022' aims to ensure that the government provides equal opportunities, equal human rights and equal access to services to Kiribati citizens of all genders and ages. Consensual sex between males is criminalised, but there were no reports of prosecutions. The government has not yet

established a National Human Rights' Institution (NHRI) in compliance with the Paris Principles, but human rights are gradually being mainstreamed into national legislation. The government has not yet established a formal system for granting asylum or refugee status.

**2. EU action - key focus areas:** Climate change adaptation is a priority in EU-Kiribati cooperation. Kiribati is extremely vulnerable to climate change as sea level rise threatens the country's existence in the medium-long term, but also poses challenges in the short term, including reallocation of communities and changes in rain patterns that reduce availability of water and food. The focal sector of intervention of the EU in Kiribati is water and sanitation, focused on the island of Kiritimati, the biggest island of the country where the government plans to develop its economy and resettle people from the over-crowded capital South Tarawa. In parallel, the EU provides budget support to the country through a State and Resilience Building Contract that contributes to strengthening resilience in the COVID-19 period, from economic and social perspective, but also with respect to climate change.

Regional programmes implemented in Kiribati focus mostly on environmental protection, waste management and climate change adaptation, as well as 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:** The first EU-Kiribati Political Dialogue was held in South Tarawa in January 2018, addressing human rights, good governance, democratic principles and the rule of law. Human rights and gender equality are also promoted through policy dialogue and financial instruments. During 2020, the EU Delegation for the Pacific outreached numerous times to the Kiribati government, via demarches, in order to support the EU's human rights priorities and initiatives at the UN and other international fora. In the Pacific region, climate change and human rights are very closely intertwined. The EU delegation will continue to actively promote climate change awareness and action through its interactions with Kiribati.

**4. EU financial engagement:** Under the 11th EDF, a specific financial allocation has been set aside for civil society organisations (CSOs) and non-state actors. CSOs are empowered to effectively monitor implementation of national gender equality policies, primary prevention actions plans and challenge social norms and behaviours. Kiribati also benefits from two regional initiatives promoting gender equality and the fight against gender-based violence: the 'Pacific Partnership to End Violence against Women and girls (PPEVAWG); and the EU-UN Spotlight Initiative under which Kiribati is one of the target countries from the regional component. The EU also funds other Pacific Islands Forum Secretariat (PIFS) human rights-related initiatives.

**5. Multilateral context:** Kiribati's third Universal Periodic Review (UPR) took place in January 2020. The government of Kiribati received 129 recommendations; it accepted 88, noted 40 and accepted/noted the one to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol. Since its second UPR in 2015, Kiribati has achieved a significant number of positive developments: it deposited its instrument of accession to the Rome Statute on 26 November 2019; acceded to the Convention against Torture on 13 June 2019 (the full accession was confirmed on 22 July 2019); considerably enhanced cooperation with other international institutions and mechanisms, especially with regards to initiatives related to gender violence, protection of women and children and in addressing climate change.

Kiribati is a party to five of the core international human rights treaties: Convention against Torture (CAT); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Convention on the Rights of the Child (CRC); and 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 has not extended a standing invitation to the UN Special Procedures.

## Nauru

**1. Overview of the human rights and democracy situation:** Nauru's mixed track record with regards to human rights, democracy and the rule of law continued during 2020. Nauru has not yet established a National Human Rights Institution (NHRI).

The criminalisation of criticism towards the Government of Nauru remains an important concern. The outcome of the trial against the 'Nauru 19' at the end of 2019, a group of former MPs that the government accused of rioting outside Parliament in 2015, continues to affect domestic reconciliation and stability, even after the last of the 'Nauru-19' members (former cabinet minister Mathew Batsiua), was released from prison in April 2020. The government has pledged to introduce necessary legal measures to ensure freedom of expression in the media and on the internet.

Domestic violence, poverty and limited representation in Parliament (only 2 women out of 19 MPs), remain the most serious impediments for the progress in the area of women's rights in Nauru. The government has a Directorate of Women's Affairs within the Department of Home Affairs, which is responsible for monitoring and improving the status of women and the quality of their lives. The Directorate of Women's Affairs, together with the Nauru Women's National Council and the Young Women's Council, has established a National Action Plan for Women focusing on issues such as women's health, violence against women, education and training for women, women in decision-making, and women's participation in the economy.

The efforts to amend certain parts of the Constitution which caused chronic political instability, notably to replace the indirect election of the President by the Parliament of Nauru by a direct election), did not produce any reforms.

Several newspapers ceased activities in the past decade and currently there are only government-operated media and information outlets. Corruption remains a serious challenge.

Climate change has become an important human rights issue in Nauru. As the climate crisis in the Pacific further escalates, Nauru citizens may soon start experiencing reduced access to water, food and other basic services. As a result, this may lead to serious migration issues.

**2. EU action - key focus areas:** The EU's key focus area in Nauru is energy efficiency/renewable energy, ensuring access to affordable, reliable, sustainable, and modern energy for all, as well as promoting progress towards Agenda 2030 Development Goal target 13, taking urgent action to combat climate change and its impacts.

**3. EU bilateral political engagement:** The last informal EU-Nauru Political Dialogue took place in May 2018, focusing, *inter alia*, on the post-2016 elections' political situation, human rights, sustainable and inclusive development in Nauru, as well as the situation of refugees and asylum seekers in the region. During 2020, the EU Delegation for the Pacific reached out numerous times to the Nauru government, in order to foster support for the EU's human rights priorities and initiatives at the UN and other international fora.

**4. EU financial engagement:** The EU funds a project supporting the replacement/upgrading of the national grid transmission and distribution network, as well as installing a 300KW solar panel plant, which will provide a reliable, affordable, secure, and sustainable energy supply to meet Nauru's socioeconomic and development needs. There are currently no EU programmes to support non-state actors in Nauru.

**5. Multilateral context:** During its second Universal Periodic Review, Nauru committed to continue its efforts to ratify (or accede to) core human rights conventions: the International Covenant on Civil and Political Rights and its two Optional Protocols and consider abolishing the death penalty; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Prevention and Punishment of the Crime of Genocide. It also accepted a number of other key recommendations: establish as soon as possible a National Human Rights Institution; reschedule the postponed visit of the Working Group on Arbitrary Detention to Nauru; and draft legislative bills against domestic violence and child abuses.

The Government of Nauru capacity to ratify and implement international human rights treaties remains constrained by financial considerations, as well as the reporting burden. Nauru is still not a signatory to the following key human rights treaties: Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; Convention for the Protection of All Persons from Enforced Disappearance; Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; International Covenant on Economic, Social and Cultural Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Nauru has due reports to the Committees of CAT and CRPD since 2013 and 2014 respectively. The state is in line with its reporting obligations as regards the CEDAW and CRC Committees. Nauru has extended a standing invitation to the Special Procedures of the UN Human Rights Council but has outstanding visit requests by the Working Groups on mercenaries and on arbitrary detention.

## New Zealand

**1. Overview of the human rights and democracy situation:** The protection of human rights and the promotion of democracy are deeply embedded in New Zealand politics and 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 persons belonging to minorities, especially Māori and Pasifika (Pacific Islanders), are disproportionately affected by socio-economic issues, including suicide and imprisonment rate, health, abuse of children and domestic violence and significantly inequitable education outcomes. New Zealand has one of the highest rates of reported domestic violence in the OECD and around 12% of the population is directly affected by family violence each year. Improvements on these issues are actively pursued by the government. In August, Ombudsperson reports drew attention to poor prison conditions and excessive use of emergency orders to remove new-borns from (mostly Māori) parents. An independent inquiry into large-scale abuse of children in state care since the 1950s is ongoing and published an interim report in December. In the same month, an independent inquiry into the 2019 Christchurch terrorist attacks highlighted discrimination against Muslims and called for a public debate on diversity and inclusion. The government committed to implementing the inquiry's recommendations. New Zealand's new Privacy Act entered into force in December 2020.

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

Protecting and empowering individuals: the EU delegation promoted EU policies on human rights internationally, notably fighting violence against women and child labour, defending freedom of speech and promoting the rights of LGBTI persons.

Building resilient, inclusive and democratic societies: the EU delegation promoted the EU's work on tackling disinformation and strengthening the resilience of democracy.

Promoting a global system for human rights and democracy: the EU delegation exchanged priorities with New Zealand government ahead of UNGA and human rights agendas at the UNGA Third Committee.

New technologies: harnessing opportunities and addressing challenges: the EU delegation promoted the EU's work on safeguarding individual rights in the digital age. The EU also continued cooperation with New Zealand in the fight against online terrorist content, including in the framework of the 'Christchurch call to action'.

Delivering by working together: the EU delegation engaged in social media campaigning to promote EU human rights policies.

**3. EU bilateral political engagement:** The EU delegation's bilateral outreach focused on cooperation with New Zealand authorities as like-minded partners for the promotion of human rights internationally.

At its July 2020 meeting, the EU-New Zealand Joint Committee agreed to relaunch EU-New Zealand human rights consultations, planned to take place in February 2021.

**4. Multilateral context:** New Zealand puts an emphasis on multilateral engagements to advance universal 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 in 2019, 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. Since 2019, New Zealand has its first ever

International Human Rights Action Plan (2019-2023), which among other things, focuses on the rights of persons with disabilities and women's empowerment.

## Palau

**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 Palau. The last presidential and congressional elections were held in November 2020 with no substantial reports of irregularities, and resulted in Surangel Whipps Jr. replacing outgoing President Tommy Remengesau Jr. Both administrations cooperated to ensure a smooth transition of power. There are, however, human rights' concerns that still demand attention, such as gender-based violence and trafficking in human beings, including due care of trafficked persons, migrants and asylum seekers. The COVID-19 pandemic and its socioeconomic repercussions have exacerbated many of the issues. Although Palauan society is matriarchal and matrilineal, women have continued to be under-represented in higher levels of public life and the civil service. The 2020 election saw J. Uduch Sengebau Senior become the second woman to be elected to the Vice President's office in Palau. Women have close to equal status in public and private sector employment, education as well as in public participation. Palau has not yet acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Steps taken towards ratification 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. Same-sex sexual activity was decriminalised in 2014. Palau's Penal Code includes trafficking as well as child exploitation offences. The Ministry of Justice's Anti-Human Trafficking Office is active in investigating human trafficking offences, but both investigations and convictions have continued to decrease in recent years, despite government efforts such as the adoption of a national action plan, establishing a subcommittee of the human rights task force, setting up a hotline and shelter for victims. Palau acceded to the UN Trafficking in Persons Protocol in 2019, but greater domestic legislative work remains to be done.

Palau's national legislation does not provide for the granting of asylum or refugee status and there is no formally established system for providing protection to refugees. Palau has not acceded to the 1951 Convention related to the Status of Refugees and its 1967 Protocol, nor to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. In practice, there have been some past examples of the government providing some level of protection against the expulsion or return of refugees to countries where their safety could not be guaranteed.

Climate change continues to stand as a major human rights issue. While the Office of the Ombudsperson reviews complaints and reports to the Parliament, and a Reporting Committee on UN Conventions on Human Rights was set up, the establishment of a National Human Rights Institution in line with the Paris Principles, as recommended during Palau's previous Universal Periodic Review (UPR) cycles, is still in progress.

**2. EU action - key focus areas:** In light of the COVID-19 pandemic, and despite Palau remaining COVID-free, persisting concerns around gender inequality and gender-based

violence now demand even greater attention. EU actions focus, *inter alia*, on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women's rights, and supporting CSOs engagement with the Government of Palau on policy dialogue and governance.

**3. EU bilateral political engagement:** Through the dialogue and through a number of financial instruments, the EU continues to promote human rights, gender equality and the increased participation of women in decision-making. During 2020, the EU Delegation for the Pacific carried out a number of demarches and outreach activities inviting 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 will continue to actively promote climate change awareness, for which Palau is a vocal advocate. In the Pacific region, climate change and human rights are very closely intertwined.

**4. EU financial engagement:** The EU remains committed to supporting and raising awareness of civil society and non-state actors in Palau as a key component in implementing of the regional roadmap for CSOs in the Pacific. The EU works closely with government and civil society actors, as well as other regional organisations and donor partners in Palau to this end. In the National Indicative Programme for Palau designed under the 11th EDF, a specific financial allocation was set aside for CSOs. Further, the EU provided an allowance to support civil society organisations in Palau.

**5. Multilateral context:** Palau is party to two 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).

More progress on incorporation of international human rights treaties into domestic law would strengthen legal protection of human rights in Palau. Palau's capacity to implement international human rights treaties is constrained by financial and resource capacity. Palau is up to date with its reporting to the CRC and CRPD Committees and has accepted the individual complaints procedure before the CRPD Committee.

Palau underwent its second UPR in January 2016 which pointed to challenges such as tackling domestic violence and violence against women. Palau's next UPR review is expected to take place in May 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 2020, police brutality, tribal conflicts, general breakdown in law and order and integrity issues remained constant and violence against women and children, killings of people suspected of practicing sorcery widespread.

The de facto moratorium on the death penalty continued. Prime Minister James Marape highlighted the need to review the issue of the death penalty, including through a nation-wide public debate. However, the public debate and especially the debate in the Parliament is likely to take years before a legal decision will be taken.

The Bougainville Peace Process continued to be supported by the EU (in cooperation with Australia, since 2019) through the 'Bougainville Capacities for Peace' project. Concerning the Post Referendum Consultation Process, in the context of the fourth High-Level Political Dialogue held on 5 November 2020, the EU maintained its commitment to support a credible consultation process leading towards a negotiated solution, and the PNG government expressed its interest in a more active EU involvement.

**2. EU action - key focus areas:** Gender aspects continued to be strategically mainstreamed throughout all EU actions, including financial support.

Throughout the year, the EU has consistently raised the need to establish the long overdue Independent Human Rights Commission.

The EU continued its advocacy towards abolishment of the death penalty in PNG, including in the context of the EU-ACP post-Cotonou negotiations as well as in bilateral exchanges. The latter included: an official exchange of letters between the EU Commissioner for International Partnerships and the PNG Minister for Foreign Affairs in June-July 2020; the high-Level political dialogue; and a demarche towards PNG to support the UN resolution on a moratorium on the use of the Death Penalty at 75th session of the UNGA Third Committee (PNG voted against).

The EU continued to support the Human Rights Film Days Festival in 2020, with a virtual event running for two weeks (from 20 November to 4 December) and reaching a much wider national audience than usual. The EU position on human rights was also presented in the context of the International Human Rights Day. The EU continued to encourage PNG to adopt the key Independent Commission against Corruption Bill. Once adopted in November, the EU committed to further support the setting up of the new institution through the 'EU-PNG Partnership for Good Governance' programme, which will start from 2021.

The Bougainville Peace Process continued to be supported by the EU through the 'Bougainville Capacities for Peace' project.

**3. EU bilateral political engagement:** In the context of the fourth PNG-EU High-Level Political Dialogue, human rights, democracy and good governance featured in the Joint Conclusions as mutual commitments and priorities for action. The EU and PNG agreed to work together to promote effective multilateralism, improve PNG's capacity to meet its reporting requirements to UN treaty bodies at the Human Rights Council, strengthen cooperation on good governance, fight against corruption, implement the EU-PNG Partnership for Good Governance, enhance the implementation of the Spotlight Initiative, address violence



related to alleged sorcery, address violence against women, and work for the establishment of a National Human Rights Commission.

The EU further encouraged PNG to ratify remaining international human rights conventions (Protection of the Rights of All Migrant Workers, Protection of all Persons from Enforced Disappearance, Convention against Torture), the Rome Statute of the International Criminal Court and to establish a formal moratorium on the death penalty. The EU encouraged PNG to implement the EU recommendations on electoral reform. The EU underlined its commitment to further support the PNG government in its efforts to bring peace to the Highlands region, while PNG expressed its interest in a more active EU involvement in the post-referendum consultation process.

**4. EU financial engagement:** EU programmes continued to play an important role in improving the human rights and democracy parameters of PNG, a number of new democracy and conflict addressing programmes were launched in 2020. Human development in general (education, healthcare, sanitation, nutrition, economic empowerment) continued to be supported. In March 2020, a two-year project on 'Promoting Anti-corruption and Integrity Strategies' was launched. During 2020, a grant was concluded to specifically address sorcery related violence, with the related project expected to start in April 2021. The EU delegation also published another Call for Proposals on addressing sorcery related violence. A pilot project on 'Conflict prevention, peace-building and crisis preparedness in the Highlands region' was contracted in December 2020 and will start in January 2021. Four proposals were implemented throughout 2020, with the objective of addressing violence and bringing peace in PNG societies. 'Bougainville Capacities for Peace' – a project jointly funded by the EU and Australia, targets leaders and peacebuilders in Bougainville and PNG to ensure they work effectively and collaboratively to address Bougainville's peace and stability challenges. This project is directly supporting the Bougainville post-referendum period. In 2020 despite COVID-19 challenges, the NGO Conciliation Resources, which implements the project, continued to provide remote peacebuilding advice to the Bougainville Government Department of Post-Referendum Consultation.

Gender aspects were strategically mainstreamed in the largest EU project in the country, the 'Support to Rural Entrepreneurship Investment and Trade'. A Spotlight Initiative country programme was launched in March to address gender-based violence.

**5. Multilateral context:** During the fourth PNG-EU High-Level Political Dialogue, the EU and the PNG agreed to work together to improve PNG's capacity to meet its reporting requirements to UN treaty bodies at the Human Rights Council.

## 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 and the new President, David Kabua, was elected on 6 January 2020. RMI is viewed as a promoter of human rights in the Pacific region, especially as regards climate change, and anti-nuclear testing. RMI took up its place as a member of

the UN Human Rights Council in 2020 for a three-year mandate. Current human rights concerns in RMI include gender-based and domestic violence, child abuse and trafficking in human beings. The COVID-19 pandemic exacerbated these issues. Since RMI signed CEDAW in 2006, the Nitelja (parliament) has passed a number of related laws including the Domestic Violence Prevention and Protection Act 2018, Equal Employment Opportunity Act 2017, Gender Equality Act 2019 and Prohibition of Trafficking in Persons Act 2017. The government also approved the National Gender Mainstreaming Policy 2015-2019. While RMI passed the Child Rights Protection Act in 2015, there is a low awareness of it. There is no minimum age for employment for children. There are few services for the protection of children, and the Ministry of Internal Affairs' Human Rights Office is understaffed. The government introduced the Prohibition of Trafficking in Persons Act of 2017 but concerns of trafficking in human beings and children in particular are growing. Unemployment, poverty, interruptions to regular migration and the disruption of family and social networks caused by the COVID-19 pandemic also present a higher risk. Concerns also exist over the respect for the integrity of persons in the prison system. The construction of a new Majuro prison is expected to help address these issues once completed.

**2. EU action - key focus areas:** In light of the COVID-19 pandemic, and despite RMI avoiding community transmission of COVID-19, persisting human rights concerns around gender-based violence and trafficking in human beings now demand even greater attention. EU actions focus, *inter alia*, on elimination and prevention of violence against women and girls and supporting CSOs engagement with the government on policy dialogue and governance.

**3. EU bilateral political engagement:** Through different financial instruments, the EU promotes human rights, gender equality and the increased participation of women in decision-making. During 2020, the EU Delegation for the Pacific has worked robustly with RMI in promoting and upholding human rights. The EU delegation carried out demarches and outreach activities to support EU human rights initiatives and priorities at the UN level, particularly in its role as a member of the Human Rights Council. With climate change and human rights inextricably linked in the Pacific region, the EU delegation will continue to actively promote climate change awareness through its interactions with RMI.

**4. EU financial engagement:** RMI benefits from two regional initiatives promoting gender equality and the fight against gender-based violence: the Pacific Partnership to End Violence against Women and Girls (PPEVAWG) and the Spotlight Initiative.

The Pacific Partnership (PPEVAWG), implemented by UN Women in collaboration with the Pacific Community and the Pacific Island Forum Secretariat, takes a transformational, multi-sectoral approach to ending violence against women and girls. As such, it focuses on three key areas: challenging negative social norms and practices; enhancing awareness and practice of respectful relationships and gender equality; and increasing access to essential services for the victims. The Spotlight initiative (EUR 50 million for the Pacific region) takes a holistic approach and supports multi-stakeholder partnerships to go from prevention and awareness raising to shifting stereotypes, providing protection, access to services, legislation, support to women's organisations and ensuring reliable data collection. The EU remains committed to supporting and raising awareness of civil society and non-state actors in RMI as a key component in implementing the regional roadmap for CSOs in the Pacific. The EU works closely with government and civil society actors, as well as other regional

organisations and donor partners in RMI to this end. In the National Indicative Programme for RMI, a specific financial allocation was set aside for CSOs.

**5. Multilateral context:** In January 2020, RMI began its three-year term as a member to the UN Human Rights Council and has since played an active, critical and cooperative role in raising human rights concerns. RMI is party to all but two (CED and CMW) core human rights treaties. It is still not party to three optional protocols (CRC-OP-AC, CCPR-OP2-DP and CAT-OP). Despite this, legal protections of human rights remain weak domestically due to poor incorporation of human rights treaties into domestic legislation. RMI's capacity to implement international human rights treaties is constrained by financial considerations as well as by the reporting burden. RMI underwent its third Universal Periodic Review in November 2020 (delayed from May due to the COVID-19 pandemic). Outcomes of the review are expected in early 2021.

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 a party to the Rome Statute of the International Criminal Court.

RMI has not yet acceded to the Convention for the Protection of All Persons from Enforced Disappearance (CED), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW). It is not a party to 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) or the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC).

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, but has had overdue state party's reports to CAT (due April 2019), CCPR (due June 2019), and CESCR (due June 2019). RMI has extended a standing invitation to the Special Procedures of the HRC.

## 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. Nevertheless, there are persisting human rights concerns that need to be addressed. Consenting relationship between adults of the same sex remains criminalised in Samoa, although there are no reports of the law being enforced. A traditional system of governance coexists with democratic processes 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. Five women are currently sitting in the Parliament (out of 50 MPs), as a result of a Constitutional amendment, which

introduced a 10% parliamentary quota for female members in the Parliament in 2013. The next General Election will be held on 9 April 2021.

Samoa is the only Pacific island state having an 'A Status' National Human Rights Institution (Samoa's Office of the Ombudsperson) under the Paris Principles. Samoan civil society is robust and active on developmental agenda, gender/human rights, health, and environmental issues.

The National Human Rights Institution (NHRI) identified domestic violence as a priority human rights concern. The 2018 National Public Inquiry into family violence in Samoa, carried out by NHRI, revealed that family violence rate appears to be higher than the global average. According to the NHRI, areas for further improvement include strengthening the legislative framework by enacting the Child Care and Protection Bill and amending the Family Safety Act 2013 to include financial abuse as a type of violence.<sup>44</sup>

Violence against children, generally tolerated as a form of discipline, is another human rights concern. A Family Violence Court and a Drug and Alcohol Court have been established to oversee cases regarding all forms of violence in Samoan families. All forms of access and human rights of people living with disabilities are still not fully safeguarded in Samoa.

On 15 December 2020, the Constitution Amendment Bill 2020, the Land and Titles Bill 2020 and the Judicature Bill 2020 were passed into law by Samoa Parliament. The bills reshape the judiciary by creating a separate Land and Titles Court applying customary law, and shift from the Parliament the power to remove from office Supreme Court judges. The bills have raised concerns among the Samoan judiciary, legal community and media, particularly with regards to their potential impact on the independence of the judiciary, and the potential legal conflict in upholding individual rights.

**2. EU action - key focus areas:** Through dialogue with the government and the non-state actors/CSOs in conjunction with various financial instruments, the EU has promoted and advocated for human rights, gender equality and prevention of violence against women and girls, as well as strengthening the capacity of the civil society organisations.

**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 second Enhanced EU-Samoa Political Dialogue under Article 8 of the Cotonou Agreement, the latest round held in Brussels in February 2020, where the EU and Samoa discussed, *inter alia*, priorities and developments in the area of human rights policies related to addressing gender equality and gender-based violence, and accession to international human rights instruments.

With climate change and human rights inextricably linked in the Pacific region, the EU Delegation for the Pacific will continue to actively promote climate change awareness and action through its interactions with Samoa.

**4. EU financial engagement:** The EU provides support to Samoan CSOs to strengthen engagement between civil society and the government in strategic planning, implementation and oversight along the key sectors of the Strategy for the Development of Samoa. Human

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<sup>44</sup> [https://ombudsman.gov.ws/wp-content/uploads/2019/01/National-Inquiry-Report-into-Family-Violence\\_-\\_State-of-Human-Rights-Report-2018-SUMMARY\\_English.pdf](https://ombudsman.gov.ws/wp-content/uploads/2019/01/National-Inquiry-Report-into-Family-Violence_-_State-of-Human-Rights-Report-2018-SUMMARY_English.pdf)

rights and gender-related issues are addressed through the support provided under the 11th EDF to CSOs who are working with communities, village councils, government institutions and the NHRI.

