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# EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD
# 2021 COUNTRY UPDATES

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# Enlargement countries

## Albania

**1. Overview of the human rights and democracy situation:** General elections were held on 25 April 2021, following the cross-party agreement of 5 June 2020 that led to a wide-ranging electoral reform, in line with the recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE/ODIHR). Its final assessment found that elections were generally well organised. The new electoral administration gained the trust of most stakeholders. Concerns remained related to the misuse of public resources or official functions, to allegations of vote buying, and to the leaking of sensitive personal data covering the political preferences of citizens. These cases are being investigated. With regard to EU reforms, the parliament adopted a number of significant pieces of legislation, the government maintained a focus on reforms required for the country's path towards the EU, despite the challenge of addressing the negative social and economic impact of the COVID-19 pandemic. In the new legislature, the majority and the opposition will need to improve political dialogue and work together with all parts of society to further advance the EU reform agenda and accession negotiations. Limited progress has been made to implement the roadmap on creating an enabling environment for civil society. Nonetheless, Albanian civil society has been able to provide support and services to people in most vulnerable situations affected by the COVID-19 pandemic.

Albania complies overall with international human rights instruments and has ratified most international conventions related to the protection of fundamental rights. During 2021, there was progress on property rights as regards the registration, digitisation and implementation of the compensation scheme. On the rights of persons belonging to minorities, there was progress in the adoption of implementing bylaws related to the 2017 framework law on the protection of national minorities. The country has to adopt the remaining implementing legislation, including on self-identification and use of minority languages. The Population and Housing Census Law was adopted in line with international standards. The legal framework on anti-discrimination further improved but the case law has not yet substantially developed. Discrimination against lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons remains pervasive and dominant in the Albanian society, and policy initiatives need appropriate financial resources and political will to produce visible results. Progress was made in other aspects of fundamental rights, for instance on the enforcement of the rights of persons with disabilities and on gender equality, with a new strategy on gender equality 2021-2030 adopted in June 2021. By-laws linked to the Law on Social Housing were adopted.

For more information please refer to the European Commission's 2021 Report for on Albania.

**2. EU action - key focus areas:** The EU continues to monitor the protection of human rights, including the progress on the first registration of properties and transitional ownership rights, the protection of minorities and of persons in vulnerable situations, as well as improvement of detention and probation conditions in the Albanian prison system. Significant attention was given also to independence of media and freedom of expression, as well as to actions in the area of the right to life, prevention of torture and ill-treatment in the prison system, protection of personal data and freedom of thought, conscience and religion.

In the context of the COVID 19 pandemic and the 2021 elections, the EU urged the authorities to make further efforts to prevent, protect and provide services to groups in vulnerable situations and to victims of violence.

**3. EU bilateral political engagement:** Albania continues to fulfil the conditions for opening accession negotiations. Discussions continue in view of adopting the Negotiating Framework and holding the first Intergovernmental Conference as soon as possible. Human rights and democracy remained a central focus of the political dialogue with the authorities in 2021, notably in the context of the EU-Albania Stabilisation and Association Council, as well as its sub-committees.

**4. EU financial engagement:** During the reporting period, the EU pursued the implementation of programmes and projects in the field of human rights and democracy.

An Instrument for Pre-accession Assistance (IPA) project implemented by the OSCE (EUR 650,000) contributed to strengthening the public broadcaster and the public school of journalism, while three IPA 2020 (approx. EUR 600,000) projects aimed at enhancing investigative journalism and reinforcing independent journalism through multimedia and data quality. The implementation of additional support (approx. EUR 799,000) deployed from the IPA 2018-2019 instrument for the recovery of children and families in vulnerable situations – including children with disabilities – affected by the COVID-19 pandemic continued. The IPA 2019 programme on Social Inclusion with a budget of EUR 70 million is focusing on families in vulnerable situations, including those affected by COVID-19 crisis, Roma and Egyptian families, and older persons. Regarding property rights, implementation of two projects under the IPA 2020 (EUR 1.36 million) has started.

The European Instrument for Democracy and Human Rights (EIDHR) contributed with a budget of EUR 2.2 million supporting in particular the rights of the child, promotion of the rights of LGBTI persons, human rights of persons in detention, inclusive education, missing persons and the role of civil society in the democratic process.

The IPA Civil Society Facility and Media Programme provided a budget of EUR 3.44 million of EU contribution with projects focusing notably on youth and civil society's role in implementation of human rights, support to investigative journalism and independent media institutions, as well as social inclusion.

Cooperation under the EU/Council of Europe Horizontal Facility phase II continued with focus on ensuring justice, fighting corruption and organised crime, promoting equality, human rights and social inclusion. The allocation for Albania is more than EUR 4 million.

**5. Multilateral context:** Albania continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies. Following the adoption of the Universal Periodic Review by the UN Human Rights Council (in September 2019), national institutions engaged in a dialogue on human rights in order to better integrate human rights in strategic and development policies and to identify focus areas. Several Council of Europe and OSCE missions took place during the reporting period.

## Bosnia and Herzegovina

**1. Overview of the human rights and democracy situation:** The legislative and institutional framework on fundamental rights and democracy is largely in place and overall in line with the relevant international and European standards. However, Bosnia and Herzegovina has yet to adopt a comprehensive strategic framework and the protection of human rights continues to be uneven across the country. Significant reforms are needed to bring the Constitution in line with the European Convention on Human Rights, ensuring 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' thus guaranteeing non-discriminatory, inclusive and quality education for all children. On freedom of expression and of the media, no progress was made on ensuring the appropriate judicial follow-up to cases of threats and violence against journalists, especially in the *Republika Srpska* entity, or on ensuring the financial sustainability of the public broadcasting system. Challenges persist as regards the freedom of assembly, particularly in the *Republika Srpska* entity. Gender-based violence, ill treatment of detainees and the protection of persons belonging to minorities, including Roma, continued to be issues of concern. The protection of rights and social inclusion of LGBTI persons remain to be improved. 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.

The second half of 2021 was marked by a prolonged political crisis, with the blockage of Presidency, Parliament and Council of Ministers by *Republika Srpska*-based political parties, which also took initiatives towards withdrawing the entity from key State-level agencies. This severely undermined the functionality of political institutions and led to a standstill on reforms on the EU path. Since the 2018 elections, the Federation entity government has acted in a caretaker role. No progress was made in improving electoral standards and ensuring transparency of political party financing.

For more information, please refer to the European Commission's 2021 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 association and freedom of expression, the rights of persons in vulnerable situations including persons belonging to minorities, as well as gender equality, as part of the EU integration process. Six out of the fourteen key priorities set out in the 2019 Commission Opinion on the EU membership application of Bosnia and Herzegovina focus on fundamental rights. They call upon the country to strengthen non-discrimination and gender equality, ensure the prohibition of torture, guarantee freedom of expression and media freedom, improve the protection and inclusion of groups in vulnerable situations, and promote an environment conducive to reconciliation.

**3. EU bilateral political engagement:** The Stabilisation and Association (SA) Parliamentary Committee was held in June 2021, after a five-year stalemate. The SA Council held its fourth meeting in July 2021. The blockage of State institutions impeded the holding of the SA Committee in November and of the SA subcommittee on Justice, freedom and security in December. Since the outbreak of the political crisis, the EU has engaged in intense advocacy and facilitation efforts, as well as in high-level visits to engage with political actors with the

aim to ease tensions and find solutions to the crisis. In parallel, the EU and the United States, alongside the Council of Europe's Venice Commission and the OSCE/ODIHR, have worked closely with political stakeholders to facilitate constitutional and electoral reforms. These reforms aim at ending ethnic- and residence-based discrimination, thus complying with the Sejdić-Finci ECtHR case law, and ensure more transparent, inclusive and democratic elections, addressing OSCE/ODIHR and CoE Group of States against Corruption (GRECO) recommendations.

**4. EU financial engagement:** EU support via the Instrument for Pre-Accession Assistance focuses on the areas of judiciary (EUR 6.4 million), gender equality and non-discrimination, and support to persons in vulnerable situations (including children, persons with disabilities, Roma), as well as support to civil society and the media. EU funding contributes to accounting for missing persons (EUR 3 million to support the International Commission on Missing Persons), supporting and monitoring the processing of war crime cases (EUR 5 million), and fighting against corruption, including in healthcare (EUR 1.5 million). EU funds are helping to strengthen the institutional mechanisms for gender equality (EUR 500,000) and fighting discrimination, empowering persons in vulnerable situations (EUR 1 million). Bosnia and Herzegovina is making good progress in the implementation of the EU-funded Regional Housing Programme (RHP, EUR 65 million regionally), which continues to provide durable housing solutions to refugees in vulnerable situations, internally displaced persons and returnees. Around 1,900 vulnerable families have already obtained a new home, and around 3,100 housing units are planned to be constructed by June 2023.
The Civil Society and Media Facility, (EUR 11.5 million) also continues to support 25 projects for the capacity building of civil society organisations (CSOs) in the areas of health, social inclusion and social entrepreneurship, environment, youth, culture, local economy, women's rights, freedom of expression, anti-corruption and political pluralism.

17 projects funded via the European Instrument for Democracy and Human Rights (EUR 3 million) continue supporting 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 the rights of the child, consumer rights and youth.

In Bosnia and Herzegovina, the EU/Council of Europe Horizontal Facility has financed activities aimed at strengthening human rights treatment of persons in detention; preventing and combatting trafficking in human beings; promoting diversity and equality (members of national minorities and LGBTI persons); quality education for all; and freedom of expression and freedom of the media. A new EU-funded reception centre for migrants and refugees was opened in Lipa (Bihać) in November 2021, with a capacity to host up to 1,500 persons in need.

**5. Multilateral context:** Bosnia and Herzegovina continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies. Bosnia and Herzegovina did not systematically follow up to the 204 accepted recommendations from the November 2019 Universal Periodic Review (UPR). In October 2021, the UN Committee on Economic, Social and Cultural Rights issued 79 recommendations and three requests addressing issues of concern as regards Bosnia and Herzegovina's application of the International Covenant on Economic, Social and Cultural Rights.

## The Republic of North Macedonia

**1. Overview of the human rights and democracy situation:** The legal framework on the protection of fundamental rights is largely in line with European standards. The Law on the Prevention and Protection against Discrimination and the Commission for the Prevention and Protection against Discrimination are in place, thus enhancing the legal framework of the protection of human rights and fundamental freedoms and of the rights of, *inter alia*, LGBTI persons. The deinstitutionalisation of childcare made real progress. Important progress was achieved with the adoption of the Law on Prevention and Protection from Violence against Women and Domestic Violence. Recommendations of European and international human rights bodies, particularly regarding the treatment of detained and convicted persons must be fully implemented. It is important to enhance the implementation of the legislation on hate speech and of the national action plan for the implementation of the provisions of the Istanbul Convention. The civilian external oversight mechanism over the police is not fully functional, and genuinely independent investigators should address instances of police impunity. The overall political context in which the media operates remains favourable to the promotion of freedom of expression and pluralist viewpoints. Challenges remain in the implementation of the Law on Audio and Audiovisual Media Services.

North Macedonia continued its efforts to strengthen democracy and the rule of law. Parliament remained the main institution for political dialogue, with the participation of all parliamentary parties. The local elections in October 2021 were competitive and fundamental freedoms were respected. Overall, the legal framework is conducive to the organisation of democratic elections.

For more information, please refer to the European Commission's 2021 Report on North Macedonia.

**2. EU action - key focus areas:** In 2021, EU activities concerning fundamental rights focused on supporting the access to justice for the most marginalised communities, fighting against torture and other forms of ill treatment, improvement of the detention conditions in the penitentiary system and the development of an effective and sustainable probation service. The EU underlined that the main human rights bodies, such as the Ombudsman Office and the Commission for the Prevention and Protection against Discrimination, need to effectively carry out their mandates. The EU focused on the improvement of several human rights policies related to the prevention of gender-based violence and gender-based discrimination, promoting gender equality, strengthening child protection and the juvenile justice system. The EU continued to stress the importance of Roma inclusion and the deinstitutionalisation process of persons with disabilities.

In the area of freedom of expression and media freedom, support to the Council of Media Ethics ensured the promotion of self-regulation and ethical standards. Countering disinformation as well as increasing media and digital literacy, together with safety and protection of journalists, continued to be high on the EU agenda.

**3. EU bilateral political engagement:** North Macedonia continues to fulfil the conditions for opening accession negotiations. Discussions continue in view of adopting the Negotiating

Framework and holding the first Intergovernmental Conference as soon as possible. The EU continues constant dialogue with a wide spectrum of stakeholders at various levels. The 16th Justice, Freedom and Security subcommittee held in November 2021 contributed to further deepening the dialogue and bilateral coordination. During the meeting, the need for a prompt implementation of the adopted legislation in the fields of protection against discrimination and domestic violence was stressed. Human rights were also among the topics discussed at the Stabilisation and Association Committee in June 2021.

**4. EU financial engagement:** The implementation of the IPA 2020 project 'EU Support for the Rule of Law' (EUR 12.45 million) contributed in 2021 to achieving progress in the probation services: the number of cases increased, proving this way the acceptance of alternative sanctions by the judiciary. The scholarship programme, supported under IPA 2017 'EU Support for Education, Employment and Social Policy', provided 638 scholarships in the school year 2021/22 for Roma children (50.3% girls). In addition, the IPA 2017 Grant Scheme supported the deinstitutionalisation process through the establishment of four new community-based homes for 20 persons with disabilities. The EU stepped up the policy dialogue with the country, mainstreaming the human rights in the IPA programming process, and in the general strategic planning and capacity building process.

Under the EIDHR in 2021, five new projects (0.9 million) were awarded to civil society organisations. The EU projects will support the work of the Commission for the Prevention and Protection against Discrimination; help building a digital ecosystem in the country and the protection of personal data; support access to justice for the most marginalised communities; address protection from torture and ill-treatment in prisons and detention facilities.

Under the Civil Society Facility, in 2021, the EU delegation signed fifteen contracts worth EUR 1.7 million to support civil society networks/platforms in different fields: empowering women and youth, gender equality, monitoring of reforms and advocacy linked to human rights in different areas such as justice, health, education, social policy.

Despite the COVID-19 crisis, the implementation of EU/Council of Europe Horizontal Facility phase II programme continued. The Programme contributed to positive developments in the legislative, policy and advisory fields. The main projects supported the continuous strengthening of the capacity and knowledge of penitentiary staff; provided support to the work of the external oversight mechanism of the work of the police and prison police and the healthcare system in prisons; provided support to the Free Legal Aid system through training and awareness-raising campaigns.

**5. Multilateral context:** North Macedonia continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies. The country continued the dialogue and cooperation with international human rights organisations and monitoring bodies, mainly the United Nations' bodies and the Council of Europe. In May and July 2021, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published two reports following its visits to North Macedonia in December 2019 and December 2020 and underlined that the authorities had not yet addressed several longstanding structural deficiencies within the prison system.

The yearly report of the United Nations High Commissioner for Human Rights released in May 2021 established that North Macedonia, with support of the Office of the High Commissioner for Human Rights (OHCHR), worked on aligning new legislation on gender-based and domestic violence in accordance with international standards. Furthermore, the OHCHR contributed to communication campaigns in North Macedonia to strengthen the capacity of organisations of persons with disabilities.

## Kosovo*

**1. Overview of the human rights and democracy situation:** The legal framework guarantees the protection of fundamental rights and is in line with European standards. However, additional efforts are still needed to fully implement it. 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. The new position of Deputy Prime Minister on Human Rights and Communities represents an opportunity to better coordinate and oversee fundamental rights policies and legislation. Human and financial resources remain lacking and relevant authorities are still dependant on donor support and guidance and need to assume greater ownership. Inter-ministerial coordination mechanisms are often treated as a formality and concrete steps must be taken by the government in order for these mechanisms to be effective in advancing human rights. Adoption of the draft Civil Code guaranteeing the transposition of fundamental rights stipulated in the Kosovo Constitution into National Law is currently pending before the Assembly. While the Constitution protects against discrimination based on sexual orientation, public awareness on the rights of the lesbian, gay, bisexual, transgender, intersex and queer persons and general acceptance remains low. The reporting period was marked by political instability and by early parliamentary elections, the third in less than four years. In this context, and given the COVID-19 pandemic, most legislative activities, including EU-related reform efforts, were constrained.

The early legislative elections of 14 February 2021 and the local elections of 17 October and 14 November were assessed as well administered and transparent by the EU Election Expert Mission and the Election Observation Mission, respectively. They were also considered competitive, except in Kosovo Serb areas. Several opposition parties boycotted the presidential election procedure in the Assembly in April 2021.

For more information, please refer to the European Commission's 2021 Report on Kosovo.

**2. EU action - key focus areas:** The EU continues to closely monitor the respect for human rights in Kosovo. This includes freedom of assembly and association, freedom of expression, the rights of persons in vulnerable situations including persons belonging to minorities, LGBTI persons, children, especially from non-majority communities and minorities, and persons with disabilities, as well as gender equality, as part of the EU integration process.

*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.

**3. EU bilateral political engagement:** A regular policy dialogue takes place, at both technical and political levels, notably in the subcommittee on Justice, Freedom and Security under the Stabilisation and Association Agreement, as well as through regular peer reviews and joint cooperation projects. The EU continues to facilitate the dialogue on the comprehensive normalisation of relations between Kosovo and Serbia. The Kosovo Prime Minister and the Serbian President met twice in Brussels in June and July 2021.

**4. EU financial engagement:** In 2021, Kosovo continued to benefit from support under the Instrument for Pre-Accession Assistance (IPA II) programmes as well as from the European Instrument for Democracy and Human rights (EIDHR). As part of its response to the COVID-19 pandemic, the EU's assistance to Kosovo amounted to EUR 68 million, including EUR 5 million for urgent medical equipment and EUR 63 million socio-economic recovery measures. This included a resilience contract (budget support), and a social protection programme addressing the needs of persons in the most vulnerable situations, in particular children and women, through enhanced social services, recovery packages for socio-economic assistance, as well as gender-responsive initiatives.

IPA assistance continued, in the amount of EUR 1.6 million, to strengthen the capacities the Ombudsperson Institution. EU assistance (EUR 1.5 million) facilitated voluntary return and reintegration of 56 displaced families within Kosovo and in the region. The EU supported the socio-economic stability of minority communities through the creation of viable income and employment opportunities. The EU has financially supported 156 projects, for a total of EUR 700,000, involving 134 individual family businesses and 22 community development initiatives, securing and/or creating 313 jobs and affecting indirectly some 27,500 beneficiaries in predominantly minority community areas.

Under the EIDHR, projects amounting to EUR 1 million continued to support children and adolescents' rights and the right to know and right to information regarding missing persons who disappeared during the 1990s conflict in Kosovo. A EUR 600,000 contract under the EIDHR was signed to focus on the right to a clean and healthy environment, and access to justice for the most vulnerable groups.

Under the IPA Civil Society and Media Facility Programme, the EU provided support to women in vulnerable situations and to marginalised groups with sheltering, re-integration and socio-economic empowerment amounting to EUR 850,000. Further assistance (EUR 750,000) to support workers' rights and the integration and participation of young people with fewer opportunities was signed in 2021. The EU continued to support media freedom, through the provision of assistance, in the amount of EUR 1.5 million, for investigative journalism, media resilience and capacities to inform the public on important matters such as corruption, environmental protection and human rights issues.

Assistance continued under the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey. Actions in Kosovo focused on three thematic areas/projects: Strengthening the quality and efficiency of justice – KOSEJ II (EUR 1 million); Promotion of diversity and equality (EUR 300,000) and Freedom of expression and freedom of the media with the project Freedom of expression and freedom of the media in Kosovo – JUFREX 2 (EUR 425,000).

**5. Multilateral context:** In 2021, Kosovo continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies.

## Montenegro

**1. Overview of the human rights and democracy situation:** In the area of fundamental rights, the legislative and institutional framework is largely in place and Montenegro continues to meet obligations from international human rights instruments and legislation. However, challenges remain with regard to the effective implementation of national legislation. Only a limited number of bylaws were harmonised with the 2020 Law on Life Partnership of Same Sex Partners (same-sex partnership law) thus limiting its full application. Trust in the Ombudsperson's office and the quality of its work increased. In December 2021, Montenegro signed Protocol 16 to the European Convention on Human Rights to strengthen the interactivity between the Court and the national authorities, as well as the implementation of the Convention, in accordance with the principle of subsidiarity. Groups in vulnerable situations, including Roma and Egyptians, and persons with disabilities continue to experience multiple forms of discrimination and difficulty in enforcing their rights in administrative and judicial proceedings. Women continue to experience inequality in participating in political and public life and accessing employment, and economic opportunities. Gender-based violence and violence against children remain issues of serious concern. Incidents of ethnically- and religiously-motivated attacks, hate crimes and hate speech continued to rise. Amendments to the 2019 Law on Freedom of Religion or Belief were adopted in January 2021. The visibility of the LGBTI community has not yet led to a substantial improvement with regard to homophobic incidents, threats and discriminations, and in terms of access to healthcare, justice, employment and housing.

The August 2020 parliamentary elections resulted in a change of the ruling coalition and transformed the dynamics between the executive and legislative powers, and demonstrated the need to find a balance in the new political landscape, including on questions concerning religious communities and ethnicity, which dominated the political agenda during the reporting period. The international election observers recommend a comprehensive reform to harmonise the electoral legal framework and regulate all key aspects of the elections, through an inclusive process, well in advance of the next elections.

For more information, please refer to the European Commission's 2021 Report on Montenegro.

**2. EU action - key focus areas:** Right to freedom of assembly, gender equality with focus on prevention of gender-based violence, promotion and protection of the rights of Roma and Egyptians, the rights of LGBTI persons and transitional justice were key focus areas of EU action in 2021, with strong emphasis on protecting and empowering individuals. In addition, building a more democratic society remained in focus through support to electoral reforms in the country and to more transparent spending of public funds during the election campaigns.

**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 on 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. On 17 March 2021, the 10th meeting of the EU-Montenegro Sub-Committee on Justice, Freedom and Security under the Stabilisation and Association Process took place.

**4. EU financial engagement:** In 2021, Montenegro continued to benefit from support under the Instrument for Pre-Accession Assistance (IPA II), as well as from the European Instrument for Democracy and Human rights (EIDHR). In the framework of the IPA Sector Operational Programme for Education Employment and Social Policies, a grant scheme (EUR 3 million) was designed to implement quality social services for the groups in the most vulnerable situations.

The implementation of eight 2019 EIDHR projects worth EUR 1 million continued in 2021. As part of 'Voice Your Rights! – Expanding Space for Free Assemblies' project, valuable analyses and recommendations on the freedom of assembly were produced. The methodology to monitor and report on public spending, as well as legislative analysis and media monitoring of elections in Montenegro, were delivered as part of the project 'Improving legal framework, practices and oversight over election campaign financing: Clean Money – Fair Elections'. As part of the project 'Social talks - Social dialogue for a better tomorrow', the capacities of the medical doctors' trade union were strengthened. The responses by the health system to gender-based violence and victims were also assessed in the 'Health has gender' project. The rights of LGBTI persons were the focus of the 'Pride everywhere – A strategic approach to human rights of LGBTI persons in Montenegro' project. In December 2021, five new contracts under the EIDHR were concluded, covering issues such as social inclusion, the rights of children and youth in institutional care or countering hate speech.

In 2021, one main EUR 3.5 million grant contract 'M'BASE project' was implemented under the Civil Society Facility. This project provided support to 20 sub-grants in different areas of democracy and human rights around the country.

The EU funded regional project, implemented by UN Women: 'Implementing norms, changing minds', continued to deliver positive results, including the preparation of the Committee on the Elimination of Discrimination against Women and the Group of Experts on Action against Violence against Women and Domestic Violence shadow reports.

The EU/CoE Horizontal Facility for the Western Balkans and Turkey – Phase II, continued its implementation in 2021 with the same focus on the alignment with European human rights standards in the area of procedural rights, freedom of expression, anti-discrimination, and prevention of torture and ill-treatment.

**5. Multilateral context:** Montenegro continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies, including the United Nations' bodies and the Council of Europe. Montenegro has fully aligned itself with EU statements on human rights in multilateral fora. In September 2021, the UN Special Rapporteur on the sale and sexual exploitation of children paid a visit to Montenegro. On 14 October 2021, Montenegro was elected as a member of the UN Human Rights Council, for a tenure starting on 1 January 2022. In November 2021, Montenegro submitted its third periodic report to the Committee on the Elimination of Discrimination against Women.

## Serbia

**1. Overview of the human rights and democracy situation:** In 2021, the Serbian Parliament and political forces continued to engage in the inter-party dialogue led by the European Parliament, with a view to forging broad cross-party consensus on EU-related reforms, which is vital for the country's progress on its EU path. The political climate during the reporting period remained polarised. Inflammatory language against political opponents and representatives of other institutions expressing diverging political views was used during parliamentary debates. This included verbal attacks against civil society organisations and media by representatives of the ruling coalition. All politicians should counter hate speech and contribute to a political dialogue on EU-related reforms in particular on the fundamentals of democracy and the rule of law. Institutions need to improve cooperation with civil society and treat it as an essential partner in reforms and a guarantor of effective checks and balances.

The legislative and institutional framework in the area of fundamental rights is broadly 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. 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. Due to lack of trust in institutions, cases of violence and discrimination towards LGBTI persons remain often unreported. It is also essential that Serbia ensures a consistent implementation of legislation regarding persons belonging to national minorities, including Roma, leading to a tangible improvement in the exercise of their rights across the country. This would notably require enhanced data collection.

For more information, please refer to the European Commission's 2021 Report on Serbia

**2. EU action - key focus areas** in 2021 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 areas described in the interim benchmarks of Chapter 23 of the accession negotiations – Judiciary and fundamental rights. These 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, including the set timelines.

**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, including in the framework of the Stabilisation and Association Agreement. Such dialogue 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.

**4. EU financial engagement:** In 2021, 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. Throughout the year, numerous projects promoting Roma inclusion were ongoing, with a total value of EUR 30 million.

In the context of strengthening the civil society, projects under the Civil Society Facility worth approximately EUR 6.2 million continued to be implemented during 2021, while an additional amount of EUR 2.5 million was awarded to new projects at the end of 2021. Two of the seven new projects were sizable projects providing financial support to third parties.

Under the European Instrument for Democracy and Human Rights (EIDHR), projects amounting to EUR 2 million were completed during 2021 and five new grants (EUR 1 million) were signed in May 2021. EIDHR projects focused notably on the protection of persons belonging to minorities, gender equality, rights of the child, migrants and protection of human rights defenders.

The EU support to media in Serbia continued through the ongoing EUR 2.4 million grant, under the European Endowment for Democracy (EED), addressing the consequences of the COVID-19 pandemic on media actors. Substantial new support is foreseen to be provided in 2022. This grant continues to provide media and media organisations with support for operational costs, as well as productions. It is thus an essential lifeline to keep business operations running and developing in times of falling advertising and other revenues. EU-supported media literacy programmes continued to be rolled out. Support to the Press Council of Serbia, for an amount of EUR 300,000, was ongoing in 2021 in order to raise the ethical standards of the media and to investigate complaints on violations of those standards.

In addition, the implementation of activities under IPA regional projects has continued. For example, the EU/CoE Horizontal Facility for the Western Balkans and Turkey has supported the fight against discrimination and the protection of the rights of groups in vulnerable situations (including LGBTI persons and persons belonging to minorities), as well as freedom of expression and media freedom.

**5. Multilateral context:** Serbia continued its dialogue and cooperation with national, European and international human rights organisations and monitoring bodies. The UN Committee Against Torture examined the third periodic report of Serbia during its 72nd session in November-December 2021. In its concluding observations, the Committee Against Torture was “concerned that inadequate efforts are made to investigate the vast majority of criminal complaints lodged against police officers, prison staff and other State agents.”

## Turkey

**1. Overview of the human rights and democracy situation:** 2021 was characterised by the further deterioration of human rights and fundamental freedoms in Turkey. Broad-scale

restrictions imposed on the activities of journalists, writers, lawyers, academics, human rights defenders and critical voices continued to have a negative effect on the exercise of their freedoms and have led to self-censorship. Turkey's refusal to implement European Court of Human Rights (ECtHR) rulings, notably in the cases of Selahattin Demirtaş and Osman Kavala, further increased concerns regarding the judiciary's adherence to international and European standards. Turkey's withdrawal from the Convention on preventing and combatting violence against women and domestic violence (the Istanbul Convention) of the Council of Europe, with effect of 1 July 2021, also put into question its commitment to such standards. The dissemination of opposition voices and freedom of expression were negatively affected by the increasing pressure and restrictive measures. In 2021, there was backsliding in the area of freedom of assembly and association in light of recurring bans, disproportionate interventions and excessive use of force in peaceful demonstrations, investigations, administrative fines and prosecutions against demonstrators on charges of terrorism-related activities. The Roma remained largely excluded from formal jobs and their living conditions severely deteriorated. Gender-based violence, discrimination, hate speech against minorities, in particular against lesbian, gay, bisexual, transgender, intersex and queer persons continued to grow and are a matter of serious concern.

