

Food for Thought Paper Speaking with One Voice on Human Rights and Global Values

Following-up on the initiative presented at the Gymnich meeting of 5-6 March 2010, Germany and Denmark are presenting a paper that identifies challenges and opportunities facing the EU with regard to the promotion and protection of human rights.

The quintessence of our considerations consists of three major points: The EU needs to send out a coherent and audible message in tenacious defence of human rights and global values as a common good for humankind and as an indispensable precondition for international peace and development. This needs to be buttressed by a systematic EU outreach that shifts the issue to the centre of EU foreign policy and encompasses the full range of our relations with other states and actors. Our human rights policy should be understood as a task that cuts across all policy areas. Any meaningful dialogue will require us to both reflect upon our own achievements and positions and be ready to engage with those partners who have been critical of our concepts or show deficient human rights records.

Where we are

The EU acts upon the firm conviction that the international scene shall be guided by the principles which have inspired its own creation; namely the universality of human rights, equality and human dignity, respect for the principles of the United Nations Charter and international law, the rule of law, and democracy. In recent years the universality of human rights has become subject of critical debates and was questioned numerous times in the UN Human Rights Council and the UN's Third Committee. Especially fundamental civil and political rights have been subjected to mounting pressure. Attempts to limit the freedom of expression by introducing new legal standards on defamation of religions are but one example. Against this background, the EU tends to be coerced into a defensive role, where an active human rights policy was needed and likely to be more efficient.

In the EU's bilateral relations, we are engaged in multiple human rights dialogues and consultations. These fora have developed into well established venues for exchange, but have not yet realised their full potential. We ought to utilise these and other relevant fora to ally closely with partners who share our understanding of the promotion of global values and human rights, but also to be explicit in limiting our cooperation where partners reject to respect human rights and fundamental freedoms. In this context, the emergence of new global actors – such as transnational businesses, liberation movements, or crime networks – shows the limits of traditional approaches and at the same time increases the demand for internal coordination.

Facing the Challenges

Europe needs a more effective approach to the promotion of human rights and global values to regain the initiative and take a lead on the matter. In order to achieve this, we need to strengthen our ability to communicate a cohesive and unambiguous message to other actors and strive to take advantage of the entire spectrum of instruments - political and economic - as provided by the Lisbon Treaty and the External Action Service. In addition, EU member states should use

their bilateral consultations – including those at the level of Heads of State and Government – to demonstrate political will to advance the human rights and global values agenda.

The long term objective of these efforts is to promote a change of mind in those parts of the world where the universality of human rights and fundamental freedoms are drawn into question. This demands a consistent and systematic outreach effort. The EU has employed according skills on selected occasions like General Assembly preparations or conference diplomacy. One approach for the EU to strengthen and expand its capabilities is through an intensified dialogue with international partners which puts human rights and global values at its core. An important part of it will be to demonstrate a sincere openness to the concerns and interests of other parties without compromising the fundamental democratic values upon which the EU is founded, including full respect for all human rights.

An intensified outreach effort should target all countries and regional actors. One way for the EU to strengthen its outreach is to specifically target those African states who have previously proven responsive to the human rights agenda advanced by the EU. Likewise, the EU should build upon existing ties with Latin American countries who have supported the EU in international fora on a number of issues, such as the rights of the child or the death penalty moratorium, and expand this collaboration. It is important that we seek to identify areas of possible joint cooperation and that we enter into a partnership of mutual commitment where increased EU support for African and Latin American priorities is conditioned on a comprehensive respect of human rights.

The EU should also rethink the way it has been engaging with specifically critical Arab, African and Asian countries, and with the OIC group in particular, in the debate on global values. We should be responsive to the concerns of Islamic countries over issues such as discrimination and islamophobia and express a desire to combat these problems. Only by professing the will to engage in dialogue will we be able to promote the human rights agenda in this vital region. One key task for the new External Action Service will thus be to examine new ways for the EU to reach out to those countries.

Way ahead

The EU should measure its extensive efforts to promote human rights and global values against actual results. In order to reach its full potential, it will be paramount that the EU strengthens its internal procedures and allocates sufficient resources.

Moreover, we suggest a number of concrete initiatives:

- To make the EU a leading actor in promoting human rights and conducting the global value debate, the Foreign Affairs Councils needs to engage Ministers in timely and substantive discussions on this subject on a regular basis. These discussions should focus on establishing a more effective and coherent approach to engaging the EU in international human rights promotion.

- The Foreign Affairs Council should task the EU working group on human rights and the PSC with developing a detailed strategy. This should include assessing possible improvements to our early warning mechanisms and identifying concrete outreach measures. The PSC should engage more frequently in issues of human rights and global values at an early stage and in the understanding of this policy area as constitutional for EU foreign policy and action.
- We propose to establish a Brussels formation of the Council working group on human rights. A division of labour of Brussels and capital formations should improve our ability to act and allow for ascribing more time to strategic considerations and the development of concrete proposals for action.
- The EU delegations at the relevant international organizations should have the means and mandate to speak for the EU on issues of human rights and global values. The EU delegations should pre-empt and anticipate situations before they develop, coordinate the exchange of views with member states, and establish a joint and robust EU position to present, argue and defend in the fora in question.
- In our bilateral relations with third countries, the EU should constantly seek to improve its dialogue mechanisms on human rights and global values. To achieve this, tailor-made approaches are necessary to cater to the often specific challenges in individual partner countries. Yet in general terms, the success of dialogue mechanisms should be measured against benchmarks, such as improvements of the human rights situation on the ground, the ratification of human rights documents, or cooperation in the international human rights fora.
- In the context of the European External Action Service, we support the proposal of the EU High Representative for Foreign Affairs and Security Policy to establish a broad thematic Directorate-General with a strong human rights division. Also, the European External Action Service should have the lead in the human rights dialogues under the development programmes, including on the essential elements under the Cotonou agreement.