Samoa is a focus country under the regional 'Pacific Partnership to End Violence against Women and Girls' programme, funded primarily by the EU with targeted support from the Australian and New Zealand governments and cost-sharing from UN Women.

In addition, protection of women's rights and prevention of violence is also addressed through the Spotlight Initiative, which was launched together with Samoa's Prime Minister in March 2020. In light of the increase in domestic violence reporting in the context of the COVID-19 pandemic, part of the funds were re-allocated to support victims of domestic violence through the provision of free helplines and to deliver dignity kits and prevention packs for vulnerable women and girls in rural areas.

**5. Multilateral context:** In March 2020, Samoa hosted an Extraordinary Outreach Session of the UN Committee on the Rights of the Child, becoming the first country in the world to host a meeting of a human rights body outside of Geneva and New York.

Samoa is a party to six of the core international human rights instruments: 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 Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD).

Samoa underwent its second Universal Periodic Review in May 2016. The recommendations included putting in place comprehensive measures to prevent and address violence against women and girls, domesticate CEDAW as part of national law and make additional efforts to ensure equality and respect for groups in the most vulnerable situations. The next Universal Periodic Review for Samoa is expected in May 2021. Samoa is a party to the Rome Statute of the International Criminal Court.

## Solomon Islands

**1. Overview of the human rights and democracy situation:** Analysis shows good intentions from the Solomon Islands Government but issues of implementation remain. Since the second Universal Periodic Review (UPR) on the human rights situation in Solomon Islands (SI) in January 2016, SI had been commended for its efforts to accede to core human rights instruments, including seven key International Labour Organization conventions. However, the SI government does not have the capacity to implement and enforce international human rights treaties or guarantee economic and social rights. An estimated 80% of SI women experience gender-based violence.

Discrimination and violence (physical and sexual) against women and girls, gender inequalities (including gender-based violence), combined with endemic corruption, remain the most significant human rights abuses in the Solomon Islands. The number of domestic violence, rape and incest cases continues to be alarming. During 2020, the SI government continued its work on a legislative package of reforms, aiming at improving political stability

and good governance, access of women to Parliament, review of legislations such as the Political Party Integrity Legislation and the Electoral Act, as well as the fight against corruption and protection of whistle-blowers.

A positive development regarding women's representation in politics took place in late November 2020 following two by-elections: Ethel Vokia became the fourth woman to be elected to the SI Parliament, a record number for a single term. In October 2020, the Solomon Islands Independent Commission against Corruption (SIICAC), had its first Director General appointed.

SI remains a source, transit, and destination country for local and South-East Asian men and women subjected to forced labour and forced prostitution, and local children subjected to sex and labour trafficking.

As the climate crisis in the Pacific further escalates, Solomon Islanders may soon start experiencing reduced access to water, food and other basic services. As a result, this may lead to serious migration issues.

**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 on policy dialogue and governance.

**3. EU bilateral political engagement:** During 2020, the EU delegation continued to pass messages on human rights and democracy in its contacts with the SI government. Regarding the fight against corruption, the EU Delegation for the Pacific manages an on-going Budget Support programme involving 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 discusses the CDF situation.

In the Pacific region, climate change and human rights are very closely intertwined. The EU Delegation for the Pacific will continue to actively promote climate change awareness and action through its interactions with Solomon Islands.

**4. EU financial engagement:** The EU has approved projects aiming to improve gender equality, social accountability, public funds transparency and protecting the rights of women and children. Those actions are being implemented since 2018 by CSOs and international organisations present in the country. All ongoing programmes are gender-mainstreamed.

SI also benefits from two regional initiatives promoting gender equality and the fight against gender-based violence: the 'Pacific Partnership to End Violence against Women and Girls - (PPEVAWG), a regional programme implemented by UN Women in collaboration with the Pacific Community and the Pacific Island Forum Secretariat'; and the joint EU-UN 'Spotlight Initiative', under which SI is one of the target countries from the regional component.

In Solomon Islands (as well as in Fiji, Kiribati, Samoa, and Tonga) UN Women policy advice and technical expertise helped build or improve national multi-sector service delivery systems to respond to gender-based violence. Moreover, access to services for survivors continued while supporting the adaptation of national reporting and referral pathways to COVID-19 pandemic. This included technical support to adapt gender-based violence and COVID-19 procedures, information, education and communication materials for the public on how to get help, and direct support to safe shelter and counselling for women and girls.

**5. Multilateral context:** The Solomon Islands completed its third UPR National Consultation Stage in June 2020 and its third UPR is scheduled for April 2021. Since its second UPR in 2016, the Solomon Islands 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 not yet acceded to the: Convention against Torture (CAT) and its Optional Protocol; International Covenant on Civil and Political Rights (CCPR) and its Second Optional Protocol aiming to the abolition of the death penalty; International Convention for the Protection of All Persons from Enforced Disappearance (CED) and its Interstate communication procedure; and International Convention on the Protection of Migrant Workers and Members of their Families (CMW).

SI has extended a standing invitation to the Special Procedures of the UN Human Rights Council since 6 May 2011 and has received visits from the Independent Expert on foreign debt, as well as from the Special Rapporteur on violence against women. The Special Rapporteurs on rights to water and sanitation and on indigenous peoples requested visits to the country in 2018.

## Tonga

**1. Overview of the human rights and democracy situation:** Tonga is a kingdom with a highly stratified patriarchal system. Tonga's Constitution provides for the protection of certain fundamental rights and freedoms. The Constitution and its revisions do not specifically guarantee women equal rights to men. 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 and women are generally excluded from planning and decision-making processes at all levels. Women also face challenges with regards to the full enjoyment of economic rights, particularly inheritance and land rights.

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. There is a political will in the country to address the problem. The Family Protection Act of 2013 recognises domestic violence as a legal offence and provides legal framework for preventing domestic violence. The socioeconomic consequences of the COVID-19 pandemic such as unemployment, economic hardship and social isolation resulted in increased levels of domestic violence. Tonga recorded a 54% increase in cases of women seeking assistance from crisis centres.

The Constitution guarantees freedom of the press and there are independent media outlets in Tonga. There is however a record of lawsuits by politicians against media outlets, exposing them to the risk of heavy damages. Consenting same-sex relationships between adults remain criminalised by the law, although there are no reports of the law enforcement. The level of ratification of key human rights conventions remains low. The de facto moratorium on the death penalty is in place since 1982.

In 2020, the Kingdom of Tonga ratified the ILO convention on the Worst Forms of Child Labour, what led to its universal ratification. This development is of a great significance for the protection of the rights of the child.

A National Human Rights Institution has not been established in Tonga. The Ombudsperson's office is empowered to investigate any decision, act or omission by government services or relevant organisations.

The 2020 World Risk Index ranks Tonga as the world's second most vulnerable country to natural disasters (cyclones, earthquakes and tsunamis), after Vanuatu. Climate change has also become a serious human rights issue in Tonga, as it threatens the effective enjoyment of a range of human rights including those to life, water and sanitation, food, health, housing, self-determination, culture and development.

**2. EU action - key focus areas:** The EU is actively promoting policy dialogue with the civil society and CSOs' participation in public affairs. The EU action focuses also on promoting gender equality and prevention of violence against women and girls, economic rights, climate change adaptation and mitigation and improving the management of natural resources. The EU is also committed to addressing the impact of the COVID-19 pandemic in Tonga.

Through a budget support operation on energy, the EU has promoted progress towards all 17 Sustainable Development Goals and encouraged an accountable and effective public administration. This support also contributes to the mitigation of climate change by promoting renewable energy and energy efficiency.

**3. EU bilateral political engagement:** The EU followed up on issues discussed in the first Enhanced High-Level Political Dialogue under Article 8 of the Cotonou Agreement in Nuku'alofa in April 2017. In the area of human rights, the EU has urged Tonga to abolish the death penalty, 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 the EU's human rights initiatives and priorities at the UN level.

With climate change and human rights inextricably linked in the Pacific region, the EU Delegation for the Pacific will continue to actively promote climate change awareness and action through its interactions with Tonga.

**4. EU financial engagement:** EU funds have been allocated to the 'Technical Cooperation Facility' and 'Support to Civil Society', facilitating policy dialogue between the Government of Tonga and civil society organisations and contributing to promoting a meaningful and effective participation of the civil society in public affairs. Tonga benefits from the regional Pacific Partnership programme, which tackles root causes of gender inequality and violence



against women in the Pacific. Tonga also benefits from the joint EU-UN regional Spotlight Initiative Pacific window.

The Health Support in Response to COVID-19 in the Pacific regional programme supports Tonga and other Pacific countries in addressing the challenges caused by the COVID-19 pandemic.

**5. Multilateral context:** The level of ratification of key human rights conventions remains low. Tonga is a party to the International Convention on Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Rights of the Child (CRC). In February 2020, Tonga acceded to the UN Convention against Corruption. Tonga's report to the CERD Committee is due since 2001. In August 2020, Tonga formally deposited the ratification instruments for the ILO Convention on the Worst Forms of Child Labour. Tonga has also signed, but not yet ratified, the Convention on the Rights of Persons with Disabilities (CRPD).

Tonga's human rights record was reviewed under the last Universal Periodic Review on 15 January 2018. 52 Universal Periodic Review (UPR) recommendations were examined and supported by Tonga, which among others related to: improving record of reporting to the UN bodies, establishment of a National Human Rights Institution, prioritising gender equality and adopting legislative measures to combat discrimination against women. The next UPR for Tonga is scheduled to take place in January 2023.

Tonga is not a party to the Rome Statute of the International Criminal Court.

## Tuvalu

**1. Overview of the human rights and democracy situation:** Tuvalu held its four-yearly election to Parliament on 9 September 2019, with a peaceful and orderly political transition. A Constitutional review process was launched in Tuvalu in 2016, led by Parliament, aiming to modernise the Constitution, reflect international best practices, Tuvalu's commitment under international conventions, and address environmental issues. The process is yet to be completed by the new Parliament.

There have been no reports of systematic violation of human rights in Tuvalu in 2020. Human rights are widely respected in Tuvalu, the rule of law is sound, and the principles of good governance are generally adhered to. The National Human Rights Institution Act 2017 created an independent rights body by giving the Ombudsperson power to receive complaints and initiate inquiries into human rights issues, as well as undertake activities to promote awareness of fundamental human rights. Tuvalu has become the first Pacific country to launch a National Action Plan on Human Rights, developed with the support of the EU, Australia and the Pacific Community.

However, there remain a few areas of concern. 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.

Gender-based violence is rooted in traditional behavioural norms and often remains unreported. Tuvalu has a normative framework in place against violence against women and a domestic violence unit has been established within the police. Tuvalu has also adopted legislation prohibiting corporal punishment. However, women's rights and gender equality

need further improvement, including, *inter alia*, employment discrimination, land inheritance aspects or local governance arrangements. Women remain underrepresented in the Parliament (only one female MP).

While there were no government restrictions on the press and media freedom and the law provides for freedom of expression, there is a lack of media ownership diversity.

Tuvalu is one of the most environmentally fragile countries in the Pacific. An adverse impact of climate change is affecting human rights such as the rights to life, development, food, health, housing, water and sanitation.

**2. EU action - key focus areas:** The EU continues to assist Tuvalu in tackling root causes of violence against women and girls, providing support to civil society, encouraging Tuvalu to accede to the key international human rights instruments and addressing the adverse impact of climate change.

**3. EU bilateral political engagement:** The key areas for political engagement discussed during the second High-Level Enhanced EU-Tuvalu Political Dialogue under Article 8 of the Cotonou Agreement and bilateral meetings at various levels held in 2019 remain valid. They include: 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.

During 2020, the EU carried out demarches and outreach activities inviting Tuvalu to support human rights initiatives and priorities at the UN level. With climate change and human rights inextricably linked in the Pacific region, the EU Delegation for the Pacific continues to actively promote climate change awareness and action through its interactions with Tuvalu.

**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 of EU assistance to Tuvalu is environmental protection, especially waste management, implemented through a budget support programme on sustainable waste. Tuvalu has become a focus country under the regional programme 'Pacific Partnership to End Violence Against Women and Girls', aiming to promote gender equality, prevent violence against women and girls and increase access to quality response services for survivors. 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. A Handbook on positive behaviour management in schools was published in December 2020 and teachers were trained in applying positive measures to ensure a learning environment that enables the full development of children.

**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.

Tuvalu underwent its third Universal Periodic Review in May 2018. Recommendations focused largely on: increasing the accession to core human rights treaties; introducing legislation (including at Constitutional level) on prohibition of discrimination based on gender, disability and sexual orientation; proceeding with establishment of the National Human Rights Institution; implementing policies aimed at mitigating 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. Tuvalu's next Universal Periodic Review is scheduled for May 2023.

There is limited administrative capacity due to the low population (10,000 inhabitants), and this creates particular constraints with regard to reporting requirements under UN instruments. Tuvalu has extended a standing invitation to the Special Procedures of the UN Human Rights Council. Tuvalu is not a party to the Rome Statute of the International Criminal Court.

## Vanuatu

**1. Overview of the human rights and democracy situation:** During 2020, the overall human rights situation in Vanuatu was stable and there were no systematic abuses of human rights. However, not much progress was made in strengthening legal frameworks for the implementation of the human rights instruments. Enforcement mechanisms are often missing and implementation is therefore hampered, especially at outer lying remote islands. The limited technical, human and economic capacity within public institutions also contributes to this. Vanuatu holds regular democratic elections but suffers from a pattern of unstable coalition governments that do not complete their full terms. According to the Melanesian Spearhead Group Observer Group and Pacific Islands Forum election observer team, the 19 March 2020 parliamentary elections were free and fair. They were followed by the peaceful election of the Prime Minister by the Members of Parliament in April 2020 amidst the emergence of the COVID-19 pandemic. Corruption is of serious concern, but the independent judiciary is balancing the situation.

During 2020, societal discrimination and violence against women remained the most significant human rights concern. While the percentage of women in Pacific Parliaments currently hovers at 8.8% as of April 2020, no women serve in Vanuatu's current 52-member Parliament. Attempts for constitutional reforms allowing for greater participation have not been successful so far. An amendment to the Municipalities Act passed in 2013 has allowed for a 30% quota for women's representation within some of the municipal councils.

In 2020, Vanuatu was reported by the International Organization for Migration (IOM), for the second time since 2019, as a country of destination for victims of trafficking. Climate change has also become a serious human rights issue. Vanuatu created policies governing disaster displacement caused by climate change and is envisaging an initiative to promote climate justice, e.g. the possibility of seeking an advisory opinion from the International Court of Justice (ICJ). A National Human Rights Institution (NHRI) in accordance with the Paris Principles has not yet been established in Vanuatu, despite the country supporting the Universal Periodic Review (UPR) recommendation on the establishment of a NHRI.

**2. EU action - key focus areas:** Through the bilateral budget support operation on value chains, the EU promotes fundamental values of human rights, democracy, and the rule of law, progress towards all 17 Sustainable Development Goals and encourages an accountable and effective public administration. The bilateral support to CSOs is expected to have a positive impact on access to food and gender equality. EU actions in Vanuatu focused on preventing gender-based violence, promoting climate actions and better management of natural resources. The EU is also committed to address the impact of the COVID-19 pandemic.

**3. EU bilateral political engagement:** During 2020, the EU Delegation for the Pacific reached out to the Vanuatu government on a number of occasions, via demarches, in order to foster support for the EU's human rights priorities and initiatives at the UN and other international fora. In the Pacific region, climate change and human rights are very closely intertwined. The EU Delegation for the Pacific continues to actively promote climate change awareness and action through its interactions with Vanuatu.

**4. EU financial engagement:** An EU Financing Agreement was concluded in June 2020 to support Vanuatu's civil society: 'The Vanuatu Civil Society Organisations Support and Technical Cooperation Facility Programme'. The initiative aims to enhance the institutional capacity of CSOs and support their initiatives towards food security and economic empowerment of women. As part of the COVID-19 and Tropical Cyclone Harold response, the programme will also support vulnerable communities in the hard-hit islands of Pentecost and Tanna. Budget support is provided to contribute to equitable, broad-based, and sustainable economic growth, recovery, and resilience. Vanuatu also benefits from two regional initiatives promoting gender equality and the fight against gender-based violence: the 'Pacific Partnership to End Violence against Women and Girls', a regional programme implemented by UN Women in collaboration with the Pacific Community and the Pacific Island Forum Secretariat'; and the Spotlight Initiative, an unprecedented effort in the global fight to end violence against women and girls. Under this joint EU-UN initiative, a specific country programme has been defined for Vanuatu and was launched in October 2020. Through the 'Intra-ACP GCCA+ Pacific Adaptation Climate Change and Resilience', Vanuatu receives support for climate change negotiations, capacity building, integrating climate change and disaster risk management into sub-national and community development plans.

**5. Multilateral context:** Vanuatu's cooperation with UN agencies is considered satisfactory. The country successfully completed its third Universal Periodic Review (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 January 2024. Vanuatu is a party to the following core international human rights instruments: Convention against Torture (CAT) (and has accepted the inquiry procedure of the CAT Committee); International Covenant on Civil and Political Rights (CCPR); Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) (and has accepted the individual complaints procedure and inquiry procedure of the CEDAW Committee); Convention on the Rights of Persons with Disabilities (CRPD); 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 as well as a signatory to the Convention for the Protection of All Persons from

Enforced Disappearance (CED), although it has not yet ratified it. The country 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.

Vanuatu has not yet acceded to: the Optional Protocol of the Convention against Torture (CAT-OP); International Convention on the Elimination of All Forms of Racial Discrimination (CERD); International Covenant on Economic, Social and Cultural Rights (CESCR); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).

## The Americas

### Belize

**1. Overview of the human rights and democracy situation:** The elections on 11 November 2020 demonstrated the solidity of Belize democracy, which allowed for peaceful alternation in power. The People's United Party secured 26 out of 31 seats, denying the United Democratic Party a fourth consecutive term. The Caribbean Community Election Observation Mission (CEOM) commended Belize's electorate on the improved voter turnout (from 72.7% in 2015 to 81.4%), in the aftermath of Hurricane Eta that struck a week before the election and further compounded the challenges posed by the COVID-19 pandemic. CEOM deployed teams in almost all districts and reported that the electoral process was generally smooth and without voter intimidation.

The murder rate in Belize dropped again in 2020. The 102 murders recorded by the [Belize Crime Observatory](#) represented a murder rate of 24.3 per 100,000 citizens, down almost 24% from 2019 and marking the lowest levels of violence in the last decade. Still, according to Insight Crime the country ranks sixth on the list of 2020 homicide rates in Latin America and the Caribbean list. At the same time, drug trafficking, gang violence, high levels of violence against women and girls and domestic violence persist.

Transparency International's Corruption Perception Index did not rate Belize for the 11th consecutive year, due to an absence of data, but media reports have suggested that corruption remains a major problem.

**2. EU action – key focus areas:** in line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU continues to focus on protecting and empowering individuals, in particular by supporting efforts to address discrimination and violence. This is done through a combination of political and human rights dialogues as well as financial assistance.

**3. EU bilateral political engagement:** the EU carried out formal demarches on human rights and democracy issues to request support for the adoption of a resolution on a 'Moratorium on the use of the death penalty' at the 75th UN General Assembly, and to the EU's initiatives at the UNGA Third Committee in November 2020.

**4. EU Financial engagement:** The Spotlight Initiative aims at fighting domestic violence. Its implementation started in 2020, with funding of EUR 3 million. Through the European Instrument for Democracy and Human Rights, the EU continues to support non-governmental organisations with various projects. Funding was provided to:

- The Sarstoon Temash Institute for Indigenous Management, to promote and protect the economic, social and cultural rights of Mayan women in Belize.
- The Young Women's Christian Association, with a focus on providing education about human rights to women and girls in vulnerable situations and equipping them to protect themselves.
- The Humana People to People Belize, an organisation that is advancing its work with young people, immigrants, Mayan communities, 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. out of the 124 recommendations presented, Belize supported 100 and took note of 24. Recommendations covered, *inter alia*, gender-based violence and the setting up of a human rights institute. The next UPR is expected in 2023.

## United States of America

**1. Overview of the human rights and democracy situation:** 2020 was marked by the COVID-19 pandemic, widespread social protests against racial discrimination and police violence, and a very divisive election, followed by unfounded allegations of widespread fraud and unprecedented political pressure campaigns by a sitting President to invalidate the election results. Some additional specific areas of concern included the re-institution of the federal death penalty, an erosion in protections for the rights of migrants and refugees, and the release of the 'Unalienable Rights' Report, which was widely criticised by civil society as an effort to undermine the universality of human rights and US international human rights commitments.

On 14 July, the federal government carried out its first execution in 17 years, and executed 12 more inmates in a span of only seven months, including six executions carried out during the presidential transition. The resumption of executions at federal level stands in contrast to an otherwise positive year in terms of advancing the abolition of the death penalty at state level. Colorado became the 22nd state to abolish the death penalty. To date, 34 states have either abolished the death penalty or have not carried an execution for more than 10 years. Due to public health reasons, most states halted executions, accelerating the trend toward decreasing the use of the death penalty seen in previous years, with 17 executions in 2020 (down from 22 in 2019 and 25 in 2018) and 18 new death sentences (down from 35 last year).

In May 2020, the killing of George Floyd by four Minneapolis police officers sparked nationwide protests against racial discrimination and police violence. In addition, the COVID-19 pandemic has been reported as having a disproportionate impact on vulnerable

populations across the United States. Minorities and indigenous people have higher mortality rates than the rest of the population, particularly African Americans.

The administration continued to implement the restrictive policies on migration and asylum it had introduced in the previous years, aimed at curbing the influx of migrants and asylum seekers arriving at the US southern border. This was further exacerbated by restrictions imposed during the COVID-19 pandemic. A new historically low annual cap of 15,000 individuals was set for the US refugee resettlement program in 2021 after four years of sharp decreases.

The recent selective focus on some human rights (e.g. religious freedom) over others (e.g. the rights of LGBTI persons and their access to services, as well as women's rights and sexual and reproductive health and rights), was most prominently reflected in the release of the State Department's 'Unalienable Rights' Report in July 2020. Reflecting this policy shift, the US worked with non-traditional allies in multilateral fora and through ad-hoc formats to reject previously agreed language on sexual and reproductive health and rights. Domestically, the administration continued to roll back important measures protecting the rights of LGBTI persons put in place by the Obama administration, affecting their access to healthcare, housing, adoption and other services.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU has focused its engagement with the US on the promotion of a global system for human rights and democracy, as well as on the abolition of the death penalty.

While the pandemic put a hold on many of the in-person activities traditionally organised in support of the abolition of the death penalty and other human rights topics, the European Union remains the most engaged international actor on this topic in the United States, with the active support of Member State embassies and consulates across the country. The EU made two statements on the resumption of the death penalty at federal level in 2020 and formally asked the Department of Justice not to proceed with the executions, as well as three interventions to Governors, including individual cases and support for anti-death penalty initiatives. On the World and Europe Day Against the Death Penalty, the EU delegation organised a virtual panel with leading American habeas lawyers highlighting the legal flaws of death penalty proceedings and featuring the movie 'Just Mercy'.

The EUSR for Human Rights Eamon Gilmore participated in a panel discussion entitled 'A New Start for U.S. Human Rights Policy: What Needs to Be Done?'. The event, organised by Carnegie and the Open Society Foundations, marked International Human Rights Day and was an opportunity for the EUSR to highlight EU-US cooperation in the field of human rights, the new EU Action Plan for Human Rights and Democracy, and the EU Global Human Rights Sanctions Regime.

The EU remained actively involved in other priority topics such as the ICC, criminal justice reform and police violence, women's rights, the rights of LGBTI persons, and the rights of migrants, and maintained frequent contacts with civil society organisations.

**3. EU bilateral political engagement:** The EU maintained an open dialogue with the US government on a wide range of human rights issues such as the death penalty, the ICC, women's rights, criminal justice reform and the impact of the COVID-19 pandemic on human

rights. Contacts were facilitated between the State Department and the EUSR for Human Rights, including an in-person visit to meet with State Department officials in early February.

Following nationwide protests against police violence and racial discrimination, the EU Ambassador, Stavros Lambrinidis, convened a special EU 27 Heads of Mission meeting with members of the Congressional Black Caucus (CBC). The discussion was co-chaired by CBC Chairwoman, Rep. Karen Bass, and focused on the issue of race relations in the US and Europe and ways to cooperate to eliminate racial discrimination.

**4. EU financial engagement:** Through the WE EMPOWER project, the EU promoted EU values of gender equality, notably with the participation of the EU's principal advisor on gender in the conference 'Supporting Women-Owned Businesses in COVID-19 Recovery,' where she shared the EU perspective on the impact of the COVID-19 pandemic on women.