There are deficiencies in the functioning of Turkey's democratic institutions. Structural deficiencies of the presidential system are in place and the Parliament lacks the necessary means to hold the government accountable. The constitutional architecture centralises powers at the level of the Presidency without ensuring a sound and effective separation of powers between the executive, legislative and the judiciary. In the absence of an effective checks and balances mechanism, the democratic accountability of the executive branch remains limited to elections. The presidential system has severely curtailed the independence of regulatory authorities.

For more information, please refer to the European Commission's 2021 Report on Turkey.

**2. EU action - key focus areas:** The EU action to support human rights and democracy continued through both policy dialogue and financial instruments. Focus was on support to human rights defenders, refugees, persons belonging to minorities, access to justice and support to freedom of assembly, freedom of expression and media pluralism, and increasing the capacity of CSOs to monitor human rights. Other key focus areas included prevention of torture, ill-treatment and inhuman or degrading treatment, the rights of groups in vulnerable situations, including children, Roma and LGBTI persons.

**3. EU bilateral political engagement:** The EU continued to monitor closely and report on human rights violations in Turkey. There is a regular policy and political dialogue on both technical and political levels, and engagement with international organisations and civil society. The EU's work on gender equality-related issues was even more relevant following Turkey's decision in April 2021 to withdraw from the Istanbul Convention, which entered into force in July 2021.
Sub-committee 8, under the framework of the EU-Turkey Association Agreement, on customs, taxation, drug trafficking and money laundering, which also covers the functioning of the judiciary, fundamental rights and freedoms and home affairs, took place in February 2021.

**4. EU financial engagement:** In 2021, the EU continued to implement a number of projects funded by the Instrument for Pre-accession Assistance, the IPA Civil Society Facility and Media Programme and the European Instrument for Democracy and Human Rights (EIDHR) in order to support civil society and human rights defenders in Turkey who face continuous pressure and operate in a hostile environment.

As of December 2021, there were 46 ongoing projects, with a total value of EUR 81.4 million aiming to support civil society and fundamental rights in Turkey. One of the flagship programmes remains Sivil Düşün (Think Civil) under the IPA Civil Society Facility and Media Programme. This contract worth EUR 6 million provides customised and flexible in-kind support mainly to grassroots CSOs and activists. Actions targeted a number of areas, such as freedom of expression and media freedom, rights of LGBTI persons, women's rights and rights of the child, and covered all provinces of Turkey.

Under the EIDHR, projects worth EUR 6 million were implemented through supporting, *inter alia*, the fight against impunity, access to justice, human rights defenders, promotion and protection of the rights of the child, promotion and protection of women's rights, the rights of persons belonging to minorities, freedom of expression and media freedom, and support to refugees and migrants.

Turkey also benefited during 2021 from assistance under the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey (phase II) with actions on 'Support to the Action Plan on prevention of ECHR violations in Turkey and Strengthening the human rights protection of asylum seekers, migrants and victims of human trafficking in Turkey'. The action 'Fostering a comprehensive institutional response to violence against women and domestic violence in Turkey' had to be terminated after Turkey's withdrawal from the Istanbul Convention and was replaced with a project on 'Fostering Women's Access to Justice in Turkey'.

The Facility for Refugees in Turkey set up in February 2016 with a total budget of EUR 6 billion continued to support Turkey in hosting more than 3.7 million registered refugees from Syria and around 370,000 registered refugees from other countries. It has notably allowed over 695,000 children to go to school through the Conditional Cash Transfer for Education programme. In 2020-2021, the EU committed a further EUR 3.6 billion to continue this support.

**5. Multilateral context:** The EU has regularly raised the human rights situation in Turkey in multilateral fora. In 2021, 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 as regards individual cases.

A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out a periodic visit to Turkey in January 2021. The UN High Commissioner for Refugees, Filippo Grandi, carried out a three-day mission to Turkey in September 2021 during which he praised the country for its continued commitment to protecting refugees and asylum-seekers and including them in public services like education, health and livelihoods.

# 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.

In September 2021, the Swiss parliament voted for the creation of a national human rights institution to monitor the application of human rights domestically. The Swiss Centre of Expertise in Human Rights aims at promoting the implementation of international human rights obligations in Switzerland and at supporting the authorities, the civil society and the economy. Work includes, for example, ensuring the rights of persons with disabilities, children or persons belonging to the LGBTI community.

As regards gender equality, Switzerland continues to have issues with 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.

Regarding the rights of LGBTI persons, in a comparison by ILGA Europe ranking European countries on their legal and policy situation with respect to LGBTI persons, in 2021, Switzerland ranked 20 among 49 countries. In a referendum that took place in September 2021, Switzerland agreed to legalise civil marriage and the right to adopt children for same-sex couples, with high popular approval of more than 64%. None of the Swiss cantons voted against the legalisation of same-sex marriage or adoption rights.

**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/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 the European Instrument for Democracy and Human Rights or other EU instruments.

**5. Multilateral context:** Switzerland is firmly committed to the universal protection of human rights. The Foreign Policy Strategy 2020–2023 of the Federal Council formulates goals and priorities to help achieve this objective. To this end, the Federal Department of Foreign Affairs (FDFA)'s Human Rights Guidelines for 2021–2024 set out clear principles and concrete fields of action to strengthen Switzerland's coherence and effectiveness in promoting human rights abroad. Based on its Foreign Policy Strategy objectives, Switzerland attaches particular importance to freedom of expression, the rights of persons belonging to minorities, and eradicating the death penalty and torture. The Human Rights Guidelines 2021–2024 establish Switzerland's efforts to promote human rights in the fields of peace and security, the economy, and sustainability.

On the issue of racism, in December 2021, the UN Committee on the Elimination of Racial Discrimination (CERD) noted some "encouraging" progress since 2014, including Switzerland's ratification of various international conventions, but the experts also urged action on major points of concern. It called for Switzerland to take more action against rising hate speech online and "continued racial profiling by the police".

The UN Working Group of Experts on People of African Descent has recently published its preliminary statement on Switzerland. While the statement welcomes the good practices and positive steps taken to combat racism, it expresses concerns about the prevalence of racial discrimination and the human rights situation of people of African descent in Switzerland. The views expressed in this statement are of a preliminary nature and the final report will be presented to the Human Rights Council in September 2022.

In September 2021, the UN Committee on the Rights of the Child reviewed Switzerland's human rights record with respect to children. Although the committee expressed concern about violence and discrimination against groups in vulnerable situations such as children, overall Switzerland performed well on the protection of the rights of child within its territory.

## Norway

**1. Overview of the human rights and democracy situation:** Norway is a strong supporter and promoter of human rights. Norway has ratified all the main UN conventions on human rights, and the protection of civil and political and economic, social and cultural rights is very strong domestically. Norway is considered one of the most gender-equal countries globally, ranked third in the World Economic Forum's Global Gender Gap Report 2021. According to the UN, Norway is one of the most robust democracies in the world. It scores 100/100 on Freedom House's Global Freedom Score. As regards the rights of LGBTI persons, in 2021, Norway extended legal protection from hate speech and hate crime, amending its Penal Code to add gender identity ground. In June, the government presented its new LGBTQI Action Plan (2021-2024). However, there is healthy debate on many issues, such as the excessive use of solitary confinement and isolations in prisons; cases of over-zealous child protection services; and the use of coercive measures in mental health, child welfare and government surveillance.

**2. EU action - key focus areas**: Norway and the EU have very similar views on human rights issues. The like-mindedness of the EU and Norway is manifested in the cooperation in multilateral fora (UN, Council of Europe, OSCE) where Norway is very active on human rights

issues and provides added value to the action by the EU and Member States. The EU has worked very closely with Norway in the context of Norway's term on the UN Security Council (UNSC) in 2021-2022. Norway's priorities on the UNSC include protection of civilians and inclusion of women. There is also cooperation on the ground in their country-specific strategies around the world. In Norway, marking the various international days linked to human rights (via social media, official institutions, schools, etc.) is a priority. Providing targeted information to relevant Norwegian stakeholders, as well as arranging events and engaging with social media to mark EU human rights initiatives is important.

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

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

The EU Delegation in Oslo undertook several Public Diplomacy and Information activities in the course of 2021, including:

- Gender Friday, EU4Women
- Education Day
- Holocaust Memorial Day
- International Day against the Use of Child Soldiers (Twitter)
- International Women's Day
- LGBTIQ freedom zone
- EEAS and UNICEF's campaign for children's right to education
- World Press Freedom Day
- International Day against Homophobia, Transphobia and Biphobia
- Oslo Pride campaign
- World Day against Trafficking in Persons (Twitter)
- International Day of Indigenous Peoples
- World Humanitarian Day
- International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief (Twitter)
- EU Anti-Trafficking Day (Twitter)
- European and World Day against the Death Penalty
- International day of Persons with Disabilities
- Human Rights Day
- The #orangetheworld campaign against gender-based violence

**5. Multilateral context:** Norway is active on human rights issues in the multilateral context (UN, OSCE, CoE) and often provides added value to the EU/Member States efforts. Norway has put protection of human rights, focusing especially of people who suffer in wars and crises, at the core of its term on the UNSC (2021-22). Norway is the main sponsor of a biennial resolution on human rights defenders in the Third Committee of the UN General Assembly. The 2021 resolution was adopted by UNGA on 18 November with a special focus on the COVID-19 pandemic and its impact on the situation for human rights defenders.

Norway's third UPR cycle took place in 2019. It welcomed the county'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 trafficking in human beings. 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 related mostly 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 field of human rights, with very high standards of human rights domestically and a high level of cooperation with international organisations on human rights issues. Gender equality is prominent in Iceland's priorities, both nationally and internationally, and - according to the World Economic Forum's Global Gender Gap Index 2021 - Iceland is once again the most gender-equal country in the world. Since 6 January 2021, legal registration for non-binary people has been implemented in Iceland. In the spring of 2021, amendments were made to the Children Act, *inter alia,* to ensure the rights of LGBTI parents. Following Iceland's successful tenure on the UN Human Rights Council in 2018-2019 - 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.

**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 fora (such as the UN, Council of Europe, OSCE). Iceland usually aligns itself with Declarations by the High Representative 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. In November 2021, a delegation of the European Parliament's Committee on Women's Rights and Gender Equality (FEMM) visited Iceland to study its pioneering work on equal pay legislation.

**4. EU financial engagement:** Iceland is not included in any operational projects or programmes funded by the EIDHR or other EU instruments. However, the EU Delegation 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 the country. These activities were, amongst others, organised in the context of human rights-related events, such as the International Day against Homophobia, Reykjavik Pride, and the Reykjavik Global Forum of Women Political Leaders.

**5. Multilateral context:** Iceland's most recent UPR took place in January 2022 and its outcome is awaited. The previous UPR (in November 2016) generally reflected Iceland's longstanding commitment to democracy and human rights, both at national and international level. Iceland

accepted 133 of the 167 recommendations it received. A mid-term report on the activities of Iceland's inter-ministerial committee on human rights was published in 2020.

## Liechtenstein

**1. Overview of the human rights and democracy situation:** Liechtenstein has a very high standard of human rights. It scores 90/100 on Freedom House's Global Freedom Score. 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.

The popular initiative "Halbe-Halbe" (Fifty-Fifty), which demanded constitutional changes to ensure a fair gender distribution of political offices, was rejected by 78,8% of the electorate on 30 August 2020. Liechtenstein's national human rights institution has criticised 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 2021, the evaluation report by the Group of States against Corruption (GRECO) of the Council of Europe submitted on Liechtenstein was followed-up. It assessed the effectiveness of the systems in place to prevent corruption in respect of members of parliament, judges and prosecutors.

**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 fora (UN, Council of Europe, OSCE). Liechtenstein is a steadfast supporter of the International Criminal Court.

The Country Report on Gender equality published by the European Commission in 2021 confirmed that the implementation of the EU gender equality acquis in Liechtenstein is satisfactory. However, it notes that because of the lack of case law concerning gender equality, it is difficult to assess whether enforcement is also satisfactory.

As regards the rights of LGBTI persons, in its monitoring report published in May 2021, the European Commission against Racism (ECRI) called on the government to implement its previous recommendations and commission a study about the issues that LGBTI persons are facing, along with measures to address them. As Switzerland's September referendum ended in a win for marriage equality, debates on the topic continued in Liechtenstein as well. On 29 September, the parliament expressed its support for marriage equality, but promised broad public debate before making any legal changes.

**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 Human Rights Council.

**4. EU financial engagement:** Liechtenstein is not included in any operational projects or programmes funded by the European Instrument for Democracy and Human Rights or other 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 trafficking in human beings, 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 June 2021, Liechtenstein ratified the CoE Convention on preventing and combatting violence against women and domestic violence (the Istanbul Convention), that Liechtenstein signed on 10 November 2016. The Convention entered into force on 1 October 2021.

Liechtenstein's third UPR cycle took place in 2018 when it received a generally positive appreciation. 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 crosscutting discrimination, enhancing civil and political rights and the rights of specific persons or groups.

## United Kingdom

**1. Overview of the human rights and democracy situation**: The UK has a solid human rights framework, helping to ensure equal opportunities, respect for the rights of LGBTI persons, and freedom of expression and media freedom. In its foreign policy, the UK has been a strong supporter of open societies and human rights, with a particular focus on women in peace and conflict, and women and girls' education.

The United Kingdom's **press freedom** index in 2021 was 21.59, a slight improvement from the previous year (22.93). The UK ranks 33rd at global level in terms of press freedom and is well above the OECD average (23.98). The UK is also active in promoting global media freedom, through the Media Freedom Coalition. In March 2021, the UK published a National Action Plan on the Safety of Journalists, following the establishment of the National Committee for the Safety of Journalists in July 2020. Non-governmental press freedom watchdogs have still pointed to a number of outstanding issues in the UK. While Freedom House praised the UK's media environment as "lively and competitive", it noted that the government's recurring threats to decriminalise the non-payment of - or even abolish - the BBC's license fee represents a worrying development. Reporters without Borders highlighted some cause for concerns in the domestic arena, such as alleged restriction of access to information for critical media outlets or the risks faced by journalists covering paramilitary activity and organised crime in Northern Ireland.

The **constitutional reform** process has continued in 2021. The government tabled the Judicial Review and Courts Bill and a consultation process started to overhaul the Human Rights Act. While the government stated the intention for the UK to remain party to the European Convention on Human Rights, concerns were raised about proposals to limit the right to family life. The UK parliament's Joint Committee on Human Rights indicated that "*any reforms that would affect access to judicial review or the remedies available could have implications for the efficacy of the Human Rights Act and for compliance with Article 13 of the ECHR".*

The draft Police, Crime, Sentencing and Courts Bill includes controversial proposals that could restrict the right to protest and limit the rights of Roma and Travellers´ communities. The draft

Nationality and Borders Bill also includes divisive elements, such as criminalisation of asylum seekers, and of those providing assistance, as well as the deprivation of British citizenship without notice. Both drafts are currently being scrutinised in Parliament. The UK parliament's Joint Committee on Human Rights meanwhile warned that the proposals could breach some of Britain's human rights obligations.

A new Domestic Abuse Act, including new important provisions to protect women was adopted in 2021. The UK has not yet ratified the Council of Europe Convention on Preventing Violence Against Women and Domestic Violence (Istanbul Convention).

Access to abortion remained problematic in Northern Ireland and the UK government adopted regulations to make abortion services available by March 2022.The Government has also been criticised by the Speaker of the House of Commons for attempting to undermine parliamentary scrutiny of government policies and expenditure.

Following the Black Lives Matters protests in 2020, the government commissioned an independent report, which was widely criticised for downplaying concerns over "institutional racism" in the UK.

The UK continued to uphold its commitment to the prevention of human rights violations and abuses worldwide. Under the **Human Rights sanction regime** launched in 2020, the UK has adopted sanctions against individuals or state actors from, China, Myanmar Belarus, Russia, Venezuela, Saudi Arabia and the Gambia. The UK has also announced the addition of some Syrian and Yemeni nationals to its sanctions list. On China, the UK announced measures to prevent exports of goods potentially contributing to alleged human rights abuses in Xinjiang (China). In December 2021, the UK also announced a diplomatic ban on the Beijing 2020 Winter Olympics. The UK Parliament adopted a declaration condemning China's ongoing genocide against Uyghurs in Xinjiang.

**2. Multilateral context:** The UK remained strongly committed to multilateralism in 2021 and was eager to cooperate with like-minded countries to promote human rights and democracy in an international context. This was further reaffirmed in the UK's Integrated Review of Security, Defence, International Development and Foreign Policy published in March 2021. The UK broadly shared the EU's priorities at the UNGA Third Committee. In January 2021, the UK government published its mid-term report on the UPR. The UK was last assessed for the third time under the Universal Periodic Review (UPR) in 2017. Out of 227 recommendations, it accepted 42% of them.

# European Neighbourhood Policy

## Eastern Partnership regional cooperation

Despite the challenging situation in the entire Eastern Neighbourhood, the regional cooperation between the EU and Eastern partners has continued. The Eastern Partnership (EaP) Summit held in December 2021 confirmed a shared commitment of the EU and EaP partners to the protection of human rights and fundamental freedoms, including the rights of persons belonging to minorities, fostering inclusive societies, promoting gender equality, as well as full respect for the principles and norms of international law. While Belarus chose to

self-suspend from the EaP framework, the EU has continued to support the Belarusian people and civil society organisations.

The Summit also introduced a new EaP agenda of "recovery, resilience and reform" with the overriding policy objective of strengthening resilience and with two pillars: governance and investment. The EU's support to EaP countries will be conditional upon the implementation of agreed structural reforms, particularly in the areas of rule of law, justice and anti-corruption. The latest monitoring report on the EaP "20 Deliverables for 2020" highlighted that there were still outstanding challenges and room for improvement in the region on these issues, as well as the ratification of international instruments and legislation on violence against women, gender equality and non-discrimination.

In 2021, the EU support for ongoing projects and programmes in the Eastern Neighbourhood continued under the 2014-2020 European Neighbourhood Instrument (ENI). The EU continued projects with the Council of Europe on legal independence and professionalism, and accountability in the justice system. Following the adoption of the new 2021-2027 Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI-GE), work on support to human rights in the region continued, including through Team Europe initiatives and the Multiannual Indicative Programme (MIP) for the Eastern neighbourhood, adopted in December 2021. Actions will be in line with the new EaP agenda. Specific measures will seek to safeguard and develop legal frameworks for the protection of minorities, ensure timely execution of the European Court of Human Rights judgments, promote gender equality and women's empowerment based on the Gender Action Plan III[3], and pursue dialogue with representatives of persons belonging to minorities, including through close cooperation with the Venice Commission.

Throughout 2021, the EU also continued its involvement with civil society through the Eastern Partnership Civil Society Forum (EaP CSF), a multi-layered regional platform aimed at promoting European integration, facilitating reforms and democratic transformations in the partner 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 maintains 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, while not undermining freedom of expression, protecting the rights of persons belonging to minorities, gender equality and preventing gender-based violence, prosecution of torture and other forms of ill-treatment, and the regulation of pre-trial detention. In 2021, in addition to the impact of the COVID-19 pandemic, Armenia experienced periods of political turmoil following the hostilities in and around Nagorno-Karabakh and subsequent early parliamentary elections. This resulted in a sometimes heated political environment and slowed down the pace of reforms and their implementation.

[3] https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf

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 adopted a National Human Rights Strategy 2020-2022 and an Action Plan on 26 December 2019. The strategy and action plan are aligned with international commitments and SDGs and are accompanied by an e-platform to communicate the Government of Armenia human rights agenda to the public and enable participation, serving as an interactive tool for coordinated implementation, reporting, monitoring and evaluation.

**2. EU action - key focus areas:** The EU continued to support the implementation of the National Human Rights Strategy 2020-2022 and the related Action Plan through policy dialogue and assistance, including budget support programmes and geographic/thematic instruments such as the European Instrument for Democracy and Human Rights (EIDHR). In May 2021, the EU-funded 'Accountable Institutions and Human Rights in Armenia' project was launched. The project supports the reform agenda of the Government of Armenia towards building effective and accountable institutions based on the principles of good governance and respect for the rule of law. The key areas of engagement include enhancing the rights-based approaches in public service delivery, promoting security sector governance and reform, as well as fostering the process of constitutional reform. The project objectives will be implemented through three components that are defined on the basis of the national reform priorities in the fields of human rights protection, police reform and constitutional reform.

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 2021, the EU and Armenia maintained a regular dialogue despite the COVID-19 challenges. Human rights, democracy and the rule of law were discussed at high level during the third EU-Armenia Partnership Council meeting in Brussels on 17 December 2020. They were also raised at the 11th EU-Armenia Human Rights Dialogue on 25 March 2021 and at the 11th Justice, Freedom and Security subcommittee on 27 May. Specific measures included protecting the rights of groups in vulnerable situations and persons belonging to minorities, curbing gender-based violence, and criminalising hate speech.

Several high-level visits, including by the President of the European Council Charles Michel, the Foreign Ministers of Austria, Romania, and Lithuania on behalf of High Representative/Vice President (HR/VP) Borrell, and by Commissioner Várhelyi, clearly demonstrated the EU's political engagement with the South Caucasus countries.

**4. EU financial engagement:** The Human Rights Budget Support Programme (HRBSP) 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 total budget was planned for EUR 15.7 million. The Support to Human Rights Protection programme was readjusted to support the fight against COVID-19 with a fixed

tranche of EUR 8 million that was disbursed in 2020 and a variable tranche amounting to EUR 2 million out of which EUR 1 million was disbursed in 2021.

The scope of the HRBSP is improving the protection of human rights through enacting and implementing relevant legislation in the areas of right to transparent and inclusive elections, the prevention of torture, anti-discrimination (including the rights of persons belonging to minorities, persons 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

In May 2021, the EU-funded bilateral project 'Accountable Institutions and Human Rights in Armenia' was launched to support the government's strategic reforms towards accountable and effective service delivery in the field of security/police, human rights promotion and constitutional reform. Support is also provided to the Human Rights Defender's Office of Armenia (HRDO) to enhance operational effectiveness and influence of the institution in the country.

**5. Multilateral context**: Armenia was active in a number of different multilateral fora: on 18 March 2021, it ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. On 10 February 2021, an Intersessional meeting of the UN Human Rights Council on the Prevention of Genocide took place in Geneva. The meeting was mandated by the resolution initiated by Armenia. On 15 October 2021, the third universal periodic review (UPR) of Armenia was completed providing recommendations regarding violence against women, the right of peaceful assembly and excessive use of force, and participation in public affairs.

## Azerbaijan

**1. Overview of the human rights and democracy situation:** The deficiencies in ensuring protection of human rights and fundamental freedoms in Azerbaijan continue to be of concern. The space for civil society to operate remains restricted. Despite some amendments (adopted in May and November 2021), the legislation on non-governmental organisations still maintains the 'single window' procedure for registering grant agreements. A new Agency for State Support to NGOs was established in April 2021. As regards freedom of opinion and expression, independent journalists and bloggers continue to face persecution and travel bans. On 30 December, the Parliament of Azerbaijan adopted, without prior public debate, a new Media Law. According to the 2021 World Press Freedom Index[4], Azerbaijan ranked 167 (out of 180 countries). The police dispersed a number of unauthorised rallies in the course of 2021. Opposition activists were detained on criminal grounds and some sentenced to long prison terms. Human rights defenders, journalists and political opposition activists continue to be prosecuted, administrative detentions/fines have been used as a means of pressure against them. The Bar Association continues to use disciplinary procedures against lawyers and human rights defenders.

The proposal to ratify the Council of Europe Istanbul Convention remains under consideration. The rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are not fully

[4] https://rsf.org/en/azerbaijan

recognised.

Some positive developments have been noted, in particular the decision of the Bar Association to reinstall two prominent human rights lawyers and the decision of the Supreme Court in *Rashad Hasanov and Others - Mammadli group of cases* with regard to the implementation of the ECtHR judgements. Further positive developments during the reporting period include the Presidential pardoning (in March 2021) of 625 people, including political party members, activists and a journalist.

**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 towards an independent, fair and efficient justice system, as well as the fight against corruption.
- Promoting an enabling environment for civil society: The EU is supporting 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, including by contributing to access to basic services and by focusing on regional development and on groups in vulnerable situations.

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 people and persons belonging to minorities.

**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 Sub-Committee on Justice, Freedom, Security and Human Rights and Democracy. The last one was held in April 2021 with the participation of the EU Special Representative (EUSR) for Human Rights, Eamon Gilmore. A few thematic meetings on human rights took place upon initiative of the EU Delegation with EU Member States, United States, United Kingdom and Switzerland representatives. Due to the pandemic, the frequency of these meetings was reduced and discussions on sensitive topics have been held in smaller groups or bilaterally. Frequent informal exchanges were also held with representatives from the International Committee of the Red Cross (ICRC).

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. Meetings or videoconferences were held with the competent national institutions in the course of 2021, notably the Presidential Administration, Ministry of Foreign Affairs, Ombudsperson, State Committee on Family and Children, State Committee on Religious Associations, State Committee for Refugees and IDPs, General Prosecution Service, Bar Association, Agency for State Support to NGOs etc.

The EU Delegation and/or some EU Member States conducted trial monitoring in relation to the case of human rights lawyer Shahla Humbatova. The EU and several EU embassies met

with Musavat Party member Tofiq Yagublu after his release from prison (the meeting was organised upon initiative of the UK embassy).

The EU Delegation and numerous EU Member States engaged regularly in public diplomacy events on human rights.

In the course of 2021, the EU Delegation and several other EU embassies visited the returned territories and got acquainted with the reconstruction measures taken in the best interest of the local communities.

**4. EU financial engagement:** The EU supported financially and technically measures for the improvement of the efficiency of the judiciary, the establishment of a mediation system, legal aid and improving prison services. The EU also supported financially CSOs to strengthen their capacity and to enhance their role in Azerbaijani society. In 2021, no EU direct grants were registered in the Ministry of Justice. EU provided financial support to Azerbaijani CSOs via contribution agreements with UNDP, OHCHR, Council of Europe and UNICEF.

**5. Multilateral context:** Despite some recent positive developments, the overall rate of implementation of European Court of Human Rights (ECtHR) rulings remains extremely low. On 19 November, Azerbaijan signed Protocol No. 16 to the European Convention on Human Rights, allowing the highest courts and tribunals to request the Court to give advisory opinions on questions of principle relating to the interpretation or application of the rights and freedoms defined in the Convention or the protocols thereto.

## Belarus

**1. Overview of the human rights and democracy situation:** Throughout 2021, the situation in Belarus continued to deteriorate. According to various estimates, over 37,500 people have been detained since August 2020 in connection with the participation in protests. By the end of 2021, there were almost 1,000 political prisoners, up from 170 by the end of the previous reporting period. Law enforcement and judiciary do not follow procedural, administrative, criminal and constitutional norms. People with politically motivated charges, including participants in protests and opposition leaders, receive unjustified and extremely harsh sentences. Thus, prominent representatives of the opposition received sentences ranging from 10 to 18 years. Prisoners detained on political grounds face particularly cruel treatment and gender-based violence is of serious concern. The authorities did not conduct a proper effective investigation into the deaths of peaceful demonstrators. As part of a large-scale crackdown on civil society, over 300 CSOs were closed down or are in the process of forced liquidation. Amongst them are organisations such as the Belarusian Association of Journalists, the Belarusian Helsinki Committee, the Belarusian PEN Center, the political association "Movement For Freedom" and the environmental NGO "Ecodom". The websites of several public associations have been blocked or declared extremist (including social media webpage of HRC Viasna). Independent media, journalists and media workers were also targeted, 113 cases of detention of journalists were recorded. By 31 December 2021, at least 32 journalists and media workers remained in detention. The websites tut.by and the news agency BelaPAN were shut down, together with more than 100 other independent news websites. As a result of this systematic crackdown on independent voices, there is virtually no space for civil society or human rights defenders. Independent media has been almost eradicated, and independent

political activity is criminalised by the legislation and pursued by the security forces. The current human rights crisis must be seen in the context of systemic human rights problems that have remained unaddressed over a long period. The death penalty remains in force. Belarus unilaterally decided to discontinue the human rights dialogue with the EU.

**2. EU action - key focus areas:** In reaction to the brutal repression following the elections in August 2020 and in line with the Council conclusions of 12 October 2021, the EU has conducted a review of its relations with Belarus. The EU increased its support to the victims of repression, CSOs and independent media, youth, small and medium-sized enterprises (SMEs), and health workers. This support took place in very challenging circumstances due to the persecution of CSOs and the relocation of experts, activists and journalists to the neighbouring countries. Another key area, also addressed in the multilateral context, was fighting impunity and ensuring accountability for the many human rights violations and abuses, including the use of torture and cruel, inhuman or degrading treatment.