**5. Multilateral context:** While the US continued its disengagement on human rights issues at multilateral level, and in particular at the UN, the US administration was active in targeting selected human rights abusers around the world through restrictive measures. It also sought to convene and establish parallel ad hoc formats on preferred human rights topics, such as religious freedom, outside of the established UN structures.

After several months of escalation and threats against the International Criminal Court, President Trump in June issued an executive order on 'Blocking Property of Certain Persons Associated with the International Criminal Court'. The executive order imposed broad economic sanctions on any person directly engaged in the ICC's efforts to investigate US or allied personnel, and expanded a visa ban from 2019 prohibiting ICC officials involved in these investigations as well as spouses and children of those officials from entering the United States. The US designated Fatou Bensouda, ICC Prosecutor, and Phakiso Mochoko, Head of the Jurisdiction, Complementarity and Cooperation Division. As a strong supporter of the ICC, the EU asked the US to reverse the measures taken.

The third cycle of the Universal Periodic Review (UPR) for the United States took place in November 2020. The EU engaged with the US and organised consultations with civil society organisations and EU Member States ahead of the UPR.

The EU also engaged with the State Department ahead of major events at multilateral fora including the UN Commission on the Status of Women and the UN General Assembly Third Committee.

## Antigua and Barbuda

**1. Overview of the human rights and democracy situation:** Antigua and Barbuda is a parliamentary democracy, where fundamental freedoms are respected. While the country retains the death penalty, no executions have been carried out since 1991. In line with the rest of Eastern Caribbean countries, Antigua and Barbuda voted against the Resolution on a Moratorium on the death penalty at the Third Committee of the UN General Assembly in November 2020, and thus departed from its previous abstention. The EU formally approached the Government of Antigua and Barbuda on this issue in October.

Current legislation still allows corporal punishment as a disciplinary tool in schools. Civil society groups continue to report instances of domestic violence. The police is generally



responsive to complaints, but shame and fear of reprisal often deter victims from seeking assistance. The country's only prison is overcrowded.

Same-sex sexual activity remains illegal and members of the LGBTI community continue to suffer social stigma and discrimination. However, Antigua and Barbuda is one of the Caribbean countries where the possibility of repealing discriminatory laws towards the LGBTI community is being discussed openly. There have been sensitivity trainings for police officers through civil society groups on the application of the rights of LGBTI persons. Antigua and Barbuda is one of five countries in the Eastern Caribbean sub-region where civil society has launched litigation against the so-called 'buggery' and 'indecent' laws.

Some human rights challenges have been exacerbated by the COVID-19 pandemic (e.g. domestic violence, child abuse).

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (death penalty, child abuse and gender-based violence) and protecting and empowering individuals such as LGBTI persons).

**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 and the media. Several human rights related advocacy meetings were conducted bilaterally throughout 2020.

**4. EU financial engagement:** Two regional projects each worth EUR 400,000, initiated in February 2018 are also being implemented in Antigua and Barbuda. The first project is under the CSO Programme, aimed at fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI citizens, youth and older persons in national and regional decision-making processes. A second one is under the European Instrument for Democracy and Human Rights, which aims to enhance capacities of local actors and build a strong civil society movement for abolition of the death penalty.

Another project worth approximately EUR 360,000 based in Saint Lucia, was implementing a small-scale regional outreach campaign in all countries of the sub-region Women Against Rape (WAR) and Meeting Emotional and Social Needs Holistically, which joined forces and engaged in public messaging to combat discrimination based on sexual orientation and to promote a diverse and tolerant society.

A more recent project (DECIDES) on discrimination of LGBTI persons and child abuse, worth nearly EUR 375,000, has its geographic 'centre of gravity' and a local implementing partner (WAR) in Antigua and Barbuda.

The implementation of all projects, due especially to their public outreach and campaigning components, has been adversely affected by the pandemic.

A new project that will target all countries of the sub-region, including Antigua and Barbuda, approved in December 2020, is aimed at building a strong civil society respecting the rights of the LGBTI community.

The country benefits indirectly from regional outreach and best practices developed by projects implemented in neighbouring countries, especially in the area of domestic violence.

**5. Multilateral context:** In 2020, the EU led advocacy meetings involving Antigua and Barbuda on human rights issues in the context of the UN General Assembly Third Committee. The country's last Universal Periodic Review in the UN Human Rights Council took place in 2016.

## Canada

**1. Overview of the human rights and democracy situation:** Throughout 2020, the Trudeau government has continued to put an emphasis on driving forward reconciliation with indigenous peoples based on recognition of rights, respect, cooperation and partnership – notably introducing a legislation to translate the UN Declaration on the Rights of Indigenous Peoples into Canadian law. In the midst and aftermath of the Black Lives Matter protests in North America, the government has also taken a stand against the enduring systemic racism and inequalities in the Canadian society, affecting indigenous and other minorities alike (i.e. unequal access to education and healthcare services, disproportionately high incarceration rates, higher numbers of unemployment and police violence).

Additionally, Canada is continuously committed to the promotion of gender equality through the help of the federal department Women and Gender Equality Canada (WAGE). Equality programs are considerably funded and during the COVID-19 pandemic, Canada organised emergency funding for populations in vulnerable situations, including women. In addition, the liberal government reintroduced legislation to criminalise conversion theory-related conduct.

**2. EU action – key focus areas:** In a pandemic context, the coordination of the international response to the COVID-19 crisis and its implications for human rights and the most vulnerable parts of society has been central to several EU engagements with Canadian counterparts from an experts' to a ministerial level.

The promotion of human rights and democracy around the world has been addressed in a certain number of EU-Canada cooperation fora, bilateral political engagements and outreach activities. Among others, the EU delegation organised two webinars focusing on electoral interference and disinformation, and on the security and governance of the Sahel region.

The protection and empowerment of individuals has been mainstreamed in our dialogues and has been the core focus of a number of local projects. 'We Empower' conducted a series of events in Canada with the direct involvement of the EU (WEP, IWD, Women Deliver). A special focus was also given to gender and trade in a set of activities carried out under the trade and gender action plan.<sup>45</sup> A series of events on the integration of migrant women was hosted under the 2020 EU-Canada Migration Platform.

Some of these issues were also addressed in a reflection over the conditions for a strengthening of our societies' social fabric carried out under the EU-Canada Youth Transatlantic Civil Society Dialogues projects aimed at supporting youth in being more

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<sup>45</sup> [https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/CETA\\_work\\_plan-AECG\\_plan\\_travail-2020-2021.aspx?lang=eng](https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/CETA_work_plan-AECG_plan_travail-2020-2021.aspx?lang=eng)

involved in bilateral policy processes by promoting cooperation between Canadian and European youth organisations, associations and networks.

**3. EU bilateral political engagement:** in June 2020, the EU and Canada carried out the annual joint human rights consultations, covering a wide-ranging scope of issues from the human rights implications of the COVID-19 pandemic to the priorities in the multilateral space, sexual and reproductive health and rights, business and human rights and joint efforts to uphold the International Criminal Court. The EU and Canada also reaffirmed their principled stand to promote and protect human rights and fundamental freedoms during the EU-Canada joint cooperation committee in February, the EU-Canada ministerial meeting in September and the leaders' call in October.

Throughout the year, China has been in the limelight for numerous outreaches and engagements – against the use of arbitrary detentions in state-to-state relations, Hong Kong and human rights violations in Xinjiang. The EU and Canada also conducted regular consultations (including geographical dialogues under the EU-Canada Strategic Partnership Agreement) to coordinate their action in several human rights hotspots and crises around the world – notably Venezuela, Myanmar, Sudan and Afghanistan – and to deepen their cooperation on sanctions on Belarus and in the broader context of the EU Global Human Rights Sanction Regime.

The EU bilateral political engagement with Canada on human rights in 2020 also covered Migration and Asylum issues and several rounds of consultations on privacy rights in the context of Canada's GDPR Adequacy Review. Notably, the EU delegation met on several occasions with indigenous leaders, to discuss the opportunities for increasing trade and investment exchanges between EU operators and Canada's indigenous communities.

**4. EU financial engagement:** The EU has provided funding for several projects, activities and grants, namely:

- The two grants of the EU-Canada Youth Transatlantic Civil Society Dialogues – awarded to the Goethe Institute and to OXFAM-Quebec (EUR 900,000);
- The Project Support to the Development of Social and Solidarity Economy (EUR 5.7 million);
- The PI WE EMP♀WER through responsible business conduct in G7 countries (EUR 6 million);
- The EU-Canada Policy Dialogue Support Facility, which has notably financed the series of events of the EU-Canada Migration Platform and most of the human rights-related webinars and public outreach activities.

**5. Multilateral context:** Aligning with the EU on many issues, Canada is among the most advanced promoters of human rights and democracy globally.

The Canadian government has repeatedly called on China due to human rights abuses and violations, particularly in Hong Kong, Tibet and Xinjiang. Canada launched the Declaration Against the Use of Arbitrary Detention in State-to-State Relations with a global scope that condemns hostage diplomacy and prepares the ground for a partnership against such practices.

On the COVID-19 front, Canada has been a strong promoter of a coordinated global response and an unwavering backer of multilateral institutions (UN, WHO). Canada has taken a stand for equal access to vaccines, treatments and testing, notably by contributing C\$ 485 million to provide developing countries with tools to combat the virus and to support the ACT-Accelerator.

Throughout 2020, the Canadian government has also continued to carry out its feminist foreign policy supporting the United Nations Women, Peace and Security (WPS)<sup>46</sup> reform agenda, moving its Elsie Initiative for Women in Peace Operations forward, and advocating for the protection of women and girls (domestic violence) in a pandemic context.

In the multilateral space, the Freedom of Expression resolution (at the 44th session of the UN Human Rights Council), the Iran resolution and the Indigenous Peoples resolution (at the UN General Assembly Third Committee) have also ranked high amongst Ottawa's priorities. Canada's proposed UN human rights resolution toward Iran has been adopted by the UNGA Third Committee. Soon after, the Canadian government introduced legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Moreover, the federal government has partnered with the UK in hosting the second iteration of the Global Conference for Media Freedom (in November 2020).

## Commonwealth of Dominica

**1. Overview of the human rights and democracy situation:** Dominica is a stable, parliamentary democracy that upholds civil liberties and fundamental freedoms.

Dominica is the only country in the Eastern Caribbean to have an indigenous Amerindian community. It is home to the largest indigenous Carib (officially referred to as Kalinago) population in the Eastern Caribbean, estimated at some 3,500 persons. Their rights are protected by law and Kalinagos actively participate in decision-making that directly affects them. Despite improvements, the Kalinago people experience some societal discrimination and economic hurdles.

The country retains the death penalty but under a de facto moratorium (last execution took place in 1986). Although in 2018 it has supported the UN Resolution on a Moratorium on the use of the death penalty, Dominica turned its vote to 'against' in the latest December 2020 UN vote.

Incidences of gender-based violence and child abuse remain pervasive in Dominica. Corporal punishment is still legal, but the government continues to enhance the rights of the child. Domestic violence and child abuse instances continued to be reported throughout 2020.

Societal discrimination against LGBTI persons due to their real or perceived sexual orientation or gender identity is common. Consensual same-sex sexual activity for both sexes remains illegal. In line with the trend in other Caribbean countries, a case challenging the country's law criminalising buggery and other sexual activity between same-sex

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<sup>46</sup> UNSCR 1325.

consenting partners has been filed in the High Court of Justice in July 2019. A ruling is expected in 2021.

Another challenge is the judicial backlog. The COVID-19 pandemic has served as a catalyst for other challenges, particularly domestic violence.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (death penalty and gender-based violence and child abuse) and protecting and empowering individuals (minorities and LGBTI persons).

**3. EU bilateral political engagement:** The EU has regular contacts with political authorities, civil society, including the media. Specific advocacy meetings regarding human rights are carried out in the context of annual UN General Assembly meetings.

**4. EU financial engagement:** Two projects (each worth EUR 400,000) are being implemented in Dominica, among other countries. The first one, under the CSO Programme, aims at fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and older persons. A second one, under the European Instrument for Democracy and Human Rights Programme, aims to enhance the capacities of local actors and build a strong civil society movement for abolition of the death penalty. Another project (worth nearly EUR 360,000), was based in Saint Lucia and was implementing a small-scale regional outreach campaign in the sub-region. In Dominica the programme was implemented by DomCHAP (Dominica Chapter of the Caribbean HIV Aids Partnership), which engaged in public messaging to combat discrimination based on sexual orientation and to promote a diverse and tolerant society.

All projects have been adversely affected by the COVID-19 pandemic due especially to their public outreach and campaigning components.

A new project that will target all countries of the sub-region, including Dominica, was awarded in December 2020 to a sub-regional umbrella organisation working on sensitive human rights issues with the most marginalised, stigmatised and isolated human rights defenders. The project aims at building a strong, LGBTI-inclusive civil society.

Lastly, the country benefits indirectly from regional outreach and best practices developed by projects implemented in neighbouring countries and continue to be rolled out in other countries post-implementation, especially in the area of domestic violence.

**5. Multilateral context:** During 2020, the EU held advocacy meetings on human rights issues in the context of the UN General Assembly Third Committee. Member States are involved in the outreach where possible, and also convey human rights related messages bilaterally.

## The Bahamas

**1. Overview of the human rights and democracy situation:** The Bahamas is a stable democracy with a history of credible, inclusive and transparent elections. The Bahamas is party to seven of the core international human rights treaties and is the first Member State of the Caribbean Community (CARICOM) to be elected to the Human Rights Council. The

experience of Hurricane Dorian in September 2019, which caused damage estimated at EUR 2.8 billion and negatively impacted the social and economic rights of many Bahamians, is a stark reminder of the vulnerability of Small Island Developing States to climate change. It also highlights some of the challenges that migrants face in the context of humanitarian crises. The longstanding tensions between Haitians living and working in the Bahamas and Bahamians were exacerbated, as the government applied its strict immigration laws and deported many Haitian migrants, even while they were experiencing the trauma caused by the storm.

Besides the issues related to migration, the government continues to be criticised about gender equality, and in particular women's rights. A Domestic Violence Act has been in place since 2007, however legislation to criminalise marital rape is not yet finalised and concerns remain about discriminating against women in the transfer of citizenship and nationality from parent to children and with respect to the award of nationality to foreign-born spouses.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU aimed at protecting and empowering the individuals by monitoring closely the situation of undocumented migrants, particularly of Haitian origins, as well as women's rights.

**3. EU bilateral political engagement:** regular talks are held with the government on a range of issues including human rights. The EU and The Bahamas held their political dialogue on 28 February 2020, where also human rights were discussed, *inter alia*, the death penalty and the ratification of the Rome Statute.

**4. EU financial engagement:** no EU financial support for human rights in The Bahamas is currently in place.

**5. Multilateral context:** the most recent Universal Periodic Review for The Bahamas took place in January 2018. The next review is due in January 2023.

## Barbados

**1. Overview of the human rights and democracy situation:** Barbados is a stable parliamentary democracy that upholds civil liberties and fundamental freedoms.

The country retains the death penalty although no executions have been carried out since 1984. Barbados has what could be considered an unofficial de facto moratorium. In line with other islands of the Caribbean, Barbados has a record of voting against the biannual UN Resolution on Moratorium on the death penalty. The EU formally approached the Ministry of Foreign Affairs of Barbados on this issue in October.

Despite some encouraging developments, corporal punishment continues to be legal in schools, although such laws are not strictly enforced. Civil society groups continue to report instances of domestic violence. The police is generally responsive to complaints, but shame and fear of reprisal often deter victims from seeking assistance. Judicial backlog in criminal cases remains a challenge.

Despite some positive steps, homophobia is still a concern. ‘Buggery’ remains an offence under the laws, and 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. Barbados is also one of five countries of the Eastern Caribbean where litigation against the so-called ‘buggery’ and ‘indecent’ laws has been launched by civil society. In the Throne Speech delivered in September 2020 at the opening of the Second Session of the 2018-2023 Parliament, the Governor General mentioned the idea of recognising ‘a form of civil unions’ for couples of the same gender, but without allowing any form of same-sex marriage, as this matter should be subject to a public referendum.

Some human rights challenges have been exacerbated by the COVID-19 pandemic (e.g. domestic violence).

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (death penalty, domestic violence and child abuse) and protecting and empowering individuals, LGBTI persons in particular.

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Barbados authorities, civil society organisations as well as the media. Several human rights-related advocacy meetings were conducted bilaterally throughout 2020.

**4. EU financial engagement:** in the second half of 2020, a human rights defender from Barbados received support through the EU Emergency Fund for Human Rights Defenders at Risk to cover security equipment, relocation and subsistence costs for a period of six months. The applicant substantiated threats and harassment from alleged traffickers in human beings and owners of establishments in the ‘adult entertainment industry’ as a result of her work with stranded migrants and suspected victims of trafficking in human beings in the context of the COVID-19 crisis.

Barbados, as part of the Eastern Caribbean, 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 approximately EUR 280,000 and EUR 400,000) either have their ‘centres of gravity’ in Barbados, or 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 persons; advancing the inclusion of persons with disabilities in the labour market; strengthening social protection programmes for the poor and vulnerable persons; promoting social enterprise methodologies among CSOs, enhancing their overall advocacy skills and using the media for effective communication. Another project (worth approximately EUR 360,000), which had its geographic ‘centre of gravity’ in Saint Lucia, was implementing a small-scale regional outreach campaign in all countries of the sub-region in the reporting period. In Barbados, the project was granted to SHE (Sexuality, Health, and Empowerment), which engaged in popular public messaging to combat discrimination based on sexual orientation and to promote a diverse and tolerant society.

All projects have been adversely affected by the COVID-19 pandemic in their implementation, albeit to varying degrees, due especially to their public outreach and campaigning components.

A new project that will target the sub-region, including Barbados, was granted in December 2020 to a sub-regional umbrella organisation working on sensitive human rights issues with the most marginalised, stigmatised and isolated HRDs. The project aims at building a strong, LGBTI-inclusive civil society.

**5. Multilateral context:** The EU carried out formal advocacy meetings on human rights issues in the context of the UNGA Third Committee. Member States are involved in these meetings when and where possible. Member States also conveyed human rights related messages in a bilateral context. Under the Universal Periodic Review, the human rights situation of Barbados was last reviewed in 2018.

## Republic of Costa Rica

**1. Overview of the human rights and democracy situation:** Costa Rica is a stable democracy. While the country has a rather advanced regulatory framework and public policies for the protection and promotion of human rights, growing economic inequality exacerbated by the COVID-19 pandemic, threatens the achievements of the past decades.

In the field of migration, the government's approach has seen a major shift in 2020 with a landmark deal with Nicaragua to allow the temporarily hiring in agriculture of illegal workers from Nicaragua, who will gain a legal status and will be tested for COVID-19 before entering the country.

Costa Rica was the first Central American country to legalise same-sex marriage in May.

The government also focused on advancing women's and Afro-descendants' rights. However, human rights defenders have criticised the lack of support from judicial and police authorities in defending the rights of indigenous people, failure to prosecute threats and violence against indigenous leaders.

**2. EU action - key focus areas:** EU activities have demonstrated the strong partnership with Costa Rica on human rights. In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU has advocated for the promotion of a global system for human rights and democracy and the protection and empowerment of individuals by upholding the rights of groups in vulnerable situations (such as the LGBTI community, women and girls, and migrants and refugees).

**3. EU bilateral political engagement:** Human rights figured prominently in the EU's and Member States' engagement with Costa Rica in 2020. The ceremony of the second edition of the Gender Equality Award in October represented a highlight of the EU delegation's action on human rights. The 22 applications from NGOs and foundations covered an impressive variety of gender equality and women's rights issues, including health, entrepreneurship, sports, sexual and reproductive health and rights, and the rights of LGBTI persons.



The EU is closely monitoring the violence against indigenous peoples and maintains regular contacts with legal advisers of indigenous' rights defenders. The EU assists indigenous groups in raising concerns with the government. A joint visit by EU ambassadors to the indigenous area is scheduled for 2021.

**4. EU financial engagement:** The EU continued to implement a number of cooperation projects with a strong human rights component. EU programmes such as 'Eurosocial+', which contribute to improving social cohesion are crucial to help alleviate the social and economic hardship and high unemployment generated by the pandemic. The 'PROEDUCA' project addresses the issue of the increased number of early drop-outs in secondary schools due to COVID-19. The project also takes into account the special needs of the pupils in the most vulnerable situations, such as those from indigenous communities, by sponsoring classes in indigenous languages on radio.

On migration, the EU launched a new project with UNHCR to provide financial assistance to Nicaraguan migrants and refugees in vulnerable situations, build a homeless shelter and assist the government in safeguarding the right to claim asylum along the northern border.

The European Instrument for Democracy and Human Rights will support with EUR 300,000 a project with the humanitarian aid organisation World Vision International to promote sexual and reproductive health and rights for migrants and vulnerable groups in Costa Rica. The EU, through the Instrument contributing to Stability and Peace, will support UNHCR to assist Nicaraguan refugees for an amount of EUR 1.3 million. The EU signed another EUR 3.5 million contract with '*Ayuda en Accion*' extending a previous project to support human rights defenders and Nicaraguan asylum seekers and refugees in Costa Rica.

**5. Multilateral context:** Costa Rica is a strong supporter of multilateralism, and is aligned with the EU in international fora on the protection and promotion of human rights, international law, and democracy. As a country that abolished its standing army 72 years ago, it reiterated the necessity to halt all armed conflicts while the world is facing a pandemic. Within different UN bodies, Costa Rica strongly advocated resolutions on nuclear disarmament, the fight against statelessness and the expansion of human rights to include environmental well-being. It has also remained a vocal critic and like-minded partner of the EU concerning Venezuela and Nicaragua. It holds an active role within the Lima Group; Costa Rica has rejected the results of the December 2019 parliamentary elections and has supported UN Human Rights Council Independent International Fact-Finding Mission on human rights violations in Venezuela.

Within the UN context, Costa Rica presented important multilateral initiatives to address the COVID-19 pandemic:

- COVID-19 Technology Access Pool (C-TAP), that will compile international pledges of commitment made under the Solidarity Call to Action to voluntarily share COVID-19 health technology related knowledge, intellectual property and data.
- The creation of a Fund to Alleviate COVID-19 Economics (FACE), that would channel financing, under concessional and long-term conditions, from the most powerful economies that represent 80% of global GDP, to developing countries, for the equivalent of 3% of their GDP.

Both initiatives build on President Alvarado's call for more international solidarity and the preservation of social and health rights in developing countries. The FACE initiative failed to

gather relevant international support, but the government is insisting in seeking regional support for it during their SICA (Central American Integration System) presidency in 2021. In recent demarches, the Ministry of Foreign Affairs has reaffirmed its commitment to supporting the EU on resolutions concerning women's rights, as well as human rights situations in North Korea, Myanmar and Syria.

In December, Costa Rica achieved a diplomatic triumph with the election of Mr. Sergio Ugalde as judge in the International Criminal Court. It is the second time a Costa Rican national is appointed. In addition, Mr. Marco Feoli was elected as a member of the Subcommittee on Torture Prevention of the United Nations for 2021-2024 period. The 75th UN General Assembly accepted a Costa Rican resolution to declare 31 August as International Day of Peoples of African Descent.

## Republic of Cuba

**1. Overview of the human rights and democracy situation:** The human rights situation in Cuba remained difficult. Facing major economic challenges, Cuba launched a number of economic and financial reform measures, including unifying its two currencies and multiple exchange rates on 1 January 2021, with a potentially far-reaching social impact, in particular on inequality. The transposition into law of key civil and due process rights introduced by the new Cuban constitution in 2019 was postponed, as several laws and decrees were rescheduled due to the COVID-19 pandemic.

Freedom of expression, association, and assembly continued to be subject to important restrictions in 2020, with reports of numerous arbitrary arrests and detentions. Freedom of movement and expression suffered further restrictions due to the COVID-19 pandemic, as strict measures adopted to contain the spread of the virus were also used against activists. The pandemic also prompted the authorities to release over 6,000 detainees to prevent contagions in prisons. Press freedom remained a reason for concern, with Cuba ranking among the ten 'least free' countries in the world.<sup>47</sup> Multiple sources reported threats of prosecution under charges of 'contempt' and 'propagation of epidemic' being used to restrict citizen reporting on social media, whereas a number of journalists and bloggers were fined under the Decree 370 on the Digitalisation of Cuban Society. Improved access to the internet since 2018 has been a positive development, fostering citizens' access to information, allowing debates on social media and access to media content from abroad. However, a range of news websites are not accessible from Cuba. Political activists, human rights defenders and independent journalists continued to face restrictions on domestic and foreign travel, in addition to frequent measures preventing them from leaving their homes, de facto amounting to house arrest. Organised political opposition remains illegal. To date, Amnesty International formally recognises three prisoners of conscience in Cuba (Josiel Guía Piloto, Mitzael Díaz Paseiro, Edilberto Ronal Arzuaga Alcalá). The emerging and increasingly diversified civil society has become more focused on its demands, often mobilising around specific issues and calling for real dialogue with the authorities.

Cuba's traditionally positive track record on social and economic rights has been eroding, as universal health coverage and education have been steadily undermined by financial

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<sup>47</sup> World Press Freedom Index 2020 by Reporters Without Borders

shortages, economic inefficiencies, and the economic crisis resulting from the COVID-19 pandemic. The US embargo, further tightened under the Trump administration, and its extraterritorial application have a crippling effect on Cuba's economic development and its emerging self-employed sector, also limiting its ability to source medications and equipment to tackle the COVID-19 epidemic. The private sector was hit hard by the collapse of tourism during the COVID-19 pandemic, with 200,000 self-employed closing their businesses and returning their licences. Economic reforms announced in June 2020 could have a positive effect on the private sector in the long run.

Since the start of the COVID-19 pandemic, Cuba has adopted epidemiological measures that were successful in containing the spread of the infection and ensuring low mortality rates. The pandemic has increased demand for Cuba's medical expertise, with 55 health brigades deployed to 40 (including European) countries. Cuba is also developing a number of potential vaccines.

Cuba maintained its policy focus on non-discrimination, gender equality, protection of the rights of the child, as well as the rights of people with disabilities. The problem of gender violence is recognised by the 2019 Constitution and the government adopted in November a National Programme for the Advancement of Women, having launched a programme against racial discrimination in 2019. Reform of the Family Code legalising same-sex marriage, initially scheduled to be put to referendum in 2021, has been postponed.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Cuba on protecting and empowering individuals and in particular:

- 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 emerging 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:** Due to the pandemic, a number of EU-Cuba political dialogues and high-level meetings under the bilateral Political Dialogue and Cooperation Agreement were postponed, including the third human rights dialogue, rescheduled for early 2021. In 2020, the EU started implementing the Gender Action Plan for Cuba, adopted in 2019, with the objective of strengthening the dialogue and cooperation by the EU and its Member States with the country, promoting gender equality and women's empowerment. The EU also started preparatory work for drafting a Roadmap for engagement with civil society in Cuba. The EU and its Member States organised a number of activities around the International Day for the Elimination of Violence against Women, and financed 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 in the country. The EU continued to raise specific cases of human rights defenders with the authorities.

**4. EU financial engagement:** In line with the European Consensus on Development, all cooperation projects in Cuba follow a rights-based approach. A number of EU projects were implemented in 2020, promoting economic, social, cultural and environmental rights, including projects addressing food and energy security, cultural heritage, youth, persons with disabilities, healthy aging, gender-based violence, and care of older persons and persons with intellectual disabilities. Culture was an important crosscutting issue within EU cooperation in Cuba, with a portfolio of EUR 23 million and 10 projects that promote culture as a vector for economic development and social inclusion. Other social projects (around EUR 3 million) concentrated on the needs and rights of older persons and people with disabilities. Promotion of gender equality was mainstreamed into EU cooperation projects, two of which had a specific focus on addressing the impact of gender on care-work and gender-based violence, linking them to the EU Gender Action Plan for Cuba.

The EU continued to support different modernisation processes through the EU-Cuba Experts Exchange Programme in areas such as economic planning, taxation, foreign trade and investment, statistics, and public registries, with a particular focus on digital government/governance, which could contribute to higher levels of efficiency, transparency and inclusiveness. As the COVID-19 pandemic evolved, the EU identified a number of projects, totalling EUR 10 million, to support Cuba's efforts in confronting the pandemic, including the local production of personal protective equipment, diagnostics and ventilators.

**5. Multilateral context:** Cuba was re-elected to the UN Human Rights Council for the 2021-2023 term, where it is traditionally a very active player. 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 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, albeit to date it has not abolished capital punishment. Cuba has signed, but not ratified the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights.

Cuba has so far completed three Universal Periodic Review cycles (2009, 2013, and 2018) and the next is foreseen for 2023. Cuba usually does not support recommendations coming from EU Member States, especially when they fall in the area of civil and political rights.

## Dominican Republic

**1. Overview of the human rights and democracy situation:** The Dominican Republic is a stable democracy. Although the state of emergency declared to fight the COVID-19 pandemic resulted in some limitations to the exercise of human rights, the authorities consistently worked towards mitigating their negative impact and developed a COVID-19 protocol to ensure safety at the elections held on 5 July 2020.

The first National Plan on Human Rights (2018-2022) and the following strategy demonstrates the government's commitment to improve basic human rights. An important achievement is the abolition of child marriages.

While progress has been made since the second Universal Periodic Review in 2014, the situation continues to be fragile for Dominicans of Haitian descent. The 2013 National

Regularization Plan (PNRE) allowed for almost 250,000 irregular migrants to receive a temporary permission giving them the time to apply for a more permanent status, but only a limited number of them managed to obtain the legal status. The PNRE expired in the summer of 2020, and consequently the risk of expulsion remains. However, the new government of the Dominican Republic is considering a follow-up to the initial regularisation plan. Both countries are showing political will to find solutions as demonstrated in their recent joint declaration.

Levels of violence against women remains high despite the efforts deployed by the State and a greater awareness and readiness to act by judges and police. According to official figures, almost 70% of Dominican women have encountered gender-based violence at least once in their lives, but only slightly over 6.1% of these incidents are reported. Quarantine measures have led to increased violence against women. The government has taken measures to increase the resources allocated to protection against violence against women and assistance for victims.

Another challenge relates to the very high teenage pregnancy rate. According to UNICEF, 22% of young women between 15 and 19 years have been pregnant. The Dominican Republic continues to be among the 26 countries where abortion is criminalised under any circumstance. Statistics of the Ministry of Public Health show that unsafe abortions cause 10% of maternal deaths.

**2. EU action - key focus areas:** During 2020, in line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused its efforts on protecting and empowering individuals and building resilient, inclusive and democratic societies with the following priorities: strengthening human rights institutions and contributing to tackling corruption; prevention and elimination of child marriage; combating chronic violence against women and children; protecting the rights of persons belonging to minorities who are in vulnerable situation, including migrants and their descendants born in the Dominican Republic; fighting trafficking in human beings; ending discrimination and upholding the rights of people with disabilities; strengthening democratic institutions and democratic culture.

**3. EU political engagement:** In close contact with the 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 advocacy. A prime example is the organisation of the first edition of the Human Rights Awards in December 2020, in cooperation with the Member States and the UN System. The EU delegation has held regular meetings with civil society organisations especially on the fight against corruption and impunity, migration and citizenship issues as well as on gender equality, empowerment of women, prevention of violence, the rights of the child and the rights of LGBTI persons.

Dialogues were regularly held in the framework of EU budget support programmes and technical assistance initiatives. In terms of gender equality, the EU supported the mainstreaming of gender equality in the implementation of the National Development Strategy 2030 with UN Women.

**4. EU financial engagement:** The EU donated EUR 5 million to support the government's efforts to the effective reduction of gender violence and inequality. The EU provided EUR 3.5 million to support a border monitoring network on the Haitian side, providing accurate

information on migration flux while reinforcing coordination to mitigate the consequences of deportation. Other activities included two projects on the prevention of child marriages for a total amount of about EUR 600,000; Reintegration of former female detainees (EUR 430,000); Institutional guarantees for vulnerable groups (EUR 420,000); Prevention of arbitrary detention and/or deportation of migrants and their descendants (EUR 404,000), and Prevention of gender-based violence towards women with a disability (EUR 337,000).

**5. Multilateral Context:** In January 2019, the Dominican Republic was subject to 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.

Dominicans continue to be deprived of access to the Inter-American Court of Human Rights (IACHR) whose jurisdiction the Dominican Constitutional Court rejected in 2014 on grounds of alleged procedural irregularities regarding the ratification procedures, despite an active participation in the work of the Court in the past. The strong distrust towards the OAS seems to have faded away over the years. However, no formal steps have been taken to recognise the IACHR's jurisdiction.

## El Salvador

**1. Overview of the human rights and democracy situation:** Citizens' security continues to be a major challenge but the situation significantly improved and homicide rates have reached historically low levels. In 2020, authorities reported an average of 3.6 homicides per day, compared to 6.6 in 2019, 9.2 in 2018 and 10.8 in 2017. The number of missing persons also decreased by almost half. This downward trend is one of the major successes of the current administration.

2020 was also marked by significant concerns regarding the rule of law and the balance of powers, notably after the 9 February 2020 when the President, escorted by armed troops, took seat as the President of the Legislative Assembly. Tensions between the executive and the legislative have degenerated into verbal violence and poor cooperation ever since. The Attorney General and the judiciary were also subject to accusations by the executive after investigations were launched into government actions and when the Constitutional Chamber of the Supreme Court declared certain decisions by the government illegal or unconstitutional.

Violations of human rights were reported during the COVID-19 pandemic lockdown. They mainly related to arbitrary detentions, police brutality and the conditions in quarantine centres for travellers from abroad.

On detention conditions, the government published disturbing pictures of hundreds of gang members crammed together in clear disrespect of COVID-19 safety measures following a temporary spike in homicides in April.

Violence against women and girls continues to be a major concern with an increasing number of teenage pregnancies. Between April and June 2020, the number of pregnancies of girls (aged between 10 and 14) increased by 79%. For adolescents (aged between 15 and 19) a 72% increase was observed. Reported cases of sexual violence also increased. The

criminalisation of miscarriage and abortion on all grounds is still highly problematic, along with limited access to sexual and reproductive health and rights.

Although freedom of the press is well established, journalists have reported threats on social media and tax investigations launched against media outlets critical with the government. In light of the legislative elections scheduled in 2021, female candidates have also reported to be victims of violence on social media platforms.

Transitional justice remains a pending issue. There is no legal framework to end the impunity for the serious crimes committed during the 1980-1992 civil war. Two cases related to transitional justice have been particularly alarming:

- The refusal by the authorities to give access to the military archives related to the El Mozote massacre of 1981, following a judicial order;
- A ruling by the Criminal Chamber of the Supreme Court preventing the prosecution of the intellectual authors of the assassination of eight persons including six Jesuit priests in 1989.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU key focus areas are:

- protecting and empowering individuals: citizen security; youth social and economic inclusion, gender equality, right of the child, women's empowerment, sexual and reproductive health and rights, right to employment, universal access to basic services, and economic and social rights; strengthening of the protection and role of human rights defenders and civil society organisations;
- building resilient, inclusive and democratic societies: support to civil society and local governments in the area of democracy.

**3. EU bilateral political engagement:** the EU has successfully engaged with stakeholders – including many CSOs – on key policy areas such as elections, human rights, gender equality, sexual and reproductive health and rights and migration. It has stressed the importance of upholding human rights in all actions by the state 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 rule of law, democracy, and freedom of expression, corruption and impunity, as well as developments regarding the International Commission against Impunity in El Salvador (CICIES).

**4. EU financial engagement:** The EU implements two budget support actions related to youth and social inclusion. A EUR 50 million programme supports the 'Plan Social', a single planning and monitoring instrument aimed at fighting exclusion and eradicating poverty. The EU contributes particularly to poverty reduction and youth employment, and fosters women's economic empowerment. Furthermore, with a EUR 54 million contribution to the government's 'Plan El Salvador Seguro', the EU supports actions for the prevention of violence and the promotion of a culture of peace through transformation of public spaces, educational programs and technical and vocational training opportunities for youth. In July, in light of the financial constraints the country was facing with the COVID-19 crisis, the EU accelerated its payments to these programmes (EUR 2 million for social policy, and EUR 6 million for violence prevention).

In addition, 21 projects were ongoing in 2020: six funded by the European Instrument of Democracy and Human Rights for EUR 2.8 million, and 15 under the Civil Society Organisations and Local Authorities Programme for EUR 9.8 million.

Finally, the first implementation phase of the EU-UN Spotlight Initiative on violence against women, an even more relevant issue during the COVID-19 crisis, came close to completion.

**5. Multilateral context:** El Salvador was nominated to co-chair the Bureau of the 54th Commission on Population and Development (vote in April 2021), elected to co-chair the Working Group on the Revitalization of the Work of the UNGA and presided the 18th Meeting of State parties to the Convention on the Rights of the Child in November 2020. The country adopted the Resolution regarding the Review of the UN Peacebuilding Architecture, adopted the Declaration for the Commemoration of the 75th Anniversary of the UN and co-sponsored the Resolution on the Decade of Healthy Ageing 2021-2023 adopted in December 2020.

As expected, El Salvador did not ratify in 2020 the Escazú Agreement, the first environmental treaty for Latin America and the Caribbean to ensure access to information, citizen participation and access to justice in environmental matters.

## Grenada

**1. Overview of the human rights and democracy situation:** Grenada is a stable parliamentary democracy where fundamental freedoms are respected. The country retains the death penalty but under a de facto moratorium, since the last execution took place in 1978, though one person is still held under a death sentence. In line with other countries in the region, Grenada has a record history of voting against the biannual UN Resolution on Moratorium on the use of the death penalty. The EU raised the issue with the Grenada government in an advocacy meeting in September 2020.

Stigma against LGBTI persons is still present in the society. Grenada is one of five countries of the Eastern Caribbean where ongoing litigation has been launched against the so-called 'buggery' and 'indecent' laws. Domestic violence and child abuse remain a challenge. Cases are not always reported due to fear of reprisal. Corporal punishment of children is still legal, though the government promotes child friendly policies at public schools. The COVID-19 pandemic has served as a catalyst for other ongoing challenges, particularly domestic violence.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (the fight against the death penalty, domestic violence and child abuse) and protecting and empowering individuals (in particular LGBTI persons).

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Grenada's public authorities and stakeholders, civil society organisations as well as the media, such as the formal political dialogues held in the context of CARIFORUM.



**4. EU financial engagement:** Grenada is the only country in the Eastern Caribbean to benefit from a country-specific programme under the joint EU-UN Spotlight Initiative (worth EUR 2 million), that was launched on 5 March 2020. A specific component on qualitative and quantitative data collection should help alleviate the region's shortcomings in the field of statistics. To that end, on 18 August 2020, the Caribbean Data Hub was established, based on findings from Grenada's first national study on gender-based violence. The hub is a central repository of knowledge on the prevalence, associated factors and consequences of the different forms of partner and non-partner sexual violence from five countries (Grenada, Guyana, Jamaica, Suriname and Trinidad and Tobago).

Grenada, as part of the Eastern Caribbean, 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.

Two projects (each worth EUR 400,000) are also being implemented in Grenada. The first, under the Civil Society Organisations Programme, aimed at fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, older persons and youth in national and regional decision-making processes. The second, under the EIDHR, aims at enhancing capacities of local actors and building a strong civil society movement for the abolition of the death penalty. A third project (worth nearly EUR 360,000), which had its geographic 'centre of gravity' in Saint Lucia, was implementing a small-scale regional outreach campaign in the sub-region. In Grenada, it was implemented by GrenCHAP (Grenada Chapter of the Caribbean HIV Aids Partnership), which engaged in public messaging to combat discrimination based on sexual orientation and to promote a diverse and tolerant society.

All projects have been adversely affected by the COVID-19 pandemic in their implementation, albeit to varying degrees, due especially to their public outreach and campaigning components.

A new project that will target all countries of the sub-region, including Grenada, was awarded in December 2020 to a sub-regional umbrella organisation working on sensitive human rights issues with the most marginalised, stigmatised and isolated human rights defenders. The project aims at building a strong, LGBTI-inclusive civil society.

**5. Multilateral context:** The human rights situation in Grenada was addressed during the 35th session of the UN Human Rights Council's Universal Periodic Review (UPR) in Geneva on 27 January 2020. In its third UPR, Grenada received 148 recommendations and supported 99 recommendations, an increase of 60% with respect to the second UPR cycle.

The EU, in cooperation with Member States, carried out formal advocacy meetings on human rights issues in the context of the UNGA Third Committee. Member States also conveyed human rights-related messages in bilateral context.

## Guatemala

**1. Overview of the human rights and democracy situation:** Guatemala faces considerable challenges to guarantee the respect for human rights, particularly in the social sphere.

According to the Human Development Index report 2020,<sup>48</sup> Guatemala ranked 127th out of 189 countries. Despite the relatively solid macroeconomic stability, access to basic social human rights such as water and sanitation, food, health, education and decent work remains very unequal for some segments of the population. The public health system covers only 48% of the total population. In 2020, the COVID-19 pandemic as well as hurricanes Eta and Iota aggravated the situation.

The situation of human rights defenders continues to be of high risk. The Unit for the Protection of Human Rights Defenders of Guatemala- reported 1,004<sup>49</sup> cases of attacks against human rights defenders, including 15 murders and 313 cases of penal sanctions against actions in defence of human rights. Particularly, defenders of indigenous peoples' rights, women human rights defenders and defenders of land face serious threats. Journalists, judges and lawyers working to uncover corruption are frequently exposed to threats and persecution. As regards gender-based violence, the National Forensic Sciences Institute registered 444 violent deaths of women between January and November 2020.

In July 2020, the executive made the decision to close down three institutions responsible for the implementation of the Peace Accords and the promotion of the country's human rights agenda: The Peace Secretariat (SEPAZ); the Secretariat of Agrarian Issues (SAA), and the Presidential Human Rights Commission (COPREDEH). Some of the functions of these institutions were incorporated into the new Presidential Commission for Peace and Human Rights (COPADEH). Civil Society Organisations have expressed their rejection to the closure of the aforementioned institutions as it weakens the institutional framework for human rights and peace, as there is no clarity on whether the Presidential Commission will assume all of the extinct organisations' functions, or only part of them.

The lack of attention towards basic social needs in the draft 2021 Nation Budget led to large-scale protests at the end of 2020. Following a government's request, the Organization of American States sent a mission to Guatemala to verify the situation. The mission produced some preliminary findings about the origins of the crisis: delays in the appointment of judges for the High Courts, lack of dialogue and transparency in the budget bill discussions, as well as corruption and impunity. A final report is expected at the beginning of 2021.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU aimed at protecting and empowering the individuals in Guatemala, by focusing on the following five priorities during 2020:

- Fostering a comprehensive agenda to promote economic, social and cultural rights;
- Promoting full implementation of international conventions and ratification of pending conventions to reinforce the equity and development of groups in vulnerable situations;
- Supporting national efforts to prevent and sanction violence against women and children;
- Providing targeted support to the justice system including transitional justice;
- Supporting human rights defenders.

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<sup>48</sup> UNDP. Human Development Report 2020.

<sup>49</sup> The Unit for the Protection of Human Rights Defenders of Guatemala-UDEFEGUA reported 494 cases of attacks against human rights defenders in 2019.

**3. EU bilateral political engagement:** The EU supported the start of a dialogue between the Vice-Presidency of the Republic and civil society groups, on topics including the rights of indigenous peoples, women, young people, and on issues of public policy and economic recovery. Through the dialogue with the Ministry of Foreign Affairs and the Presidential Commission for Peace and Human Rights, the EU promotes the approval of a Human Rights Defenders Protection Policy and the National Action Plan on Business and Human Rights. During 2020, the 'Filter Group', which includes EU Member States, Switzerland, Canada, the United States, the OHCHR and UNHCR country offices and is led by the EU delegation, supported the work of human rights defenders in Guatemala.

**4. EU financial engagement:** The EU continued its support to the economic, social and cultural rights agenda through bilateral programmes and support to CSOs:

- The implementation of three new programmes aimed at combating chronic malnutrition, started with a contribution of EUR 50 million. These programmes tackle various causes of malnutrition as well as seasonal hunger and resilience of vulnerable populations. The programmes will be executed in poor regions where the indigenous population is predominant.
- A call for proposals (EUR 4.5 million) was launched in November 2020 to promote the creation of decent employment opportunities, particularly for young people, women and groups in vulnerable situations by fostering entrepreneurship and innovation in micro, small and medium sized enterprises.
- Through the European Instrument for Democracy and Human Rights, the EU will support six projects (EUR 1.7 million) aimed at promoting the effective implementation of the UN Guiding Principles on Business and Human Rights and the fight against corruption and impunity through social accountability processes.

**5. Multilateral actions:** The High Commissioner for Human Rights reports to the Human Rights Council on Guatemala every year. The EU participated in the fifth Regional Forum on Business and Human Rights in September 2020, as well as in the Annual Forum on Business and Human Rights in November.

Moreover, the EU carried out various human rights related advocacy meetings with the Ministry of Foreign Affairs in the context of the 2020 UN General Assembly sessions.

## Co-operative Republic of Guyana

**1. Overview of the human rights and democratic situation:** Guyana is a longstanding parliamentary democracy. However, the democratic process and rule of law suffered a major crisis in 2020, following the general election in March that was marked by attempts of electoral fraud, a ballot recount and a protracted legal battle. The process was completed five months later, and credible election results were ultimately announced, leading to a democratic and peaceful transition of power in August 2020.

Persistent human rights challenges in Guyana continued to include women's rights, gender-based and domestic violence (including femicide), abuse of children and corporal punishment, homophobia, socioeconomic marginalisation and discrimination against

indigenous peoples, and trafficking in human beings. Despite some positive developments, a large part of the public remains opposed to the rights of LGBTI persons, given the influence of conservative religious lobbies.

Several aspects of the country's legal framework continue to stymie the development of human rights, such as the Death Penalty Law and the Criminal Offences Act prohibiting adult same-sex relations. Harsh prison conditions, lengthy pre-trial detention, judicial backlogs and police violence against detainees also form part of the pervasive institutional weaknesses.

The COVID-19 pandemic exacerbated the existing human rights issues. The impact on low-income homes, rural and indigenous communities was particularly severe. Digitisation of education presented a challenge for families without access to internet and/or to ICT equipment.

Guyana is a pioneer in indigenous peoples' rights. However, legal loopholes place indigenous peoples at a disadvantage when it comes to land rights and mining encumbrances. Poor infrastructure also affects education and primary health care. Economic poverty and the struggling village economies negatively affect indigenous people's livelihoods.

While the death penalty remains in the penal code, there is a de facto moratorium since 1997. No death sentences were issued since then, although there are currently 11 prisoners on death row.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU prioritises its action in the areas of women's rights and the rights of the child, including domestic violence; homophobia; good governance; conditions in detentions centres; and the strengthening of the role of the civil society.

**3. EU bilateral political engagement:** The EU continued to engage with authorities, civil society and stakeholders to support human rights and democracy progress.

In 2020, the EU deployed its first-ever EU Election Observation Mission (EU EOM) to Guyana. The mission started on 25 January and was able to observe and report on all aspects of the process. The EU EOM concluded that overall, the elections were competitive and contestants could campaign freely, even though the process took place in a deeply polarised environment. However, it underlined that the integrity of the electoral process was compromised by the non-transparent and non-credible tabulation of results in the decisive Demerara-Mahaica Region that contains the country's capital.

The final report of 5 June offered 26 recommendations for future electoral processes. Those included recommendations to improve election legislation, overhaul the electoral commission, legislate on political finance, foster transparency and accountability, transform state-owned media into a genuine public service, improve procedures for transmission and tabulation of results, organise simultaneous publication of detailed polling station results and Statements of Poll, and to establish a comprehensive election dispute resolution system.

The EU delegation organised in February 2020 a dedicated seminar for journalists covering human rights in public affairs. In addition, the EU delegation delivered its annual Human

Rights Award to the director of the independent children protection agency in a successful, widely covered ceremony.

**4. EU financial engagement:** Under the EU-UN Spotlight Initiative, Guyana benefits from a EUR 4.5 million envelope, with a focus on violence against women and girls. Implementation officially started with the successful launch on 30 October 2020.

The civil society organisation ChildLink continued the implementation of two human rights projects, aiming at promoting and protecting the rights of the child. With EU financial support (EUR 680,000), ChildLink succeeded in creating an alliance of like-minded local organisations. They work closely with the Ministry of Social Protection and its Child Care and Protection Agency.

**5. Multilateral context:** In its Universal Periodic Review statement at the UN Human Rights Council Working Group on 5 October 2020, Guyana reiterated its commitment to implementing another round of constitutional reform and strengthening legislation to enhance protection for all human rights as well as electoral reform. Guyana stressed that both reform processes will be subject to broad-based nationwide consultations. The national consultative constitutional reform process will commence in 2021, and will examine all areas of the Constitution including human rights.

Despite commitments to do so, Guyana did not ratify the Convention against Torture and the Optional Protocol.

## Haiti

**1. Overview of the human rights and democracy situation:** The human rights situation in Haiti continued to decline significantly in 2020. Poverty is increasing and the population is facing growing difficulties in meeting basic needs, leading to increased vulnerability of the big majority of the population and general instability.

Due to the failure to organise legislative elections (planned for October 2019) President Moïse is governing by decree since January 2020 (date as of which the mandate of the National Assembly and 2/3 of the Senate expired). The Executive has shown no credible commitment to carry out necessary constitutional and governance reforms or tackle the wide spread corruption. Political tensions were further aggravated by disputes over the timing and scope of elections and a referendum on constitutional reform proposed by the government for 2021.