The EU delegation and Member States visited human rights defenders and NGOs to provide support in the context of the persecution. In cooperation with Member States' embassies and like-minded partners, the EU Delegation to Belarus took numerous initiatives to support political prisoners and draw attention to their situation, for instance by posting their stories and meeting with their families, and by intervening with the authorities in case of serious medical conditions of the prisoners.

**3. EU bilateral political engagement:** In 2021, Belarus continued to be at the top of the EU's agenda. The continuing repression and the deteriorating human rights situation was addressed at all levels, including by the Foreign Affairs Council and the European Council, and raised in numerous contacts with third countries. In response to human rights violations and the support to illegal border crossings, the Council adopted two packages of sanctions, adding to the three packages adopted in 2020. In line with the Council conclusions of 12 October 2020, the EU scaled down its bilateral cooperation with Belarusian authorities at central level and increased EU's support to the Belarusian people and civil society. In May 2021, the EU published a comprehensive plan of economic support to a future democratic Belarus of up to EUR 3 billion, reflecting the support to a peaceful democratic transition in the country. Throughout 2021, the European Parliament was vocal on the need to end the human rights violations and to support the Belarusian population in its demand for democracy, and also made a substantive contribution to the efforts to ensure accountability for the crimes committed. The HR/VP addressed the situation in the EP plenary on several occasions. The EU Special Representative for Human Rights also addressed the dire human rights situation in Belarus focusing on improving the situation of political prisoners and ensuring their release.

**4. EU financial engagement:** In line with the Council conclusions of 12 October 2020, the EU has redirected assistance from the central level to non-state actors. The overall EU assistance to the people of Belarus since August 2020 is close to EUR 65 million. In the immediate aftermath of the fraudulent elections, EUR 3.7 million was mobilised for emergency support for the victims of oppression and independent media. The EU further committed EUR 24 million to preserve space for civil society, EUR 6 million to facilitate SME access to finance, and additional EUR 1 million for independent media and civil society support. In December 2020, the European Commission announced an additional EUR 30 million to complement and

expand the already existing EU support for youth, independent media, small and medium-sized enterprises in exile, and culture.

**5. Multilateral context:** The EU continued to raise the human rights violations in Belarus in international fora. In the UN Human Rights Council, the EU played a key role in the adoption of resolution 46/20 ensuring an examination of the situation in Belarus, including accountability for the perpetrators of the human rights violations. On 7 July 2021, the UN Human Rights Council at its 47th session approved a resolution, which extended the mandate of the Special Rapporteur on the situation of human rights in Belarus for one year.

Following up on the recommendations contained in the report presented under the OSCE Moscow Mechanism, 19 States issued a statement on 24 March 2021, supporting the launching of an international accountability platform for Belarus. The EU has strongly supported this initiative, both politically and financially. The EU also supported the launch of the Vienna Mechanism in connection with serious human rights violations in Belarus and a request to Belarus to provide answers to questions concerning torture, persecution of government critics or the usage of state controlled media or social media accounts to incite violence. The EU also made statements in the UN Security Council high-level Arria-formula on 22 January 2021 and 8 October 2021, addressing, *inter alia,* the human rights situation in the country. The Council of Europe and the EU made several statements expressing concern about the human right situation, notably on freedom of expression. At the Eastern Partnership Summit on 15 December 2021, there was an empty chair for Belarus, but in the margins of the Summit, President Charles Michel and HR/VP Josep Borrell met with representatives from the Belarus democratic opposition, underlining the EU's continued support for democratic Belarus and calling for the release of prisoners.

## Georgia

**1. Overview of the human rights and democracy situation:** During 2021, Georgia continued to fulfil its obligations within the EU-Georgia Association Agreement, but the country experienced shortcomings on a number of commitments, particularly in relation to the rule of law and good governance. Democratic consolidation was challenged by a series of events. These include a boycott of the Parliament, local elections with several reported shortcomings, violence against journalists and the LGBTIQ community without ensuing effective investigations, highly questionable appointments and legal amendments in the field of the judiciary, the abolition of the independent State Inspector's Service in a hasty manner, and reports of widespread wiretapping of parts of Georgian society and the diplomatic community. The mobilisation of aggressive far-right forces (which have formed a new political party) is another issue of concern.

**2. EU action - key focus areas**: The EU in Georgia continued to provide support to the implementation of the Georgia National Human Rights Strategy and Action Plan. The EU also supported the elaboration of the new strategy 2021-2030, which should be adopted during 2022. Within the areas covered through the EU-Georgia Association Agreement, such as democracy, human rights and the rule of law, EU action has focused on strengthening the independence and accountability of the judiciary, reducing inequalities, contributing to the fight against discrimination and empowering civil society to promote and defend their civic

rights. Information security was also high on the agenda, where the EU supported the Georgian government to align with the EU acquis, notably, the EU Network and Information Security Directive, in order to ensure a sound system for data protection and the respect for human rights.

**3. EU bilateral political engagement**: The EU engaged in regular political dialogue with Georgia throughout 2021. An Association Council took place in March 2021. The annual EU-Georgia Human rights dialogue took place in July 2021. The EU also engaged in mediating the political crisis stemming from the parliamentary elections in 2020, through high-level mediation led by President of the European Council Charles Michel. These efforts resulted in the so-called 19 April Agreement, containing a number of reform and other commitments by the signatories. In July, the ruling party withdrew from the agreement citing as a reason that the biggest opposition party had not signed it (which it only did later), and publicly stating its commitment to complete the reforms outlined in the agreement.

The EU and Member States in Georgia held regular consultations with Georgian authorities throughout 2021, including on the follow-up to the violent events that marked the Tbilisi Pride March in July. Attention was also paid to court hearings of particular political relevance. Human Rights Day and Human Rights Week were organised together with the UN, with a focus on violence against women. The EU delegation also ran various social and broadcast media campaigns, including an All Human All Equal, gender equality campaign, Stronger Women, and International Child Protection Day with a focus on foster care. Through the EU Special Representative for the South Caucasus and the Crisis in Georgia, including in his capacity as co-chair of the Geneva International Discussions, and through the EU Monitoring Mission in Georgia (EUMM), the EU continued to promote stability and human security in conflict-affected areas.

**4. EU financial engagement:** The EU delegation continued to implement the substantial human rights programme 'EU4Human Rights' (EUR 11 million). Its overall objective is to strengthen human rights protection, including the rights of persons belonging to minorities and vulnerable groups such as national minorities, persons with disabilities and LGBTI persons. The 'Human Rights for All' project, implemented with UNDP and OHCHR, focused on setting up effective systems for the protection of persons in vulnerable situations and groups belonging to minorities and the promotion of a culture of non-discrimination. Special focus was dedicated to supporting state institutions in their work on LGBTI communities and national and ethnic minorities, the Public Defender's Office and CSOs. Under this project, the EU also supported the State Inspector's Service and organisations collecting and processing personal data to ensure effective compliance with data protection provisions.

The EU delegation continued to work closely with CSOs, including umbrella organisations, at both national and regional levels. Through the EIDHR Country Based Support Scheme (CBSS) for Georgia, the EU supported several CSO projects.

In 2021, the EU continued its assistance to COVID-19 related developments, including by strengthening the country's healthcare system, while shifting increased focus to sustainable recovery actions. Eight substantial grants were awarded to CSOs in 2021, covering oversight, gender and capacity building, but also addressing indirectly the COVID-19 pandemic.

**5. Multilateral context:** In March 2021, at its 46th session, the UN Human Rights Council adopted by vote a recurrent resolution presented by Georgia under item 10 "Technical assistance and cooperation". The resolution requested the UN High Commissioner for Human Rights to provide technical assistance to Georgia and report to the HRC on its implementation. On 16 June 2021, the General Assembly adopted by vote the Georgian resolution "Status of internally displaced persons and refugees from Abkhazia, Georgia and Tskhinvali region/South Ossetia, Georgia".

Georgia underwent examination in the framework of the third cycle of the Universal Periodic Review (UPR) on 26 January 2021. There was general support for progress made by Georgia in promoting human rights. Identified challenges included violence and discrimination based on sexual orientation and gender identity, a lack of independence of the judiciary, human rights of persons belonging to minorities and the situation in the breakaway regions.

The investigation into war crimes and crimes against humanity committed during the August 2008 war in Georgia, ordered by the International Criminal Court, is ongoing.

## Republic of Moldova

**1. Overview of the human rights and democracy situation:** In 2021, the Republic of Moldova (hereinafter Moldova) continued implementing the EU-Moldova Association Agreement, including its commitments in the areas of human rights and democracy. Parliamentary elections were held in July and were positively assessed by the international elections observation missions as overall competitive and well managed, despite some shortcomings. The Party of Action and Solidarity gained an absolute majority, with a commitment to improve the rule of law, fight against corruption and poverty, confirming the interest of Moldovan citizens to pursue resolute policies in this direction. While progress in some areas was notable, further efforts are needed to strengthen the rule of law and the fight against corruption, thoroughly reform the media environment, and improve detention conditions. The human rights situation in the Transnistrian region, a region not under the control of the central government in Chisinau, remains concerning.

**2. EU action - key focus areas:** The EU continued to focus in 2021 on key areas such as promoting credible, transparent and inclusive elections; supporting anti-corruption efforts; strengthening rule of law, independent justice and democratic institutions; empowering civil society and supporting media freedom; promoting gender equality and child protection. The EU has supported these areas by providing significant assistance, as well as through policy dialogue and public diplomacy.

The EU continued promoting credible, transparent and inclusive elections, including by supporting international observation and civil society advocacy, as well as efforts aimed at a comprehensive review of the electoral legislative framework. It also reacted firmly to earlier attempts to undermine independent institutions such as the Constitutional Court, supported the adoption of constitutional amendments strengthening the independence of the justice sector and linked progress in the revision of the legislative framework on integrity to the disbursement of macro-financial assistance. Throughout the year, the EU actively supported

the development of media skills, especially for the investigative journalism sector, as well as improving media literacy for the public. The EU action in 2021 also sought to promote gender equality and women's empowerment, by advocating for the ratification of the Istanbul Convention on preventing and combatting violence against women and domestic violence, finally ratified by the Parliament in October. The application for the first time of the double gender quote during the parliamentary elections also led to the highest representation of women in the Moldovan Parliament so far (40 women out of 101 MPs).

**3. EU bilateral political engagement**: The EU engaged in regular political dialogue with Moldova throughout 2021. Human rights and democracy were discussed in the framework of the main meetings related to the implementation of the Association Agreement, such as the Association Council (in October) and the subcommittee on Justice, Freedom and Security (in September). The 12th EU-Moldova Human Rights Dialogue took place in October, providing the opportunity to exchange on key topics followed by the EU and the international partners. Discussions covered a wide range of issues, from democracy and electoral rights, human rights in the justice system, implementation of core labour standards, media freedom, rights of the child, gender equality, anti-discrimination policy, protection of persons belonging to minorities and multilateral cooperation.

**4. EU financial engagement** The EU assistance to Moldova remains strictly conditional upon the progress of reforms. The EU continued to use 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 to the lives of citizens. For example, the disbursement of the second instalment of the EU COVID-19 emergency macro-financial assistance in September 2021 was pre-conditioned by the registration of constitutional amendments related to justice, as well as to amendments to the legal framework related to integrity checks.

**5. Multilateral context**: The Parliament ratified the CoE Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in October. The ratification of Protocol 12 of the European Convention on Human Rights remains pending.

## 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. 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 market competitiveness. The COVID-19 pandemic added additional challenges for Ukraine's media landscape. Efforts of the Ukrainian authorities to adopt a more structured and coordinated approach to tackle hybrid threats, including disinformation, continued. In February and December 2021, President Volodymyr Zelenskyy announced sanctions against individuals, causing five TV channels losing their broadcasting license for five

years and freezing their assets. Although Ukraine does not have a dedicated law on peaceful assembly, freedoms of association and assembly are guaranteed by the Constitution and were generally well respected by the authorities. Lack of accountability continued to be an issue of concern including for cases from previous years, such as in the murder of journalist Pavel Sheremet and the murder of anti-corruption activist Kateryna Handziuk. Despite the process in some investigations of crimes committed during the Maidan, the legal proceedings in the vast majority of cases were stalling.

The work of anti-corruption activists remained crucial given the continued need to strengthen the rule of law and to step up anti-corruption efforts. Civil society continued to advocate for a comprehensive reform of the judiciary, including a reform of the Constitutional Court of Ukraine and played an important role in advocating for the adoption of key laws in the area of the judiciary.

The rights of persons belonging to minorities in Ukraine are generally respected, although funding and administrative resources for the promotion and protection of their rights could be enhanced. The adoption of a Roma Strategy in July 2021 marked a welcome development, although sufficient resources are still to be allocated for its implementation. Overall, the Roma minority remained vulnerable to bureaucratic hurdles when accessing social and administrative services. Some right-wing anti-Roma protests took place around the country, with police taking actions to protect the Roma people and their properties. Law enforcement agencies continue classifying hate crimes as hooliganism rather than labelling them as crimes with xenophobic undertones, affecting, *inter alia,* the Roma and the sexual minorities. A draft law that would alleviate this problem and establish intolerance as an aggravating circumstance in the Criminal Code is still awaiting adoption in the Rada.

Pride Parades took place in different cities. While no clashes were reported in Kyiv, far-right extremists attacked law enforcement officers protecting the parades in Odesa and tried to attack participants in Kharkiv. Despite the proactive cooperation of the authorities, smaller assemblies of the LGBTI community and women human rights defenders were frequently targeted. The ban on blood donation of the LGBTI persons was lifted in February. Persons with disabilities continued to face challenges due to both architectural and informational inaccessibility. The institutionalisation of children continued to remain a significant problem. A long-term strategy to reduce the number of institutionalised children in Ukraine was considerably weakened in July. Ukraine is yet to adopt a Law on National Minorities/Communities, which is a recommendation made by the Venice Commission in relation to the Law on State Language adopted in April 2019.

Despite repeated calls from the EU and the civil society, Ukraine has yet to ratify the Rome Statute of the International Criminal Court and the Istanbul Convention of the Council of Europe. The situation of the conflict-affected population and of the approximately 1.4 million internally displaced persons (IDPs) in the country remained challenging. Despite several positive steps taken by Ukraine, the pension payments for people residing in the non-government-controlled areas (NGCAs) in eastern Ukraine remain linked to their registration as IDPs. Due to the restrictions to cross the contact line imposed by the de facto authorities in NGCA, the free movement of persons between the government controlled area (GCA) and the non-government controlled areas has been severely affected with mere 7% of civilians able to cross the contact line in comparison to pre-COVID-19 times. A variety of administrative services are available only in GCA (birth and death certificates, passports, IDs etc.). Although

Ukrainian legislations enshrines a right to compensation and other response measures of compensatory nature, further efforts are needed to respond to the circumstances of families having lost their property because of hostilities.

The situation in the NGCAs remains dire. Parallel structures of 'justice' prevail, resulting in mass violations of individual rights. Armed groups operating in the NGCAs curtail human rights and fundamental freedoms through targeted killings, arbitrary detention, and through gender-based violence. This exacerbated during the COVID-19 pandemic. Besides the security situation, the negative epidemiological situation has also hindered crossing the contact line, which has affected negatively the communities found on both sides of the contact line.

The human rights situation on the Crimean Peninsula, illegally annexed by the Russian Federation, continued to deteriorate. The inaugural International Crimean Platform summit was held in 2021, addressing also the importance of prevention of human rights violations in the illegally annexed Crimea. 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. Many of the people facing arbitrary charges are activists, journalists and, as a worrying new trend, human rights lawyers. Forced conscription campaigns into the Russian Armed Forces continued in 2021. An estimated number of 127 Ukrainian citizens remain imprisoned by Russia on religious and political grounds, Crimean Tatars accounting for the majority of those imprisoned. The Russian Federation continued to deny access of non-governmental human rights organisations to the Peninsula.

**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; supporting freedom of information and countering hate speech; prevention of torture and ill-treatment; the protection of rights of persons belonging to national minorities and vulnerable groups, including children; as well as the ratification of international instruments.

**3. EU bilateral political engagement**: The EU, including the EU Delegation to Ukraine, continued to issue statements condemning human rights violations in the illegally annexed Crimean peninsula and NGCA. The EU delegation actively employed social media tools to express concerns about the violation of human rights committed during the COVID-19 pandemic; express support to the authorities in their efforts to step up human rights-related initiatives. The EU Delegation to Ukraine and EU Member States issued various public local statements and/or joint statements on different human rights and fundamental freedoms related issues, including in the G7 format. Public reactions were also issued on the International Day against Homophobia, the International Human Rights Day, the International Day for Elimination of Violence against Women, and others. Despite the COVID-19 pandemic, the EU delegation and Member States met online and offline and consulted with human rights defenders, and civil society activists. Overall, the EU delegation's public diplomacy contributed to the active promotion and visibility of human rights.

**4. EU financial engagement:** The EU continued to support the implementation of its human rights policy priorities. Financial and technical assistance to civil society and human rights defenders continued. Following a Call for Proposals funded by the European Instrument for

Democracy and Human Rights (EIDHR), three new grants with civil society organisations were concluded (for a value of EUR 1 million) in support of economic and social rights, conflict-affected communities, rights of persons belonging to minorities and the fight against discrimination. Two new projects supported by other budget lines have been launched: one in support of Freedom of Information in the NGCAs (EUR 300,000); and another providing emergency support to civil society activists, media professionals and journalists at risk (EUR 1.1 million). Projects already ongoing ranged from 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 IDPs (totaling EUR 2.7 million).

The EU continued to support the activities of the UN Human Rights Monitoring Mission to Ukraine (HRMMU) with a grant of EUR 3 million (following similar support in previous years). The work of the HRMMU is important to record violations of international human rights and humanitarian law, both in the GCA and in the NGCA, reinforcing present and future accountability. The EU worked together with the Council of Europe via a grant (EUR 3.3 million) aiming to achieve progress in media freedom, 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.

**5. Multilateral context**: In the OSCE, the Council of Europe and the UN Human Rights Council, the EU continued to bring up human rights issues related to Ukraine, including those related to the NGCAs and the illegally annexed Crimean peninsula where severe human rights violations take place. The EU co-sponsored the UNGA resolution 75/192 on the situation of human rights in the Crimean Peninsula in December 2021.

## Egypt

**1. Overview of the human rights and democracy situation:** Although the human rights situation in Egypt remained challenging, there were encouraging signs of a higher political priority placed on human rights in 2021. Significant State resources continued to be devoted to alleviate the impact of COVID-19 through socio-economic protection and other wide-scale programmes such as the Decent Life Initiative. In January, the government presented the executive legislations (bylaws) of the 2019 NGO law (149/2019) aiming to create a more conducive environment for civil society organisations. Under the provisions of the new law, NGOs were asked to register online with the registration period being extended past the end of 2021. Charges against some of the Egyptian NGOs in the decade-long Case 173 - connected to receiving foreign funding - were dropped, but related travel bans and asset freezes had not been lifted by end 2021 for the individuals concerned (except in one case). In March, the parliament introduced stricter penalties for medical professionals and others who perform female genital mutilation. In August, the penal code was amended to toughen penalties against sexual harassment crimes. In September, President Al-Sisi launched the first-ever National Human Rights Strategy for the period up to 2026 covering four human rights areas (civil and political rights; economic, social and cultural rights; rights of women, youth, persons with disabilities, children and older persons; education and capacity building) and declared 2022 the Year of Civil Society in Egypt. Following the strategy's publication, the need for concrete follow-up and proper implementation were highlighted as key elements to ensure progress in line with Egypt's Constitution and international law. The Supreme Standing

Committee for Human Rights, chaired by the Ministry of Foreign Affairs, has been tasked with monitoring and evaluating the implementation of the strategy. President Al-Sisi also announced that 2022 would be the year of civil society.

In October, the state of emergency, introduced after terrorist attacks in 2017, was lifted but with some provisions transferred to regular legislation. A number of cases of individuals in pre-trial detention were referred to Emergency State Security Court shortly before this decision. On 29 December, the President reconstituted the National Council of Human Rights (following a parliamentary proposal), which is expected to have increased involvement on a number of human rights and rule of law issues, and appointed its first female president. In the last months of 2021, some human rights defenders and journalists were released. Regarding freedom of religion or belief, over 2,000 churches had been legalised by the end of 2021, with President Al-Sisi attending Christmas mass as a sign of visible support to the Coptic community. In December, Egypt hosted the ninth session of the States Parties to the UN Convention against Corruption. Despite these positive steps, in 2021, concrete and meaningful progress remained necessary with respect to the protection of fundamental freedoms and the restricted space for civil society and human rights defenders; constraints in the freedom of expression, peaceful assembly and media freedom; broad application of the Terrorism Law against peaceful critics and individuals and extensive and indiscriminate use of pre-trial detention. Extensive use of the death penalty continued. Egypt was the third highest country globally in the number of executions in 2021.

**2. EU action – key focus areas:** The EU-Egypt Partnership priorities reaffirm a shared commitment to the universal values of democracy, rule of law and respect for human rights and an agreement to strengthen dialogue and cooperation on these issues. The EU and Member States applied different tools ranging from diplomatic outreach, consultation with civil society and cooperation projects with the authorities and civil society. In addition to socio-economic aspects, projects and initiatives focused on capacity-building for civil society organisations, support to human rights defenders, the rights of persons with disabilities, the rights of women and girls, judicial trainings, anti-discrimination, protection of vulnerable communities including refugees. Observation of trials was among the tools employed by the EU and Member States but in some cases diplomats faced restrictions in access.

**3. EU bilateral political engagement:** Salient human rights issues were raised throughout the year at all levels including high-level contacts among the Egyptian leadership with the President of the European Council, the High Representative, the European Commission Vice President for the EU Green Deal, the Commissioners for Neighborhood and for Home Affairs (the latter three including visits to Cairo in October and November respectively and meetings with civil society). The EUSR for Human Rights maintained regular contacts with Egyptian counterparts and civil society throughout the year. The EU and Egypt had a constructive in-depth exchange on human rights and democracy issues at the seventh meeting of the EU-Egypt Association Committee in Cairo on 5 October 2021. Also in October, human rights issues were discussed at the High-Level Political Dialogue between senior officials from the EEAS and the Egyptian Foreign Ministry in Cairo. Coordination meetings among EU Member States and regular consultations with Egyptian and international CSOs continued throughout the year. The European Parliament's Subcommittee on Human Rights oversaw the implementation of the Parliament's 2020 Resolution on the human rights situation in Egypt with the participation of the EEAS in relevant sessions.

**4. EU financial engagement:** In line with the August 2013 Council conclusions, the EU's bilateral assistance to Egypt was directed to the socio-economic sector and support to civil society. The EU's cooperation in Egypt aims to support Egypt's 'Sustainable Development Strategy – Vision-2030'. EU-supported projects in Egypt contributed to the promotion and protection of civil, political, social, economic and cultural rights though global and bilateral means of implementation. In 2021, the EU delegation managed 30 projects worth EUR 19.8 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, as well as advancement of the rights of women including the fight against female genital mutilation and violence against women, the rights of the child, migrants and persons with disabilities, freedom of religion or belief, access to justice, culture and cultural diversity. A project in support of the National Council for Human Rights (NCHR), implemented by GIZ, was successfully completed at the end of 2021. It helped introduce a digital complaints system for citizens, strengthen the capacity and conduct trainings for NCHR staff and run human rights awareness-raising activities across Egyptian Governorates.

**5. Multilateral context:** At the 46th UN Human Rights Council session, Finland led a Joint Statement on behalf of 31 states expressing deep concern about the trajectory of human rights in Egypt (12 March 2021). Egypt was cited in a Group Statement of 26 EU Member States under Item 4 at the 48th Human Rights Council session in 27 September 2021, which, *inter alia*, reiterated the EU's call on Egypt to release all detained human rights defenders.

## State of Israel

**1. Overview of the human rights and democracy situation:** Israel is a democracy with independent institutions, robust checks and balances, a free democratic media landscape and 'basic laws' enumerating fundamental rights. A general election took place in March 2021 in line with international standards, with a slightly lower voter turnout overall in comparison with the elections in 2020 (while the turnout among the Arab population saw a decrease of 20 percentage points, despite the fact that Arab constituents' issues of concerns had featured dominantly in the election debates). The new multi-party coalition government, for the first time supported by an Arab Israeli party, was sworn in in June 2021 and pledged to work to reduce the political polarisation in the country.

Israel has expanded rights for LGBTQI persons by introducing legislation allowing same-sex couples, single men and transgender people to become parents through surrogacy.

Many human rights NGOs, mainly those active on Israel's responsibilities as an occupying power in the occupied Palestinian territory (oPt), have throughout 2021 continued to raise concerns about restrictions to their work. In October 2021, the Israeli Ministry of Defence designated six Palestinian CSOs as terrorist organisations. The designations have far-reaching consequences for the organisations in political, legal and financial terms and raised concerns among CSOs, international organisations, the EU and its Member States on the shrinking space for civil society.

Other issues of concern included the alleged use of cyber surveillance software by the police against Israeli human rights defenders, activists, journalists and decision makers without legal

consent (an investigation was launched following the allegations), the discrimination against Arab minorities in Israel, including the Bedouins in the Negev, and asylum seekers, especially from Eritrea and Sudan. Tensions between Jewish Israelis and Arab Israelis increased, including with violent incidents at the time of the escalation in May 2021.

In the occupied Palestinian territory, the situation remained very challenging, with continues settlement expansion, an increase in settler-related violence against Palestinians, evictions of Palestinian families and continued demolitions of Palestinian residential properties. Concerns persist over the increasing use of arbitrary administrative detention and the detention of Palestinian minors even though the number of detentions declined by 8 percent. An armed conflict between Israel and Hamas took place between 11 and 21 May 2021, leading to 253 Palestinian and 13 Israeli casualties.

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

**3. EU bilateral political engagement:** Throughout 2021, the EU Delegation to Israel hosted several meetings and activities with EU Member States and Israeli counterparts on a wide range of human rights issues. The EU delegation conveyed EU positions regarding specific draft legislative initiatives and matters of concerns in bilateral meetings with Israeli authorities, for instance on the far-reaching use of administrative detention.

The EU delegation and EU Member States marked the International Human Rights Day 2021 with a series of events, including a session for Heads of Missions on the changing legal paradigm on international humanitarian law and human rights law in the oPt with invited legal scholars and think-tanks. In order to amplify the EU's human rights and democracy public diplomacy, the EU delegation hosted or initiated several events throughout 2021. Examples include an event focusing on violence against women in the Arab community and a visit to the Beth Dror shelter for LGBTI youth at risk, among others.

The EU delegation has continued to convene the Human Rights Working Group with EU Member States to raise pressing human rights and democracy issues and coordinate potential action. Throughout 2021, the working group has had a wide range of briefings by CSOs and events, such as a visit to an unrecognised Bedouin village in the Negev.

**4. EU financial engagement**: In the framework of the European Instrument for Democracy and Human Rights, the EU continued the implementation of eight projects and contracted four new ones, with over ten CSOs, including universities. The main fields of activities were issues related to social cohesion and quality of services in mixed cities and/ or within the Arab community in Israel, workers' rights and women's rights, the rights of transgender persons and the responsibility of the Israeli State in ensuring human rights compliance when using artificial intelligence. In the implementation of the projects, the EU had to deal with challenges related to the escalation in May between Hamas and Israel, as well as the COVID-19 pandemic.

**5. Multilateral context:** As of June 2021, no international staff is present in the OHCHR office in the oPt, following Israel's decision to suspend ties with the organisation in February 2020. Resumption of cooperation with OHCHR and the renewal of visa for international staff of OHCHR in the oPt remains a priority of EU action.

In light of the escalation in and around Gaza in May, an open-ended international investigation into war crimes and violations of international law on both sides during the conflict was set up, pursuant to the UN Human Rights Council Resolution S-30/1 of 27 May 2021. EU Member States sitting on the Council voted against or abstained on the Resolution[5].

On 3 March 2021, the Prosecutor of the International Criminal Court announced the initiation of investigation with respect to the situation in Palestine*, covering crimes that are alleged to have been committed since 13 June 2014.

The human rights situation in the oPt is also regularly addressed through EU statements in the UN Human Rights Council.

## 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. In 2021, while the overall situation remained largely positive, the country experienced challenges with regard to the freedoms of expression and association, gender-based violence and gender equality. In some instances, participation in peaceful demonstrations and protests resulted in detentions. There is need to strengthen civil society and widen the civic space. In June, King Abdullah II appointed a Royal Committee to Modernise the Political System, tasked to improve political participation through the empowerment of women, youth and political parties. In October, the committee presented its proposals regarding revisions to the elections and political parties' laws and related constitutional amendments, which the government passed to the parliament for deliberation and adoption in 2022, including additional amendments over security, foreign policy and religious affairs. The ongoing revision of the Law on Associations has raised concerns about the risk of additional restrictions to the operation of civil society organisations. In a difficult regional context, Jordan continued to play a constructive and effective role in support of multilateral solutions and a rules-based order. Jordan continued to be the second largest host country of refugees per capita in the world. The people and authorities of Jordan continued to demonstrate commendable generosity in providing support to refugees, including via the COVID-19 vaccination coverage and the issuing work permits in selected sectors to Syrian refugees.