In 2020, kidnappings for ransom, attacks by criminal gangs and widespread insecurity increased. Resurging gang violence is seen as an attempt to secure control over decisive electoral constituencies.

The judiciary is widely perceived as partial, subject to political interference, corrupt, inefficient and ineffective. The rights to access to justice and a fair trial are not generally met. The incapacity of Haiti's justice system to prosecute human rights violators in 2020 reinforced a sentiment of impunity. The assassination of the president of the *Ordre des*

Avocats de Port-au-Prince ('order of the lawyers') Batonnier Dorval in August was seen as a direct attack against civil society.

Allegations of unlawful killings and excessive use of force by police are numerous. They include arbitrary and prolonged pre-trial detention and dangerous imprisonment conditions for children. Violence against women, discrimination against LGBTI persons, and insufficient consideration of people with disabilities such as reduced mobility are further major human rights concerns.

Lack of will, insufficient capacity and limited funding, as well as a generally weak state (particularly outside the capital) mean that Haitian institutions are not able to guarantee full implementation of the international or national human rights-related commitments that Haiti is bound by.

**2. EU action – key focus area:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Haiti on the following areas:

- Protecting and empowering individuals: support for actions in the area of excessive pre-trial detention, protection of persons with disabilities, rights of the child, tackling violence against women and fight against discrimination of LGBTI persons;
- Building resilient, inclusive and democratic societies: support for reforms of economic governance, digitalisation of revenue management, rationalisation of public spending, notably through improved procurement rules, and strengthening internal and external controls. Those reforms aim at reinforcing essential principles of good governance such as transparency, accountability, control and sanctions.

**3. EU bilateral political engagement:** Through its many bilateral contacts, the EU has continued its advocacy for greater consideration for human rights in the country.

Efforts to strengthen the ability of national human rights organisations to undertake their critical role advocating for citizens' fundamental rights continued. Along with the EU Member States and other members of the international community, the EU publicly expressed concerns over two executive decrees that threatened individual freedoms.

The EU has also undertaken a number of sensitisation campaigns targeting specific human rights and notably, women's rights, rights of the child, rights of people with disabilities, as well as visibility actions on Human Rights Day.

**4. EU financial engagement:** The EU has continued to mobilise cooperation funds for human rights in particular to support Haitian civil society through the European Instrument for Democracy and Human Rights. A call for proposals for EUR 800,000 was launched in 2020.

Several projects are underway (for nearly EUR 3 million) in the areas of fight against violence against women and the promotion of women's rights, promotion of rights of the child, fight against discrimination against LGBTI persons, integration of people with disabilities, and consolidation of democracy.

New projects (EUR 1.6 million for 2020-2022) were approved to defend the rights of people deprived of their liberty.

**5. Multilateral context:** The Haitian government has developed a national action plan to address the accepted recommendations of the Universal Periodic Review of the UN Human

Rights Council. The plan is not yet in force and no progress has been recorded since December 2019. The next review is planned for June 2022.

## Honduras

**1. Overview of the human rights and democracy situation:** Honduras seeks, with a complete institutional framework, to guarantee the protection of human rights. However, a number of factors prevent this protection in practice: the absence of judicial independence, the unavailability of human and financial resources, the inability of the government to enforce the existing legal framework as well as the uneven presence of the State institutions across the country.

The COVID-19 pandemic exacerbated cases of home domestic violence, while the government limited some basic freedoms as part of its response to the pandemic. The LGBTI community and indigenous people were frequent victims of discrimination and hate crimes. Honduras remains one of the most dangerous countries in the world to be a journalist, human rights or environmental defender, although the homicide rate was at a 10 years low in 2020 (with 37 per 100,000 inhabitants).

In January, the mandate of the international anti-corruption mission MACCIH (*Misión de Apoyo Contra la Corrupción y la Impunidad en Honduras*) was not renewed. MACCIH, despite some shortcomings, had been successful in investigating high profile corruption cases jointly with the Honduran Public Prosecutor. In October 2020, a new National Strategy for Transparency and Anticorruption was presented, together with the announcement of the setting up of a new structure, the '*Consejo Nacional de Transparencia y Rendición de Cuentas*', with the participation of the government, civil society, academic institutions and international community. Its work is still to be initiated but it has been already strongly criticised by the private sector and civil society organisations for being redundant with current structures.

A new Penal Code entered into force in June 2020. Human rights organisations considered that the new Penal Code would allow for the criminalisation of protests. According to the OHCHR in Honduras, the new Penal Code is below international and regional human rights standards with regard to the classification of criminal offenses of corruption, violence against women and those that affect freedom of expression and assembly. Finally, a new Electoral Law was under discussion in the National Congress. Besides, a new electoral census elaborated with the data provided by the National Registry of Persons – an area which the EU has supported financially – was close to completion despite the complications linked to COVID-19 restrictions and the impact of the tropical storms in the autumn.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused its efforts in Honduras on 'Protecting and empowering individuals' and 'Building resilient, inclusive and democratic societies' with the following priorities:

- Building bridges between the state and civil society;
- Strengthening the national human rights protection system;
- Promoting gender equality and the rights of LGBTI+ persons;

- Strengthening the rule of law and support the fight against impunity and corruption.

**3. EU bilateral political engagement:** The EU continued working on the promotion of human rights and addressing risks for human rights defenders through political dialogue. The EU has met representatives of well-known cases of human rights violations in the country: Berta Caceres, Guapinol defenders, Garifuna representatives and others. Trial monitoring took place remotely. The EU reacted on numerous occasions on social media about the human rights situations in agreement with EU Member States. The EU delegation participated in the International Day Against Homophobia, Transphobia and Biphobia in May and in the International Day for the Elimination of Violence Against Women and Girls in November.

**4. EU financial engagement:** Honduras is among the target countries of the global joint EU-UN Spotlight Initiative to combat violence against women and girls (EUR 11.8 million). In January, the implementation of the program PRODRECHOS (EUR 8 million) started aiming at strengthening and articulating institutional frameworks at the national and local level for the protection and promotion of human rights. Under the European Instrument for Democracy and Human Rights, nine projects (EUR 6.9 million) are ongoing, supporting human rights CSOs and the protection of human rights defenders and vulnerable populations: ProDemos focuses on strengthening the national and local capacity of political parties so that they can become more transparent, inclusive and respectful of democratic values. The EU participation accounts for EUR 1.6 million. The project HondurACTion (EUR 3.4 million) promotes CSO participation in the fight against corruption to improve transparency and freedom of expression with the aim of empowering youth and fostering independent media.

The Instrument contributing to Stability and Peace has funded two projects in 2020. PRODEC (EUR 2.2 million) improves the credibility and transparency of the electoral system and increases citizen's participation in the elections. A second project, implemented with the International Organization for Migration and the UN High Commissioner for Refugees, aims at promoting integration and peaceful coexistence by improving the health response, community engagement and the protection environment of affected communities.

**5. Multilateral action:** In November 2020, Honduras participated in the third cycle of the Universal Periodic Review (UPR), under the auspices of the Human Rights Council. According to the report, out of 152 recommendations, 101 are in the process of being implemented, 34 have already been implemented, and 17 are pending. Honduras recognises that the main challenges to make progress are related to the lack of technical resources and the need to increase the participation of CSOs in the decision-making for this UPR.

## Republic of Argentina

**1. Overview of the human rights and democracy situation:** Overall, the human rights situation in Argentina remained positive, although it was negatively affected by the impact of COVID-19 pandemic: due to the very long lockdown and the underlying economic crisis, poverty reached 40.9% of the population in September 2020, thus limiting access to economic and social rights. 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. Political, expression and association rights are guaranteed and generally



respected. Press is largely free although concentrated in big media groups. Civil society and human rights organisations are active and vocal in expressing their concerns. Elections are considered credible, inclusive and transparent. Gaps remain mainly in the proper implementation of the overall legislative framework.

There have been some episodes of police violence, and the situation in prisons is concerning. A strong women's movement has put gender equality and gender violence high on the political agenda. Within the new administration, which assumed power in December 2019, women and gender issues have been given a special attention with the creation of the Ministry of Women, Gender and Diversity, and several women serve as ministers, although the cabinet is far from ensuring gender parity. While the gender perspective became more transversal, gender violence continued to be a worrying phenomenon. The feminist movement claimed a significant victory after the Argentine Congress approved the legalisation of the voluntary interruption of pregnancy in December 2020. This administration is also giving prominence to the search of 'truth, memory and justice' for the crimes committed during the last dictatorship (1976-1983).

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Argentina on building resilient, inclusive and democratic societies, as well as on protecting and empowering the individuals. The EU strategy for Argentina has three main priorities for the 2017-2020 period: contributing to the strengthening of State institutions; promoting objective information in the media on human rights issues; and supporting the fight against gender-based violence.

The EU and EU Member States continued to implement activities in three main strands:

- the implementation of projects through civil society organizations and permanent interaction with the authorities;
- closely following the human rights situation in the country through contacts with representatives of CSOs and following the media; in this regard, the EU funds a project to improve networking among civil society organisations (Mesa de Redes);
- public diplomacy, including raising awareness on human rights through social media.

**3. EU bilateral political engagement:** In October 2020, the EU and Argentina held the sixth local dialogue on human rights. This was the first dialogue to have a dedicated gender chapter. The dialogue, held virtually, served for both sides to reaffirm their commitment to the protection of human rights, and confirmed the general alignment of the EU and Argentina on most human rights issues and the gender agenda in particular, including in multilateral fora, and their willingness to strengthen cooperation on such issues. In preparing for the dialogue, the EU delegation organised a local consultation meeting with representatives of Argentine civil society organisations active in the human rights field, with participation of EU Member States' embassies.

**4. EU financial engagement:** Considering the high relevance of gender issues in Argentina in recent years, there has been a specific focus on gender violence. The Spotlight Initiative (USD 6 million) raised awareness of the increase in violence against women and girls, mobilised key actors in building alliances aiming to promote policies, actions and behaviours that contribute to a life free of gender-based violence, and support the work of civil society and the State in the different territories. Specifically, a number of virtual trainings were delivered in cooperation with the National Ministry of Women, Gender and Diversity and a

number of successful campaigns were launched such as, ‘La Otra Pandemia’, ‘Obituarios de Género’, ‘Los ayudadores’ and ‘Sin Mochilas’, amongst others. Furthermore, op-eds and radio and TV interviews with Argentine media were organised with the participation of the EU.

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.

Two separate Calls for Proposals on Human Rights and Civil Society were launched in 2020 (nearly EUR 6 million), which saw an unprecedented level of interest. Four human rights projects and seven CSO projects were selected for funding. The main topics to be addressed are rights to education, primary healthcare, nutrition, access to clean water, cultural rights, the rights of women, as well as economic development in line with sustainable environmental principles, with a specific focus on indigenous groups.

**5. Multilateral context:** In 2019, Argentina was re-elected to the UN Human Rights Council until the end of 2021. Ahead of UN Human Rights Council sessions, or the UNGA Third Committee, the EU together with its Member States has regularly conducted demarches at the Directorate for Human Rights in the Ministry of Foreign Affairs. These demarches have contributed to identifying alliances on country specific or thematic resolutions, although Argentina does not co-sponsor country resolutions. Within the UN Human Rights Council, there was for instance alignment with EU on the human rights situation in Venezuela and Belarus.

In September 2020, Argentina ratified the Escazú Agreement, the first regional environmental treaty that aims to safeguard the right of present and future generations to a healthy environment by ensuring access to information, public participation and access to justice in environmental matters. With Argentina’s and Mexico’s ratifications, the Agreement obtained sufficient ratifications to enter into force on 21 April 2021. The EU welcomes this development and will seek to reinforce cooperation based on this Agreement and its similarities with the Aarhus Convention.

On joint-initiatives in the multilateral sphere, the following should be highlighted:

- Since 2017, Argentina is a founding member, together with the EU and Mongolia, of the Alliance for Torture-Free Trade. In 2020 a number of joint activities were carried out.
- Argentina presented in 2020 a follow up resolution to the landmark resolution 1325 on Women, Peace and Security, together with Spain, Finland and other countries.
- Argentina co-chaired during most of 2020 the Equal Rights Coalition (ERC) with the UK. The ERC is an initiative launched in 2016 that promotes universal respect for human rights and fundamental freedoms, and centres on the rights of LGBTI persons. 20 EU Member States are members of the coalition. In this regard, the EU delegation celebrated the International Day Against Homophobia, Transphobia and Biphobia hoisting the rainbow flag on 17 May and organising a debate with representatives of the LGBTI community and EU Member States embassies.

## Plurinational State of Bolivia

**1. Overview of the human rights and democracy situation:** Bolivia encountered many challenges in 2020 while preparing for a democratic transition in the aftermath of the annulled 2019 elections. With the outbreak of the COVID-19 pandemic in mid-March, the interim government imposed a strict national lockdown until September. In a context of political turbulence and also as a result of the socioeconomic distress caused by the pandemic and political differences over repeatedly changed election dates due to COVID-19, the political and social tensions increased and the human rights situation was negatively affected.

Partly thanks to mediation support by the EU together with the UN and Germany under the patronage of the Bolivian Bishop's conference, further violence was avoided and tensions eased. International election missions, including the reinforced EU Election Expert Mission, confirmed Election Day on 18 October and the transition of power to a newly elected MAS (Movimiento al Socialismo) Government proceeded overall calmly and peacefully.

The new government has expressed commitment to improve the human rights situation in the country, including hosting an Inter-American Commission on Human Rights (IACHR) mission as of November to investigate possible human rights violations that occurred in the country between September and December of 2019. First signals were sent to possibly re-open an OHCHR office in Bolivia, to undertake an emergency justice reform and strengthen the response to gender-based violence, which has remained a serious concern for years.

Bolivia has ratified the main international and regional treaties, and national legislation is generally in line with international standards. The following issues remain of major concern: violence against women and children (especially during lockdown); due process; pre-trial detention and the rights of persons in detention; child labour (aggravated by the suspension of the school year and family's economic struggles due to COVID-19); freedom of expression and impunity for human rights violations. However, lack of funding and weak institutional capacity, including the turbulent political situation and the consequences of the COVID-19 pandemic, remained the primary challenges for the implementation of human rights. The forecast budget consolidation and reduced social spending continue to put the already scarred economic and social rights under further distress.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024 and the EU strategy, in 2020 the EU focused in Bolivia on protection and empowering individuals, and in particular: rule of law and access to justice, the rights of indigenous peoples and the elimination of violence against women, girls and boys. The EU was particularly active on supporting the democratic electoral process and promoting reconciliation.

The 'EU Roadmap for Engagement with Civil Society' for 2019/2022 was published in December 2020. Implementation has already started with sectorial dialogues and consultations on possible EU financial support.

The EU repeatedly called for an easing of tensions and inclusive political dialogue as a basis for organising democratic elections. The EU also supported the strengthening of democracy via

the deployment of a reinforced Electoral Expert Mission for the elections, which published a number of recommendations including on human rights and women's participation.

Dedicated EU funding instruments and Member State initiatives supported technical cooperation on the three strategic priorities.

**3. EU bilateral political engagement:** The EU continued to address its priorities in regular dialogue with the Bolivian authorities, aimed, *inter alia*, at making progress on the justice sector reform, improving the human rights situation of children, human rights defenders and civil society, addressing gender-based violence and guaranteeing freedom of expression and media.

In addition, in the framework of the Generalised Scheme of Preferences (GSP+) monitoring, messages on human rights and democratic values were stressed, including on justice independence and non-discrimination with a focus on violence against women and children, child labour and the fight against corruption.

In response to the political uncertainties and polarisation, the EU under the lead of the Bishop's conference and joined by Germany and the UN, assumed the facilitator role by providing a neutral platform to negotiate steps towards a peaceful path to a basis for new elections. As a result, several laws permitting the organisation of credible elections were passed, and an independent Electoral Court could be established, ensuring the credible, inclusive and transparent elections on 18 October.

**4. EU financial engagement:** In 2020, a EUR 3 million 'Access to Justice for all and System reform' programme was started in cooperation with Spain and United Nations Office on Drugs and Crime (UNODC). The EU is also leading the International Coordination Group on Justice, gathering EU Member States, Switzerland and UN Agencies, and has consolidated a regular dialogue with government and civil society on these issues. Additionally, the EU is accompanying the justice reform through two ongoing projects supporting civil society (EUR 2.3 million) in policy advocacy and monitoring.

In 2020, the EU developed the most comprehensive support to the electoral process within the international community through different initiatives: the EU provided technical assistance to the Electoral Court and supported a national observation mission by NGOs during the 2020 elections. These projects will continue during the 2021 subnational elections.

Two projects under the European Instrument for Democracy and Human Rights (EIDHR) for a total of EUR 1.5 million were implemented to promote and protect human rights defenders. A regional project on business and human rights was approved in December 2020 to strengthen human rights in the mining sector (EUR 1.5 million).

In 2020, the EU selected a project focusing on improving access to comprehensive health for indigenous peoples. Another project, implemented by an NGO platform, aims at promoting and protecting human rights defenders in four areas, namely the rights of indigenous peoples, along with environmental rights, the rights of LGBTI persons and freedom of expression. A budget of EUR 400,000 supports and protects defenders at grass-root and community level.

The EU launched a project to support the Vice-Ministry for Equal Opportunities in the fight against gender-based violence. Furthermore, the EU is financing a CSO project to promote gender-sensitive budgeting, and three EIDHR actions focusing on: fighting against gender-based violence and political harassment, promoting women's participation in political parties and combating political violence, and one regional project combating violence against LGBTI persons covering Bolivia, Peru, Ecuador and Colombia.

**5. Multilateral context:** The country's third Universal Periodic Review took place in the fourth quarter of 2019 evoking a range of concerns, including restrictions on the work of human rights defenders, impunity for human rights violations, excessive pre-trial detention, limitations to the rights of the child and women's rights and recommendations on indigenous peoples' and environmental rights. In 2020, the interim government sent their response rejecting several recommendations, particularly in the fields of human rights defenders or child labour. There were no ratifications of human rights instruments in 2020 with several human rights organisations reporting that implementation of the accepted recommendations was lagging behind.

In November, an independent Interdisciplinary Group of Independent Experts established on the basis of an agreement between the interim Government and the Inter-American Commission on Human Rights (IACHR) arrived in Bolivia to investigate possible human rights violations in the country between September and December of 2019. The report is expected six months after their arrival.

## Federative Republic of Brazil

**1. Overview of the human rights and democracy situation:** A consolidated democracy with well-established and functioning institutions, together with effective national checks and balances upholding respect for the rule of law, Brazil successfully held municipal elections in November 2020 (following the general and presidential elections in October 2018). Although Brazil has ratified almost all major international human rights conventions, significant challenges and room of improvement remain in a number of areas. These include corruption and impunity, citizen security, reported increasing violence by police forces, prison conditions, rural violence and land conflict, trafficking in human beings, attacks against human and environmental rights defenders, violence and discrimination against women and LGBTI communities, discrimination/exclusion of Afro-Brazilians descendants and indigenous peoples. The Ministry for Family, Women and Human Rights (MFWHR) currently focusses its action on many of these challenges.

Following the outbreak of the COVID-19 pandemic, social inequalities and vulnerabilities have increased, with the largest toll of the pandemic being paid by marginalised urban populations and groups in vulnerable situations, such as women, children, LGBTI persons, migrants, indigenous peoples, as well as prisoners, besides the most exposed workers to the pandemic and economic crisis.

**2. EU action - key focus areas:** Based on the 2007 EU-Brazil Strategic Partnership and in line with the EU Action Plan on Human Rights and Democracy 2020-2024, the two sides have

developed a constructive and wide-ranging dialogue and cooperation on human rights at both bilateral level and in multilateral fora, on issues such as the death penalty, the fight against racism, rights of the child and country resolutions promoting a global system for human rights and democracy.

On building resilient, inclusive and democratic societies, during 2020 the EU has supported specific actions focusing on freedom of expression and of association, the rule of law and good governance. An updated EU roadmap for the engagement with civil society in Brazil during the period 2020-2025 was adopted in August. The EU also continued its action to protect and empower individuals, by supporting indigenous peoples, human rights defenders, sustainable socioeconomic recovery from COVID-19 in the Amazon, implementation of international environmental conventions in the climate change and trade agreements with civil society participation. On human rights aspects related to the use of new technologies, the on-going 'Exposing bot disinformation in Brazil' project developed activities aiming at tackling disinformation in media literacy practices and within social media. While the immediate beneficiaries of this initiative are CSOs, media organisations and citizens, activities positively involved also the Brazilian Federal Public Ministry.

**3. EU bilateral political engagement:** In 2020, EU-Brazil cooperation on human rights has positively continued, and it has adapted to the new challenges stemming from the COVID-19 pandemic through enhanced political dialogue at federal and state level, and by means of specific EU-funded cooperation initiatives, virtual meetings with CSOs, as well as through specific awareness raising activities and public campaigns. The importance to protect human rights during the pandemic was underlined in a series of high-level meetings and events with the Brazilian authorities, and the EU has dedicated the 2020 Brazilian edition of the Human Rights Prize, launched in September 2020, to the theme 'Together for the protection of human rights in COVID-19 times'. This prize was awarded to the Socio-environmental Institute (ISA) for the project 'Emergency plans to fight against COVID-19 in indigenous, afro-descendent and riverine population'.

The ninth edition of the high-level EU-Brazil Human Rights Dialogue took place on 1 December 2020 by videoconference, preceded by an EU-Brazil CSO Seminar, which provided a series of recommendations on the different topics addressed during the dialogue. Both sides exchanged views on human rights topics at bilateral and multilateral level, and discussed in a constructive way some areas where differences exist. The occasion was also instrumental to review and enhance cooperation in sectors where bilateral initiatives are ongoing, including supporting the rights of women, minorities and groups in vulnerable situations, such as indigenous peoples, ethnic minorities, LGBTI persons, migrants and refugees and human rights defenders. The EU-Brazil dialogue also focussed on freedom of expression, freedom of religion or belief, business and human rights and on the protection of the right to health, access to information and other fundamental freedoms in the context of the COVID-19 pandemic. The Brazilian side renewed the invitation to the EU Special Representative for Human Rights to visit this country as soon as circumstances permit, in order to follow-up on the above-mentioned discussions. The 10th bilateral dialogue is expected to be held in Brussels in 2021.

**4. EU financial engagement:** There are currently 28 bilateral cooperation projects worth nearly EUR 34 million covering five areas: freedom of association - 11 projects on strengthening the capacity of CSOs totalling EUR 12 million; human rights defenders - five projects totalling EUR 4.2 million; non-discrimination – one project to support Afro-descendants rights totalling EUR 450,000 and three projects on gender equality totalling EUR 3.2 million; business and human rights – one project, totalling EUR 7 million and rule of law and good governance – seven projects, totalling EUR 6.6 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).

After the ending in 2020 of the Instrument contributing to Stability and Peace (IcSP) project (EUR 2.5 million) to support Brazil's efforts in welcoming Venezuelans migrants and other persons of concern (including returning nationals), a new regional action was formalised in response to the COVID-19 pandemic to strengthen the response to the pandemic across the region (EUR 1.2 million of support for Brazil).

Activities under the EU-Brazil Sector Dialogues Support Facility, financed by the EU Partnership Instrument, provided EUR 140,000 in 2020 to support human rights, specifically on: seized and confiscated assets within the fight against organised crime; human rights defenders, notably on environmental issues and trade and sustainable development within the EU-Mercosur Association Agreement. The Partnership Instrument also finances regional projects, in which Brazil participates, on women and economic empowerment, fair trade and corporate social responsibility/business and human rights for a total of EUR 25.5 million.

All on-going EU programmes have been reviewed to better help responding, where possible, to the impacts of the pandemic.

**5. Multilateral context:** Brazil is currently a member of the UN Human Rights Council for the term 2020-2022. In 2020, Brazil was the main sponsor of the resolution on the right to health, but also a core-group member of resolutions such as safety of journalists, privacy, technical cooperation and capacity-building in the field of human rights on thematic resolutions and the rights of the child. 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.

In 2020, Brazil has been particularly active on issues related to freedom of religion or belief. The country organised in July a side event on the elimination of violence and persecution based on religion. Brazil is member of the International Alliance on Religion Freedom along with the US, Poland, several other countries from Europe as well as from Africa and Latin America.

At regional level, a negative precautionary measure was issued in July 2020 by the Inter-American Commission of Human Rights Commission against the Brazilian State for the health conditions of the Yanonami and the Ye'kwana indigenous people.