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

*Protecting and empowering individuals:* The EU co-chaired the Gender Partners Coordination Group with UN Women and the Jordanian Commissioner for Women, developing and aligning advocacy messages raised with ministries and with the Chair of the Inter-ministerial Committee for Women's Empowerment. On the "16 Days of Activism against Gender-Based Violence", the EU and Member States organised a series of events and a public awareness campaign. The EU promoted positive gender roles in the media, municipal leadership and

[5] https://www.un.org/unispal/document/ensuring-respect-for-international-human-rights-law-and-international-humanitarian-law-in-opt-and-israel-human-rights-council-30th-special-session-resolution-a-hrc-res-s-30-1/ Against: Austria, Bulgaria, Czechia, Germany / Abstaining: Denmark, France, Italy, Netherlands, Poland

*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.

gender equality, the fight against gender-based violence and enhanced resilience of women refugees, IDPs and women in host communities. Member States supported projects to strengthen women in decision-making, women's rights and political participation. On the International Human Rights Day, the EU supported an event in Amman on the Universal Declaration of Human Rights. The EU engaged against the death penalty, in particular women on death row, by meeting with lawyers and activists advocating for retrial. The EU supported guaranteeing fair trials and equal rights for women. The EU encouraged the authorities to respect media freedoms and the right to the freedom of expression, and supported a project to train journalists on new media. The EU funded a regional project on child labour in agriculture.

*Building resilient, inclusive and democratic societies:* The EU-funded project "EU Support to Jordanian Democratic Institutions and Development" was implemented to strengthen the functioning of the House of Representatives in exercising its parliamentary functions, to support the political party system in contributing to democratic governance and policy-making, and to enhance the functioning of the Independent Electoral Commission and other key stakeholders, in line with EU EOM recommendations. The EU held a regular policy dialogue with the Jordanian authorities on the rule of law.

*Promoting a global system for human rights and democracy:* The EU and Member States regularly exchanged on human rights issues, including in the Human Rights Working Group, engaging with civil society, Jordanian State institutions and international partners.

*New technologies: harnessing opportunities and addressing challenges:* The EU Sector Budget Support programme to support the Rule of Law in Jordan achieved the digitalisation of the sector, with access to electronic records for judges and prosecutors, enhanced free legal aid services and equipped courts with videoconferencing systems for the protection of witnesses and victims. The EU supported participation of women in public affairs through online media. EU Member States supported enhanced awareness and expertise on digital rights, as well as combatting hate speech online and the creation of a regional network to fight online hate.

*Delivering by working together:* The EU Regional Trust Fund in Response to the Syrian Crisis co-financed a programme with Member States on regional good governance and promoting citizen participation at the local level. The EU and Member States increased awareness on the rights of the child, notably on the issue of child marriage. The EU and Member States helped to implement alternative care solutions for persons with disabilities at local level, and helped to rehabilitate social care centres and increase access to early childhood education.

**3. EU bilateral political engagement:** The EU maintained a regular political dialogue with the government and organised in May 2021 a virtual meeting of the eighth EU-Jordan Sub-committee on Justice and Security. In the framework of the May 2021 virtual EU-Jordan Association Committee, implementation of political reforms and human rights, including review of the outcomes of the 2020 sub-committee on Human Rights, Democratisation and Governance, were discussed with the Jordanian authorities in a constructive manner. The EU has systematically included women's rights in political dialogues, in terms of gender equality, fight against gender-based violence, as well as women's political and economic empowerment. In April, King Abdullah II and European Commission President von der Leyen discussed in Amman the EU-Jordan cooperation, including the response to the Syrian refugee crisis, the humanitarian and economic implications of the COVID-19 pandemic, and safeguarding security and stability. In November, Commissioner for Neighbourhood and

Enlargement Várhelyi met in Jordan, among others, the Prime Minister, the Deputy Prime Minister/ Minister of Foreign Affairs and CSOs working with Syrian refugees.

**4. EU financial engagement:** Strengthening the rule of law is a shared priority stipulated in the EU-Jordan Partnership priorities. In 2021, the EU engaged in the formulation of a new phase of the support to the sector (EUR 39 million), while it kept funding justice sector reform through the 2020 budget support programme (EUR 50 million). Thematic budget lines under the European Instrument for Democracy and Human Rights, and Civil society organisations/Local authorities were the main instruments for working on human rights and gender equality through and for civil society. Implementation of the ongoing eight human rights projects continued, for a combined total of EUR 3.8 million. Regarding the EU Macro-financial assistance programme, Jordan continues to satisfy its pre-conditions as regards the respect of human rights and effective democratic mechanisms, including a multi-party parliamentary system and the rule of law.

In 2021, under the EU Regional Trust Fund in Response to the Syrian Crisis, EUR 7 million was allocated to actions in support of inclusive, equitable and quality education for Syrian refugees and vulnerable children in host communities in Jordan. In addition, EUR 8 million was allocated to support protection and prevention systems, policies and services in Jordan. The Trust Fund support includes large-scale social protection programmes.

**5. Multilateral context:** The EU carried out demarches in preparation of UN General Assembly Third Committee resolutions and on EU priorities at the 65th session of the UN Commission on the Status of Women.

## Lebanon

**1. Overview of the human rights and democracy situation:** Compounded by the COVID-19 pandemic, political challenges translated into persistent discontinuity in governmental activities throughout 2021, exacerbating in turn pre-existing socio-economic crises. This lack of institutional stability and the deepening economic and financial meltdown have impaired economic and social rights of large segments of the population, especially the persons in the most vulnerable situations, with almost 80% of the population now living in poverty. Challenges to the respect of human rights and the rule of law remain, including in the fight against corruption, access to information, military courts' jurisdiction over civilians, the budgetary operationalisation of the National Human Rights Commission and the National Preventive Mechanism against Torture. Generally, the space for free speech, media and civil society has shrunk further. Whereas general elections are to take place in May 2022, EU EOM recommended reforms of the electoral framework have remained unaddressed. The stalled investigation into the explosion at Beirut port of August 2020 killing more than 200 people has increased concerns related to justice and accountability. A few positive steps have been made as regards sexual harassment, unified age of marriage for men and women, public procurement legislation, protection of juveniles and access of Palestinian refugees to the local labour market. Discriminatory laws on custody, marriage and divorce faced by women remain in place.

**2. EU action - key focus areas:** The EU continuously advocated for human rights in the political and policy dialogue with the Lebanese government, and coordinated efforts strategically among EU Member States and like-minded partners. Key EU focus areas included:

*Protecting and empowering individuals:* EU projects on women's rights and gender equality focused on combatting poverty among women through economic empowerment, gender equality in decision-making processes, as well as capacity-building programmes. The EU supported women's electoral participation and protection services to address growing gender-based violence linked to the pandemic. The EU supported CSOs in raising awareness and providing legal and mental health services to more than 22,000 LGBTI persons, notably through capacity building for employers, employees, social workers and media professionals.

*Building resilient, inclusive and democratic societies:* The EU raised concerns about freedom of expression and freedom of assembly, notably through the annual 'Samir Kassir Award for Freedom of the Press' and the related Students' Prize Award. Following the assassination of social and political activist Lokman Slim, the EU called on the Lebanese authorities to launch an urgent investigation. The EU advocated for returns of Syrian refugees to be voluntary, safe and dignified. The EU continued its support to Syrian refugees and to host communities, providing assistance in education, healthcare, economic development, water and sanitation, and social protection. The EU continued to support Palestinian refugees' access to health, social protection, livelihoods, education, emergency cash assistance and Technical and Vocational Education and Training services, including through the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The EU also continued policy dialogue and public communication on migrant workers' rights.

*Promoting a global system for human rights and democracy:* The EU continued to advocate for the abolition of the death penalty and Lebanon has upheld a *de facto* moratorium. EU cooperation continued to foster a human rights-based criminal justice system, including support to rehabilitation and reintegration programmes, prisoners' access to justice, access to a child-friendly justice system and implementation of non-custodial measures. An EU project on community policing strengthened oversight and accountability within the Internal Security Forces. Through the Advance Counter Terrorism for Lebanon Security Programme, the EU also helped to design fair trial standards in terrorism cases.

*New technologies: harnessing opportunities and addressing challenges:* In cooperation with UNICEF, CSOs and the Ministry of Education and Higher Education, the EU fostered hybrid learning strategies with a view to recovering educational gaps due to the COVID-19 pandemic. The EU supported digitalisation for women entrepreneurs and access to e-commerce.

*Delivering by working together:* The EU continued to engage regularly with CSOs, notably on the EU human rights and democracy policy priorities until 2024, the EU Multiannual Indicative Programme 2021-2027, the Brussels V conference on 'Supporting the future of Syria and the region' and inclusive electoral participation.

**3. EU bilateral political engagement:** Pursuant to Council conclusions of 7 December 2020, the EU continued to call on the Lebanese authorities to deliver urgently on key reforms, including the independence of the judiciary, respect for human rights and the rule of law, as well as fighting corruption. The EU also urged the Lebanese authorities to deliver on their commitment to an impartial, credible, transparent and independent investigation into the Beirut port explosion. HR/VP Borrell visited Lebanon in June to express EU solidarity with the Lebanese people and called for reforms, including in the field of human rights and democracy.

On 30 July 2021, the Council adopted a framework for targeted restrictive measures to address the situation in Lebanon, including possible sanctions against persons and entities undermining democracy or the rule of law. In August, European Council President Michel attended alongside HR/VP Borrell an international conference on Lebanon and reiterated the need for Lebanon to pursue reforms. The EU also continued providing support to the Special Tribunal for Lebanon investigating former PM Rafik Hariri's assassination. The EU continued to advocate for transparent and inclusive parliamentary elections. An EU Election Follow-up Mission was organised as well as two missions of Euro-parliamentarians. Following the official invitation issued by Lebanon, the EU will send an EU Election Observation Mission in 2022.

**4. EU financial engagement:** In 2021, the EU continued to embed a human rights-based approach in its programming and development efforts that are mainly implemented by CSOs and UN agencies. Support to migrant workers amounted to EUR 1 million under the European Instrument for Democracy and Human Rights (EIDHR) and the EU increasingly addressed pressing socio-economic essential needs of persons in vulnerable situations, including migrant and refugee communities. The EU Trust Fund adopted a final package of EUR 98 million in response to the Syrian crisis to address the needs of Syrian refugees and host communities, including support for the response to COVID-19. The EU supported UNRWA through bilateral support and mainstreaming the coverage of Palestinian refugees in all programmes. The EU also continued its support to UNDP's Lebanese Electoral Assistance Project with EUR 6 million over the period of 2020-2023.

**5. Multilateral context:** The UN Special Rapporteur on extreme poverty and human rights visited Lebanon in November and emphasised the urgent need for a credible plan to transform the economy, address inequality, ensure tax justice and prevent further political stalemate. During its third Universal Periodic Review (UPR), Lebanon received 297 recommendations, of which it supported 179 (an increase of 39.84% with respect to the second cycle). 48% of the recommendations related to "peace, justice and strong institutions" and 13% to "reduced inequalities". The recommendations mainly concerned the ratification of international treaties (42) and women's rights (discrimination and violence against women (40), and economic, social and cultural rights (35). Lebanon accepted two recommendations in the third cycle's final UPR report from July 8 2021 to address the issue of enforced disappearances.

## Libya

**1. Overview of the human rights and democracy situation**: The human rights situation in Libya in 2021 continued to raise serious concerns. Despite the ceasefire and subsequent establishment of an interim government (the Government of National Unity – GNU) to shepherd the country towards elections, attacks against civilians and civilian infrastructure continued. Violations and abuses of human rights and international humanitarian law, including abductions, enforced disappearances, arbitrary arrests, torture, as well as sexual and gender-based violence, continued to be committed in the country with almost total impunity. Various armed groups throughout Libya undermined the independence and work of the media, judiciary, civil society and human rights defenders. A crackdown on peaceful demonstrations against a lack of public services raised serious questions regarding the rights to freedom of expression, association and peaceful assembly. Civic space has been affected by the co-existence of different decrees in the country's three main regions. Based on these

decrees, direct cooperation of CSOs with foreign entities and without the prior authorisation by the authorities was considered irregular, and could lead to the freezing of bank accounts and operations of non-compliant organisations. Lengthy registration procedures with unpredictable results discouraged many CSOs from continuing their activities. In July 2021, the GNU proposed a new decree regulating civil society, which, if adopted, would reportedly replicate (if not worsen) at the national level the restrictions already implemented by regional CSO regulators. The human rights situation for migrants remains a critical issue, especially for those in detention centres where living conditions are often below standard and where there are continued reports of violations of human rights.

**2. EU action - key focus areas**: EU programmes continue to support institution-building at both central and local levels. Actions aiming to strengthen the rule of law and national institutions include, in particular, i) support to anti-corruption to recovery agencies and related ministries, ii) capacity building to the relevant ministries and instances (Ministry of Justice, Ministry of Interior, Ministry of Social Affairs, Higher Council for Childhood) to agree on a child-friendly juvenile justice system, and iii) support to the Secretariat-General of the Libyan House of Representatives focusing on legislative drafting and research and the functioning of the committee and legal departments. Furthermore, the EU has established a new flexible facility that can provide demand-driven support to Libyan public institutions (e.g. technical assistance on institutional development, policy development and dialogue, peer exchange and research). The aim is to strengthen the overall efficiency and effectiveness of the Libyan public administration.

The EU provides capacity building and funding to civil society organisations (CSOs). In partnership with a Libyan diaspora organisation, the EU monitors cases of torture and ill-treatment in Libya and works towards the establishment of a national referral mechanism. The action also includes the provision of legal aid to victims of torture and inhumane treatment within the Libyan judicial system. EU programmes have contributed to monitoring developments towards reducing civic space as well as providing support to formal and less formal networks of CSOs by facilitating access to financial means. Furthermore, the EU provides the Ministries of Justice and Interior support to strengthen their capacities to enforce the rule of law and to bring those responsible for human rights violations and abuses to justice, in particular with regard to forensics and digital evidence gathering (EUTF funding), as well as responses to the investigation of recently discovered mass graves.

The EU further funds a number of initiatives that promote and protect fundamental rights and freedoms. It continues to support Libyan fact-checking platforms and media organisations to dispel disinformation. A new action to monitor and report, in particular, hate speech and disinformation around the electoral process started in the second half of 2021. While the effectiveness of the National Council for Civil Liberties and Human Rights has so far been limited, it has recently been re-composed and may benefit from future EU assistance. Since late 2020, the EU has engaged in policy dialogue with Libyan authorities on the need to establish a national mechanism to respond to the reporting requirements of UN Treaty Bodies. Lastly, EU programmes have provided assistance in the emergency relocation of Libyan human rights defenders.

The EU has been supporting gender equality, encouraging the involvement of women in the peace process, fighting gender-based violence and assisting victims. The current support in the sector is unfolding systematic gender mainstreaming in all current programmes financed through bilateral EU funding. In October-November 2021, the EU co-funded capacity-building training for female candidates and women supporting the election process. In 2021, the EU delegation completed the first comprehensive Gender Country Profile and a gender sensitive assessment of EU cooperation.

More than half of the EU funding to Libya has been used for protection and assistance to the most vulnerable migrants, refugees and IDPs. The EU provides lifesaving assistance, protection services and support community stabilization. EU's efforts are coordinated with all relevant actors in the international community. In particular, the situation of migrants in detention centres remains of great concern. The EU only provides lifesaving support to migrants and refugees in detention while advocating for overcoming the current detention system. In light of the COVID-19 pandemic, the EU has supported fumigation and sterilisation campaigns in detention centres and increased the distribution of hygiene kits and health assistance.

**3. EU bilateral political engagement**: The EU has engaged with the relevant institutions in Libya on the importance of adopting the necessary legislation in line with internationally recognised standards and providing the space and protection needed for civil society and human rights defenders. Particularly, in early December 2021, the EU delegation engaged with the Chairman of the re-established National Council for Civil Liberties and Human Rights of Libya to explore avenues of capacity building. In addition, the EU reacted to grave violations of international human rights law and international humanitarian law through both public statements and silent diplomacy. The EU has repeatedly called for ending the policy of arbitrary and unlawful detention and the closure of migrant and refugee detention centres, while 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 Libya's largest providers of assistance. Libya is the main beneficiary of the EUTF North Africa window with total funding of EUR 455 million so far. The EUTF Africa supports migrants, refugees, asylum seekers, IDPs and host communities with protection and direct emergency assistance in Libya. Since early 2020, the EU has allocated an extra EUR 22 million for specific COVID-19 actions.

**5. Multilateral context**: The EU continued to be a strong supporter of the Working Group on Human Rights and International Humanitarian Law established under the Berlin process. Moreover, after supporting the creation of the UN Fact-Finding Mission in 2020, the EU supported and advocated for the renewal of its mandate. Lastly, the EU has used all the relevant international fora to raise its concerns regarding human rights in Libya.

## Syria

**1. Overview of the human rights and democracy situation:** Syria saw a decrease in hostilities in 2021, mostly due to the ceasefire in north-west Syria (in place since March 2020). Frontlines have altered little despite regular, low-level ceasefire violations. The year 2021 saw the lowest number of casualties (3,746 civilians and combatants) since the 2011 uprising, a 40% decrease

on the previous low of 2020. The presidential election of 26 May met none of the criteria of a genuinely democratic vote. Human rights abuses in Syria remain widespread, grave and systematic. They include neglect of the right to life, extrajudicial arrests and assassinations, torture, unfair trials, indiscriminate violence against civilians, disrespect of housing, land and property rights and military targeting of civilian infrastructure. 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 and violations. Arbitrary arrests and enforced disappearances are perpetrated by the regime and by non-state armed groups – in 2021, there were at least 2,218 documented arbitrary arrests. Detainees face ill-treatment, sexual violence, torture and killings; 104 deaths under torture were documented in 2021, most of them in regime prisons and detention centres.

The repression of freedom of speech remains problematic. Activists are fearful of being in touch with human rights organisations or avoid any contact. Gender-based violence and sexual violence and exploitation have been used as a weapon of war since the start of the conflict, and the neglect of the rights of the child is also widespread. The extremely low testing level for COVID-19 and the tightly controlled information about the epidemiological situation have hindered efforts to tackle the health crisis. Syria's economic situation is worse than ever. More and more Syrians are struggling to feed themselves and afford basic necessities. Civilians have faced shortages of most basic goods including bread, fuel, water and electricity. A February 2021 World Food Programme study found that 12.4 million people (60% of the current population) suffers from food insecurity. The price of a standard basic food basket has never been higher. According to the UN Food and Agriculture Organization, the 2021 wheat harvest of only 1 million tonnes was the worst in 50 years.

**2. EU action - key focus areas** follow the strands of the EU Action Plan for Human Rights and Democracy 2020-2024:

*Protecting and empowering individuals*: the EU supports efforts to promote freedom of expression in Syria, including by supporting free and independent media, particularly at local level.

*Building resilient, inclusive and democratic societies*: the EU continued to provide substantive support to Syrian civil society organisations, including to the work of the UN's Civil Society Support Room and Women's Advisory Board (both created by the UN in order to support intra-Syrian negotiations in the framework of UN Security Council Resolution 2254).

*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 use of chemical weapons. The EU is the main funder of accountability actions in Syria, supporting both civil society initiatives and the UN's International, Impartial and Independent Mechanism (IIIM).

*New technologies: harnessing opportunities and addressing challenges*: the EU Delegation to Syria involved Syrian activists and CSOs in discussing challenges such as access to documentation and gender-based violence and in designing innovative solutions at local level.

*Delivering by working together*: The EU maintains sanctions against individuals and entities, including military and security officials, responsible for violence and repression in Syria, and the use of chemical weapons.

**3. EU bilateral political engagement**: The EU has enhanced its dialogue with CSOs and human rights activists in order to support efforts, including those of the Syria Office of the High Commissioner for Human Rights to achieve accountability for crimes committed by state and non-state actors, and to look for ways for communities to prevent such crimes.

**4. EU financial engagement:** The Syrian crisis is one of the world's worst humanitarian disasters. The EU and the Member States have together allocated over EUR 25 billion in humanitarian, development economic and stabilisation assistance since the start of the crisis, making the EU the leading donor to the international response for Syrians. Funding includes support for civil society and specifically for human rights actions.

**5. Multilateral context:** The EU has supported UN Security Council resolutions in favour of cross border humanitarian assistance, and has participated in the work of the Human Rights Council and the UNGA Third Committee. In Geneva, the EU takes part in the Humanitarian Task Force and the Ceasefire Task Force, which attempt to foster international cooperation in favour of humanitarian interventions and reductions in hostilities. The 2021 Brussels Conference on supporting the future of Syria and the region mobilised EUR 5.3 billion for 2021 and beyond for humanitarian aid to Syrians inside the country and in neighbouring countries, and for their host communities. The EU announced a pledge of EUR 3.7 billion in total, of which EUR 1.12 billion from the European Commission.

## Palestinian Authority (occupied Palestinian territory – oPt)

**1. Overview of the human rights and democracy situation:**

*Preliminary remark*: A distinction must be drawn between the responsibilities of the Palestinian Authority (PA) and those of Israel as the 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 also bears responsibility for Gaza).

Challenges remain as regards fundamental freedoms in both the West Bank and Gaza. As regards credible, inclusive and transparent elections, the announcement by President Abbas in January 2021 to hold legislative and presidential elections in May was welcomed by the Palestinian public and by international stakeholders. However, in April, the elections were postponed indefinitely. The first phase of local elections was held on 11 December 2021 in the West Bank and a second phase is scheduled for 26 March 2022. Hamas boycotted both phases in Gaza.

With regard to freedom of expression, freedom of assembly, and media freedom, 2021 was characterised by a continued shrinking of the space for Palestinian civil society, with fundamental rights being challenged by all duty-bearers. 2021 witnessed a significant increase in the number of violations committed by the PA security forces against journalists and the media, most notably the killing of human rights activist Nizar Banat in June 2021. The EU and the UN called for an independent investigation into his death. The EU welcomed the amendment of the controversial Cyber Crime Law, but still has concerns related to excessive powers and illegal recent violations against activists carried out in the name of this law. As for freedom of assembly, concerns remained about some reportedly violent practices of the PA security forces, which targeted peaceful gatherings with excessive force, notably in the wake

of Banat's killing. Civil society organisations are still believed to be able to operate freely in the West Bank, but freedom of association is increasingly challenged. In October 2021, Israeli authorities decided to designate six Palestinian human rights CSOs as terrorist organisations. The designations have far-reaching consequences for the organisations in political, legal and financial terms and raised concerns among CSOs, international organisations, the EU and its Member States on the shrinking space for civil society.

In Gaza the right to freedom of expression remains under severe pressure, and the human rights situation overall is assessed as 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 has decreased compared to previous years, although the ICHR attributes this primarily to the fewer prison visits it has managed to conduct amid the pandemic. The status of the rule of law in the West Bank has continued to deteriorate, with a number of developments that have infringed not only on individual freedoms and rights, but also on the independence of the judiciary, the fairness of judicial processes, and the integrity and transparency of the overall judicial system. On 11 January 2021, a special edition of the Official Gazette was published, containing three decree laws aimed at reforming the judicial system. Palestinian civil society raised strong objections, stating that the decree laws would undermine the independence of judges and the separation of powers. Freedom of religion or belief is generally well observed. Even though the Basic Law of Palestine states that women have the same rights as men, gender inequality, domestic and gender-based violence remain a challenge. 2021 saw very limited progress towards repealing laws discriminating against women and passing legislation to protect women from violence. The draft Family Protection Bill has not yet been promulgated into law. Failings in the protection of the rights of LGBTI persons continue to represent a serious concern.

**2. EU action – key focus areas:** In 2021, the EU continued its support for Palestinian State building, rule of law and justice, as well as for sustainable economic development and service delivery to the people in the most vulnerable situations. Cross-cutting issues (gender equality, youth, environmental protection, human rights, and support for civil society) were mainstreamed in all sectors. The EU has followed the guidelines established by the Joint European Roadmap for Engagement with Civil Society in Palestine, which has sought to create an environment in which CSOs are able to participate fully in Palestinian society.

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-PA subcommittee on Human Rights, Good Governance, and Rule of Law on 18 November 2021. The Office of the EU Representative in Jerusalem (EUREP) carried out a large number of actions at local level. These included local statements, field visits, and attendance at court hearings. Issues of concern were raised at regular meetings with Palestinian counterparts. EUREP also engaged with CSOs to obtain information and to explain and promote the EU's position. The EU has also continued to advocate for the holding of presidential and parliamentary elections.

**3. EU bilateral political engagement and financial engagement:** In 2021, the EU continued to provide financial support for human rights and democracy-related programmes and projects.

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. It has ratified more than 50 conventions, including the seven key human rights conventions. As regards the rights of the child, the PA ratified the Convention on the Rights of the Child and on 25 July 2021 published it in the official Gazette. Nevertheless, the PA still needs to finalise an action plan on the Rights of the Child to implement the recommendations/concluding observations of the respective Treaty Committee received in February 2020. Palestine signed the UN Convention against Torture (UNCAT) in March 2014 but regular complaints of torture and ill-treatment in detention centers continue in both Gaza and the West Bank. Although no executions have been carried out in the West Bank since 2006, capital punishment remains in domestic legislation and, despite statements by the Presidency, there is no official moratorium on the abolition of the death penalty.

## Kingdom of Morocco

**1. Overview of the human rights and democracy situation:** General, local and regional elections took place in Morocco on 8 September 2021. The result brought a change in the political landscape, with a coalition of liberal and conservative parties forming the new government and the moderate Islamist party, which had governed the country for the past 10 years, going into opposition. The new coalition government launched an ambitious socio-economic agenda based on the National Development Model, commissioned by King Mohamed VI.

Throughout 2021, the challenges related to COVID-19 pandemic continued to affect the overall human rights situation in the country. Morocco remained under a state of emergency and repeated temporary closures of the borders affected individual freedoms as well as the socio-economic situation of those working in the tourism sector.

In the area of fight against corruption, Morocco started implementing a new action plan for 2021-23, which covers corruption, budget transparency, citizen participation, as well as transparency and quality of public services, open justice and open local government. However, Morocco has slipped in the Transparency International Corruption Perceptions Index from 80th place in 2019 to 87th in 2021. This prolongs a downward trend observed over the last five years. The country has an active civil society sector. Unofficial sources count up to 200,000 associations spread across the country, mainly in urban areas. Their thematic diversity is great, as is the level of competence and influence. However, the majority of associations remain small, operate locally and lack both the skills and means to make a real and lasting impact in their field. Furthermore, most of them are active on questions related to social or cultural areas.

Challenges remain in particular as regards the freedom of expression. The authorities have resorted at times to far-reaching control measures over the national media and civil society. Several journalists and human rights defenders were prosecuted/condemned for criminal offenses, raising concern among the international community and NGOs. Morocco dropped in last year's World Press Freedom Index ranking by Reporters without Borders from 133rd place in 2020 to 136th in 2021. In November, the new government withdrew the draft Penal Code with a view to amending the text entirely. The draft law had been pending adoption since 2016 without progress.

The 2011 Constitution enshrines the principle of equality. However, effective implementation of these constitutional principles is still lacking and discrimination persists. The national policy to combat violence against women and girls by 2030 was presented to the Government Council in June 2021. Morocco has made efforts in terms of representation/participation with amendments to the electoral laws aiming to ensure increased women representation without however introducing the notion of parity. Some positive developments took place regarding the judiciary (publication of a Code of Judicial Ethics, improved situation of prisoners) but overall progress remains limited.

Morocco continued to pursue efforts to manage migration, including on protection and assistance of refugees and asylum seekers, but needs to adopt the asylum and migration laws pending since 2014. Despite the ongoing pandemic, the UNHCR registered an increase from 10,000 (June 2021) to 18,000 (January 2022) of asylum seekers and refugee requests in Morocco, with a notable increase of applicants of Sudanese and Libyan origin. The country experienced tensions in May due to the migration crisis in Ceuta.

Morocco has been observing an undeclared moratorium on the application of the death penalty since 1993. No executions took place in 2021.

**2. EU Action – key focus areas:** The framework for EU's actions in Morocco in 2021 remained the 'EU-Morocco Action Plan implementing the advanced status' for the period 2013-2018, that was extended for two years in 2019. The main areas of 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:** The EU's political engagement in Morocco continued to build on the Joint Declaration adopted in 2019. The document emphasised shared values, which include human rights and good governance, as one of the main areas of future cooperation. On 25 March 2021, the EU and Morocco held the subcommittee on Human Rights, Democracy and Governance, established under the Association Agreement. The EU delegation continued to organise 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 EU delegation regularly exchanges on the human rights situation with other like-minded actors on the ground.

**4. EU financial engagement:** In 2021, the EU provided financial and technical support to Morocco in the field of democracy and human rights through technical assistance and budget support to promote gender equality, good governance, the implementation of the migration policy and reform of the justice sector. The EU acknowledges the important role played by civil society and supports civil society actors. The EU has 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 trainers, which amounts to 10,000 literacy teachers per year in the targeted regions.

**5. Multilateral context:** Morocco is a State Party to all major United Nations conventions on human rights, and cooperates in the reporting cycles. The country is an active member of several core groups within the UN, authoring several resolutions that promote human rights in important

areas. In October 2021, Morocco was elected as member in the UN Committee Against Torture. It has also been particularly active in the fight against domestic violence and marriage of minors, including through the EU-led Group of Friends for the elimination of violence against women and girls launched in December 2020.

Since June 2020, Morocco has taken the leading role 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 UNHRC. In 2021, Morocco has engaged as one of the core group members in the adoption of the Resolution 48/13 recognising the right to clean, healthy and sustainable environment as a human right. Morocco will undergo its Universal Periodic Review in May 2022.

## Western Sahara

Western Sahara is listed by the United Nations as a non-self-governing territory, whose status remains the object of a negotiation process conducted under the auspices of the UN. This dedicated UN-led process assists the relevant 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 UN-led political process was revived in October 2021 following the appointment of Staffan de Mistura as the new Personal Envoy of the UN Secretary-General for Western Sahara.

The UNSC Resolution 2602 of October 2021 renewed the mandate of the UN peacekeeping mission in Western Sahara, MINURSO (*Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental*) for a period of one year. 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 sustain and prioritise their respective efforts to enhance the promotion and protection of human rights in Western Sahara, including the freedoms of expression and association.

After the escalation of tensions between Morocco and the Frente Polisario in mid-October 2020, the security situation across the Western Sahara remained fragile, with repeated low intensity incidents.

The EU welcomed the appointment of the new Personal Envoy de Mistura, and encouraged all parties to engage in a cooperative search for a solution in accordance with the Security Council resolutions and the principles and purposes of the Charter of the United Nations. The EU had repeatedly expressed its concern about the long duration of the conflict and its implications for security and human rights at a regional level. It has consistently encouraged the parties to continue their respective efforts to enhance the promotion and protection of human rights in Western Sahara while welcoming the strengthening of the Commissions of the National Human Rights Council (CNDH) operating in Dakhla and Laâyoune.

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, local human rights NGOs continued to face obstacles to their legal registration in 2021 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:** Elected in December 2019, President Tebboune dissolved the Algerian National Assembly as of 1 March 2021, thus paving the way for early legislative elections on 12 June. Both legislative and local elections were marked by a low turnout. Stricter rules for submitting candidacies resulted in hundreds of municipalities not fielding any candidates. In both elections, opposition parties mostly opted out, and raised concerns regarding the transparency of the process of tabulating results at local level. No external observers were present at the ballots. In both general and local elections, the main parties of the incumbent government, (*Front de libération nationale* and *Rassemblement national démocratique*) continued to secure a majority of seats, with the support of independent lists. Islamic parties made a breakthrough at the National Assembly, but were not represented in the technocratic government designated in early July 2021.

In the context of the elections, President Tebboune pardoned dozens of sentenced opponents, while placing dozens of others in preventive custody. Reportedly, there are numerous prisoners of conscience. Algerian media reported on young political activists being tortured or ill-treated while in police custody, leading to the opening of an investigation in the beginning of 2021. According to UN OHCHR, activists, human rights defenders, journalists and ordinary citizens peacefully expressing dissent have continued to face criminal prosecution also on the basis of vaguely worded provisions of the Penal Code.

Many observers noted an increased level of targeted crackdowns on activists, NGOs, journalists and opposition party leaders active in the Hirak movement, which had resumed its gatherings since February 2021. By mid-June 2021, demonstrations have ceased. Prosecutions, trials and convictions have often been grounded on the vague definition of charges such as incitement to unarmed assembly, or dissemination of false information likely to cause harm to national unity.

Many electronic media have been made inaccessible to internet users in the country. As regards the ranking in the world press freedom index established by Reporters Without Borders (RSF), Algeria continues to slide, dropping from 141st place in 2019 to 146th out of 180 countries in 2020 and 2021 (compared to 119th place in 2015).

**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. In 2021, the process of updating the common Partnership Priorities for 2021 – 2027 was launched. 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. Humanitarian assistance amounted to EUR 9 million in 2021, providing for assistance in the field of water and sanitation, food, nutrition, essential medicines, and education in emergencies. In addition, due to COVID-19 pandemic, the EU increased its funding by EUR 1 million to support the roll-out of the COVID-19 immunisation campaign for refugees.

**3. EU bilateral political engagement:** The EU has regularly raised with the Algerian authorities the situation of human rights and fundamental freedoms, including the conditions for pre-trial custody, in Algiers through the EU delegation and during the regular diplomatic contacts through the headquarters, including at the highest level. Within the framework of the structured dialogue in the framework of the Association Agreement with Algeria, the EU emphasised the respect of human rights and fundamental freedoms. Interrupted for two years, the EU – Algeria informal dialogue on migration and mobility was held on 1 July 2021.

**4. EU financial engagement:** A new project on countering violence against women and girls started in 2021 and will run until 2023. It is designed as a national adaptation of the regional campaign "Zero Tolerance for Violence Against Women and Girls", which deployed many activities in Algeria, for example training teachers and educators on how to avoid the consolidation of gender stereotypes through school and recreational activities with children. This new Algerian chapter funds awareness-raising and local media campaigns, exchanges and capacity development for activists across the country, and provides direct support for small associations running shelters and services for victims. The new phase of the "Joussour" network also started in 2021. The network regroups more than 60 Algerian and more than 20 European associations. It focuses on youth as actors of change in their local communities.

Both these initiatives complement the EU COVID-response package for Algeria, which was mainly dedicated to health supplies and sustainable economic recovery. In the framework of the EU health emergency action, seven local associations work in coordination with the communication services of the Ministry of Health on awareness-raising campaigns on vaccination and safety measures. In parallel, the EU renewed its support to the Algerian agenda for local development and participative democracy in partnership with the UNDP: the CapDeL was extended until end 2022. To give but one example, 40 small projects were ongoing in the eight target municipalities in 2021. All were designed to respond to local development needs as laid out in the new generation of 'Municipality Development Plans', elaborated and adopted with a participatory methodology. CapDeL has enabled the emergence of young actors (many of them women) and new collaborations between civil society and local authorities, based on a common vision of the communities' needs and new mutual trust and understanding. The EU renewed its contribution to the modernisation of the justice sector, extended until the end of 2022.

**5. Multilateral context:** The UN High Commissioner for Human Rights (UNHCHR), in March 2021, urged the authorities to respect the rights to freedom of expression and peaceful assembly. In May, the UNHCHR expressed growing concern about the situation in Algeria, where the rights to freedom of expression and peaceful assembly continue to be under attack. It called on the authorities to revise the Criminal Code and other laws on associations and on public meetings and demonstrations, to bring them into line with the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, both of which Algeria has ratified. These concerns were again expressed in December. The UN Security Council noted with deep concern the continued hardships faced by Sahrawi refugees, their dependency on external humanitarian assistance, and the impact of the COVID-19 pandemic. It further noted with deep concern insufficient funding for those living in Tindouf refugee camps and the risks associated with the reduction of food assistance. 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:** The year 2021 saw a significant change in the Tunisian political arena, marked by the events of 25 July, when the President of the Republic suspended parliamentary activity and dismissed the Prime Minister by invoking Article 80 of the 2014 Constitution. This was followed by the release of Presidential Decree no.117 on 22 September, which effectively concentrated most powers in the hands of the president and announced that subsequent law-decrees would prevail over the constitutional provisions without being subject to judicial review. However, the president declared that Titles I and II of the Constitution related to general principles and fundamental rights and freedoms remained valid. Since then, a new prime minister and cabinet of ministers have been sworn in and a new calendar announced, which outlines important political milestones for 2022, such as a popular consultation and early legislative elections. Despite the absence of major backtracking in terms of individual rights and freedoms in the wake of these exceptional circumstances, the amplification of some existing challenges contributed to growing concerns about a degradation of the human rights situation in the country. This included an increase in trials of civilians in military courts, as well as the blanket use of travel bans, house arrests and a shrinking space for freedom of expression in the weeks following 25 July. Towards the end of the year, arbitrary detentions were also reported.

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

*Protecting and empowering individuals:* the EU continued to provide support to civil society organisations by promoting access to information, legal assistance, advocacy and inclusion. The EU delegation also carried out activities to promote gender equality and strengthen the role of women in the political arena and has equally worked towards supporting overall access to quality education and the health system.

*Building resilient, inclusive and democratic societies:* during 2021 the EU delegation finalised the Gender Action Plan (GAP) III country-level implementation plan to guide EU actions on the ground and launched new initiatives on tackling gender-based violence as part of its 'Social Inclusion Support' programme. Further, the EU supported the inclusion of LGBTI communities and supported civil society organisations advocating for human rights including for migrants, unaccompanied minors, refugees and asylum-seekers.

*Promoting a global system for human rights and democracy:* the EU continued to support activities aimed at strengthening the independence of the judiciary, modernising infrastructure and working towards fair trials, improving the treatment of detainees and developing alternatives to incarceration. The EU delegation also supported independent authorities in Tunisia in order to strengthen their role in addressing challenges. However, one of them, the National Authority Against Corruption, was closed down in August 2021. The EU equally prepared actions in support of State accountability by supporting institutions such as the Court of Auditors, the Competition Council, the Parliament (before 25 July) and the media.

*New technologies: harnessing opportunities and addressing challenges*: the EU supported the modernisation of schools via some of its programmes, as well as the digitalisation of the judiciary, namely by increasing its capacity building on statistics and planning. In 2021, the EU delegation also launched a programme aimed to support journalists and the media, notably in the fields of media management and governance, innovation, public communication and media communication.

*Delivering by working together:* the EU and its Member States continued working together in a wide range of areas, carrying out complementary action to maximise results and impact, including in joint public diplomacy activities and compatible work in education, support to the media and the judiciary, among other sectors. The EU also continued to engage and coordinate efforts with other international actors on the ground, including the Council of Europe and the United Nations, as well as with like-minded partners.

**3. EU bilateral political engagement:** The EU has continued engaging with Tunisian authorities and civil society to promote human rights and fundamental freedoms in sectoral policy dialogues and contacts at all levels, notably via technical sub-committee meetings in a wide range of sectors. The last meeting of the subcommittee on Human Rights and Democracy took place in January 2021 and was preceded by a tripartite meeting chaired by the EU delegation with Tunisian authorities and civil society partaking. Similarly, questions related to justice, rule of law and democracy, including implementation of EU EOM recommendations, were discussed during the meeting of the subcommittee on Justice and Security held in March 2021. These meetings, which are an essential part of EU relations with Tunisia, provided for a fruitful exchange where civil society could raise their issues of concern. The results of these exchanges fed into the technical discussions of the subcommittee.

**4. EU financial engagement:** The EU-Tunisia strategic priorities guide the EU financial engagement with Tunisia. The areas of intervention in 2021 ranged from education to environment and rural and agricultural development, targeting local authorities, the green transition and institutional reinforcement, among other areas. In total, Tunisia has received EUR 1.6 billion in grants and EUR 1.1 billion in macro-financial assistance between 2011 and 2021.

Human rights and gender aspects are mainstreamed into EU financial assistance. In terms of specific financial assistance, the EU supported civil society and human rights defenders with a total of EUR 1.56 million in 2021. In addition, the EU assisted Tunisia in its response to the COVID-19 pandemic, notably through the provision of vaccines via the COVAX facility. Additional support to the health sector was provided via the *Essaha Aziza* programme, aimed at strengthening primary healthcare, resource management and local governance.

**5. Multilateral context:** Tunisia is a party to all major United Nations Conventions except for the Convention on Protection of Rights of all Migrant Workers and was a member of the UN Security Council in 2020 and 2021, chairing its meetings in January 2021. A visit of the Working Group on Arbitrary Detention was expected in January 2022. The EU delegation continued its demarches on multilateral issues during 2021, namely on the universality of the Rome Statute of the International Criminal Court, as well as on the priorities for the 65th session of the UN Committee on the Status of Women and for the 76th session of the UN General Assembly Third Committee.

# Russia and Central Asia

## Russia

**1. Overview of the human rights and democracy situation:** The human rights and democracy situation in Russia has steadily worsened over the past years and 2021 was marked by an

unprecedented systematic crackdown on political opposition, civil society, human rights defenders, media outlets and journalists, as well as disinformation focusing on accusations of Western interference. Reinforced restrictive legislative measures under the so-called “foreign agents” and “undesirable” organisations laws further restricted the space for civil society. A high profile case in 2021 concerned the decisions by two Russian courts to forcibly close the International Historical Educational Charitable and Human Rights Society Memorial (International Memorial) and the Memorial Human Rights Centre. Human rights defenders and activists in Russia live in a reality of stigmatisation, harassment, physical attacks, smear campaigns and politically motivated persecution. Anti-extremism laws were widely used and often misused. In June 2021, a Moscow court declared the network of regional offices of the Russian opposition politician Alexei Navalny and his Anti-Corruption Foundation as "extremist" groups, thus banning their activities. The situation of independent media and journalists, including Russian media outlets registered abroad, worsened significantly. Numerous media actors have become a target of systematic and intentional State pressure from Russian authorities and were declared “foreign agents”. Many of them left the country. Regarding freedom of assembly, the authorities continued to abuse existing provisions to ban inconvenient political gatherings, including using the pandemic restrictions as a pretext. In the beginning of the year, the unprecedented widespread mass protests across Russia in support of Alexei Navalny were marked with disproportionate use of force, cutting down internet and phone connections, mass detentions and violations of the rights of journalists. The attempts to control internet content intensified with pressure on big IT companies, blocking several VPN services, slowing down the social networking service Twitter or blocking access to Alexei Navalny’s smart voting ahead of September State Duma elections. The elections took place in an atmosphere of intimidating critical voices and without credible international observation. Unchanged remain the discriminatory policies and laws against LGBTI persons, as well as religious communities, such as the Jehovah's Witnesses. Discrimination against women and girls, based on the “traditional family values” rhetoric, remains widespread. Women are also victims in majority of the reported cases of domestic violence. The situation in the Russian Republic of Chechnya is marked by continued unlawful actions towards Chechen human rights defenders and their relatives, use of torture, fabrication of evidence and enforced disappearances.

**2. EU action - key focus areas:** In 2021, support for civil society, human rights defenders and independent media continued to be an integral part of the EU’s policy towards Russia. In its conclusions of 24 June 2021, the European Council reaffirmed at the highest political level the five principles guiding EU-Russia relations. The EU and its Member States have taken work forward to strengthen the implementation of the fifth principle, both at the political level and in terms of financial support. Meetings, both virtual and psychical, with the Russian authorities, statements through the EU Delegation social media as well as Ambassador’s letters served to convey EU positions on numerous human rights developments, legislation and individual cases of concern. Dialogue and contacts between diplomats and NGOs, civil society, experts and human rights defenders were carried out through frequent meetings and dedicated events, serving as expression of support but also as a capacity building exercise. The EU Special Representative for Human Rights, the EU delegation and numerous EU Member States engaged regularly in public diplomacy events on human rights, media freedom and media literacy.

Trial observation by EU diplomats and like-minded countries has been an important tool of support to human rights defenders and CSOs under pressure. If physical observation was impossible due to COVID-19 restrictions, diplomats often sent requests to courts to enable video-streaming of the hearing. In reaction to the court's decision on the closure of Memorial, the EU and like-minded countries issued statements calling upon Russia to uphold its international human rights obligations and commitments. Ahead of the court hearings, the EU Member States ambassadors expressed their solidarity with, and support to, the Memorial NGO during the meeting with Memorial representatives. The hearings were observed by a majority of EU Member States' diplomats as well as from like-minded countries.

**3. EU bilateral political engagement**: The European Council on 24-25 May 2021 held a strategic debate on Russia and condemned the illegal, provocative and disruptive Russian activities against the EU, its Member States and beyond. Subsequently, in its conclusions adopted on 24 June, the European Council reaffirmed its commitment to the five principles governing the EU's policy vis-à-vis Russia and stressed the need for people-to-people contacts and continued EU support to Russian civil society, human rights organisations and independent media and invited the Commission and the High Representative to put forward proposals in this regard. 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. As a response to human rights violations and abuses, restrictive measures were imposed in the framework of the new EU Global Human Rights Sanctions Regime on four high level Russian officials over their roles in the arbitrary arrest, prosecution and sentencing of Alexei Navalny, as well as the repression of peaceful protests in connection with his unlawful treatment. In addition, two Russian individuals have been listed for their repressive campaign against LGBTI persons in Chechnya, which includes torture and other cruel, inhuman or degrading treatment, as well as arbitrary arrests and detentions and extrajudicial and arbitrary killings and executions. In December 2021, the Wagner Group, a Russia-based unincorporated private military entity, and three of its members were listed for torture and other cruel, inhuman or degrading treatment or punishment, extrajudicial, summary or arbitrary executions and killings, committed in various parts of the world.

In terms of public messaging, the HR/VP and the EEAS spokesperson have issued numerous statements related to the human rights violations, the systematic crackdown on civil society, independent media and journalists, the liquidation of NGO Memorial and on the awarding of the Nobel Peace Prize to the Russian journalist and editor-in-chief Dmitri Muratov.

**4. EU financial engagement:** Over the past years, the EU has increased its financial support through the European Instrument for Democracy and Human Rights and through the Civil Society Support Programme. Through these programmes, the EU delegation launched projects in the area of civil society support, human rights, social rights and the protection of disadvantaged and vulnerable groups, media literacy and critical thinking. Social inclusion projects were tackling among others issues of social service delivery for groups in vulnerable situations, including persons with disabilities, older persons, migrants, LGBTI persons, victims of domestic violence and others. The civil society support programmes addressing women empowerment focused on gender equality, battling domestic violence and discrimination, promoting women in social entrepreneurship and the media. The EU programmes contribute to the capacity building of CSOs, enable local organisations to carry out quality work increasing the participation and voice of citizens helping to bring structural improvements to the society.

The EU is supporting the implementation of the National Action Strategy on Women in partnership with the Ministry of Foreign Affairs, Ministry of Labour and the High Commissioner for Human Rights of the Russian Federation. The second phase of the Council of Europe project "Co-operation on the implementation of the Russian Federation National Action Strategy for Women for 2017–2022", which started in October 2021, builds upon two key areas of the strategy, namely eliminating violence against women and girls and facilitating the participation of women in the public sphere.

**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 (CoE) in Strasbourg and the Organization for Security and Cooperation in Europe (OSCE) in Vienna. The EU has regularly addressed the situation in Russia in its statements at the UN Human Rights Council and the UN General Assembly Third Committee. Russia has not made any real progress in executing judgments of the ECtHR. In several cases, including the Navalny case, Russia is stressing the supremacy of national courts in the interpretation and application of national law. The Parliamentary Assembly of the Council of Europe (PACE) deplored a number of negative tendencies in Russia with regard to democracy, the rule of law and human rights, and called on Russia to fulfil all the recommendations made in a series of Assembly resolutions.

## Kazakhstan

**1. Overview of the human rights and democracy situation:** In 2021, Kazakhstan celebrated its 30th anniversary of independence. The impact of COVID-19 related restrictions and controls, criticised by civil society for not being proportionate, continued to exert pressure on civil rights activists. The freedom of expression and freedom of assembly continued to be restricted. Arbitrary arrests and convictions for organisation or participation in a banned “extremist” organisation continued. On 2 January, Kazakhstan ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, paving the way for the abolition of the death penalty. Parliamentary elections were held on 10 January 2021. As expected, the ruling party Nur Otan won by a clear majority. Following the elections, the EU issued a Spokesperson statement regretting shortcomings in relation to fundamental freedoms[7]. In February, the EU also issued a Spokesperson statement in support of NGOs[8] that had received notifications of alleged violations in completing tax-reporting forms. Although charges were dropped, civil society continued to operate in a restricted environment. On 11 February 2021, the European Parliament adopted a resolution on the situation of human rights in Kazakhstan. On 9 June 2021, President Tokayev signed a decree on further measures in the field of human rights. The Government of Kazakhstan was tasked to approve a Plan of Priority Measures on Human Rights focusing on issues such as trafficking in human beings, persons with disabilities, discrimination against women, freedom of association, freedom of expression, right to life and public order, dialogue with civil society, human rights in criminal justice and prevention of torture and ill-treatment. In September, the President gave a particular mention to human rights in his annual State of the Union speech. However, the lack of effective implementation remained an obstacle to meaningful reforms. On 6 October,

[7] https://eeas.europa.eu/headquarters/headquarters-homepage/91324/kazakhstan-statement-spokesperson-parliamentary-elections_en

[8] https://eeas.europa.eu/delegations/kosovo/92410/kazakhstan-statement-spokesperson-increasing-pressure-human-rights-ngos_en

Kazakhstan hosted the third EU-Central Asia Civil Society Forum, in Almaty, which was attended by EU Special Representative for Central Asia, Terhi Hakala and the EU Special Representative for Human Rights, Eamon Gilmore.

**2. EU action - key focus areas**: Since 2021, the EU delegation has been working on a new country Roadmap for Engagement with Civil Society Organisations covering the period 2021-2027. The new roadmap will build on lessons learned during the implementation of the previous roadmap covering the 2018-2020 period. During political dialogues, organised in the framework of the Enhanced Partnership and Cooperation Agreement, which entered into force in March 2020, the EU continued to raise human rights issues. The EU highlighted concerns in relation to the increasing application of deprivation of the right to hold specific position or engage in defined activity to members of civil society, journalists' and bloggers' activities (Article 50, Penal Code), and reports that activists, bloggers and journalists were increasingly charged of knowingly disseminating 'false' information (Article 274, Criminal Code). Concerns were also raised in relation to reports of people threatened, detained, interrogated, as well as investigated and prosecuted on criminal charges of involvement in a banned extremist organisation (Article 405, Criminal Code). The EU delegation marked annual international human rights days by posting online videos and messages, for example, against the death penalty and the 16-day campaign against gender-based violence. On International Human Rights Day, a wide-reaching public sports and human rights event was organised.

**3. EU bilateral political engagement:** Many high-level meetings took place in Brussels, including with Deputy Prime Minister-Foreign Minister Mukhtar Tileuberdi, the Special Representative of the President for International Cooperation, Erzhan Kazykhan, the Ombudsperson for Human Rights, Elvira Azimova, and the former Minister for Justice, Marat Beketayev. In November, President Tokayev also paid his first official visit to Brussels. Human rights topics were discussed openly during all high-level meetings. Throughout 2021, the EU delegation reported increased cooperation on human rights with the Ombudsperson for Human Rights. In addition, since June, regular meetings on human rights took place with the Ministry of Justice. Five meetings were held before end 2021. Issues discussed included concerns raised by civil society, individual cases, anti-corruption, freedom of peaceful assembly, trafficking in human beings, prison conditions, bans on public activity (Article 50, Penal Code) and the rights of LGBTI persons (the case of the NGO Feminita).

The 18th EU-Kazakhstan Cooperation Council took place in Brussels on 10 May 2021. The 13th EU-Kazakhstan Human Rights Dialogue and 19th EU-Kazakhstan Justice and Home Affairs subcommittee took place online on 2 and 3 December 2021 respectively. Many individual cases were raised, including the case of Aron Atabek.

**4. EU financial engagement:** The EU delegation continued to manage six bilateral human rights related projects under the European Instrument for Democracy and Human Rights for a total amount of EUR 2.7 million. These projects support women human rights defenders and/or human rights defenders working on the rights of women and girls, access to justice for migrants, the elimination of torture and ill-treatment, developing modern policing with respect for human rights, increasing media and legal literacy of human rights organisations and civic initiatives, and improving the quality of life in rural districts of Western Kazakhstan through public service delivery and increased accountability.

Phase II (EUR 4 million) of the EU and UNDP funded programme "Supporting the Economic Empowerment of Afghan Women through Education and training in Kazakhstan and

Uzbekistan" was launched, with Kyrgyzstan becoming a third hosting country. So far, the programme has enabled fifty women to study in Kazakhstan and Uzbekistan.

**5. Multilateral context:** In 2021, Kazakhstan was elected to the UN Human Rights Council (term 2022-2024). The EU recalled the importance of openness to UN scrutiny, including by implementing recommendations of UN Special Procedures and UN Treaty Bodies, and working closely with the OSCE. Since the Taliban takeover in Afghanistan, Kazakhstan is hosting relocated UNAMA staff (Kabul based) in Almaty. During political dialogues, the EU continued to raise the situations of ethnic Kazakhs and Uighurs in Xinjiang, and the need to uphold the principles of non-refoulement.

## The Kyrgyz Republic

**1. Overview of the human rights and democracy situation:** The parliamentary elections of 28 November 2021 completed the transition process, which started with the cancellation of the 4 October 2020 vote, followed by early presidential elections in January 2021 and adoption of a new Constitution in April 2021.

In general, the human rights situation in Kyrgyzstan is better than in other countries of the region; however the trend over the past year has been negative. The COVID-19 pandemic exposed further challenges in the society, including the ability and willingness of the authorities to ensure respect for human rights and international standards in times of crisis. Freedom of expression, peaceful assembly and association, freedom of the media, good governance and labour rights remained of concern. In particular, the entry into force of the new Constitution in May 2021, which grants the newly elected President, Sadyr Japarov, more power and weakens the effective system of checks and balances was a negative development. Furthermore, controversial penal and administrative codes were adopted, a move that could be seen as a return to the Soviet model of a stronger role of prosecutor, particularly in criminal cases. Civil society organisations have been increasingly under pressure. Their situation deteriorated with the adoption of laws on NCO financial obligations, with burdensome financial reporting requirements, and on the protection against 'false' information, which also threatens media freedom. The prevention of torture is still hampered by systemic barriers. Modern forensic science is still unavailable, obstacles remain to conduct visits and the Istanbul Protocol on reporting cases of torture is not fully enforced. On the other hand, Kyrgyz authorities showed openness in cooperating with the EU on human rights issues, notably in view of signing and ratifying the Enhanced Partnership and Cooperation Agreement. In 2021, President Japarov vetoed for the third time the Law on Trade Unions that would impose serious restrictions on workers' rights to freedom of association and organisation.

The situation of national minorities showed little change and they continue to face discrimination in access to employment. The rights of persons belonging to religious minorities, while legally recognised, are not always respected. Discrimination against LGBTI persons remains widespread and unaddressed.

**2. EU action – key focus areas:** The EU presented a EUR 43.8 million package of measures to support Kyrgyzstan during the pandemic, including support for the protection of human rights, social protection, gender-based violence, support to media and education. The first batch of COVAX (226,500 doses of AstraZeneca vaccines) reached the country on 30 July 2021.

Throughout 2021, the EU used various tools and engaged in activities to support human rights and democracy in the country. Due to the COVID-19 pandemic, several planned events and dialogues were conducted on digital platforms.

The EU and its Member States continued to work on the implementation of the Action Plan on Gender Equality and Women's Empowerment 2021-2025 (GAP III). The EU made several statements on the political process in the country following the numerous elections.

In development cooperation, the project "Rule of Law in the Kyrgyz Republic – phase 2" supported ongoing legal and judicial reform, the establishment of a more professional, independent, accountable and transparent judicial system, the introduction of e-justice in all courts, and the development and functioning of an online register of crimes and misdemeanours.

**3. EU bilateral political engagement:** The EU regularly engages with authorities on human rights issues in a number of formats, including at the highest level. In September 2021, the 11th EU-Kyrgyzstan Human Rights Dialogue took place in Brussels. A broad range of issues were discussed in detail: the impact of COVID-19 pandemic on human rights, controversial legislative initiatives, upcoming parliamentary elections and good governance, national human rights institutional framework, rule of law, rights of persons belonging to minorities, women's rights, prevention of torture, anti-discrimination and related EU programmes. The EU raised individual cases, in particular the investigation into the death of Mr Askarov while in custody. 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 on human rights under GSP+ commitments continued.

In October, the third EU-Central Asia Civil Society Forum took place in Almaty, Kazakhstan. On this occasion, the EU Special Representative for Human Rights, together with the EU Special Representative for Central Asia, conducted high-level meetings and raised human rights related issues during an official visit. The EU also engaged actively with civil society. Local civil society was regularly consulted on several issues, e.g. human rights developments, programming activities, including consultations on future programming. Each senior level EU official visiting Kyrgyzstan conducted meetings with the civil society, and followed up on concerns raised with the authorities. The EU delegation ensured regular and active dialogue with local and international human rights defenders on various issues of concern and in preparation for the annual human rights dialogue.

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

The EU supported the "Rule of Law in the Kyrgyz Republic - phase 2" (May 2018-November 2022), implemented by GIZ with a consortium of mandated bodies of EU Member States, dedicated to supporting judiciary reform, including independence of the judiciary. The Spotlight Initiative Country Programme began to operate and adapted to respond to COVID-19 challenges, for example, by focusing on treating victims of increased incidents of domestic violence.