## Republic of Chile

**1. Overview of the human rights and democracy situation:** The outbreak of the COVID-19 pandemic in March 2020 paused the social movement that erupted in October 2019. The pandemic contributed to the weakening of the situation of groups already in a vulnerable situation, in particular women and children, with special concern regarding domestic violence,<sup>50</sup> a sharp increase of unemployment<sup>51</sup> and economic precariousness.<sup>52</sup> According to the 2020 Human Development Index (HDI), Chile maintains the first place in Latin America and the 43rd place among 189 countries, which ranks the country in the 'very high' human development category. However, when the index is adjusted for the country's inequalities, Chile falls 11 places in the world ranking, highlighting that inequality remains one of the most relevant pending challenges in the country.

Regarding the human rights violations reported in the context of the social crisis, the Ministry of Justice published in August 2020 a progress report outlining the steps taken by the government.<sup>53</sup> At the same time, the work of police forces has been subject to judicial proceedings and cases of police misconduct led to the resignation of corresponding authorities. The government reiterated its commitment to undertake a comprehensive police reform, which is still pending.

On 25 October 2020, the historical plebiscite on a new Constitution became the election with the highest turnout in absolute terms in the modern history of the country. The overwhelming majority voted for a new Constitution, as well as for the Constitutional Convention to be 100% elected. In the course of 2020, the Congress agreed bills stipulating that the Convention would introduce gender parity - the first one in the world - and would include 17 seats reserved for indigenous peoples, establishing an important step of inclusion.

2020 has also seen a deterioration of the security situation in the Araucanía region where the Mapuche conflict overlays with increasing activities of organised crime, marked by an increase in violent attacks in the southern macro-zone (30% more than in 2019). In addition, 27 Mapuche prisoners carried out a hunger strike during several months and a national strike of truckers took place against arson attacks. The government has taken steps to pursue the intercultural dialogues with representatives of the Mapuche community and, on this basis, stressed its commitment to formulate a concrete proposal to modify prison regulations and to further enhance programmes of labour reintegration with cultural relevance, in line with the ILO Convention 169.

**2. EU action - key focus areas:** The key focus areas for EU action are as defined in the EU country strategy and in line with the EU Action Plan on Human Rights and Democracy 2020-2024: strengthening the human rights and democracy institutional framework and public policies; women's rights and gender equality, inclusion and non-discrimination: indigenous peoples and other minorities, such as LGBTI persons; and economic, social and cultural rights and business.

In particular, the EU worked together with the government and civil society on protecting and empowering individuals via projects with civil society, for instance to empower women participation in politics. The EU also supported projects that build resilient, inclusive and

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<sup>50</sup> Calls to the government helpline have increased by 167%.

<sup>51</sup> 11.6% in the trimester August-October<sup>51</sup>, increasing by almost 5% since the start of 2020.

<sup>52</sup> World Bank projects poverty would rise from 8.1% to 12.3% at the end of 2020.

<sup>53</sup> Report highlights the review of police protocols on the use of force in line with international standards, reinforcing Human Rights aspects in police training or use of body cameras on police officers.



democratic societies focused on increasing political participation of traditionally excluded sectors, innovative projects for sustainable development, such as the development of green hydrogen and initiatives to mitigate climate change and promote a just transition.

The EU is also accompanying the country's efforts towards the adoption of a new constitution, engaging in multi-sectoral cooperation, in line with the key focus area to deliver by working together.

**3. EU bilateral political engagement:** In 2020, the EU remained actively engaged with all stakeholders in Chile, including the government, civil society and academia. In particular, the 10th EU-Chile dialogue on human rights allowed for a deep exchange on the progress and challenges to the human rights and democracy priority areas. It was also an opportunity to discuss the steps taken by the government on follow-up to the recommendations on the state response to the social protests, especially in the fields of justice, truth, reparation and guarantees of non-repetition. The dialogue was preceded by preparatory meetings with the Director of the National Institute for Human Rights, the Children Ombudsperson, the regional representative of the High Commissioner for Human Rights and civil society representatives.

**4. EU financial engagement:** Under the thematic line of civil society organisations (CSO), there are eight active projects with a total budget of EUR 3.9 million, covering, *inter alia*, gender equality (with Instituto de la Mujer; World Vision Chile; and Comunidad Mujer/Corporación Humanas); climate change (with local authorities of Biobío; Viña del Mar and Valparaíso); democracy and citizen participation (Nuevo Pacto Social); and recovery from the COVID-19 pandemic (with Comunidad Solidaria de Organizaciones and Fundación Superación de la Pobreza). One project on gender equality (with Universidad Alberto Hurtado) ended in June 2020.

Within the framework of the European Instrument for Democracy and Human Rights, with a budget of EUR 270,000, the EU is supporting a project aimed at addressing the economic, social and cultural rights of indigenous peoples (implemented together with Observatorio Ciudadano). Two other projects (on migrants' access to education, and business and human rights) ended in June 2020.

Via the Regional Programme EUROsociAL+, the EU supported Chile to enhance social cohesion by contributing to the design, reform and implementation of public policies in the areas of gender equality, democratic governance, and social policy. The EU is coordinating several activities with EUROsociAL+ in order to support the constitutional process based on clear demands from local stakeholders.

Additionally, under Euroclima+, the EU continues to support the Chilean COP25 presidency, including initiatives related to climate change and gender, indigenous peoples, just transition or citizen participation. Within the framework of the Partnership Instrument, the EU continued its support to the regional programme 'Win-Win: Gender Equality is Good Business', implemented by UN Women/ILO and also supports the project 'React for the Climate' aiming to empower citizen's initiatives on climate action.

In the same line of action, in the context of the pandemic, the EU mobilised #TeamEurope funds to finance the delivery of food and sanitary kits to the most vulnerable sectors and promote green recovery in rural areas.

**5. Multilateral context:** Chile is a like-minded partner of the EU concerning human rights issues and there has traditionally been good cooperation in multilateral fora, especially the UN Human Rights Council. Chile was a Member of the UN General Assembly Third Committee in the period 2018-2020 and its voting patterns are generally aligned with the EU. As far as UN treaty bodies are concerned, Chile's CCPR report is pending. Chile will present candidacy to the UN Human Rights Council for 2023-2025.

In September 2020, Chile decided not to sign the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean, better known as Escazú Agreement, although having promoted and led the process together with Costa Rica as of 2012 during the first government of President Piñera and until two years ago.

## Republic of Colombia

**1. Overview of the human rights and democracy situation:** Structural socioeconomic problems in Colombia aggravated due to the impact of the COVID pandemic. Already in 2019, poverty was increasing, with 1.4 million Colombians falling into poverty, half of them to extreme poverty. These conditions are structurally affecting human rights. 2020 registered 50,000 reported cases of sexual violence against women and girls, a third of them against girls younger than 13 years old. The government has registered a historical reduction in homicides, most likely related to the confinement effect in the cities. In contrast, rural violence increases, fuelled by armed conflict among illegal armed groups fighting to control land and illicit economies such as drugs and gold. The UN has reported an alarming increase in massacres (simultaneous killing of three or more civilians) from 35 in 2019 to 86 in 2020. Murders against human rights defenders reached 120 according to the OHCHR, maintaining a rate of more than two murders every week, observed since 2018. Further 76 peace signatory FARC ex-combatants were murdered in 2020, increasing these victims to 249 and becoming a threat to the peace process's sustainability. Forced displacement affected 23,000 people during 2020, and further 69,000 suffered from forced confinement, affecting particularly indigenous and Afro-descendant communities. During the strict lockdown, the inflow of migrants from Venezuela stopped temporarily but reactivated from September, reaching around 2 million migrants in Colombia at the beginning of 2021. The government maintained its humanitarian policy towards the refugees and migrants, but the human rights situation deteriorated with criminals exploiting and abusing the migrants as they, with the official border closed, resort to illegal crossings.

Massive social protests in September ended in historical violence and excessive force by security forces that left many young protesters dead by gunshots and many protesters and police officers wounded, which showed a need for further regulation to secure the right to protest peacefully and respect international human rights law also in case of violent protests. Court cases against some individual police officers have recently initiated.

Congress updated the Electoral Code (replacing a 1986 law) to integrate new technologies. Further, the Colombian Electoral Authority adopted an innovative protocol for granting access to vote to transgender people, accepting the proposal of local NGOs working on democracy and the rights of LGBTI persons.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Colombia on the following areas:

- Protecting and empowering individuals: human rights defenders; women's rights and gender equality; rights of the child; victims and transitional justice; indigenous and Afro-Colombian peoples and other groups in vulnerable situations; Venezuelan migrants and refugees.
- Building resilient, inclusive and democratic societies: democracy, peacebuilding and conflict resolution.

**3. EU bilateral political engagement:** The comprehensive 2016 Peace Agreement implementation is a central part of the EU's bilateral engagement with Colombia in democracy and human rights. The EUSR for Human Rights Eamon Gilmore is also the EU Special Envoy for the Peace Process in Colombia. The EU supports the three institutions of the Peace Agreement's transitional justice (Special Jurisdiction for Peace, Truth Commission and Unit for the Search of Missing Persons), which includes supporting victims access and participation. The three heads of these institutions held a virtual dialogue with the EU in July 2020. The EUSR for Human Rights voiced constant support to the transitional justice in meetings with government and public statements.

The EU makes part of the international observers of the Peace Agreement's National Commission for Security Guarantees, created to bring together the state and CSOs to design a public policy to dismantle the remaining armed groups. The EU also is an observer at the CSOs Guarantees Process, promoted by civil society to hold dialogue with national and regional governments on HRDs protection.

Besides good engagement with the government's Presidential Advisor for Human Rights and other key national authorities, the EU maintains close relations with independent institutions. The General Inspector continued inviting the EU to the 'Worktable for Life Protection', gathering the government, the military forces and CSOs to discuss joint actions to stop the violence against human rights defenders.

The 12th EU-Colombia Human Rights Dialogue was held virtually on 30 July 2020, preceded by several EU and Member States' embassies preparatory meetings with authorities, Colombian and European CSOs and multilateral organisations. Topics discussed included protection of HRDs, the impact of the COVID-19 pandemic on human rights, abuse of minors and recruitment by illegal armed groups as well as business and human rights.

In June, the EU celebrated the first anniversary of the joint EU campaign #DefendamosLaVida (#WeDefendLife) to show public support to threatened human rights defenders and organisations. The EU in Colombia maintains close dialogue with the government on the protection of women. In close dialogue with the authorities, an EU project was adapted to respond to the COVID-19 challenges on women victims of domestic violence. At the end of 2020, the government officially adopted the EU communications campaign 'School of Machismo Unlearning' (ENDEMA in Spanish), launched in 2019 to promote gender-sensitive pedagogy.

**4. EU financial engagement:** The EU supports human rights in Colombia with a wide range of instruments, including through the EU Trust Fund for Colombia (EUTF). In early 2020, the EU launched nine new projects for EUR 1.8 million benefiting 539 CSOs, 4,430 HRDs and

reaching more than 530,000 men, women and children, focused on sustainable development, peacebuilding, democracy and human rights. At the end of 2020, a EUR 1.6 million project with the Ombudsperson Office and the OHCHR funded under the European Instrument for Democracy and Human Rights, to support the Colombian Early Alert System against human rights violations and promote collective protection among vulnerable communities and organisations.

The EU supports all three institutions of the Colombian Transitional Justice System. In July 2020, a new project of EUR 3.5 million started with the Special Jurisdiction for Peace (the Peace Court) adding to the earlier agreements with the Unit for the Search of Missing Persons and the Truth Commission. The implementation continued of the EUR 2 million with the Special Investigation Unit of the Attorney General to fight impunity in crimes against HRDs and peace signatory ex-combatants.

The EU and Member States continued to support the Peace Agreement's implementation through the EUTF, reaching contributions of EUR 127 million in 2020. EU Member States also participate in the UN Multi-Partner Trust Fund for Sustaining Peace in Colombia, participating with USD 7.1 million during 2020.

Facing the sanitary and socioeconomic impact of the COVID-19 pandemic, the EU adapted 70% of its cooperation projects to support vulnerable communities. This included a EUR 780,000 project to provide comprehensive attention to women and children victims of domestic violence during and after the COVID-19 lockdown. Additional EUR 500,000 of humanitarian aid was mobilised for the Colombian Amazonian region, home to important indigenous communities, significantly affected by the pandemic.

Finally, in December 2020 Colombia launched the National Plan on Business and Human Rights, which received EU support through the Responsible business conduct in Latin America and the Caribbean programme, implemented by OHCHR, ILO and OECD and financed with EUR 9.5 million of the EU Partnership Instrument.

**5. Multilateral context:** OHCHR reports on human rights caused public rejection by the government at the beginning of 2020, but later initiatives have been taken to seek overcoming issues on statistics on human rights violations.

Regarding multilateral support to the peacebuilding, the UN Verification Mission in Colombia mandate was extended for another year and discussions advance in the UN Security Council on a possible widening to include monitoring of transitional justice decisions. A mission of the Organisation of the American States is present since 2007, with mandate until 2021.

In 2020, Colombia formally entered OECD, and is assuming a regional leadership, receiving in December 2020 pro tempore presidencies of the Pacific Alliance and PROSUR, and currently holding CAN's presidency, with an opportunity to lead and coordinate regional policies in favour of democracy and human rights, particularly on environmental issues, where Colombia already led in 2019 the signature of the regional Leticia Pact to protect the Amazon basin. Nevertheless, the ratification of the regional Escazú Agreement on environmental rights failed in Congress in 2020 despite the President's support.

## Republic of Ecuador

**1. Overview of the human rights and democracy situation:** In 2020, the human rights situation in Ecuador was significantly affected by the COVID-19 pandemic, leading to decreased opportunities for enjoyment of basic social and economic rights. The overall difficult situation had a particular negative impact on the groups in vulnerable situations, such as women and children, indigenous peoples and Ecuadorians of African descent, LGBTI persons, people with disabilities, migrants and refugees. The human rights defenders and civil society organisations have noted that the pandemic exposed the fragility and underfunding of human rights institutions, resulting in their inability to provide adequate support to more affected groups during the pandemic.

The country has made good progress on social and economic rights over the past years in the context of flagship policies such as the National Development Plan for 2017-2021 '*Toda una Vida*' (A Lifetime Plan), 'Housing for Everyone' plan and policies for social integration of persons with disabilities. The government of President Lenin Moreno, committed to fundamental freedoms, has engaged in wide reforms that dismantled the previous system of media control and repression, providing a more open space for civil society and engaging in dialogue with human rights defenders. The judiciary system has undergone improvements in terms of separation of powers and independence, however there are still issues pertinent to access to justice and judicial independence. While the relevant human rights legislation is largely in place, it is often not duly implemented due to lack of financing, as well as the downsizing that affects state institutions' ability to implement policies. There is also a need to improve the understanding of human rights and their due application within the judiciary system, as well as in the security sector.

Gender violence continues to be a deep-rooted problem in Ecuador. The situation was further aggravated during the lockdown period. The number of calls to support centres for family violence was reported to have increased significantly, especially during the months of hard confinement.<sup>54</sup>

One of the groups in the most vulnerable situation in Ecuador is the indigenous population: during the pandemic some of the long term issues became more pronounced, such as illegal mining and logging in the indigenous territories, lack of access to medical care and basic services. For the smallest indigenous groups, the pandemic meant threat of ethnic extinction, especially affecting the elders who are the keepers of indigenous culture.

The situation in the penitentiary system of Ecuador continued to be of concern. The COVID-19 outbreak exacerbated difficulties (overcrowding, sanitary conditions, violence). In August, following violent incidents, the government declared the state of exception for 90 days in Ecuadorian prisons.

In 2020, Ecuador launched elaboration of a National Action Plan on Business and Human Rights, with particular relevance in supporting policies that would ensure responsible conduct of companies, including towards communities where business operations are taking place and in terms of labour rights.

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<sup>54</sup> In 2020, more than 100 femicides have been registered in the country, included 5 cases of transgender persons and 15 girls under the age of 18.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Ecuador on the 'protecting and empowering individuals' line of action and in particular:

- 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 minorities and groups in vulnerable situations, including indigenous peoples, migrants, women and children;
- Access to an independent and effective justice and the rule of law.

**3. EU bilateral political engagement:** In 2020, the EU maintained contacts with all relevant stakeholders including the government, human rights institutions, human rights defenders and civil society organisations. In June 2020, the first annual local dialogue on human rights issues between the EU and Ecuador took place.

The EU roadmap for engagement with civil society (adopted in 2014 and updated every year) has attracted considerable interest from civil society organisations, which are actively participating in its implementation. In the context of the roadmap civil society decided to open specific working group for setting up advocacy initiatives towards government, especially on gender equality and human rights. The roadmap and the work done by the EU and the civil society in Ecuador have been chosen as a good example to be followed in other countries.

On business and human rights, the EU supports the elaboration of the national action plan through the 'Responsible Business Conduct in Latin America and the Caribbean' project. Business and human rights is also a key entry point to support other EU priorities such as human rights defenders and indigenous peoples.

**4. EU financial engagement:** In 2020, EU implemented three human rights projects that focused on protection of indigenous peoples, protection of people in voluntary isolation, forced disappearance and extrajudicial execution (EUR 1 million) and launched a new call for proposals on human rights for EUR 1 million, resulting in two new actions with a focus on human rights defenders. In November 2020, EUR 530,000 was provided by the Emergency Fund for Human Rights Defenders/EIDHR Facility to support threatened human rights defenders and indigenous and afro communities heavily affected by COVID-19. Through the Civil Society Organisation/Local Authorities thematic budget line, six new projects were approved (EUR 5 million). All of them are characterised by rights-based approach, include gender key indicators and women are at centre of the action. There are 19 EU projects in support of human mobility through humanitarian and development action (EUR 22.3 million). A regular dialogue with the Ecuadorian government and civil society accompanies the financial engagement.

**5. Multilateral context:** Ecuador supports multilateralism and a rules-based international order. In 2020, Ecuador continued the approach of case-by-case decisions on UN resolutions on human rights issues, showing some like-mindedness on a number of human rights issues, including EU-sponsored and supported resolutions. Ecuador leads discussions within the

United Nations on the possible development of an international agreement (legally binding instrument) on business and human rights.

In January 2020, Ecuador ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. In May 2020, Ecuador ratified the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Affairs in Latin America and the Caribbean (the Escazú Agreement).

## Republic of Paraguay

**1. Overview of the human rights and democracy situation:** Paraguay generally has a good legal basis for the protection of human rights, but the National Plan for Human Rights that is vital for the necessary institutional strengthening has remained unimplemented. Human rights and democracy challenges include corruption, organised crime, as well as protection of vulnerable groups, violence against women and girls, the rights of the child, indigenous communities, landless farmers, persons with disabilities, and discrimination against the LGBTI community. Teenage and child pregnancy ranks as one of the highest in the region. The weak functioning of the justice system, including overcrowding and violence in prisons, and pre-trial detention continue to be of major concern.

With the COVID-19 pandemic, social inequality further increased particularly in groups in vulnerable situations; women, children, indigenous peoples, as well as prisoners. The pandemic also exposed several reported corruption cases in purchases of health supplies and there have been complaints about human rights violations in mandatory quarantine centres for Paraguayan returnees. The schools operating in virtual format since March 2020 affected mostly the persons in the most vulnerable situations who do not have internet connection or even a device to connect.

Some positive developments in 2020 include a Supreme Court decision to publish asset declarations of all public officials, a victory for access to information. For the second year running, a decrease in the number of women killed in domestic violence was reported. National plans for Prevention and Combat of Human Trafficking, and Transparency, Integrity and Fighting Corruption were adopted. In line with Inter-American Court of Human Rights decisions, land or road access were allocated to two indigenous communities. The 2014 Zero Deforestation Law was extended for a decade, and 91 victims of the dictatorship received compensation. A welcome development regarding the rights of LGBTI persons was the swearing-in of the first openly transgender lawyer.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused its efforts in Paraguay on 'Protecting and empowering individuals' and 'Building resilient, inclusive and democratic societies' with the following priorities: better protecting groups in vulnerable situations, addressing gender issues and discrimination, as well as strengthening and consolidating democracy, including through improving electoral processes. Other priorities for the EU are promoting institutionalisation of human rights, judicial reform, fighting corruption and organised crime, and further enhancing transparency.

**3. EU bilateral political engagement:** In 2020, the EU maintained contacts with all relevant stakeholders including the government, human rights institutions and civil society organisations.

The EU Electoral Follow-up Mission (December 2019), with specific focus on the recommendations on gender parity and electoral participation of underprivileged groups, presented its final report to the authorities in May 2020.

The EU has communicated the importance it attaches to human rights and democracy during the follow-up to the 2018 EU Electoral Observation Mission, in particular regarding electoral participation of women and indigenous groups, and legislation on political financing. With EU support, International IDEA continued to provide online training for youth and women leaders, and a project of providing identity documents for indigenous men and women is scheduled to start in the first quarter of 2021.

The EU delegation celebrated Human Rights Day with an online documentary film festival about human rights and environment. Human rights 'Dignity' recognitions, supported by the EU via civil society platforms, were awarded to human rights defenders working on the rights of indigenous peoples and the rights of the victims of dictatorship.

**4. EU financial engagement:** During 2020, the EU and its Member States have been devoting financial and non-financial means to support the EU human rights and democracy priorities.

Consolidating democracy, including through improved electoral processes was supported with EUR 3 million in cooperation with International IDEA. The aim is to strengthen electoral integrity in line with the recommendations of the EU Electoral Observation Mission in 2018, as well as to increase political representation and participation of women, underrepresented groups and civil society.

Activities related to transparency and fight against corruption are channelled at the regional level through 'EL PACCTO' programme. In 2020, the programme continued to be highly relevant to Paraguay, considered as one of the most active partner countries, notably in the fight against organised crime, trafficking in human beings and money laundering.

The project 'My school, my community, my life: protected and free of violence' supported by the European Instrument for Democracy and Human Rights (EIDHR) addressed prevention of violence and promotion of girls and women rights from vulnerable communities through the schools (EUR 475,000).

Two EIDHR projects started in 2020:

- 'Ñamombarete Yvypóra Derécho Paraguáipe' (EUR 700,000) aimed at improving networking and communicational work of human rights organisations, as well as at promoting legislative, political and social improvements in compliance with State human rights commitments, with emphasis on people in vulnerable situations, protection of human rights defenders and promotion and education for a culture of human rights.
- 'Promotion of human rights of indigenous peoples in Paraguay through the protection of their territorial and environmental rights, and for a free, prior and informed consultation and consent' (EUR 285,000).



**5. Multilateral context:** Paraguay has ratified all core international and regional human rights conventions. The country cooperated closely with the January 2016 Universal Periodic Review and accepted almost all 140 recommendations. However, the majority of the accepted recommendations remain to be implemented, also in view of Paraguay's third Universal Periodic Review in May 2021.

The ratification of the regional Escazú Agreement, Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Affairs in Latin America and the Caribbean, was put on hold due to the objections expressed by some conservative groups.

Paraguay is a candidate for the UN Human Rights Council elections in 2022. For the first time, Paraguay presented a candidate for the Inter-American Human Rights Court, a former Supreme Court judge.

## Republic of Peru

**1. Overview of the human rights and democracy situation:** 2020 was a challenging year for democracy and human rights in Peru. The country was among the most affected by the COVID-19 pandemic worldwide with one of the highest number of deaths. The pandemic had a strong impact on the health and social protection systems and affected negatively the human rights situation. Macroeconomic stability, one of the country's traditional pillars, has also been affected. Peru is currently facing increasing rates of unemployment, poverty, inequality and hunger. In particular, the COVID-19 pandemic is further increasing the vulnerabilities of the estimated 1 million Venezuelan refugees and migrants in Peru. It had also a negative impact on the rights of indigenous peoples.

This social and health crisis was accompanied by a process of political deterioration between the Executive and the new Congress elected in January 2020 that ended up with the impeachment of President Vizcarra in November 2020 and the assumption of two interim presidents in the course of two weeks. Political reforms have become a priority of the democracy agenda in Peru.

Fight against corruption remains one of the most pressing issues. Efforts have been undertaken in this regard, but the attention is still focused on high profile cases.

The situation of human rights defenders, especially environmental defenders, and the legitimate right to protest were also affected in Peru. Reported police abuses and the criminalisation of protests have become one of the most pressing issues. Police has been accused of using excessive force during social conflicts, especially those involving mining but also during the political demonstrations at the end of 2020.

Gender-based violence, which increased during the pandemic, the impact on the rights of LGBTI persons, and the excessively broad defamation laws that risk restricting freedom of expression remained major challenges.

Although the issues pending on the human rights agenda are extensive, it is important to highlight the progress made in the adoption of new laws to guarantee parity between women and men on congressional lists, greater regulation of political financing, the

establishment of greater filters for participating in politics, and the elimination of parliamentary immunity.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused its efforts in Peru on 'Protecting and empowering individuals' and 'Building resilient, inclusive and democratic societies' with the following priorities:

- Fight against gender-based violence, promotion of equal opportunities and women's rights;
- Democratic governance, transparency, integrity and accountability;
- Protection and empowerment of groups in vulnerable situations such as indigenous peoples, LGBTI persons as well as prisoners;
- Business and human rights, prevention of social conflicts and protection of human rights defenders;
- Support the design and implementation of Peru's human rights legal and policy framework and access to justice, including reparations for victims of human rights violations.