**5. Multilateral context:** The EU teamed up with the OHCHR and International Labour Organization on several occasions to raise concerns on human rights in Kyrgyzstan, as well as

by organising a joint event with regional human rights defenders to celebrate International Human Rights Day. The EU carried out demarches on EU priorities and initiatives at the UN General Assembly Third Committee.

## Tajikistan

**1. Overview of the human rights and democracy situation:** Tajikistan's human rights record did not significantly change in 2021 and remained problematic, with further deterioration in certain areas. Political participation, freedom of religion or belief, and freedom of expression remained highly curtailed. Gender-based discrimination continued to be an endemic phenomenon in the Tajik society, with widespread domestic violence and very few shelters for women available. Domestic violence increased during the COVID-19 pandemic. Freedom of the media remained one of the areas of greatest concern and media continued to face scrutiny, closures, and self-censorship. Independent journalists were subject to intimidations and blackmailing, as well as physical attacks. Blockage of news websites continued to be used against independent media. At the same time, the use of social media has increased access to information. Following the protests in the Gorno-Badakshan Autonomous Region at the end of November 2021, the authorities blocked internet in the region. In the World Press Index of Reporters without Borders, Tajikistan ranked 162/180 in 2021.

The lack of government transparency has been of particular concern in the context of the COVID-19 pandemic. In January 2021, President Rahmon publicly declared that Tajikistan had conquered the Coronavirus. For several months, the authorities maintained that no further COVID-19 cases had occurred in the country, although independent media reported that hospitals were treating COVID-19 patients. It was not until late June 2021 that the Ministry of Health admitted that there were new COVID-19 cases.

Serious human rights concerns derived also from the clashes at the border with Kyrgyzstan in April 2021, which led to the death of 55 people and the displacement of more than 40,000 civilians. Equally of concern was the situation at the border with Afghanistan, following the Taliban takeover in August 2021, with several thousand Afghan refugees flowing into Tajikistan.

A positive development was a proposal to criminalise domestic violence introduced in the new draft criminal code, but it is yet to be adopted. Some limited progress could be observed in the field of prevention of torture and ill-treatment, as well as in penitentiary reform. Under an amnesty granted on the 30th anniversary of independence, around 650 prisoners were released. Political prisoners remained excluded from the amnesty.

**2. EU action - key focus areas**: A number of projects funded by the European Instrument for Democracy and Human Rights (EIDHR) focused, *inter alia*, on support to civil society, freedom of expression, torture, conditions in detention centres and the rights of women and girls. On the latter, the EU delegation developed the Gender Country Profile and Country Level Implementation Plan of the Gender Action Plan III. The EU delegation also developed a project to support women shelters. The project "Enhancing Cooperation and Dialogue between Civil Society and Government in the Area of Human Rights and Fundamental Freedoms", funded by the EU Instrument contributing to Stability and Peace (IcSP), was implemented by the Brussels-based International Partnership for Human Rights, together with two local human rights organisations, *Nota Bene* and *Khoma*. The overall objective of the project was to

strengthen dialogue and cooperation between civil society and the government and to improve access to and the quality of information from government bodies.

**3. EU bilateral political engagement:** Due to the COVID-19 pandemic, the annual human rights dialogue and the cooperation committee could not take place. However, the joint visit of HR/VP Borrell and Commissioner Urpilainen in November 2021, as well as visits of the EU Special Representative for Central Asia provided important opportunities to promote the human rights agenda at the highest level. On the occasion of the visits, dedicated meetings with leading representatives of the Tajik civil society were organised. Human rights and democracy were also raised during the Cooperation Council, which took place online in February.

The EU welcomed the positive discussions taking place between Tajikistan, international NGOs, and the EU on penitentiary reform and the openness to visits of penitentiary facilities.

The EU continued to support Tajikistan's ambition to join the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+), currently at the pre-application process. However, the authorities did not make notable progress in providing substantial answers to many pending questions concerning the state of human rights in the country.

The EU-UN Global Spotlight Initiative provided support to eliminating all forms of violence against women and girls. On 25 November 2021, during the visit of HR/VP Borrell and Commissioner Urpilainen, the EU delegation premises were lit up in orange.

**4. EU financial engagement:** The EU continued to provide financial support to projects in the field of human rights, mainly funded through the EIDHR. The EU also funded three projects through the EU Instrument contributing to Stability and Peace (IcSP), namely "Enhancing cooperation between civil society and government in the area of Human Rights"; "Stabilisation of Tajikistan's Southern Border"; and "Critical Infrastructure to contribute to stability and peace in Khorog". Civil Society Organisations/Local Authorities (CSO-LA) projects focused on youth employment, rights of persons with disabilities, digital empowerment and climate change awareness.

**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. Tajikistan underwent its third Universal Periodic Review cycle in November 2021 and received 234 recommendations.

## Turkmenistan

**1. Overview of the human rights and democracy situation:** In 2021, the human rights situation in Turkmenistan continued to be difficult. The restrictions introduced in relation to the COVID-19 pandemic affected negatively fundamental freedoms while control of the population remained tight. The restrictions related to the operation of businesses resulted in the worsening of the living standards of the population and were not accompanied by sufficient measures of protection for the groups in the most vulnerable situations. Citizens continued to experience shortages of subsidised food and money, growing unemployment, as well as the lack of reliable information about the epidemiological situation. Serious concerns remained regarding restrictions to the freedom of expression, freedom of association and peaceful assembly, freedom of religion or belief, torture, prevention and enforced

disappearances in detention facilities, as well as freedom of movement. There is a lack of enabling space for human rights defenders, independent journalists, lawyers and CSOs. The practice of forced labour in the cotton industry has not been eliminated.

A constitutional reform which entered into force on 1 January 2021 created an upper chamber of the parliament, the chairmanship of which was assumed by President Berdimuhamedov, in breach of the Constitution which prescribes the division of powers. The son of the President, Serdar Berdimuhamedov, was entrusted with important roles in the government up to the level of the Deputy Prime Minister, provoking speculations about the preparation of a possible succession. The new Human Rights Action Plan 2021-2025 was approved in April. The Ombudsman's office cooperated with the UNDP on possible accession to the Global Alliance of National Human Rights Institutions. The Interagency Commission on the implementation of Turkmenistan's international human rights obligations continued meeting throughout the year. Turkmenistan continued cooperation with the UN on the implementation of the SDGs and pursued cooperation with the International Labour Organization to address the problem of forced labour in the cotton industry. 2021 was the first year of implementation of the new 5-year National Action Plan on Gender Equality. In April, Turkmenistan was elected to the Executive Council of UN Women for the 2022-2024 period. Nevertheless, concerns regarding the rights of women in the country remain. There were reports of intimidation and cases of sentencing on charges of homosexuality in 2021. Religious activities continued to be strictly controlled. One positive action was the release of Jehovah Witnesses imprisoned for evading military service. Corruption was reportedly rampant and widely resorted to, including as a way to overcome restrictions imposed by the government on the population in all spheres of life.

**2. EU action - key focus areas**: The EU continued to support capacity building of Turkmen authorities to implement international human rights conventions and domestic legislation.

The EU advocated for reforms of the judicial and prison systems. Following reports about cases of torture and enforced disappearances, the EU continued to encourage Turkmenistan to establish a National Preventive Mechanism for the monitoring of places of detention, to facilitate access to prisons for independent international monitoring bodies, and to invite the UN Special Rapporteur on Torture and the Working Group on Arbitrary Detention. The EU continued supporting civil society and human rights defenders, including journalists, by facilitating their participation in the online EU-Central Asia Civil Society Forum which took place in Almaty in October, the EU-NGO Human Rights Forum in December and other events. The EU advocated with Turkmen authorities to involve civil society in the process of drafting or amending legislation and implementing the human rights instruments. The EU Delegation to Turkmenistan conducted consultations with civil society and independent journalists on human rights issues. The EU included gender equality and women's rights as a priority area in 2021.

**3. EU bilateral political engagement:** The EU continued to discuss human rights and democracy related concerns with Turkmenistan, stressing that improvements in these fields are necessary for the establishment of a legal basis for bilateral cooperation. The 13th annual EU-Turkmenistan Human Rights Dialogue took place online on 6 July 2021. The EU raised in particular the topic of enforced disappearances and urged Turkmenistan to issue invitations to the UN Special Rapporteur on Torture and to the Working Group on Arbitrary Detention and to ratify the Convention on Enforced Disappearances. Human rights were also discussed during the Joint Committee meeting in October 2021. Concerns in this field were additionally

raised by the European Parliament and the EU Special Representative for Central Asia. The EU drew attention to a number of human rights related individual cases through official diplomatic channels, including in-person dialogues with the authorities.

**4. EU financial engagement:** The EU included Turkmenistan in its COVID-19 response programme for Central Asia, implemented by the World Health Organization (WHO).

In June 2021, the EU successfully concluded the implementation of the project "Support to Capacity Building of Public Administration", launched in 2016 with a budget EUR 4.5 million. The project helped Turkmen administration to implement, *inter alia*, human rights laws and conventions, in line with the National Human Rights Action Plan. The State Academy of Civil Servants and the Institute of State, Law and Democracy were 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 European Instrument for Democracy and Human Rights supported the capacity building of civil society.

**5. Multilateral context:** The EU delegation coordinated actions in the field of human rights with EU Member States' embassies, international organisations (UN, OSCE) and like-minded partners.

The EU encouraged 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. The EU has insisted that Turkmenistan allows visits of UN Special Procedures and thematic Working Groups, as well as the ILO, as soon as the epidemiological situation improves, and that the country resumes cooperation with the International Committee of the Red Cross.

## Uzbekistan

**1. Overview of the human rights and democracy situation:** The situation in Uzbekistan presented a mixed picture in 2021, with further incremental progress on a range of issues but also some setbacks. On the positive side, Uzbekistan ratified the UN Convention on the Rights of People with Disabilities, and inaugurated its first two-year mandate at the UN Human Rights Council with an ambitious declaration from the President. In several areas however, the reality lags behind the rhetoric. The promised new NGO Code and Criminal Code are still to be published and their first drafts are not fully in line with international standards. There were also several attacks on freedom of expression, notably in the context of the October presidential election, which saw a number of shortcomings, not least an absence of genuinely independent candidates running against the incumbent. The judicial system maintained the trend of increasing the number of acquittals, but the criminal courts remain under the strong influence of the Prosecutor's Office and law enforcement agencies. Preliminary reports from the 2021 cotton harvest signal further improvements in the fight against child labour and forced labour, and some breaches of the labour law have been sanctioned. Respect for the rights of LGBTI persons remains an area of concern: male homosexuality remains criminalised and the first draft of the new Criminal Code fails to address the issue. In March, amendments to existing legislation were introduced criminalising online commenters and bloggers who share 'defamatory' information, leading to significant online self-censorship. Several social

media, including TikTok, Skype and Twitter, have been restricted in the country since April. Several bloggers and journalists were harassed or jailed during 2021. During his inauguration speech in November, President Mirziyoyev promised to strengthen CSOs, but independent NGOs still find it extremely difficult to register. A new Law on Freedom of Religion was adopted in July; however, it fails to address most recommendations from OSCE and the Venice Commission. In conclusion, there is a discrepancy between the legal framework and official pronouncements on human rights and democracy and the reality on the ground.

**2. EU action - key focus areas:** Human rights issues were discussed in the EU-Uzbekistan subcommittee on Justice and Home Affairs and in the Human Rights Dialogue. Seven demarches were carried out concerning human rights issues, including in support to EU priorities in the UN Human Rights Council. On the International Human Rights Day, the EU delegation, together with the US embassy, organised a roundtable on the rehabilitation of former political prisoners. The event was attended by the main independent human rights defenders and civil society activists and several former prisoners, as well as the National Human Rights Centre, the Prosecutor-General's Office, the Ombudsman's Office and the Ministries of Justice and Home Affairs. As a matter of priority, the EU continued to engage together with like-minded countries in a regular dialogue with the Uzbek government and the ILO/World Bank on the issues of child labour and forced labour. The EU was the main donor to the Third Party Monitoring by ILO for the 2021 cotton harvest.

**3. EU bilateral political engagement:** Despite travel restrictions, the EU remained engaged politically with Uzbekistan at all levels during 2021. In April, Uzbekistan became a beneficiary of the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+), in light of Uzbekistan’s performance in ratifying and implementing 27 international conventions including in the field of human rights. GSP+ status allows 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. The EU-Uzbekistan Human Rights Dialogue was held online in June. In addition, several contacts took place between HR/VP Borrell and Uzbek President Mirziyoyev and Foreign Minister Kamilov.

**4. EU financial engagement:** The European Instrument for Democracy and Human Rights (EIDHR) and Civil Society Organisations/Local Actors (CSO-LA) remain the main EU financial instruments to support human rights and democracy in the country. Most of the projects under EIDHR awarded by a call for proposals in 2020, started implementation in 2021. By the end of 2021, there were eight ongoing projects under EIDHR for a total EU contribution of more than EUR 2.5 million. Two new projects are aimed at i) promoting gender equality through increased access of women and girls to justice and ii) protection of rights and freedoms of marginalised/vulnerable groups in Uzbekistan. Under CSO-LA, there are six ongoing projects with a total EU contribution of EUR 1.9 million. Three projects aimed at mitigating the consequences of COVID-19 became fully operational in 2021, focusing on improving living conditions of youth, women, vulnerable and marginalised groups, enhancing the capacities of civil society and local authorities, promoting sustainable environmental practices, and protecting the rights of teachers, among others.

**5. Multilateral context:** The UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms paid an official visit to Uzbekistan at the invitation of the Government. As a member of the UN Human Right Council, Uzbekistan supported most

EU-sponsored thematic resolutions but abstained in all country-related votes, in line with its long-standing policy of non-interference in the internal affairs of other countries. The ILO continued to play an important role in the elimination of forced labour through the EU-co-funded Third Party Monitoring.

# Africa

## African Union

**1. Overview of the human rights and democracy situation:** The shrinking of democratic space and the deterioration of the human rights situation worsened by the COVID-19 crisis continued to be a reality in Africa, as demonstrated by the situation in individual African countries. The year was positively marked by successful electoral processes leading to a peaceful transition of power (such as in The Gambia, Niger and Zambia). However, the main areas of concern continued to be elections and democracy, restrictions to political participation (such as those on freedom of movement and political protest put in place due to the pandemic), and cases of impunity, including those connected to police violence. The African Union continued its engagement on election observation and deployed mission to Member States organising elections throughout the continent (e.g. in Ethiopia and The Gambia), and took steps to enhance its work on the implementation of the election observation recommendations through deployment of the first Return Visit (in Zambia). Of great concern is also the growing trend of coups in the continent, marked by three unconstitutional changes of government (Guinea, Mali and Sudan) which led to the suspension from the African Union of the involved Member States, as foreseen on the Lomé Declaration and the African Charter on Democracy, Elections and Governance.

The African Union continued to work towards the strengthening of the human rights system on the continent, with the main human rights institutions meeting virtually during their Ordinary sessions. Despite the pandemic constraints, some of the organs were still able to conduct field missions and advocacy visits, focussed on specific country situations. The reorganisation of the African Union Commission led to the merger of the departments of Political Affairs (previously in charge of Governance and Human Rights issues) and of Peace and Security, under the leadership of Commissioner Bankole Adeoye, who declared human rights a priority of his first 100 days in office during 2021. The ongoing institutional merger should also lead to a closer intertwining of the African Governance Architecture and the African Peace and Security Architecture, bringing more attention to the relevance of human rights and democracy in the sustainable development in Africa.

The year 2021 marked the 40th anniversary of the African Charter on Human and Peoples' Rights with several celebratory events organised by the AU Commission and the human rights organs, which reflected on the value of the Charter, and on the African human rights system as a whole. Calls for better complementarity and synergy between different organs were made in order to make their work more relevant and visible. An ongoing example of this complementarity is the preparation of a Joint General Comment on Female Genital Mutilation (FGM) by the African Committee of Experts on the Rights and Welfare of the Child and the

Special Rapporteur on the Rights of Women of the African Commission on Human and Peoples' Rights.

The AU remained active on several areas of human rights. Key events include the workshop for the Validation of Guidelines for Protection against forced disappearances; the high-level Continental Seminar on the Right to Health and Social Protection in Africa; the workshop on Inclusion and mainstreaming of the African Charter on Democracy, Elections and Governance (ACDEG) in School Curricula of AU Member States and the development of a Pedagogic Toolkit for Rule of Law Stakeholders in Africa and the Regional Consultation on the Restoration of the Civic Space to enhance Human Rights protection in Africa.

**2. EU action – key focus areas:** the main issues of focus have been transitional justice, elections, combatting harmful practices (such as FGM) and human rights compliance in the framework of peace support operations. The EU also focusses on supporting the efforts by the AU Commission and the human rights organs to advocate for broader ratification of the regional human rights instruments, implementation of its provisions and periodic reporting by Member States. The EU is also committed to developing further its collaboration with the African Union as a whole, supporting the ongoing institutional reform for a better efficacy of the organisation in the discharge of its mandate.

**3. EU bilateral political engagement:** the 17th AU-EU human rights dialogue took place on 9 November 2021, co-chaired by the EUSR for Human Rights, Eamon Gilmore, and the AU Commissioner for Political Affairs, Peace and Security, Bankole Adeoye. Although the dialogue was first planned to be held in physical format in Addis Ababa, it was held virtually due to the security situation. The dialogue focused on the recent human rights developments in Africa and in Europe; the right to development, gender mainstreaming (and elimination of all forms of violence against women and girls), and a follow-up on transitional justice, death penalty, business and human rights and collaboration on election observation and follow-up of recommendations from observation efforts.

As in 2020, the traditional two-day civil society seminar preceding the dialogue was not held due to the COVID-19 constrains. Nevertheless, the steering committee representing AU-EU civil society participated in a segment of the dialogue. Furthermore, the EUSR held a hybrid meeting with representatives of civil society prior to the dialogue. Both the EU and the AU reaffirmed the importance of civil society participation on the dialogue.

**4. EU financial engagement:** The direct engagement with the AU is done through the African Governance Architecture (AGA) support programme, which includes direct grants to five bodies: the African Peer Review Mechanism, African Committee of Experts on the Rights and Welfare of the Child, African Commission on Human and Peoples' Rights, African Court on Human and Peoples' Rights and the Pan African Parliament. A technical assistance component targets these five bodies, as well as the African Union Advisory Board on Corruption and the Department of Political Affairs, Peace and Security of the African Union Commission.

The support programme also includes financing of actions focussing on the promotion of CSOs' participation and engagement with the AGA platform; and supporting the implementation of the EU Strategy for Engagement with Pan African Civil Society. The EU has also recently started supporting the AU in the development of a Human Rights Compliance Framework for African Peace Support Operations, in partnership with the UN.

**5. Multilateral context:** collaboration with the African Union in a multilateral context happens strictly on a country-by-country basis, as no defined Common African Position exists in the human rights domain. Nevertheless, there is continental level engagement on specific issues, such as the protection of the comprehensive nature of the gender agenda and the universal abolition of the death penalty. Regarding the first one, discussions continue to be difficult at a continental level, notably on sexual reproductive health and rights (SRHR) and its sensitive rights-based dimension, despite the advocacy initiatives of the AU as an organisation. As regards the death penalty, the number of States voting for UN resolutions on halting executions worldwide continues to grow, with positive trends in recent years on the African continent (also with Chad and Sierra Leone abolishing the death penalty in 2020 and 2021, respectively). The last UN General Assembly resolution on the Moratorium on the use of the death penalty (A/RES/75/183) was adopted on 2020 with 28 Yes votes from African countries (No: 6; Abstention: 14; Non-voting: 6).

## Angola

**1. Overview of the human rights and democracy situation:** A number of international indicators continue to indicate challenges in democratic governance and human development, but the human rights and democracy situation in Angola has improved, especially in terms of press freedom and corruption, since President Lourenço cameto power. The COVID-19 pandemic further aggravated the challenges for groups in vulnerable situations.

Angola has advanced with the implementation of the Angolan National Strategy for Human Rights adopted in 2020. Efforts to staff, finance, and operationalise the network of Local Human Rights Committees are ongoing. All 18 provinces have established Provincial Human Rights Committees, and, in addition, there are 124 Municipal Committees to date. However, the vitality and work of these committees is erratic and depends on the pro-activeness and abilities of the people and organisations in each locality. The entry into force of the new Penal Code brought positive change, with the de-criminalisation of same-sex conduct, and the fight against genital mutilation and sexual harassment.

Throughout 2021, there were episodes of excessive use of police force and human rights violations connected to public demonstrations and freedom of association, which raised EU concerns expressed in meetings with the authorities. The government has confirmed that at least seven people were killed on 30 January 2021, in the town of Cafunfo, Lunda Norte, in clashes between police forces and protestors. About a year after the event, criminal and administrative investigations on the events are reportedly ongoing. More than a dozen activists are still being held in prison without a date for the trial set by the courts, violating their right to a fair trial.

**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 a rights-based approach, the protection of human rights and the fight against inequality form the basis of all EU actions in Angola. The Multiannual Indicative Programme for Angola for the period 2021-2027 identifies 'transparent, accountable and effective governance' as a priority area. This priority responds to the interest of stakeholders for more inclusive governance and reflects the EU´s support to the judicial and public administration

reforms (i.e. review of legislative framework, capacity building/human resources, digitalisation, including sound public financial management) as well as the expansion of social protection in line with the principle of 'leaving no one behind.

The thematic budget line dedicated to promoting and protecting human rights and democracy (funder under the EIDHR) complements the bilateral cooperation envelope with specific targeted actions that aim at helping groups in vulnerable situations. Key areas of cooperation in 2021 included: i) civic education, education on democracy and basic education on human rights in view of the general elections of 2022; ii) protection of vulnerable groups (e.g. farmers and women) due to the impact of the COVID-19 pandemic; iii) support and protection to minors; iv) protection of young girls against sexual health disinformation; and v) support and protection to refugees and migrants.

**3. EU bilateral political engagement:** Political dialogue on human rights continued in 2021, in the framework of the EU-Angola Working Group, created under the EU-Angola "Joint Way Forward" partnership. The working group exchanged views on different topics, in particular on the events in Lunda Norte that led to the death of at least seven people and saw excessive use of force, on the impact of drought and climate change on human rights, on gender equality and on the rights of groups in vulnerable situations. The fight against corruption and human rights education and training are also among the key identified areas of EU-Angola cooperation.

**4. EU financial engagement:** Funded through the European Instrument for Democracy and Human Rights (EIDHR) and the European Development Fund (EDF), a number of projects with a positive impact on the enjoyment of human rights in Angola were implemented in 2021. Key target areas included: support to youth and women's empowerment (inheritance, employment equity and land distribution) and combatting violence against women and children; promoting access to justice, as well as access to information and freedom of expression; fighting social exclusion of homeless children and persons with disabilities; helping Angolans deprived from access to basic public services and migrants. The EU finalised the preparations for a EUR 6 million programme to promote participatory democracy at the local level in the framework of the decentralisation process. It will enable civil society participation through civic education and capacity development on advocacy and technical expertise as training in participatory budgets, local finances, and territorial management.

**5. Multilateral context:** Efforts continue to implement the recommendations of the third cycle of the UN Human Rights Council Universal Periodic Review of 7 November 2019. Angola accepted 259 out of 270 recommendations and took note of 11. In 2021, Angola started procedures to adhere to the Extractive Industries Transparency Initiative (EITI), and should join the 54 countries already implementing the EITI Standard. To date, Angola has not ratified the International Criminal Court Rome Statute and the International Convention on Enforced Disappearances.

## Benin

**1. Overview of the human rights and democracy situation:** Despite some improvements in socio-economic rights, certain authoritarian tendencies in political life, already observed in

2019-2020, seem to have progressed further in 2021. As foreseen, the presidential elections of 11 April, which reconfirmed Patrice Talon as president, have been held under the "*parrainage*" system (sponsorship), meaning in practice that no strong candidate from the opposition has been allowed to run. In the following months, opposition prominent members have been subject to arbitrary arrests and imprisonments. In particular, two of them, Reckya Madougou et Joël Aïvo, have been sentenced in December 2021 to 20 years and 10 years of prison respectively, for dubious charges related to terrorism (Madougou) and to breaching State security (Aïvo).

The restrictions to the freedom of press and arrests of bloggers and internet activists have continued, though a journal critical of the regime (*La Nouvelle Tribune*) has been allowed to reopen from August 2021 after three years of shutdown. In the classification of Reporters without Borders on press freedom, in 2021 Benin got the 114$^{th}$ place, which means a fall of 36 places since 2017. The situation of women's rights, the rights of the child, civil and political rights, and good governance is also a source of concerns. Some progress could be registered in human development and social and economic rights, with the programme « *Assurance pour le Renforcement du Capital Humain* (*ARCH*) » aimed to provide groups in vulnerable situations with full access to basic services.

**2. EU action – key focus areas:** The action of EU and Member States in Benin focus on the following three priorities:

- Fight against inequalities - women's rights, rights of the child and rights of persons belonging to minorities;
- Reinforcement of civic and politic space - freedom of the press, freedom of speech and freedom of opinion;
- Accountability of public institutions – respect of international engagements and support to the Beninese Commission for Human Rights.

**3. EU bilateral political engagement:** The sixth session of the Article 8 political dialogue took place on 11 February 2021, and marked the definitive restoration of an excellent relationship between Benin and the EU, after the period of coldness that followed the forced withdrawal of the previous Head of EU Delegation in late 2019. The session, *inter alia*, allowed the EU and its Member States to raise issues such as the promotion of human rights and democratisation, notably by holding credible, transparent and inclusive elections.

The EU and Member States take active part in the technical financial partners (PTF) sectorial groups, in particular those on justice and social sectors, which include gender and social security. They have had a regular dialogue with Beninese civil society organisations, notably within the Human Rights group, and took some diplomatic initiatives to promote human rights during 2021.

**4. EU financial engagement:** The EU's financial engagement in Benin takes place along the three co-operation priorities listed above. It has been covered, *inter alia*, by the European Instrument for Democracy and Human Rights, especially for funding good governance and electoral projects. The EU has also financially supported the National Commission on Human Rights and its capacity building. Several projects on women's rights, rights of the child and the

rights of persons belonging to minorities have been funded via Belgian, Dutch, and French cooperation.

**5. Multilateral context:** In October 2021, the UN General Assembly almost unanimously (189 votes out of 192) elected Benin as a member of the UN Human Rights Council for the period 2022-2024. Amnesty International stated that this appointment should foster more engagement of the country in promoting human rights, and reminded that basic civil and political rights should be protected no less than social and economic rights, calling on the Beninese Government to stop the judicial harassment cases against leading opposition members and prominent journalists.

## 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. Human rights complaints are addressed by courts, with government accepting decisions and implementing respective rulings. Although media remain relatively weak, the World Press Freedom Index has noted further positive trend with respect to their role in the society (as was also the case in 2020) and improved Botswana's ranking from 39 to 38 (out of 180 countries). The Ombudsman Act, expanding the functions and powers of the Ombudsman to protection and promotion of human rights, was passed by the Parliament in July 2021. Botswana also ratified the Convention on the Rights of Persons with Disabilities in 2021.

The EU continued to follow closely three main human rights issues in Botswana: i) application of the death penalty; ii) the rights of LGBTI persons, and iii) gender equality. Botswana remains part of a small group of countries, in Africa and globally, which retains the death penalty both in law and in practice. Three executions – same number as in 2020 - were recorded in 2021. The government indicated that a public debate on the application of death penalty should be part of the review of the national Constitution, for which a Committee of Inquiry was appointed by the President at the end of 2021. The development of a Comprehensive Human Rights Strategy and related National Action Plan were yet to be finalised. An independent National Human Rights Institution (NHRI) was yet to be established.

The positive trend in the protection of the rights of LGBTI persons seen in 2019 – i.e. Botswana High Court decriminalising same-sex consensual relations – continued in 2021 when the Court made a final decision rejecting the government's appeal and thus definitely confirming decriminalisation of same-sex relationships in the country. Gender-based violence and the need to advance the equal rights of women in society, remains a challenge in the country. In response to the high incidence of gender-based violence – which worsened during the COVID-19 pandemic – the government continued to publically campaign to fight gender-based violence and to promote equality.

**2. EU action - key focus areas:** The EU continued to engage with the government, multilateral organisations, NGOs and Botswana's society in three main areas i) death penalty, ii) gender-based violence and empowerment of women and iii) rights of LGBTI persons, and support of media and implementation of Universal Periodic Review (UPR) 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 Art. 8 Political Dialogue, which took place on 23 March 2021. The dialogue offered an opportunity to exchange on the EU's and Botswana's experience with respect to the three EU priority areas in Botswana, as well as other human rights challenges. In parallel to the government's engagement, the EU continued to maintain dialogue with representatives of civil society, as well as with the UN and other partners. The EU remains the driving force behind the Gender Dialogue (nominally co-chaired with UN Women and the Gender Affairs Department in the Ministry of Immigration, Nationality and Gender), which brings together various stakeholders to discuss gender issues and map a way forward regarding partnerships. The EU has also used public diplomacy efforts to stimulate broader dialogue in the country around human rights issues, although these efforts were restricted by the COVID-19 pandemic.