**3. EU bilateral political engagement:** In January 2020, the EU sent an Election Observation Mission to observe the early legislative elections. The mission assessed that elections were well-conducted and credible, although influenced by excessively rigorous requirements for the registration of candidates. Its recommendations were well-received by all political stakeholders and contributed to political reform to move forward. The yearly EU-Peru dialogue on human rights and democracy took place in October and addressed, among others, the COVID-19 pandemic and the National Human Rights Plan. The EU also organised and chaired its annual dialogue with human rights defenders (in July), as well as the annual structured dialogue with civil society (in December). These discussions allow constant engagement on human rights in the country with a diversity of stakeholders.

**4. EU financial engagement:** The EU allocates a total of EUR 7.5 million to the protection of human rights in Peru via national and regional projects. The focus is placed on the protection of human rights defenders (EUR 1.9 million), promoting justice and support to victims of torture and extrajudicial killings (EUR 2 million, two regional projects), the fight against trafficking in human beings (EUR 360.000) and the fight against corruption (EUR 360.000). A new project will be implemented in the field of business and human rights to promote due diligence mechanisms and building multi-stakeholder spaces between business, society and the state (EUR 1 million). A specific project (EUR 400,000) is currently implemented to support the *Coordinadora Nacional de Derechos Humanos*, a national platform of 80 human rights organisations.

At regional level, Peru participates in the 'Gold Alliance: Andean experience in the defence of human rights in the context of mining activity' (EUR 1.5 million) and in the project '*Adelante con la diversidad sexual*' which seeks to guarantee security and access to justice and participation of LGBTI persons (EUR 1.9 million). In addition, Peru is one of nine countries benefiting from a regional project to promote corporate social responsibility, financed by the Partnership Instrument for a total of EUR 9.5 million.

In the field of democracy support, four projects are being implemented (EUR 1.7 million): two to support the implementation of EOM recommendations, one to facilitate dialogue between authorities, society and academia in the framework of electoral processes and a programme for the implementation support for the OECD public governance review of Peru (EUR 0.9 million).

**5. Multilateral context:** Peru was a proactive member of the UN Human Rights Council in 2020. As a like-minded country, as well as a confirmed defender of multilateralism, Peru often aligns with EU positions in multilateral fora. However, despite the insistence of human rights and environmental organisations, the Congress of Peru decided in October 2020 not to ratify the Escazú Agreement, a regional agreement on access to information, public participation and justice in environmental matters.

## The Oriental Republic of Uruguay

**1. Overview of the human rights and democracy situation:** Uruguay is an established and effective democracy, enjoying political and economic stability, with a robust rule of law. A new centre-conservative government, led by President Lacalle Pou, came to power on 1 March. The government passed as a first step a legislative package (Urgent Consideration Law) to introduce reforms in security, education, housing, labour and the economy. Several national civil society organisations criticised the legislation, arguing that some of its provisions would affect freedoms of association, peaceful assembly and expression.

One of the most persistent human rights challenges for Uruguay is the high rate of domestic violence against women and gender inequalities in public and business decision-making. Sharing family-related care responsibilities is not the rule. Despite legislative advances on the matter, the lack of financial and human resources somewhat hinders their effective implementation. Deficiencies also persist on the use of extended pre-trial detention and weak reinsertion strategies, resulting in some penitentiary centres being overcrowded, what leads to negative consequences. The situation in juvenile detention centres is similar. Improvements are needed in anti-discrimination policy against Afro-descendants and the LGBTI community. As regards the COVID-19 pandemic, compared to the region, infection rates remained at a moderate level for most part of 2020 (they were on the rise towards the end of the year), with no significant impact on human rights. Extended social programmes were among the measures taken, i.e. for the people in the most vulnerable situations, together with a special unemployment benefit scheme.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Uruguay on the 'Protecting and empowering individuals' line of action and in particular:

- 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, older persons, Afro-descendants and former convicts.

**3. EU bilateral political engagement:** Two meetings with the National Association of NGOs took place and the broader annual dialogue with civil society is planned for 2021. Concerning the regional programmes, three national dialogues took place for Euroclima+, Eurosocial+ and El PACCTO covering topics such as the use of alternative measures to the deprivation of liberty, management of water resources or active employment policies. In 2020, the EU re-launched with Uruguay's National Human Rights and Ombudsman Institution the campaign for children and youth to learn the articles of the Universal Declaration of Human Rights. Further, the EU launched the third edition of the EU Human Rights Award to give recognition to the most outstanding NGOs in Uruguay.

**4. EU financial engagement:** The EU is currently financing seven bilateral cooperation projects in Uruguay worth EUR 3.75 million:

- '*Uruguay mira la trata*' capacity building activities in the area of trafficking in human beings';
- '*Cooperación con equidad*' empowering the political participation and the socio-economic rights of women working in the cooperative sector;
- '*Horizonte de libertades*' social, economic, cultural and political integration of discriminated LGBTI persons, HIV+ persons and adolescents deprived from liberty;
- '*Más Conocimiento, Más Participación, Más Derechos*' promoting the full exercise of the rights of children and adolescents;
- '*Win-Win: gender equality is a good business*' promoting gender equality in the private sector;
- '*Fortalecer, Participar, Incidir*' strengthening the capacities of organised civil society to influence the formulation, execution and monitoring of public policies with a human rights approach;
- '*InsPYraMe*' 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.

In 2020, the EU launched two calls for proposals: one under the European Instrument for Democracy and Human Rights (EIDHR) with the aim of contributing to the prevention and fight against gender violence, and developing actions in favour of the protection of mental health right; a second call under the Civil Society Organisations programme aiming to promote the economic and social reintegration of people deprived of liberty or recently released with special focus on young people and women, and increase the CSOs' participation in the generation of employment, with special attention to SMEs impacted by the COVID-19 pandemic. The actions should also contribute to sustainable economic development and to the fight against climate change.

**5. Multilateral context:** Uruguay is strongly committed to multilateralism, the principle of non-intervention, the respect of international law and the promotion and protection of human rights. In October 2020, Uruguay joined the COVAX portfolio of potential COVID-19 vaccines, adhering to the principles of safe and effective vaccines equitably across the world.

Uruguay is a member of the UN Human Rights Council for the period 2019-2021. It is one of the largest per capita contributors of forces globally to UN peacekeeping missions and it has established a National Peace Operations Training Institute, providing specialised peacekeeping training to Uruguayans and foreign students.

Uruguay is committed to the Universal Periodic Review mechanism. It accepted all 226 recommendations in the last revision held in January 2019. In order to review the recommendations, Uruguay has set up a voluntary dialogue with stakeholders due to meet on a yearly basis.

## Republic of Venezuela

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Venezuela continued its downward spiral during 2020. Topping up the ongoing humanitarian, economic, political and social crises that for years have hit the country, the COVID-19 pandemic set a further burden on the healthcare system. The precautionary measures put in place by the Maduro administration since early March to contain the pandemic were denounced by various human rights organisations as instrumental to heighten the crackdown on dissent and to allow enhanced social controls.

As reported by the UN High Commissioner for Human Rights, as well as national and international civil society organisations, the persecution of political opponents and dissenting voices continued in 2020. On average, the NGO Foro Penal reported a steady number of 350-400 political prisoners, some of them minors. In September, Nicolas Maduro granted a 'presidential pardon' to over 110 prisoners, although less than half of them were detained on political grounds and many were waiting for the implementation of already granted releases. Accusations of conspiracy plots to overthrow the Venezuelan government often result in massive round ups and detentions, including on political grounds.

High figures on extrajudicial killings perpetrated by police and security forces, notably Police Special Forces (FAES), have been confirmed for 2020 by OHCHR reports. The authorities allege 'resistance to authority' and the need to clamp down on organised crime (which is often reported by human rights activists as a pretext to repress dissent in poorer neighbourhoods). In total, an estimated 2,000 people died at the hands of Venezuelan security forces in 2020. Conversely, the Attorney General's Office reported only 13 trials for crimes committed in the context of security operations and one conviction, out of the 4,890 investigations initiated since 2017. 18 months after the OHCHR asked the Maduro government to dissolve the FAES, this police squad continues operating unimpeded.

The presence of irregular armed groups continues to be one of the main concerns, as they are reportedly in control of parts of Venezuelan territory by violent means, most notably along border regions. In certain areas, such as the mining region of Bolivar state, these groups benefit from the power vacuum and tend to replace the State, often with the apparent consent of the central or regional authorities, while obtaining significant profits from the exploitation of this region's wealth.<sup>55</sup> The presence of these groups is dramatically impacting this region's ecosystem, but also the life and survival of indigenous communities that are in an especially vulnerable situation, with limited access to adequate justice and human rights mechanisms and forced to flee from violence.

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<sup>55</sup> Source: NGO Fundaredes.

The legislative elections on 6 December were held without a national agreement on electoral conditions and failed to comply with international standards. Claiming the lack of conditions for free and fair elections, the opposition refused to participate, thus allowing the regime to regain control over the only legitimate State institution that was still under the control of the opposition. As a result of the 6 December elections, the ruling party (Partido Socialista Unido de Venezuela - PSUV) and its allies won 256 out of the 277 seats.

Further, a matter of serious concern is the intensified repression on civil society, human rights defenders (HRDs), and journalists, who face intimidation and at times criminal charges for crimes such as ‘terrorism’, ‘treason’, or ‘conspiracy’. Constant threats are publicly issued against NGOs and HRDs, who are confronted with imprisonment in many cases, sparking fear and a sense of vulnerability among all civil society actors. Conditions of detention and penitentiary centres are extremely poor, often overcrowded and with limited access to food or basic services.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Venezuela on the following areas:

- Building resilient inclusive and democratic societies;
- Protecting and empowering individuals: protecting civil society space and human rights defenders as well as promoting gender equality.

**3. EU bilateral political engagement:** The EU has continued its efforts to engage with Venezuelan stakeholders in the search for a peaceful solution to the current crisis. In this sense, the EU and the EU-sponsored International Contact Group on Venezuela have maintained regular contacts in order to find common ground and set the conditions for a negotiation. The EU’s priority continues to be enhancing a Venezuelan-led peaceful solution to the current political stalemate, and providing humanitarian assistance to meet the urgent needs of those most in need, while protecting as much as possible the space for civil society to remain active.

However, the EU observes with concern the human rights violations, including extrajudicial executions, arbitrary detentions or restrictions to freedom of expression, perpetrated by the Venezuelan authorities. This, as well as the continued undermining of the rule of law and democracy, justified the extension on 14 November 2020 of the restrictive measures against Venezuelan officials. In total, 36 names are listed, of which 11 names were added in 2020 for deepening the long-lasting institutional and political crisis.<sup>56</sup> The EU has combined these actions with regular statements, either by the HR/VP or by the EU27, particularly on the situation of the National Assembly and the lack of minimum conditions for credible, inclusive and transparent parliamentary elections on 6 December 2020.

**4. EU financial engagement:** From the 25 projects for Venezuela in 2020 under various funding instruments (DCI-food security, the European Instrument for Democracy and Human Rights and DCI-CSO), 12 dealt with human rights, gender or democratic participation issues, for a total of nearly EUR 5.5 million. Specifically, the projects cover women economic empowerment, capacity building of women organisations for participation in public policies, promotion of open government, employment opportunities of vulnerable populations, capacity building and resilience of human rights defenders, transparency and access to

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<sup>56</sup> Council Implementing Regulation (EU) 2020/897 of 29 June 2020 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela.

information. At the end of 2020, two new CSO projects were signed, one on improving the capacity of independent media and journalists in Venezuela to safely exercise their role and provide their diverse audiences with high quality, accurate and relevant information; and the second on providing legal and psychosocial support to victims of gender-based violence.

In terms of humanitarian assistance, the European Commission has been monitoring the situation on the ground since 2014 through regular field missions. The Commission has also been active in the response to those affected by the crisis in neighbouring countries (both Venezuelans migrants/refugees and host communities), also leading the humanitarian working group of the EU and like-minded humanitarian donors. In terms of funding, since 2016 the Commission has mobilised nearly EUR 156 million (out of which EUR 67.7 million announced at the International Pledging Conference of 26 May 2020). Nearly two thirds of those funds were allocated inside Venezuela as the epicentre of the crisis. Aid is also provided to Venezuelan migrants and refugees, as well as to host communities in neighbouring countries.

**5. Multilateral context:** Among the budgetary support dedicated to uphold human rights, the EU devotes a significant amount to facilitate the work of the UN High Commissioner for Human Rights Office (OHCHR) in Venezuela. The presence of its field office, through its sustained support to human rights organisations in the country and its capacity to document cases of human rights violations, is of paramount importance to keep track of the evolution of the human rights situation in Venezuela, as well as to gradually establish a relationship with the host authorities, thus allowing greater access to detention facilities and significant cases.

In addition to the OHCHR's cooperation with the host authorities, the UN Human Rights Council extended the mandate of the Fact Finding Mission (UN FFM) on Venezuela for two further years. In September, the UN FFM presented its report with conclusions after the first year of its mandate. The document urges the Venezuelan state to hold accountable those responsible for serious human rights violations documented by the group of independent experts. Among these crimes, patterns of violations and crimes coordinated pursuant to State policies, and part of a widespread and systematic course of conduct were found, which amounts to crimes against humanity according to the UN FFM.

## Jamaica

**1. Overview of the human rights and democracy situation:** Jamaica has signed seven of the nine main international human rights instruments. In 2020, the country ranked sixth on the Global Press Freedom Index. Local non-governmental organisation Citizens Action for Free and Fair Elections, which monitored the 2020 general election, concluded that it was conducted fairly. The election resulted in an increase of women in the Parliament (28.5%) and in the Senate (8 out of 21 members). Gender-based violence remains a major concern. A National Policy for Gender Equality and a 10-year National Strategic Action Plan to Eliminate Gender-Based Violence, are indicators of the government's commitment to gender equality. A parliamentary committee has been hearing inputs on how to improve the Sexual Harassment Bill. However, the government has not ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

High levels of crime and violence pose a challenge despite increased budgetary spending, resources for law enforcement and implementation of enhanced security measures in the form of States of Emergency (SoE) and Zones of Special Operations (ZoSOs) in several parishes since 2017. Crime has decreased in areas governed by SoEs and ZoSOs but crime figures remained high at a national level. Questions were raised about the constitutionality of the extended use of SoEs as a crime fighting measure. Similarly, Jamaica's Constitutional Court ruled aspects of the National Identification Law that foresees a database to fight crime, as unconstitutional. The government has since tabled a revised Bill.

Concerns remain about discrimination against groups in vulnerable situations, including members of the LGBTI community, incarcerated and detained people as well as persons with disabilities. The 2014 Disabilities Act is yet to be implemented, as work is still ongoing on the regulations and codes of practice. Consensual sex between same-sex adults remains a crime on the books.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Jamaica on the following priority areas:

- protecting and empowering the individuals: women's rights and rights of the child, abolition of the death penalty;
- building resilient, inclusive and democratic societies: justice sector reform.

Special attention is being given to building relations between the security forces and communities, in order to reduce human rights violations against youth and children during SoEs and in the ZoSOs and to encourage reporting of such violations.

**3. EU bilateral political engagement:** The EU continues to advocate and raise human rights issues and concerns, including abolition of the death penalty and the establishment of a National Human Rights Institute. The Jamaica-EU Political Dialogue took place on 4 March 2020. The agenda covered issues such as the COVID-19 pandemic, post-Brexit relations, development cooperation, Post-Cotonou, 2030 Agenda for Sustainable Development and transparency and accountability in tax matters.

The EU undertook several public diplomacy actions in collaboration with the government, the UN, EU Member States and other partners. These included actions on the International Women's Day, Human Rights Day and International Day for the Elimination of Violence against Women.

**4. EU financial engagement:** The EU, UN Women and the International Labour Organization are supporting Jamaica to promote the economic empowerment of women and gender equality in the private sector through the 'Win-Win: Gender Equality means Good Business' programme.

On 9 March 2020, Jamaica launched the EU funded Spotlight Initiative with the UN, focused on reduction of violence towards women and girls in four parishes for the amount of EUR 8 million. The EU is also supporting the government to set-up three shelters for abused women and their children. The first shelter was officially opened in October.

Budget support assistance (EUR 24 million) was provided to further the government's efforts in reforming the justice system, including mainstreaming the National Child Diversion Policy, increasing legal aid and setting up additional family courts. A jointly funded Poverty



Reduction Programme continues to support education and employment in volatile communities. Jamaica also received a EUR 20 million grant to fight crime and improve citizen security.

The Programme for the Reduction of Maternal and Child Mortality (EUR 22 million) has contributed significantly to strengthening the health system. Achievements under the programme include four high dependency units to support maternal and neonatal healthcare, medical equipment, ambulances and the support for public education targeting women of childbearing age.

Under the European Instrument for Democracy and Human Rights, support is provided to advance the rights of the child, with a focus on sexual assault prevention. Assistance is also being delivered for continuing education, psychological and social services to inmates and their families. Other vulnerable groups, including persons living with HIV, are also receiving assistance. Human rights defender 'Equality for All Foundation Ltd' is also receiving support towards its advocacy work for the rights of LGBTI persons in Jamaica.

Within the context of the COVID-19 pandemic, in April 2020, the EU delivered 29 ventilators to Jamaica. The country also benefited from EUR 8.5 million grant support made available through the Caribbean Public Health Agency (CARPHA).

**5. Multilateral context:** The country's third Universal Periodic Review took place on 11 November 2020. Jamaica received 170 recommendations out of which 120 were accepted and 16 were noted.

## Mexico

**1. Overview of the human rights and democracy situation:** Mexico continues to face some serious challenges. Two years into the mandate of the current government, the country has only seen limited progress in human rights protection or in strengthening democracy.

Important steps forward in addressing enforced disappearances are still limited considering the scale of the problem with over 70,000 missing persons and the repeated discovery of clandestine mass graves. The *Ayotzinapa* Commission, set up by President López Obrador upon taking office in December 2018, made an important breakthrough. The government created an Extraordinary Forensic Mechanism and approved a Law to allow Mexico to be subject to UN scrutiny in cases of enforced disappearances.

The COVID-19 pandemic did not reduce levels of high-impact crimes and human rights violations, and in some cases - such as domestic violence - it exacerbated them. Femicides and other forms of gender-based violence as well as extortion have been on the rise. The number of homicides in 2020 (more than 34,000) surpassed the record-breaking level of 2019. The targeting, including assassinations, of journalists and human rights defenders (HRDs) continued. The overall working environment for journalists is also becoming more problematic, as public debate is becoming heated, and this tends to compress the space for press freedom in a country, which scores a high number of journalists' assassinations. Furthermore, the removal of public trusts (*fideicomisos*), including the one that funded the Federal Mechanism for the Protection for Journalists and Human Rights Defenders, has created uncertainty regarding the sustainability of the Mechanism, an issue the government should address.

Although the pandemic stopped almost entirely irregular migration flows from Mexico's southern border, deportations by the US government (including on health grounds) continued. In turn, this led to further deportations of Central American migrants by Mexican authorities. The decision to entrust public security tasks to the Armed Forces raises Rule of Law concerns due to the lack of adequate human rights and accountability safeguards to prevent abuses of the kind that happened in the past. Despite some high-profile arrests, organised crime groups have increased their control on large portions of Mexican territory, and commit daring attacks such as the attempted killing of the Security Minister for Mexico City by a commando armed with military-grade weapons. Collusion between criminal organisations and state institutions, together with limited capacities of the police and the judicial system, has kept impunity levels alarmingly high. Two deaths in custody (one of which was a journalist) put police brutality in the spotlight.

Although 2020 saw a number of high-profile corruption investigations in Mexico and the US (targeting, *inter alia*, two former ministers), their heavy politicisation could impede the course of justice. A constitutional reform abolishing the immunity of former Presidents for certain crimes, among them corruption, is a positive step, but the government has not undertaken important institutional changes to address such a systemic problem in the country. Furthermore, political pressure over the Supreme Court, the National Electoral Institute and other constitutional bodies whose autonomy is seen as to be weakened, is causing further rule of law concerns. Civil society expresses concern about shrinking space and stigmatisation for criticising the government, as well as shortages of funds due to severe austerity measures in the midst of the economic crisis triggered by the pandemic.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU works with the Mexican government to promote building a democratic society (good governance including the rule of law, fight against transnational organised crime), as well as to protect and empower the individuals (access to justice, human security).

EU activities focus on gender issues, including equality and the fight against gender-based violence, 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 persons in vulnerable situations including minorities, protection of the 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 ninth EU-Mexico High-Level Dialogue on Human Rights was held virtually on 10 July 2020, preceded by the EU-Mexico civil society seminar in the presence of the EUSR for Human Rights Eamon Gilmore. The dialogue addressed multilateral cooperation on human rights, including ensuring equitable access to COVID-19 vaccine, gender equality, fight against torture, corruption and impunity and enforced disappearances, freedom of expression and protection of journalists and HRDs, business and human rights, protection of persons in vulnerable situations including indigenous peoples and migrants.

The 27th joint parliamentary committee meeting was held on 3 February 2020 in Brussels. Human rights issues featured prominently in the discussions as highlighted by the joint declaration.

**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. The EU has also supported Mexico in developing a migration policy that is compliant with international human rights standards. In this context, the EU has provided expertise through the thematic programme 'Migration and Asylum', the Instrument contributing to Stability and Peace (IcSP) and the MIEUX Regional programme on asylum procedures, protection of and assistance to migrant children and unaccompanied children as well as of other persons in need of international protection.

The EU-UN Spotlight Initiative was launched in May 2019 in Mexico to address femicide from a holistic perspective. Its objective is 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 supporting the actions of civil society organisations (CSOs) and public bodies through the implementation of projects funded under the European Instrument for Democracy and Human Rights (EIDHR) and CSOs thematic programmes. Currently, there are 20 projects ongoing, worth around EUR 10.5 million. EU human rights-related cooperation activities focus on: reinforcing the capacity of CSOs, protection of human rights defenders and journalists; promotion of gender equality; fight against torture, enforced disappearance, gender based violence and femicide; human rights of migrants, asylum seekers and refugees, promotion of access to justice to victims of human rights violations and labour rights of young people. The EIDHR also supported the organisation of the CSO seminar on the eve of the EU – Mexico high-level dialogue on human rights, on 9 July. Under the EIDHR, the EU also provides direct funding for the protection of human rights defenders and journalists.

The EU supported also through different projects specific groups in the most vulnerable situations to face the COVID-19 pandemic.

**5. Multilateral context:** Mexico is an active player in multilateral fora. During 2020, it stepped up its engagement with strong involvement in initiatives to address COVID-19, multiple candidacies in international bodies (World Trade Organisation, International Criminal Court), leadership in major international initiatives as well as its active participation in the Alliance for Multilateralism. In January 2020, Mexico took over the CELAC (Community of Latin American and Caribbean states) Presidency for the period 2020-2021 and won a seat as a Non-Permanent Member of the Security Council for 2021-2022. Early on during the pandemic, Mexico proposed a UN Resolution on the equitable access to vaccines, which received unanimous support. At the G20 Summit in March 2020, President López Obrador pleaded for an approach based on solidarity in the global management of the crisis. During the November G20 Summit, President López Obrador took a notably strong position in favour of a universally distributed, no-cost global COVID-19 vaccine. Mexico generally remained a like-minded partner on the vast majority of human rights issues.

The EU and Mexico held their second multilateral dialogue on 5 November 2020 in a virtual format. Discussions focused, *inter alia*, on issues related to the multilateral response to the COVID-19 pandemic.

## Nicaragua

**1. Overview of the human rights and democracy situation:** Nicaragua's human rights and democracy situation has further deteriorated since the aftermath of the violent repression of civic protests in April 2018. Police and judicial harassment of political opponents, peaceful protesters, journalists, civil society organisations, LGBTI persons, peasants, human rights defenders and members of the Catholic Church has intensified. The country has adopted restrictive legislation (on foreign agents, cybercrimes and people's sovereignty) that tightens further the restrictions on civil and political rights, including freedom of expression, freedom of peaceful assembly and association, as well as the right to participate in public affairs. A significant number of political activists and human rights defenders are still in jail or house arrest despite protective measures – *medidas cautelares* – by the Inter- American Court of Human Rights.

Violence against indigenous peoples and the state's failure to respect, protect and fulfil their rights, in particular to comply with its legal obligation to honour the title of the lands in favour of the indigenous communities, has seen a worsening trend in 2020. Gender-based violence and femicides continued unabated with numbers rising again in 2020 to 71 from an already very high level in 2019 (63).