**4. EU financial engagement:** In 2021, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR), with activities focused primarily on helping Botswana to tackle gender-based violence, strengthening the notion of gender equality and improving child protection. There were five active projects under implementation in 2021. Two actions were related to the COVID-19 pandemic: i) project in support of Gender-Based Violence Prevention and Psychosocial Support Services during the COVID-19 lockdown and beyond, and ii) project in support of Human Rights Defenders and Protection of Vulnerable Groups in the context of the COVID-19 pandemic. The EU also supported activities by Banana Emoji, which organises round table discussions as safe spaces for exchanges between young LGBTI persons.

**5. Multilateral context:** In 2021, the UN Committee on Human Rights concluded its review of the second periodic report of Botswana on measures taken to implement the provisions of the International Covenant on Civil and Political Rights. Botswana remains an important like-minded partner for the EU with respect to the human rights agenda at multilateral level. The country's positive role on human rights in the multilateral context would be strengthened by initiating a domestic reflection process about the signature and ratification of several pending core human rights conventions and/or optional protocols. These include the Convention for the Protection of all Persons from Enforced Disappearances, the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol of the Convention against Torture, among others.

## Burkina Faso

**1. Overview of the human rights and democracy situation:** In 2021, the human rights situation has worsened due to the aggravation of the security context in Burkina Faso, notably in the Sahel, Northern, Central North, and Boucle du Mouhoun and Eastern parts of the country, with more sporadic violence in other areas. The methods of radical armed groups becoming more sophisticated and 'professionalised' have proven to be particularly deadly, causing a considerable number of casualties and resulting in a humanitarian crisis. With 1,345 security incidents, 2,315 deaths and 636 cases of violence against civilians, the picture turns out rather bleak. One third of the country is outside the control of the State, and at the end of 2021, the number of internally displaced persons in Burkina Faso amounted to 1.579,976

(CONASUR). Two major attacks were particularly significant: in Solhan on 5 June, the most deadly attack against civilians in Burkina Faso since 2015, with a record of 160 deaths; and the attack in Inata on 14 November with approximately 53 deaths on the side of the defence forces. At the same time, the country continues to face other important challenges, including widespread poverty, especially in rural areas, high youth unemployment, high population growth, persistent corruption and perfectible justice.

Despite this particularly unfavourable context, some progress has been made, such as i) the orderly and peaceful aftermath of presidential and parliamentary elections in November 2020 (partially including internally displaced persons and prisoners with civil rights), ii) the gradual strengthening of the National Human Rights Commission and iii) the signature of an agreement between the Burkinabe Government and the Office of the UN High Commissioner for Human Rights (OHCHR) for the establishment of a national office in Burkina Faso in 2022. Burkinabe civil society is still active and contributes to democracy and the defence of fundamental rights. There are also sustained efforts against female genital mutilation, progress on birth registration, and anti-radicalisation initiatives.

The coup d'état of 24 January, led by Lieutenant-Colonel Paul-Henri Damiba, endangered several years of successful democratic transition since the collapse of former President Compaoré's regime in 2014. Following this military putsch, transitional institutions are still unknown, while the previous government, the National Assembly and municipal and regional councils have been dissolved. The Constitution is currently subject to the fundamental act of the Patriotic Movement for Safeguard and Restoration (MPSR), which currently replaces the highest State authorities and is chaired by Lieutenant-Colonel Damiba.

**2. EU action – key focus areas:** In 2021, the EU and its Member States supported the implementation of the policy priorities for Burkina Faso until 2024: i) Security and human rights, including international humanitarian law; ii) Justice; iii) Rights of the child; iv) Gender equality, women's and girls' rights; v) Strengthening democracy, governance and administrative capacity in the field of human rights; vi) Strengthening civil society and the media; vii) New technologies in the exercise of democracy and the protection of human rights.

**3. EU bilateral political engagement:** A political dialogue under Article 8 of the Cotonou Agreement took place on 19 November 2021. This exchange with the former government has been open and constructive, including on issues related to human rights and international humanitarian law. The support of the National Commission on Human Rights (CNDH) by the EU and several Member States should be highlighted, since the CNDH is a key institution for the promotion of human rights in Burkina Faso. Through a grant contract, the EU contributes to improving its functioning and activities in several specific areas. Its own resources remain very limited.

**4. EU financial engagement:** In 2021, the strong commitments that should be underlined are:

- On security, the EU mobilised all its financial instruments (EDF, FFU, IcSP, humanitarian aid) to support the Burkinabe authorities' efforts for the restoration of the stability in the country. In 2021, EUTM and ICRC signed a Memorandum of Understanding on training in international humanitarian law. Similarly, the European Commission has

contributed to raising awareness of international humanitarian law among various bodies of the defence and security forces through the same partnership;

- In the area of justice, the EU is financing Burkina Faso's Justice Support Programme (EUR 10 million), its main objective being the fight against impunity and the reduction of human rights violations. At the level of the military criminal chain, the EU supported the establishment of a pre-emptive gendarmerie service;
- As regards the fight against economic exploitation of children, trafficking in human beings and forced labour, the EU intervened with a new project aimed at the protection of children in cotton producing areas;
- Concerning the registration of children in civil status, the EU brought massive support (EUR 25 million) for the modernisation of civil status through the Population programme;
- In the fight against radicalisation and the employability of the youth, the EU has, among others, accompanied the modernisation of French-Arab education, the recognition of diplomas and the creation of bridges between the non-formal and formal education system;
- As regards strengthening women's rights, the EU has acted horizontally through its budgetary support. In 2021, the implementation of the budget support programme contributed to the free provision of around 16 million free care services to pregnant women and children under the age of 5;
- Through the "Presimeter" programme, the EU has also supported civil society organisations in raising human rights awareness and contributing to democratic governance and public policy monitoring.
- Under the Executive Control Support Programme, the EU has accompanied the National Assembly (Programme d'Appui Commun à l'Assemblée nationale) for a better monitoring of government action.

**5. Multilateral context:** The promotion of a global human rights and democracy system is at the heart of the EU's commitment. The cooperation between Burkina Faso and the various bodies of this system is considered satisfactory. Nevertheless, the EU delegation and the Member States are making efforts to improve it, particularly within the framework of the United Nations (the Human Rights Council, monitoring of the implementation of international instruments, Universal Periodic Review), and regional and international organisations, including the Economic Community of West African States (ECOWAS) and the African Union. Particular attention is devoted to the implementation of the African Charter on Democracy, Elections and Governance.

## Burundi

**1. Situation générale des droits de l'homme et la démocratie**: Depuis son arrivée au pouvoir en juin 2020, le Président Evariste Ndayishimiye n'a pas cessé de multiplier les gestes symboliques et les discours prometteurs dans le domaine des droits de l'homme. Malheureusement, il est à déplorer l'absence d'une réforme structurelle visant à améliorer la situation de façon durable. La fermeture du bureau de l'ONU Droits de l'Homme décidée par le gouvernement en 2019 a compliqué davantage le suivi et la vérification des droits humains au pays.

Parmi les signes encourageants figuraient notamment la demande du Président d'autoriser l'activité de certains médias comme Bonesha FM ainsi que la BBC qui a pu reprendre ses activités au Burundi. Au niveau de la société civile, l'ONG PARCEM, œuvrant pour la bonne gouvernance, a été autorisé à reprendre ses activités le 2 avril 2021 et les défenseurs des droits de l'homme, Nestor Nibitanga et Germain Rukuki ont été libérés respectivement le 27 avril et le 30 juin 2021. Sur ce constat, le Conseil des droits de l'homme a décidé de remplacer la Commission d'enquête avec un poste de rapporteur spécial sur la situation des droits humains au Burundi. Pour l'heure, le gouvernement n'envisage pas de coopérer avec le rapporteur spécial. Malgré ces gestes d'ouverture, le contrôle sur les médias et la société civile a été renforcé, en témoigne la récente condamnation à 5 ans de prison de l'avocat Tony Germain Nkina pour son ancienne affiliation à l'une des principales organisations de défense des droits humains au Burundi. Des cas de violations du droit à la vie, de disparition forcées, d'arrestations et de détentions arbitraires, de tortures et autres mauvais traitements, de viol et de violences sexuelles, et des violations des libertés publiques sont toujours documentés. Il a été quasiment impossible pour des organisations de la société civile ou des défenseurs des droits de l'homme d'opérer dans le domaine de la promotion et la protection des droits civils et politiques.

**2. Action de l'UE - domaines prioritaires**: L'action de l'UE se décline en plusieurs domaines prioritaires. En premier lieu, l'UE continue à soulever les questions relatives à l'accès des citoyens à la justice lors de leurs contacts avec les autorités locales et en particulier avec le Ministère de la Justice. L'UE a notamment renforcé sa collaboration avec la Commission Nationale Indépendante des Droits de l'Homme (CNIDH), dans le but de renforcer et s'assurer qu'il y ait un engagement plus systématique et rigoureux par cette instance paraétatique en matière de suivi des droits de l'homme. Il s'agira également de renforcer les capacités des ONG locales burundaises à surveiller, documenter et signaler les violations des droits de l'homme au Burundi. Les questions concernant la protection des droits de femmes et de l'égalité de genre, importantes pour le développement politique et économique du pays, resteront également un domaine prioritaire d'action. 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**: L'action de l'UE est guidée par la Décision 2016/394 du Conseil du 14 mars 2016 au titre de l'article 96 de l'Accord de Cotonou. Cette Décision inclut des 'engagements attendus' qui font directement référence au respect des droits humains, aux principes démocratiques et à l'Etat de droit. En termes des relations politiques bilatérales, de nombreux développements encourageants ont eu lieu en 2021. Ce n'est qu'au cours du premier semestre de cette année que trois sessions de dialogue politique dans le cadre de l'article 8 de l'accord de Cotonou ont eu lieu. A cela s'ajoutent des échanges de haut niveau très fructueux avec le président et le ministre des affaires étrangères, tant à Bujumbura qu'à Bruxelles.

Le Burundi était le seul pays relevant de l'article 96 de l'accord de Cotonou. Compte tenu de la normalisation de nos relations, ainsi que des progrès accomplis par le gouvernement burundais en ce qui concerne la protection des droits de l'homme, la bonne gouvernance et l'état de droit, et des engagements qu'il a pris dans la "Feuille de route" afin de réaliser des progrès supplémentaires dans ces domaines, les groupes de travail du Conseil de l'UE ont commencé, fin mai 2021, la discussion interne concernant une levée des mesures appropriées

dans le cadre de l'article 96. Les deux parties sont déterminées à intensifier le dialogue politique et sectoriel et saisir les opportunités offertes par la levée possible des mesures appropriées dans le cadre de l'article 96.

**4. Engagement opérationnel et financier de l'UE**: Pour l'année 2021, les actions financées par l'Union européenne ont eu comme priorités i) la lutte contre les violences basées sur le genre, ii) les questions découlant de la mise en œuvre de la justice transitionnelle et de l'accès à la justice au Burundi; iii) le soutien à la liberté d'expression (notamment la liberté de la presse); iv) le renforcement des capacités des partis politiques dans leur action programmatique et dans la conduite d'un dialogue participatif interne, y compris le renforcement de la participation et de la représentation des jeunes et des femmes. La pandémie de COVID-19 a amplifié les défis en matière de droits de l'homme et de démocratie. Pour répondre à ces défis, en 2021 deux nouvelles actions ont été financées par l'Instrument européen pour la Démocratie et les Droits de l'homme notamment: le « Programme de lutte contre la torture et les mauvais traitements à l'égard des femmes et des enfants dans le milieu judiciaire au Burundi » et le programme « Lutte contre les violences faites envers les femmes et les enfants et protection de la population en milieu carcéral dans le contexte COVID-19 » mis en œuvre par les OSC. Depuis l'apparition de la pandémie, aussi les médias sont confrontés à de nombreuses difficultés techniques, économiques, sociales du fait des effets des mesures prises pour contenir la pandémie. La pandémie s'est également manifestée par la prolifération de fausses information et la fermeture de nombreux médias impactés par la crise économique.

Dans ce contexte l'UE à travers son Instrument contribuant à la Stabilité et à la Paix a financé le projet « COVID-19 Projet Régional de Réponse Rapide - Grands Lacs », visé à lutter contre la désinformation et à promouvoir un meilleur accès à une information précise, fiable et contextualisée sur le COVID-19. Parallèlement, à travers le projet « *Renforcement des médias burundais pour soutenir les processus de démocratisation, de réconciliation et l'Etat de droit* », l'UE est intervenue sur deux défis: i) le renforcement du professionnalisme et la création d'un nouveau réseau de journalistes de référence à travers le pays; ii) la lutte contre la désinformation et les « *fake news* ». Dans le cadre de cette action, le 26 novembre 2021, à l'occasion des 16 jours d'activisme contre les violences à l'égard des filles et des femmes, l'UE a lancé, en partenariat avec le Ministère de la communication, des technologies et de l'information et les OSC, le premier concours national « *Médias contre les violences basées sur le genre*» qui vise à promouvoir et reconnaître l'excellence dans la couverture médiatique des questions liées aux violences basées sur le genre.

En 2021, l'UE a contractualisé un nouveau programme qui vise à appuyer la société civile burundaise à s'approprier des enjeux des droits de l'homme liés à la justice transitionnelle, à la réconciliation nationale et à la lutte contre l'impunité. Dans le cadre du projet « Umwana mu Muryango (Child in the home)», action axée sur le renforcement des systèmes de protection de l'enfance et sur l'amélioration des conditions de vie des enfants privés de soins parentaux, l'UE a contribué à l'élaboration de la Stratégie Nationale de Prise en Charge Alternative des Enfants qui a été lancée en décembre en partenariat avec le Ministère de la Solidarité Nationale, des Affaires Sociales, des Droits de la Personne Humaine et du Genre. Son objectif est de contribuer à créer et promouvoir un environnement dans lequel les enfants privés de protection parentale ou risquant de se retrouver dans une telle situation, bénéficient des soins et protection appropriés et voient leurs droits protégés.

**5. Contexte multilatéral**: Tant dans le contexte des Nations-Unies que dans son partenariat avec l'Union africaine, l'UE a soutenu des démarches et des actions ciblant la promotion et protection des droits de l'homme et la transformation pacifique de conflits politiques. Sur base d'une résolution proposée par l'UE, en septembre/octobre 2021 le Conseil de Droits de l'Homme a remplacé la Commission d'enquête sur le Burundi avec un mandat de rapporteur spécial sur la situation de droits de l'homme au Burundi. 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 2020 et 2021 par le biais de la Facilité de Paix pour l'Afrique. Dans les instances multilatérales de l'ONU, le Burundi tend à voter contre les positions de l'UE. Ceci est notamment le cas des résolutions sur les droits de l'homme et les votes sur des pays (Syrie et l'Ukraine) ou le Burundi est plutôt aligné avec la Chine et la Russie. Dernièrement le Burundi a également voté contre une résolution sur la responsabilité de prévention des génocides.

## Cabo Verde

**1. Overview of the human rights and democracy situation:** Cabo Verde remained in 2021 one of the countries with the best records on human rights and democratic governance in Africa thanks to a strong legal framework that recognises and protects human rights and fundamental freedoms, stable political institutions, and a functioning multiparty parliamentary democracy since 1991. The latter successfully passed a new test in 2021, when, after legislative and presidential elections in April and in October that were held in good order, a new political cycle began, notably with the "cohabitation", harmonic so far, of a President and a Prime Minister belonging to the two opposite sides of the political spectrum.

The implementation of the Gender Parity Law adopted in 2019 resulted in a substantial increase in the number of women Members of Parliament after the last legislative elections. However, Cabo Verde continues to face challenges in what concerns gender equality and in particular gender-based violence, as well as rights of the child (especially on child labour and sexual exploitation of children). The rights of persons with disabilities, although recognised, also continue to face challenges in their implementation. Other areas of concern include the treatment of immigrants and prison conditions. As regards social rights, single parent families led by women are particularly vulnerable to falling into poverty and the lack of adequate housing is widespread. Finally, the judiciary continued to emerge as the one constitutional branch that is in clear need of reform and strengthening of capacities.

**2. EU action – key focus areas / bilateral political engagement:** Key political messages on human rights and democracy are included in bilateral contacts with local authorities and other partners, both by the EU and Member States. They also feature in interventions at public events to which the EU delegation is invited. Specific human rights topics rarely figure in formal political dialogue agendas, since there are no serious human rights concerns regarding Cabo Verde. However, when discussing cooperation programmes or budget support, a joint assessment is made about the human rights and human development dimension. EU delegation action raising awareness about the EU policy priorities in human rights and democracy, active publication on social media and on the delegation webpage play an important role.

**3. EU financial engagement:** In 2021, the EU in Cabo Verde has focused its attention and cooperation activities on the above-mentioned issues that appear more problematic from human rights perspective. Both the EU and Member States have either supported or developed projects aimed at eradicating gender-based violence and the EU delegation took public initiatives to promote gender equality. Regarding the rights of child, the EU and Portugal co-financed a project aimed at "Promoting the Inclusion of Children with Neurological Disabilities". The EU delegation supports Social and Labour Rights through two projects implemented by ILO.

Many of the EU and Member States' activities and projects in Cabo Verde include a human development and human rights dimension with a particular focus on gender. The EU delegation maintains a regular dialogue with the National Commission for Human Rights (CNDHC), which plays a determinant role in monitoring and promoting human rights in the country. In 2021, about 30% of the EU delegation's press and information budget was allocated to outreach and awareness-raising activities on human rights.

**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. The country joined the international Human Rights Coalition in 2018.

## Cameroon

**1. Overview of the human rights and democracy situation**: There has been no improvement to the human rights and democracy situation in Cameroon in 2021. In the regions affected by the Anglophone separatist crisis (North-West and South-West) and by terrorism (Far North), numerous human rights abuses and violations were reported, committed by both separatist armed groups, terrorist groups (Boko Haram and ISWAP) and national security forces. In the rest of the country, substantial progress on respect of human rights and democratic principles remains to be accomplished. Restrictions on meetings and peaceful demonstrations by NGOs and opposition political parties continued. The right to a fair trial was infringed in several cases, especially in those related to separatists or political opponents: for example, in December 2021, a military tribunal sentenced to up to seven years imprisonment 54 protesters of the Cameroon Renaissance Movement for taking part in peaceful demonstrations in September 2020. The COVID-19 pandemic was also abused to justify restrictions to public freedoms. While freedom of expression is limited when it comes to challenging the system in power, there seems to be no restraint when it comes to attacking political opponents. As a result, there is a high profusion of fake news, disinformation and hate speech on social media, the press and traditional media against ethnic or linguistic communities, or against some prominent political figures.

In the context of the separatist crisis and counter-terrorism operations, the right 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. There were also reports of destruction and burning of houses and villages, forced disappearances, arbitrary arrests and detention, and kidnapping with ransom, as well as increasing cases of harassment or life threats against human rights defenders. Disputes over natural resources continued, especially in the Far-North region and resulted in human rights

infringements and violent clashes in August and December between Arab Choa herders and Mousgoum fishermen, leaving 44 dead, 111 wounded and almost 100,000 displaced (15,000 IDPs and around 80,000 refugees to Chad).

The country faces systemic weaknesses in ensuring sufficient protection of the groups in the most vulnerable situations, notably children and displaced people. Displaced populations (475,000 refugees and asylum seekers, 937,000 IDPs) were mostly in the East, Far North, North-West and South-West regions. Women and children are the first victims of 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. In the Far North and NWSW regions, 4.293 schools remain closed due to security concerns (in NWSW, separatist groups have been trying for years to impose a public schools boycott).

**2. EU action: key focus areas**: EU's priorities in 2021 were:

- abolition of death penalty, eradication of torture and cruel, inhumane or degrading treatment or punishment, and fair access to justice;
- protection, conflict prevention and crisis/conflict resolution;
- gender equality, women's rights and non-discrimination, including as regards to sexual orientation;
- strengthening civic and democratic spaces, good governance and accountability, transparency and fight against corruption;
- green deal, business and human rights.

**3. EU bilateral political engagement**: The policy priorities defined by the EU and its Member States present in Cameroon in new human rights, civil society and gender action documents were the subject of a dedicated point in the article 8 political dialogue with the Cameroonian government in June 2021. There has been a follow up at high level with some of the line ministries. A number of specific human rights issues were discussed with ministers, including during the political dialogue in June 2021 and January 2022 (postponed from December 2021). Among them were abuses of the antiterrorism law in cases of peaceful opposition protests; impunity for human rights violations by armed forces and lack of compliance with international humanitarian law; lack of compliance with the principles of habeas corpus; disinformation and fake news; tensions with local and international NGOs and civil society.

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

The EU and Member States continued to speak and carry out demarches for the abolition of death penalty (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.

**4. EU financial engagement**: In December 2021, a contract was signed for a two-year project to support survivors of torture, monitor human rights and train lawyers, security forces and non-state armed groups in accountability, access to justice and respect for human rights in conflict regions.

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 vulnerable youth (IcSP support to a UN-implemented project in Far North). All new projects funded through the European Instrument for Democracy and Human Rights included components to promote women and girls' rights in regions affected by crisis, as well as protection, conflict prevention and crisis/conflict resolution. The EU and Member States supported projects on the rights of LGBTI persons (Belgium, Spain, Germany) and human rights defenders (France, Belgium, Germany), as well as women's rights and the rights of the child (Germany, Italy, Spain, France).

Member States have also worked on governance and local participation (France, Italy), on capacity-building in the penitentiary and justice system (France, Italy), on countering hate speech and disinformation in social media (Germany, Italy), and on promoting the leadership of women and girls and combatting gender-based violence and discrimination against women (France, Germany).

The Multiannual Indicative Programme 2021-2027 for Cameroon approved in December 2021 also embraces democracy, human rights and gender equality in particular among the three priority domains.

**5. Multilateral context**: Cameroon is party to several key international human rights treaties. In 2021, it ratified the UN Convention on the Rights of Persons with Disabilities and the Protocol to the African Charter on Human and People's Rights on the rights of older persons. The signing and ratification of 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 Universal Periodic Review. Cameroon has not signed the African Union Charter on democracy, governance and elections. Cameroon issued a standing invitation to all UN Special Procedures in 2014.

In the UN Human Rights Council, of which Cameroon is a member until 2024, the EU included Cameroon in its item 2 statements in the 46th, 47th and 48th 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. In multilateral fora on human rights resolutions tabled by the EU, Cameroon voted against when the subject was an African country, and abstained for countries outside Africa.

## 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 that it has been experiencing for more than two decades. Severe and widespread violations of human rights occurred throughout 2021, in spite of the 2019 Political Agreement for Peace and Reconciliation (APPR), and the unilateral cease-fire decided by President Touadéra on 15 October 2021. The use of verbal violence and hate speech, in particular against the Fulani community, has increased. Human rights abuses and international humanitarian law (IHL) violations were mostly committed by armed groups, but also by the country's own security forces and "Russian instructors"[9].

[9] Language used by the national commission of inquiry and the UN (MINUSCA/OHCHR).

Despite the weakness of the judiciary, several suspects of war crimes have been brought to court. Since 2018, the Special Criminal Court (SCC)[10] has registered 247 individual complaints; 12 files received from the public prosecutor's office are under preparatory investigation. However, the release from prison by internal security forces in December 2021 of Minister Ali Bouba Hassan (who had been arrested and charged with war crimes by the SCC) raises serious concerns about the government's resolve to fight against impunity. The Commission on Justice, Truth, Repair and Reconciliation (CJTRR), which began its work in September 2021, is funded mostly with donor contributions, as the government did not provide any funding. The International Criminal Court has ongoing investigations in CAR; in 2021, three suspects were being tried for conduct relating to the CAR; two arrest warrants were issued.

High rates of arbitrary arrest, non-respect of the legal deadlines of detention and abusive practice of pre-trial detention contributed to a serious deterioration of the human rights of inmates in CAR's prisons. Around 80% of the incarcerated population in CAR has not appeared before a court.

CAR is among the least performing countries in terms of women's political participation. A decree under the 2016 Law on Parity has not yet promulgated. Only 18% of the total of deputies at the National Assembly established in 2021 are women. Access to justice remains difficult for women victims of sexual violence.

Freedom of the media is formally protected in CAR. However, media freedom came under severe 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. This pressure has been reinforced under the current state of emergency.

**2. EU action – key focus areas**: Focal areas of EU's action in 2021 were abuses of fundamental rights, widespread corruption, impunity and justice, including transitional justice. The EU regularly raised gender equality issues in its political dialogue with the government.

Two ongoing EU-funded projects funded through the European Instrument for Democracy and Human Rights (EIDHR) address gender-based and sexual violence, in particular for women prisoners. In the framework of these projects, the EU has sponsored legal and judicial advice to all the 45 women of the prison of Bimbo (the only prison in CAR exclusively for women). A new grant contract has been signed in 2021 with the aim to assist women accused of witchcraft. The project EU Democracy under 11th EDF focused on the participation of women in the electoral process and strengthening the capacities of the women elected as MPs in the new Assembly.

To help setting up the Commission on Justice, Truth, Repair and Reconciliation, the EU offered assistance through the NGO 'Centre for Humanitarian Dialogue'. The EU encouraged the government to associate youth and civil society to promote peace in the country. During 2021, several consultations with civil society organisations were organised by the EU in the framework of the new programming. For hundreds of released child soldiers, the EU provided temporary care and integration kits, psychosocial support and integration into school.

Via the Instrument contributing to Peace and Stability, in July 2020, the EU launched a project against hate speech and fake news, implemented by Fondation Hirondelle, which is ongoing. Fondation Hirondelle is working with the local radio 'Radio Ndeke Luka'. Under the Bekou

[10] The Special Criminal Court is a hybrid court composed of 25 judges, 13 national and 12 international, to judge international crimes committed in the Central African Republic from 2003 to today.

Trust Fund, a rider to the grant contract was signed with FH in 2021 with the aim of providing accurate information during local elections.

**3. EU bilateral political engagement**: Through its regular dialogue with the authorities, civil society and various stakeholders, the EU has continued its advocacy for greater consideration for human rights in the country. The Justice Sector Policy in CAR was adopted in December 2019 by the CAR government. A decree by the Ministry of Justice and Human Rights of January 2020 established an institutional mechanism for the coordination and implementation of such a policy. The EU is part of this mechanism, which is composed by government institutions, civil society organisations and partners, such as MINUSCA and UNDP.

**4. EU financial engagement**: Three projects dealing with fundamental rights of the most marginalised part of the population (legal aid to prisoners, minors in conflict with the law, victims of gender-based crimes) were funded by the EU under the EIDHR for a total value of EUR 2.3 million.

Under the 11th EDF, the EU has a sectorial budget support programme for the internal security and the judicial sectors, with EUR 11 million to fund the implementation of the Justice Sector Policy in 2021. Its primaries objectives are the independence of the judiciary and the fight against impunity.

Further, under the 11th EDF, the EU has continued its funding to the SCC during 2021, with a project of EUR 2.5 million implemented by UNDP. Finally, under the IcSP and the Bekou Trust Fund, the EU has funded the Fondation Hirondelle for the activities described above, for a total amount of EUR 3.7 million.

**5. Multilateral context**: The CAR is party to multiple key human rights treaties, but has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights for the abolition of the death penalty (legally foreseen, no moratorium). CAR underwent the last Universal Periodic Review of the UN Human Rights Council in November 2018; out of the 207 recommendations, CAR supported 179 and took note of 28. In multilateral fora in 2021, the CAR overall did not align in terms of voting patterns with the EU's human rights priorities.

## Union des Comores

**1. Overview of the human rights and democracy situation:** The overall situation of human rights and democracy in Comoros remains of concern. Persistent human rights violations relate to restrictions of press freedom, freedom of assembly and expression, freedom of movement, trafficking in human beings, arbitrary arrests and lengthy pre-trial detention. Due to the COVID-19 restrictions, security forces banned demonstrations and seven persons - arrested in the context of an anti-government demonstration - were condemned to prison sentences of up to 5 years. Social networks were monitored, and authors of articles deemed offensive were tracked down. Intimidation of journalists has led to self-censorship. Opposition members and critical journalists were under constant pressure through various means. Former President Sambi has been detained in a Government house since 2018 without trial, despite his deteriorating health. Another case in point is the detention without trial of former Governor Salami.

Political tensions have increased in a perceived climate of authoritarian tendencies. In view of presidential elections in 2024, the president launched preparations for a national dialogue on the electoral framework in 2022. However, many in the opposition consider this dialogue as unilaterally dominated by the president in an overall negative climate not conducive for an inclusive and genuine dialogue. They have announced that they do not intend to participate in the dialogue unless several conditions are met, including the liberation of political prisoners and a much broader agenda.

Overall, the legal framework protecting against discrimination and violence against women and children is in place, but law enforcement in these areas is largely lacking at local level. Poor governance, corruption, cronyism, and weaknesses of the judiciary have exacerbated the economic vulnerability of the country. The discovery of a gold smuggling scheme in December 2021 led to the detention of high-level officials suspected to be involved in criminal activities.