In addition, human rights and democracy in Nicaragua have suffered in the context of the COVID-19 pandemic (lack of information and transparency, lack of implementation of the Pan-American Health Organisation recommendations). Furthermore, the government restricted access to information about the pandemic and its impact.

The political crisis ongoing since 2018 has also led to a deep and lasting recession and a significant increase in poverty and unemployment, reversing earlier economic progress in Latin America's second poorest country. The pandemic has further worsened the recession. The persistent socio-political crisis has had an adverse impact on the enjoyment of economic and social rights. Many Nicaraguans have fallen and continue to fall back into poverty. The 2019 FIDEG survey (co-financed by the EU) puts poverty at over 44% and extreme poverty at almost 9%, chronic malnutrition among children under 5 was almost 12%. Formal employment has fallen sharply, reducing social security coverage and the protection of labour legislation.

**2. EU action - key focus areas:** The EU's cooperation with and in support to international human rights institutions and instruments continues to promote coordinated multilateral action in the field of human rights and democracy in Nicaragua. In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused on the following areas:

- protecting and empowering individuals: human rights defenders; protecting girls and women against violence and promoting gender equality; rights of indigenous peoples and the environment; social and economic rights of the population's most vulnerable groups;

- building resilient, inclusive and democratic societies: resisting the roll-back of freedom of expression and information.

**3. EU bilateral political engagement:** The EU and its Member States have used various instruments to address human rights violations and democracy challenges in Nicaragua, combining diplomatic and political action (such as Council conclusions, EU statements, local outreach and dialogue as well as sanctions) with targeted programmes of support. Already in 2018, the EU and its Member States reviewed their cooperation portfolios to ensure projects benefit the population rather than the government.

The EU imposed restrictive measures (travel ban to the EU and assets freeze) on six individuals in May 2020 for their role in the repression and reiterated its demands for a return to democratic governance. The EU legal framework for the adoption of sanctions was extended in October 2020 for one more year.

The EU meets regularly with victims' representatives, families and lawyers of political prisoners, representatives of indigenous peoples, human rights defenders, opposition actors and CSOs to exchange views, assess needs and to get a first-hand understanding of the situation in the country.

**4. EU financial engagement:** New projects addressing key human rights, democracy and civil society organisations' needs started implementation in 2020 for a total amount of EUR 3.6 million.

In 2020, the EU carried out a comprehensive analysis resulting in a national gender profile and leading to further support to activities to address gender-based violence. Specific actions will be designed in the first quarter of 2021. Also in 2020, the EU commissioned an assessment of the situation of indigenous peoples in the country to help identify possible actions.

**5. Multilateral context:** The current human rights situation in Nicaragua is widely addressed in the multilateral fora in particular at the UN Human Rights Council. Since 2019, the High Commissioner has been regularly updating the Council on the human rights situation in Nicaragua.<sup>57</sup> In 2020, the High Commissioner gave two oral updates in June and September during HRC sessions. In absence of an interactive dialogue with the High Commissioner, the EU raised the human rights situation in Nicaragua in its general debate statements in March and September 2020. The resolutions on Nicaragua have enjoyed the full EU27 support and the EU is supportive of continuing the OHCHR's monitoring mandate also in the future.

## Republic of Panama

**1. Overview of the human rights and democracy situation:** Panama has a strong democratic tradition and the constitutional and legislative frameworks for the protection of human rights in the country are adequate.

Nevertheless, with respect to democracy and the rule of law, important challenges remain regarding the full implementation of these frameworks, in particular to strengthen institutions, guarantee judicial independence, and combat impunity.

<sup>57</sup> <https://www.ohchr.org/EN/Countries/LACRegion/Pages/NIREports.aspx>

As regards social and economic rights and inclusion, combating poverty is one of the main priorities for the government.<sup>58</sup> Panama remains one of the top 10 countries with the highest inequality worldwide.<sup>59</sup> Efforts are undertaken to address inequalities and improve living standards for the large part of the Panamanian society living in dire conditions. In particular, good results are noted in the housing sector but there are vast dichotomies between the rural and urban areas. Poverty prevails in rural areas where indigenous peoples and Afro-descendants make up the majority of the population. Life expectancy for indigenous women and men lies 11 years below the national average in some territories and maternal mortality rate is higher than the national average. With the COVID-19 pandemic, these disparities are expected to exacerbate in the short and medium term.

Violence against women is the second most common crime and has increased during the COVID-19 confinement. The number of registered femicides increased by 86% in comparison to 2019. The Law 'to prevent, address, sanction and eradicate political violence against women' ('Ley 184') was adopted in November and a National Council of Gender Parity has been created.

The LGBTI community continues to face discrimination. Same-sex marriage, not legally recognised in Panama, is a prominent issue and subject of national debate. The Inter-American Commission on Human Rights for the first time held a public hearing on the question of same-sex marriage in Panama.

In the context of the COVID-19 pandemic and reported cases of corruption, calls to strengthen the fight against corruption and transparency, including in the use of public funds, have increased. Panama currently ranks 101/198 on Transparency International's Corruption Perceptions Index.<sup>60</sup> After a vacancy since October 2019, a new Ombudsperson was appointed in August 2020.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU's focus in Panama is on:

- building resilient, inclusive and democratic societies: reinforcing the institutions with a particular focus on the judiciary, combating corruption and increasing transparency; promoting and protecting the work of civil society;
- protecting and empowering the individuals: gender equality, fighting violence and discrimination, and protecting groups in vulnerable situations and minorities such as migrants and refugees; providing support for the reintegration and rehabilitation of minors in conflict with the law.

**3. EU bilateral political engagement:** A shared commitment to promote, defend and protect human rights and democracy lies at the core of the EU's engagement with Panama. Both the EU-Central America Political Dialogue and Cooperation Agreement, and the EU-Central America Association Agreement are based on the respect and promotion of human rights and democratic principles.

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<sup>58</sup> The Government of Panama has elaborated a national plan 'Panama coopera 2030' to implement the Agenda 2030 Sustainable Development Goals and adopted a Multidimensional Indicators index.

<sup>59</sup> Inequality – Adjusted Human Development Index IHDI 20.3%

<sup>60</sup> <https://www.transparency.org/en/cpi/2019/results/pan#details>

The EU Delegation to Panama has been actively communicating, raising awareness and promoting human rights through several public campaigns and events e.g. in the context of International Women’s Day and the International Day for the Elimination of Violence against Women, in coordination with EU Member States, local activists and influencers and the Panamanian authorities.

**4. EU financial engagement:** As of October 2020, the EU is implementing a EUR 350,000 project to combat discrimination by promoting social and economic integration of refugees, asylum seekers and migrants in vulnerable situation. Another project (with a total eligible cost of EUR 550,000) to support the work and reintegration into society of minors in conflict with the law is in preparation.

Panama has been included in the EU pilot project INTER PARES – ‘Parliaments in Partnership’. The purpose is to strengthen the capacity of parliaments by enhancing their legislative, oversight, representative, budgetary and administrative functions. Panama’s National Assembly will be exchanging experiences with the parliaments of Spain and Slovakia on issues such as constitutional reform, internal rules and transparency, gender, and experience with citizen’s participation.

**5. Multilateral context:** In January, Panama ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, also known as the Escazú Agreement.

In October 2020, President Cortizo signed the Chapultepec and Salta Declarations reiterating the country’s strong commitment to safeguard the existence of independent media and respect for freedom of expression.

Panama’s human rights record was assessed in November 2020 in the framework of the country’s third Universal Periodic Review. The main recommendations for Panama focused on: the need to adopt legislation to explicitly prohibit discrimination on the grounds of sexual orientation or gender identity; safeguard and protect the rights of indigenous peoples; address prison overcrowding; strengthen women’s rights including sexual and reproductive health and rights and additional measures to prevent violence against women and girls.

## Saint Kitts and Nevis

**1. Overview of the human rights and democracy situation:** Saint Kitts and Nevis is a stable, multi-party constitutional democracy that upholds fundamental freedoms. General elections were held on 5 June and the overall conduct of the electoral process was considered credible, transparent and inclusive.

The country retains the death penalty in its legislation. Formally, in line with the other islands of the Caribbean region, St Kitts and Nevis has a record history of voting against the biannual UN Resolution on Moratorium on the use of the death penalty. The EU Delegation in Barbados formally approached the Government of Saint Kitts and Nevis in October on this issue. The most recent execution dates back to 2008, and the country has what could be considered an unofficial de facto moratorium.

Discrimination against LGBTI persons is still present in the society and consensual same-sex conduct is criminalised. Saint Kitts and Nevis is one of the five countries of the Eastern Caribbean sub-region where litigation has been launched against the so-called 'buggery' and 'indecent' laws by civil society.

Corporal punishment remains legal and it 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 awareness campaigns on the rights of the child continue.

The COVID-19 pandemic has exacerbated other ongoing challenges, particularly domestic violence.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (the fight against the death penalty and the abuse of children) and protecting and empowering individuals (LGBTI persons in particular).

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with the public authorities, civil society organisations as well as the media. Several human rights-related advocacy meetings were conducted during 2020.

**4. EU financial engagement:** Saint Kitts and Nevis, 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. Two projects (worth each EUR 400,000) are being implemented in Saint Kitts and Nevis, among other countries. The first one under the CSO Programme aims at fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and older persons. A second project, under the EIDHR, aims at enhancing capacities of local actors and building a strong civil society movement for abolition of the death penalty.

Another project (worth approx. EUR 360,000), which had its geographic 'centre of gravity' in Saint Lucia, has implemented a small-scale regional outreach campaign in all countries of the sub-region. As part of this project, the Saint Kitts and Nevis Alliance for Equality engaged in public messaging and art competitions to combat discrimination based on sexual orientation, and to promote a diverse and tolerant society.

All projects have been adversely affected by the COVID-19 pandemic, due especially to their public outreach and campaigning components.

A new project that will target all countries of the sub-region, including St Kitts and Nevis, was awarded in December 2020 to a sub-regional umbrella organisation working on sensitive human rights issues with the most marginalised, stigmatised and isolated human rights defenders. The project is aimed at building a strong, LGBTI-inclusive civil society.

Lastly, the country benefits indirectly from regional outreach and best practices developed by projects 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; etc.).

**5. Multilateral context:** The EU carried out formal demarches on human rights issues in the context of the UN General Assembly Third Committee. EU Member States are involved in



these demarches, when and where possible, and also conveyed human rights related messages bilaterally.

The UN Human Rights Council Working Group addressed the human rights situation in Saint Kitts and Nevis at the country's Universal Periodic Review (scheduled in January 2021).

The National reports on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) were prepared with support from UN Women, and submitted after approval by the government in January and February 2020.

On 21 September 2020, Saint Kitts and Nevis acceded to the Convention against Torture.

## St Vincent and the Grenadines

**1. Overview of the human rights and democracy situation:** Saint Vincent and the Grenadines is a stable parliamentary democracy where fundamental freedoms are overall respected. The country retains the death penalty, and, formally, has a record of vote against the UN Resolution on the Moratorium on the use of the death penalty. The last execution was carried out in 1995, and the last person to be sentenced to death was in 2008. Saint Vincent and the Grenadines had one prisoner on death row at the end of 2020. The EU formally approached the Government of Saint Vincent and the Grenadines on this issue in October. The country could therefore be considered as having an unofficial de facto moratorium.

Stigma against LGBTI persons persists in the society. Although not strictly enforced, anti-buggery and serious indecency laws remain in force, and the illegal status of consensual same-sex activity for both sexes fosters stigmatisation of LGBTI persons throughout society. Saint Vincent and the Grenadines is one of the countries of the Eastern Caribbean where litigation has been launched against the so-called 'buggery' and 'indecency' laws by civil society. The Court ruling is awaited in 2021.

Instances of child abuse continue to be reported, despite the government's efforts to encourage individuals and communities to prevent such cases. Corporal punishment of children remains a legal disciplinary tool at schools. Civil society groups continue to report instances of domestic violence, with victims hesitating to report because of shame and fear of reprisal. The COVID-19 pandemic has served as a catalyst for other ongoing social challenges, particularly domestic violence.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (fight against the death penalty and the abuse of children) and protecting and empowering individuals (gender-based violence, the rights of LGBTI persons).

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with authorities, civil society organisations as well as the media. Several human rights-related advocacy meetings were conducted bilaterally throughout 2020.

**4. EU financial engagement:** Saint Vincent and the Grenadines, as part of the Eastern Caribbean, benefits from EU assistance under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations programme. Two projects, worth each EUR 400,000, are being implemented in Saint Vincent and the Grenadines, among other countries. The first one is under the CSO Programme, aimed at fighting marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and older persons in decision-making processes. The second project funded under the EIDHR is aimed at enhancing capacities of local actors and building a strong civil society movement for abolition of the death penalty.

Another project, worth approximately EUR 360,000 and with its geographic 'centre of gravity' in Saint Lucia, aims at implementing a small-scale regional outreach campaign in all countries of the sub-region. As part of the project, VincyCHAP (Saint Vincent and the Grenadines Chapter of the Caribbean HIV Aids Partnership) and the Saint Vincent and the Grenadines Planned Parenthood Association joined forces and engaged in public messaging to combat discrimination based on sexual orientation, and to promote a diverse and tolerant society.

All projects have been adversely affected by the COVID-19 pandemic in their implementation, albeit to varying degrees, due especially to their public outreach and campaigning components.

A new project that will target all Eastern Caribbean countries, including Saint Vincent and the Grenadines, was awarded to a sub-regional umbrella organisation working on sensitive human rights issues with the most marginalised, stigmatised and isolated groups of human rights defenders. The project aims at building a strong and LGBTI-inclusive civil society.

The country benefits indirectly from regional outreach and best practices from projects in neighbouring countries that continue to be rolled out in other countries post-implementation, especially in the area of domestic violence.

**5. Multilateral context:** The third Universal Periodic Review for Saint Vincent and the Grenadines is planned to take place during the 39th session of the UN Human Rights Council in November 2021.

Formal advocacy meetings on human rights issues were held in the context of the UNGA Third Committee. Joint approaches are agreed at the biannual EU Heads of Mission meetings in the region.

## St Lucia

**1. Overview of the human rights and democracy situation:** Saint Lucia is a stable parliamentary democracy, respecting fundamental freedoms. The country retains the death penalty but has a de facto moratorium, with the last execution carried out in 1995. Formally, in line with the other islands of the Caribbean region, Saint Lucia has a record of voting against the biannual UN Resolution on Moratorium on the use of the death penalty. The EU formally approached the Government of Saint Lucia on this issue in October.

Despite some positive developments, stigma against LGBTI persons is still present in the society. Although the law is not strictly enforced, consensual same-sex sexual activity is illegal in Saint Lucia. Saint Lucia is one of the five countries of the Eastern Caribbean where litigation has been launched against the so-called 'buggery' and 'indecent' laws by civil society. The country's first ever LGBTI Pride was held in August 2019 with no major escalations.

Instances of domestic violence continue to be reported and often victims are reluctant to press charges for fear of reprisal. A domestic violence bill has been subject to a consultation with stakeholders in 2020. Significant delays are being observed in prosecuting allegations of unlawful police killings. In a commendable development, Saint Lucia prohibited corporal punishment in schools as of 2020. Some human rights challenges have been exacerbated by the COVID-19 pandemic, in particular domestic violence.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focuses on the following priorities: promoting a global system for human rights and democracy (the fight against the death penalty) and protecting and empowering individuals (gender-based violence and the rights of LGBTI persons).

**3. EU bilateral political engagement:** Human rights concerns are brought up in meetings with Saint Lucia's public authorities and stakeholders, civil society organisations and media. Several human rights-related advocacy meetings were conducted bilaterally throughout 2020.

**4. EU financial engagement:** Saint Lucia, as part of the Eastern Caribbean, benefits from EU assistance under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations Programme.

A project (approx. EUR 360,000) aims to benefit LGBTI persons through a combination of a weekly drama broadcast, talk shows and community mobilisation to promote attitude and behaviour change.

Additionally, two regional projects worth EUR 400,000 each are implemented in Saint Lucia. One under the Civil Society Organisations Programme supports the fight against marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and older persons in decision-making processes. A project under the EIDHR aims at enhancing capacities of local actors and building a strong civil society movement for abolition of the death penalty.

All projects have been adversely affected by the COVID-19 pandemic due to their public outreach and campaigning components.

A new project for all countries of the sub-region, but based in Saint Lucia, approved in December 2020, aims to help building a strong LGBTI-sensitive civil society.

The country also benefits indirectly from regional outreach and best practices from EU projects implemented in neighbouring countries, especially in the area of domestic violence.

**5. Multilateral context:** The EU reached out to the authorities of Saint Lucia to support EU positions on human rights at the UN General Assembly Third Committee.

The UN Human Rights Council Working Group discussed the human rights situation in Saint Lucia at the country's Universal Periodic Review (scheduled in January 2021).

## Republic of Suriname

**1. Overview of the human rights and democracy situation:** Suriname is a stable presidential republic with a relatively favourable human rights situation. Fundamental human rights are generally respected and credible elections were held in 2020. The CARICOM (Caribbean Community) election observation mission concluded that Suriname's electoral system is fundamentally sound.

Suriname has abolished death penalty and is relatively advanced on the protection and promotion of the rights of LGBTI persons. There is no legal prohibition of same-sex relations, however, elements of discrimination remain, such as the fact that there is no legal provision for a same-sex registered partnership.

The COVID-19 pandemic exacerbated certain human rights issues, especially sexual and gender-based violence, which remains a major challenge. Other main problems concern the rights of the child including widespread abuse, corporal punishment and child labour in the informal sector, trafficking in human beings, prison conditions, and stigmatisation of persons with HIV, widespread public sector corruption, and the rights of indigenous and tribal peoples, including implementation of legal recognition of their land and collective rights.

Suriname has kept its 20th position on the World Press Freedom Index in 2020. Reporters Without Borders notes that, with few attacks on journalists and a varied media landscape, Suriname gets good marks for its respect of the freedom to inform. However, public expression of hatred towards the government is punishable by up to seven years in prison, and self-censorship by media organisations and journalists remains a problem.

Suriname has not yet signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, nor ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights.

Initiatives to promote gender equality and empowerment of women, as well as to combat domestic violence have generally remained at the level of policy formulation and establishment of coordination structures between ministries and agencies, but have failed to be properly implemented.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU prioritises its action in the areas of: women's rights and the rights of the child, including domestic violence; social and economic rights of indigenous communities; and strengthening the role of the civil society.

**3. EU bilateral political engagement:** On 16 October 2020, the EU hosted a meeting with a Suriname ministerial delegation, headed by Foreign Minister Albert Ramdin, during which the commitment of the new government to strengthen democratic institutions was reaffirmed.

The human rights situation was addressed during the EU-Suriname Article 8 Political Dialogue on 26 November 2020 and the government repeated its commitment to the principles of democracy and strong democratic institutions, good governance, the rule of law and the respect for human rights.

The EU continued to encourage Suriname to take action on the main human rights challenges such as the land rights of indigenous and tribal peoples, domestic violence and abuse against women and children, child labour, trafficking in human beings, child prostitution and the rights of LGBTI persons. It also encouraged Suriname to accede to relevant treaties it had not yet joined, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The EU engaged with Suriname to build on the abolition on death penalty and encouraged further commitments, underlining Suriname's potential to take the lead on further abolition in the Caribbean through CARICOM.

**4. EU financial engagement:** In 2020, the project 'Hear us now' continued successfully to raise domestic violence awareness, with an EU contribution of EUR 100,000 implemented by the civil society organisation Projekta.

In March 2020, the civil society organisation Conservation International Suriname commenced the implementation of an EU grant (EUR 306,000) to address social and economic rights of the Trio and Wajana indigenous communities, with the overall objective of giving them a voice in decision-making processes on the development of infrastructure on their lands.

In November 2020, the EU launched a call for proposals with two lots: holistic hinterland programme, including human rights of indigenous and tribal populations (EUR 1 million); and promoting the rights LGBTI persons (EUR 400,000).

## Trinidad and Tobago

**1. Overview of the human rights and democracy situation:** Trinidad and Tobago is a stable parliamentary democracy. The country's human rights and democracy indicators are amongst the highest in Latin America and the Caribbean. Overall, its human rights and democracy track record is considered good in most respects, but needs improvement, for instance, with respect to the rights of LGBTI persons, the death penalty, and the rights of prisoners. According to Trinidad and Tobago's Prison Officers Association, two thirds of the 3,743 total prisons population were in remand. In 2020, the lockdown measures due to the COVID-19 increased the risk of gender-based violence and domestic violence, which have been important issues in the country even before the pandemic. Moreover, due to COVID-19 and leading up to the general elections in August, hostile attitudes increased in some quarters towards migrants from Venezuela, despite the continuous work of civil society organisations and the support from the international community. The government's rhetoric on illegal migration and policy of deportations has cast doubt on the country's ability to adhere to international law regarding refugees.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Trinidad and Tobago on the 'Protecting and

empowering individuals' line of action and in particular, on the following five priority areas: the abolition of the death penalty; the promotion and safeguarding of the rights of the child; tackling gender inequality and violence against women; fighting discrimination against LGBTI persons, and improving prison conditions and respect for the rights of persons in detention.

Actions were implemented through public diplomacy and targeted campaigns, including digital panels at the 16 Days of Activism, the launch of the Spotlight Initiative, a joint op-ed with EU Heads of Missions on the Human Rights Day, and funding of CSOs-led human rights projects such as the Team Europe response to COVID-19 to support groups in vulnerable situations.

**3. EU bilateral political engagement:** Despite the impact of pandemic-related constraints on public diplomacy activities, the EU was able to further promote its human rights and democracy priorities in a digital format.

With the support of an EU-funded democracy and human rights project, the University of the West Indies successfully filed a litigation lawsuit against the State, which challenges the inhumane treatment of persons on remand awaiting trial for inordinate periods of delay.

On 7 March, the EU delegation, together with the Embassy of the Netherlands, took part in the fourth Annual Women's Rights Rally and March in Trinidad and Tobago, under the theme 'Power in Action – Honour, Encourage, Include, Act'. The event was hosted by a coalition of civil society organisations.

**4. EU financial engagement:** In 2020, the EU continued to implement the country-level human rights and democracy priorities by adding three new projects (Spotlight Initiative, Remand Prisoners, and Response to Recovery) to the already existing ones:

- The Spotlight Initiative to reduce domestic violence was launched in 2020 for a period of three years, with an allocation of EUR 4.5 million. The initiative brings together the UN, government and civil society. As part of the EU's Team Europe response to COVID-19, some of the funds were used to prevent and mitigate the impact of the pandemic on violence against women and girls.
- The project 'Addressing Human Rights Abuses of Remand Prisoners with Special Emphasis on Domestic Violence Murder Cases' was launched in 2020 for a period of thirty months (EUR 175,000). The objective is to address the remand practice whereby persons are incarcerated without trial for lengthy periods. Previous work has revealed that a high percentage of female remand prisoners was being charged for murder in circumstances where they have been victims of domestic violence themselves.
- The project 'Response to Recovery – COVID-19: Reducing Vulnerability: Enhancing Resilience for Migrant Population' is implemented with an EU contribution of EUR 185,000 and co-financing from the Netherlands as part of the Team Europe through a grant to Trinidad and Tobago's Red Cross Society. The aim is to provide support to the migrant population, who did not have access to social protection. The programme includes immediate humanitarian assistance, mental health and psychosocial support, support for basic health screenings for children, and a communication mechanism to provide reliable information to migrants about general health and security risk and protection measures.

- A project 'Sexual Culture of Justice: Strengthening LGBTQI & Gender-Based Violence Partnerships, Capacity & Efficacy to Promote & Protect Rights in Trinidad and Tobago' (EUR 166.000) is implemented by the University of the West Indies, in collaboration with six LGBTI+ and feminist organisations. It provides three years of support for efforts to transform approaches to partner violence, homophobia, bullying and policing, while building partnerships and organisational capacity.
- The 'Prisoner Pre-release and Resettlement Programme' (EUR 100.000) and its implementing partner 'Vision on Mission' seek to provide services such as in-prison preparation for release, after care services, counselling and rehabilitation, employment and job placement, and temporary accommodation through in-transit facilities. These services are provided over a period of four years, which covers two years prior to release and two years post-release. The programme currently serves an average of 800 persons annually, both in and out of prison.

**5. Multilateral context:** In the UN system, Trinidad and Tobago's voting pattern is generally similar to those of EU Member States, except for country-specific resolutions. The EU delegation and EU Member States present in the country, engaged with key government stakeholders to encourage Trinidad and Tobago to vote on several human rights related resolutions at the 75th UN General Assembly Third Committee. During the session, Trinidad and Tobago voted for example in favour of the intensification of efforts to prevent and eliminate all forms of violence against women and girls, the promotion of a democratic and equitable international order, and human rights and unilateral coercive measures. However, Trinidad and Tobago voted against the moratorium on the use of the death penalty.