**2. EU action - key focus areas**: In a difficult political context in 2021, the EU focussed on cases of detention without trial, raising this issue on several occasions, especially the cases of former President Sambi and former Governor Salami. This, as well as EU support to the healthcare system in the context of the COVID--19 pandemic, contributed to the aim of protecting individuals.

In order to improve governance and the fight against corruption, the EU, together with France, continued implementing its support programme to public finance management. The EU and its Member States adopted an action plan on equality between men and women, defining the EU's strategic orientations in this area. The EU also adopted the Roadmap to strengthen civil society capacity to be a major actor in the policy dialogue. The EU further supported the MAAECHA NGO in charge of helping unaccompanied minors. Preliminary contacts with media outlets have taken place, preparing a capacity-building project for the media.

**3. EU bilateral political engagement:** In December 2021, an article 8 Political Dialogue meeting was held and human rights issues were discussed. The EU insisted on an inclusive national dialogue, both in terms of participation and agenda. The dialogue with civil society has been strengthened based on the above-mentioned roadmap. During the first European Week organised in Comoros in May, EU policies, strategies and values, including on human rights, were discussed in meetings and exchanges with various groups. In November, the first EU film festival organised in Comoros was another occasion to further promote European values. The EU also regularly informed the public via social networks and other media of its activities in the area of human rights.

**4. EU financial engagement:** A capacity-building program based on the EU Justice Program was implemented by the French embassy in 2021 with Justice Cooperation International (EUR 1 million). Its aim was to carry out an analysis of the Comorian judiciary, to design and to implement a program to support capacity building of professionals and/or NGOs in the field of justice. 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. In the area of basic healthcare, the EU supported Comoros (EUR 500,000) via the French Red Cross in the fight against the COVID-19 pandemic.

**5. Multilateral context**: The EU regularly raises human rights issues concerning Comoros (freedom of expression, trafficking of human beings, gender equality) in meetings with UN representatives at regional and international level. Possible synergies are explored in the

framework of EU projects. The EU also highlighted the continued house arrest of former President Sambi, examples of prolonged judicial supervision and reports on intimidation of journalists. In November 2021, the EU office in Comoros encouraged the Comoros Government to support the EU priorities in the 76th session of the UN General Assembly Third Committee, also including issues related to the rights of women and children and freedom of religion or belief.

## Republic of Congo

**1. Situation générale des droits de l'homme et la démocratie**: En 2021, on a continué d'observer une hausse des exécutions extrajudiciaires, des détentions et arrestations arbitraires. L'usage de la torture, notamment en milieu carcéral, reste une pratique répandue. Les conditions dans lesquelles les personnes sont détenues avant leur comparution devant un juge continuent à être très en-deçà des standards internationaux tant en termes d'infrastructures, que de respect des procédures et des droits des détenus. Les autorités continuent de refuser la libération de deux figures politiques emblématiques de l'opposition, Jean-Marie Michel Mokoko et André Okombi Salissa, condamnés à des lourdes peines de prison pour « atteinte à la sûreté de l'Etat ».

Le processus électoral du scrutin présidentiel de mars 2021 a été particulièrement marqué par la détérioration dans le domaine des libertés fondamentales et des droits civils et politiques, notamment des atteintes aux libertés de rassemblement et d'expression. L'observation électorale programmée par l'Eglise catholique n'a finalement pas été autorisée par les autorités. L'accès à internet a été totalement coupé pendant plusieurs jours à travers le pays durant le scrutin présidentiel. Sur l'ensemble, le processus électoral s'est déroulé dans un contexte instable et trouble dû au non-respect du jeu démocratique pourtant encadré par les textes réglementaires.

L'état d'urgence sanitaire, prolongé en 2021, est de nature à réduire le débat public et le contrôle démocratique des pouvoirs et des institutions et à ouvrir la voie à des arrestations arbitraires et des exactions, par des effectifs de la police qui sont insuffisamment formés et mal payés. La société civile a également exprimé ses préoccupations en ce qui concerne une possible instrumentalisation du couvre-feu à des fins politiques ainsi que par rapport à ses conséquences durables sur l'activité économique des secteurs les plus nécessiteux de la société. La crise économique, l'augmentation du chômage et la disparition, suite à la pandémie, d'une partie des activités économiques du secteur informel, continuent à dégrader la situation des droits économiques et sociaux des Congolais : augmentation de la pauvreté et des inégalités, sérieuses difficultés pour l'accès aux soins de santé, détérioration des conditions dans l'enseignement et dans la provision de services publics.

On observe également une certaine augmentation des violences domestiques contre les filles et les femmes. Plus généralement, les inégalités de traitement professionnel entre les femmes et les hommes, le manque de représentation des femmes aux postes de direction et aux listes de candidats des partis politiques sont des indicateurs importants de la situation des femmes qui reste problématique au Congo. La situation des enfants au Congo tend à s'aggraver en termes d'accès à l'éducation et à la formation. Les enfants vivant dans les rues, dont le nombre tend à croître de manière préoccupante, sont livrés à eux-mêmes et peuvent être recrutés par

des organisations criminelles telles que les 'bébés noirs'. Des exécutions sommaires de personnes accusées d'appartenir aux bandes criminelles des 'bébés noirs' ont été signalées.

**2. Action de l'UE - domaines prioritaires**: Les priorités de la présente stratégie sont définies comme suit : i) Fonctionnement effectif des institutions et mécanismes de contrôle en matière de vie politique démocratique et de droits de l'Homme ; ii) Bonne gouvernance, respect de l'Etat de droit et mise en œuvre des réformes nécessaires dans différents domaines ; iii) Participation des citoyens à la prise de décisions et au contrôle de la gestion des affaires publiques, y compris à travers le renforcement du rôle de la société civile et des autorités locales ; iv) Amélioration de la situation des populations vulnérables (y compris les populations autochtones) et de l'égalité entre les genres.

**3. Engagement politique bilatéral de l'UE**: La 3ème session du Dialogue Politique sectoriel « Justice » s'est déroulé le 08 juillet 2021 au ministère de la Justice et des droits humains et de la promotion des peuples autochtones. Les échanges ont reflété une dynamique de partage des valeurs entre l'UE et le Congo. Le dialogue aura permis d'améliorer la compréhension mutuelle sur des thématiques stratégiques comme les droits de l'homme, l'état de droit, la démocratie et le renforcement de la chaîne pénale. Ce dialogue a traduit la volonté politique des autorités du pays de montrer une ouverture aux messages clefs de l'Union Européenne dans le domaine stratégique de la justice, couvrant à la fois les axes politiques (droits de l'homme, gouvernance électorale, état de droit et renforcement de la chaîne pénale) qu'économique (lutte contre la corruption, gouvernance économique, lutte contre la criminalité faunique). En novembre 2021, six personnes en garde à vue sont décédées dans le commissariat central de Brazzaville. Les Ambassadeurs de l'UE et de France ont demandé au PM de clarifier les circonstances de ce grave incident et d'identifier les raisons et responsabilités réelles. Le PM a répondu qu'une enquête a été ouverte.

En matière de diplomatie publique et communication, les questions de la promotion des droits humains et de l'avancement démocratique ont été transversales à plusieurs actions menées par la délégation de l'UE, réalisés très souvent en coopération avec les EM présents localement; notamment en synergie avec la France qui a déployé d'importants moyens pour la mise en œuvre d'une stratégie de communication – y compris une diplomatie culturelle – ayant comme thématiques prioritaires les valeurs de l'UE en matière de droits humains, et étant orientés également vers les audiences prioritaires de la délégation de l'UE: jeunes, femmes, populations vulnérables, société civile, agents culturels.

**3. Engagement opérationnel et financier de l'UE**: Quatre projets portant sur le renforcement du rôle de la société civile dans la protection des droits de l'homme et l'amélioration de la gouvernance démocratique (signés en 2020 dans le cadre de l'Instrument Européen pour la Démocratie et les Droits de l'Homme - IEDDH), ont connu des avancées satisfaisantes en 2021. Subventionné par l'IEDDH suite à l'appel à propositions de 2019, le projet PACTE ("Prévenir et Agir Contre la Torture et les détentions arbitraires Ensemble"), lancé en 2020 pour une durée de mise en œuvre de trois ans, a poursuivi ses activités toute au long de l'année 2021.

De la société civile, en passant par les universités, les médias, la diaspora et les forces politiques, la délégation de l'UE est régulièrement à l'écoute des acteurs qui œuvrent pour l'avancement démocratique. Ces consultations permettent un dialogue libre et ouvert sur des thématiques prioritaires concernant la démocratie et les droits humains. Dans ce contexte, un projet soutenu par l'IEDDH a continué ses activités et s'est terminé en fin 2021 : "Renforcer

dans trois districts de la Lékoumou le rôle de la société civile pour promouvoir le respect des droits humains et consolider l'Etat de droit".

En vue de l'élection présidentielle de mars 2021, la délégation de l'UE à organisé, en coopération avec le Conseil Supérieur de la Liberté de Communication du Congo, un séminaire d'information, de formation et de réflexion, pour l'ensemble des médias du pays, ayant comme objectif principal de renforcer les capacités et le professionnalisme de la presse écrite et audiovisuelle par rapport à une couverture inclusive, équitable et transparente du processus électoral. En outre, l'Ambassade de France fait du renforcement des capacités des médias - et donc de l'amélioration durable de la gouvernance au Congo - un de ses axes d'efforts importants.

Par rapport à la promotion des droits sociaux et économiques, l'UE offre un appui au secteur privé informel dans le cadre de plusieurs projets ciblant les maraichers, les acteurs de la filière piscicole, les petits producteurs de haricots ainsi qu'aux initiatives économiques locales du secteur. La société civile a également exprimé la demande que les bailleurs de fond s'assurent que les droits de l'Homme soient pris en compte lors de la définition et la mise en œuvre des projets de développement, et que les défenseurs des droits de l'homme soient régulièrement associés aux différentes phases des activités.

**4. Contexte multilatéral**: Dans le cadre de l'examen périodique universel du CDH des Nations Unies, un rapport à mi-parcours était prévu en 2021 mais n'a pas encore eu lieu. La ratification – toujours attendue - du Protocole Optionnel de la Convention contre la torture permettrait la mise en place au pays d'un mécanisme de prévention de la torture ainsi qu'un suivi extérieur plus régulier de la situation dans ce domaine qui continue à susciter beaucoup d'inquiétudes. Le gouvernement a lancé le processus de ratification du deuxième Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques visant à abolir la peine de mort mais ce processus n'a pas abouti au cours de l'année 2021. Par ailleurs, le Congo a soutenu la Résolution soutenue par l'UE et approuvée lors de la 75e Assemblée Générale des Nations Unies en 2020, relative au moratoire à l'application de la peine de mort. Par rapport aux positions de l'UE vis-à-vis des différentes Résolutions Droits de l'Homme (pays et thématiques) soumises à la 3e Commission de l'Assemblée générale de l'ONU, le Congo montre une ouverture croissante (du moins pour passer d'un vote négatif vers l'abstention), qui reste cependant conditionnée dans la plupart des cas par les positionnements africains.

## Chad

**1. Overview of the human rights and democracy situation**: In 2021, the human rights situation in Chad was adverse. The political context was marked by the unexpected death of long-time president Idriss Déby Itno in April. A military council, under the leadership of one of the former president's sons, subsequently took power: they suspended the constitution and parliament, appointed a new government and announced a political transition process. This process, according to the roadmap presented by the authorities, is to include a national dialogue, the writing of a new constitution and is to culminate in general elections. Large parts of the opposition have engaged with the transition process and some opposition parties are participating in the new government. In the context of the transition, negotiations are underway with numerous Chadian rebel groups (mainly operating out of Libya, Sudan and the Central African Republic). The authorities have also appointed a transition legislative body. Some demonstrations were banned and at times repressed violently, including with the use

of live ammunition by the security forces. The EU specifically condemned a particularly violent incident on 27 April. Some political opposition movements, including 'Les Transformateurs', a popular movement in Ndjamena, remain critical of the regime and the transition process in its current format. By end 2021 important delays in the transition process were becoming evident that have put at risk the timing of the elections.

Social and economic rights (notably healthcare and education) remained limited (in the 2020 World Bank human capital index Chad ranked 173 out of 174). The authorities have used suspension of internet access and / or social media access (via telecoms operators).

Insecurity remained widespread; Boko Haram attacked military and civilian targets in the Lake Chad area, while conflicts between farmers and cattle-owners led to numerous deaths. At times, the security forces respond to these elements with excessive force. An attack by rebels based in Libya in the spring resulted in a deep incursion into Chad (and it is in this context – though details remain unclear – that the former president died). In the context of the political transition, the Chadian authorities have engaged with these armed groups in 2021 (mainly based in Libya, Sudan, and the Central African Republic) with the aim of opening formal negotiations with them and including them into the national dialogue.

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

**3. EU bilateral political engagement**: Human rights were included within EU-Chad political dialogue, though no Article 8 Political Dialogue session took place in 2021. The EU shared with authorities its expectations that the transition be peaceful, ensure a transfer to civilian-led, democratic government and return to constitutional rule as soon as possible, respect human rights and fundamental freedoms, and allow for the organisation of new inclusive elections.

Some difficulties arose regarding EU-Chad cooperation for political and institutional reforms, where results were uneven and the main challenge remained the restrictive environment for NGOs and civil society. The EU engaged with the minister of Justice regarding a case of 44 prisoners who died while in custody of the army in 2020. The EU continued its efforts to promote the respect of human rights by the Chadian forces, including in the G5 framework.

The EU actively engaged with civil society, including with human rights defenders. The EU focused on the protection of groups in vulnerable situations, with an overarching approach on gender equality and a diversity of projects on women's rights. In 2021, the EU worked on monitoring the electoral process, including potential funding contribution to the legislative elections to the UNDP basket fund.

**4. EU financial engagement**: Projects under the European Development Fund, the European Instrument for Democracy and Human Rights, and the EU Emergency Trust Fund for Africa were implemented in the fields of citizen participation and fostering dialogue, women's rights,

access to justice, and training to security forces. However, some EU projects have faced delays in 2021 and implementation levels were weak. The Presidential Decrees 1917 and 1918 (adopted in December 2018) on the functioning of domestic and international NGOs in Chad involved some dispositions that were contested by Chad's international partners (including the EU); it was considered that the implementation of some provisions could be against humanitarian law and against some aspects of the EU-Chad bilateral agreements (Cotonou Agreement). Discussions on this matter are progressing slowly.

**5. Multilateral context**: Chad's Universal Periodic Review of November 2018 led to 204 recommendations; it supported 195 of them in March 2019, showing greater commitment than in the previous UPR cycle. Chad ended the death penalty for terrorism-related offences in 2020, in principle ending the use of the death penalty. Concerning EU human rights priorities at the UN, Chad voted for the resolution on human rights concerning Myanmar and abstained from the vote on Syria.

## Côte d'Ivoire

**1. Overview of the human rights and democracy situation:** In the absence of large-scale political violence, the human rights situation in Côte d'Ivoire overall improved in 2021. Major Ivorian political parties attended parliamentary elections held in March, which proceeded in a largely peaceful manner and demonstrated Côte d'Ivoire's continued will to remain on a democratic path. One of the year's key events, widely considered as contributing to reconciliation, was the return of former president Laurent Gbagbo after his acquittal by the International Criminal Court, and the subsequent creation of his new political party. The deteriorating security situation in neighbouring countries, in particular Burkina Faso, resulted in an influx of several thousand refugees in the Northeast region. More than a dozen terrorist attacks of varying magnitude took place in 2021, implying notably the use of improvised explosive devices.

Two events in the human rights field have drawn particular attention during the reporting period:

- The broadcasting on a national TV network of a sequence where a man presented as a former rapist was asked to mimic a sexual assault on a blow-up doll caused outrage. Afterwards, Côte d'Ivoire passed new laws providing for measures to protect victims of domestic violence, rape and sexual violence. Meanwhile, the government's intention to include sexual orientation among the grounds of discrimination repressed by law triggered a homophobic campaign initiated by the opposition parliamentary groups, with the support of some religious leaders. It led the government to renounce.

- The spreading through social networks of a video falsely portraying Ivoirians being victims of ill-treatment in Niger triggered violence against Nigerien citizens in Côte d'Ivoire, resulting in one person killed and several injured.

Moreover, 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 (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. High rates of pre-trial detention and overcrowding still affect the prison system and the efficiency of the penal process.

**2. EU action - key focus areas**: In line with the EU Action Plan on Human Rights and Democracy 2020-2024 and the EU human rights and democracy policy priorities until 2024, key focus areas for the EU and Member States include:

- Fight against child labour and trafficking of children, with particular attention to the compliance with relevant ILO conventions;
- Eradication of torture, in particular by improving detention conditions and implementing alternative measures to imprisonment;
- Help prevent gender-based violence, including harmful norms and practices such as female genital mutilation;
- Strengthen the rule of law, the independence and the proper functioning of justice, and improve the integrity of electoral processes by following up on the recommendations of EU Election Observation Missions;
- Strengthen the role of civil society organisations;
- Contribute to equal opportunities for women and men in all spheres of social life and step up the fight against all forms of discrimination, with particular attention to LGBTI persons and persons with disabilities;
- Improving access to public services, with a focus on people in vulnerable situations, including through digital technologies;
- Promoting freedom of expression and supporting efforts to counter disinformation and hate speech.

**3. EU bilateral political engagement:** The EU, with support of Member States present in Côte d'Ivoire, carried out in 2021 formal demarches on human rights and democracy issues in the framework of the 76th UN General Assembly and 46th, 47th and 48th sessions of the UN Human Right Council. A political dialogue under Article 8 of the former Cotonou Agreement held on in August 2021 provided room for discussions on several important issues linked to the human rights situation and state of democracy in the country, including the consequences of the disputed presidential elections in 2020.

**4. EU financial engagement:** With a view to helping Côte d'Ivoire to face the major challenges of child labour in the cocoa production chain, on 7 October 2021, the EU launched with the Ministry of the Family, Women, and Children in Côte d'Ivoire and Save the Children the project "Protection and Action against Hazardous Child Labour" (PACTE). With a total budget of EUR 833,000 (including an EU contribution of EUR 750,000), the project aims at strengthening the prevention and response to cases of hazardous work and worst forms of child labour (WFCL) over a period of 30 months in the cocoa sector of Daloa and Vavoua provinces (Haut-Sassandra Region). This region is the second largest cocoa producing region, with a high prevalence of children involved in hazardous work estimated at over 21.5%.

As part of the Gender Action Plan 2021-2025 (GAP III), a Country-Level Implementation Plan was adopted in 2021. Over a 5-year period, the EU will actively pursue the objective of reducing gender inequalities in each of the priority areas of the GAP III, while focusing on the transformation of gender power relations, and improving the economic and social position of women.

Within the framework of initiatives funded by the Service for Foreign Policy Instrument (FPI) at the EU Delegation to Senegal, two projects were launched in 2021 with the objective of building more resilient and democratic societies: the project "Youth of Values" implemented by the Friedrich Ebert Foundation (FES), and the project "SECORCI" implemented by the NGO Coginta.

**5. Multilateral context:** Côte d'Ivoire underwent the last Universal Periodic Review (UPR) in the framework of the UN Human Rights Council in May 2019. Out of the 247 recommendations, Côte d'Ivoire accepted 222. Recommendations covered, *inter alia*, the fight against sexual and gender-based violence, strengthening freedom of expression and protection of human rights defenders, as well as the ratification of the fourth additional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The country's next UPR is expected in 2024.

## Djibouti

**1. Overview of the human rights and democracy situation:** There are allegations of harassment of human rights activists (operating outside officially approved or tolerated human rights groups), of journalists and of some outspoken opponents of the government. The opposition's ability to operate is constrained, and certain groups claim that journalists and activists critical of the government are harassed, questioned or detained for brief periods. However, it is often difficult to get independent verification of these allegations. The media are tightly controlled and freedom of assembly and association are restricted (reflected in the country's very low ranking in the World Press Freedom Index). The 2020 Communications Law has failed to meet international standards for freedom of expression.

The government continues to work on the implementation of its Human Rights Strategic Plan for 2018-2021 and on a detailed action plan for the Human Rights Commission. The National Assembly has passed laws on access to health services and on the management of the COVID-19 pandemic and has adopted a National Strategy on the Rights of People with Special Needs which is based on international best practise. Djibouti has set up a modern security system using sophisticated cameras, which allow monitoring the movement of all individuals in Djibouti.

Concerning the 2021 presidential elections, the EU did not deploy an electoral observation or expert mission, but the Arab League, the Intergovernmental Authority on Development (IGAD) and the African Union did. IGAD assessed that the election was "peaceful and orderly" and the African Union commended the democratic and political maturity of the people of Djibouti. The recommendations of the AU mission for the 2016 elections still need to be implemented.

Ethnic tensions between Issas and Afars led to serious riots in July and August in the capital city, including in the districts of Arhiba and Balballa where youth unemployment is massive. Shops run by Yemenis were also attacked. Police officers and gendarmes were injured and the defence forces had to intervene to contain the violence. Social media networks were shut down during these riots.

**2. EU action - key focus areas:** A priority for the EU is the support for human rights defenders and the protection of vulnerable groups, particularly street children, migrants and refugees as well as the promotion of the rights of women and children. The EU Delegation to Djibouti engages with the Ministry of Justice and the Ministry for Women and Family Affairs, in particular, on human rights issues and the development of civil society.

The EU works on encouraging democratic governance and an inclusive and equitable civic culture with the aim to improve the legal and institutional framework governing CSOs, to amplify their voice in consultations on development issues such as justice, water and sanitation and to promote solidarity by supporting cooperatives and trades unions.

The EU supports the Parliament and the setting up of a caucus on gender and a women's caucus, as well as the establishment of a Standing Committee on Human Rights and the adoption of a Law on Violence against Women and Children.

The National Assembly can now hear complaints from citizens, especially in the context of 'parliamentary caravans'.

Cooperation between the National Assembly and governance institutions has been improved. For example, the Mediator, the National Human Rights Commission (CNDH) and the Court of Auditors have started to submit their respective reports also to the Assembly. Grants were made from the human rights budget in 2020 and 2021 to the Inter-parliamentary Union and *Solidarité Feminine*.

The EU is supporting the National Human Rights Commission in building capacities and strengthening relations with the Parliament. The CNDH strengthened its relations with the Parliament through an EU financed project in 2020 and 2021.

The EU is supporting health programmes for people infected with HIV/AIDS. This includes children, prostitutes and marginalised groups.

The EU delegation is working on access for all to the justice system, including improving conditions in the penitentiary system, and capacity building for the CNDH and the Mediator.

**3. EU bilateral political engagement:** Bilateral engagement concerns strong support for the Parliament, the National Human Rights Commission and civil society.

Concerning the Digital Code, the EU is preparing technical assistance for the relevant ministry on how to protect personal data and promote convergence with the General Data Protection Regulation (GDPR). The EU has also supported Djibouti with amendments to the 2020 Communications Law to help it meet international standards and support for the National Electoral Commission (CENI) in order to put it on an independent and sustainable footing.

**4. EU financial engagement:** The National Human Rights Commission receives support from the EU through the Better Migration Management programme and the 11th EDF, via the Justice Support Project. The European Instrument for Democracy and Human Rights provided

EUR 300,000 in support in 2021 and support for civil society amounted to EUR 1.415,250. A grant of EUR 1 million is expected in 2022.

**5. Multilateral context:** Djibouti was widely commended for its chairing of the UN Third Committee in 2021. This engagement as Chair on a variety of human rights issues, in particular gender equality and right of the child, should help Djibouti prepare well for its Universal Periodic Review at the UN Human Rights Council in 2023.

Djibouti is the only country in the IGAD region to have abolished the death penalty and it voted against death penalty in the Third Committee. Djibouti voted in favour of a resolution on the human rights situation in Syria, which was co-sponsored by EU Member States and passed with 95 votes (albeit down on previous years). But Djibouti abstained on the Crimea resolution and on resolutions affecting Russia and China.

Djibouti took part in COP26 of the UN Framework Convention on Climate Change held in Glasgow in November 2021.

## Democratic Republic of Congo (DRC)

**1. Overview of the human rights and democracy situation**: Despite a decrease in the number of human rights violations documented in 2021 compared to 2020, the human rights situation in the DRC remained dire, particularly in the east of the country where a state of siege has been in place since May 2021. The rates of human rights abuses soared towards the end of the year. An increase of 61% in violations was documented by the United Nations Joint Human Rights Office (UNJHRO) between October and November, as a result of an intensification of attacks by the Allied Democratic Forces (ADF) against civilians in North Kivu and Ituri. In 2021 as a whole, ADF combatants committed at least 738 human rights abuses, representing an increase of 52% compared to 2020, the largest increase among armed groups active in the DRC. In 2021, ADF combatants killed an average of more than three civilians per day. A significant increase in attacks against civilians by other armed groups occurred in the provinces of North Kivu, Tanganyika, Maniema and South Kivu.

Severe issues relating to prison conditions and overcrowding persisted, including a nearly automatic and sometimes abusive use of pre-trial detention. The transfer of criminal jurisdiction from civilian to military justice authorities (often lacking personnel) under the state of siege in the east has led to a further deterioration in prison conditions, including overcrowding in Ituri and North Kivu. The justice picture was further complicated by death sentences being continued to be issued despite a moratorium.

Government authorities oversaw a systemic crackdown on dissenting voices, including journalists, human rights and democracy activists, and peaceful protesters. Kinshasa experienced an increase in protests and violence following the establishment of a new Independent National Electoral Commission (CENI) amidst allegations of political interference. Members of the President's party, physically attacked Catholic churches and priests for their role in advocating for a more independent CENI president. Debates over a proposed new law, the 'Congolité Bill', which would ban Congolese citizens with a parent of foreign origin from higher office, also sparked tensions. The tenuous state of freedom of expression and peaceful

assembly was evidenced by numerous cases in 2021 of journalists, activists, whistleblowers, or critics of government policies being threatened, beaten, and/or arrested.

**2. EU key focus areas**: EU priorities in the DRC include: i) Promotion of the freedom of expression, demonstration and association; ii) Promotion of the democratic system as set out in the Constitution of the Democratic Republic of Congo and the participation of women in political life; iii) Promotion and entrenchment of a fair and easily accessible justice system including the fight against impunity in particular for those implicated in sexual violence; iv) Promotion of gender equality particularly in public life and respect for women's rights especially for the survivors of sexual and gender-based violence.

**3. EU bilateral political engagement**: In 2021, the EU engaged in a wide array of political action in support of human rights. The EU delegation maintained regular and constructive contact with relevant partners, including government counterparts, the national human rights committee (CNDH), the UNJHRO, national and international human rights NGOs, individual human rights defenders and activists for women's rights and the rights of LGBTI persons. An important milestone was the political dialogue held with the DRC government in October 2021 during which all aspects of the EU-DRC cooperation were discussed, including human rights and gender equality.

Throughout the year, the EU delegation has chaired the monthly EU Human Rights Working Group which serves as the prime vehicle share information on human rights actions, discuss pertinent developments and ensure regular follow-up.

**4. EU financial engagement**: The EU delegation continued to support the protection of human rights defenders, freedom of expression, the fight against sexual violence, impunity and torture, the protection of persons working in the mines, and the integrity of electoral process. The EU's local human rights defenders protection mechanisms, in addition to the European Instrument for Democracy and Human Rights, allowed for a quick response for the protection of human rights defenders while strengthening the EU's local early warning analysis and monitoring capacity. As of 2018, emergency assistance has been available in all 26 DRC provinces, enabling the EU delegation to tend to medical, security and subsistence needs of human rights defenders on a large scale, while strengthening the capacities of local NGOs from across the country to coordinate and cooperate. In 2021, the EU's local projects provided direct assistance to 72 human rights defenders threatened because of their activities.

A new program 'United for Gender Equality' launched in 2021 pursues i) the national fight against gender-based violence, ii) the reinforcement of women's socio-economic autonomy and iii) leadership and a protective environment for women. This program favours a holistic but also territorial approach aiming to capitalise on the concentration of EU actions in the areas of police, justice and health in certain areas of the country, as well as on the strategic presence of historical partners.

Conscious of the need to strengthen local media capacity in the long-run, the EU delegation 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 delegation continues to support the projects of the Panzi Foundation and Dr Mukwege's efforts to combat sexual violence in a holistic manner. The EU delegation's support is principally implemented through the

Integrated Holistic Support Program for survivors of sexual violence and women suffering from gynaecological pathologies. The Panzi Foundation was allocated additional funding in 2021 to strengthen the infrastructure of the hospital and the foundation.

The EU delegation sought to bolster military and civil justice through financial support to Avocats sans Frontières, RCN Justice & Démocratie and Trial International. The new techniques and best practices of these CSOs in terms of carrying out impartial investigations and training lawyers to conduct more than just trials has benefitted victims. This led to several judgments in the Kivus that sentenced several warlords to life imprisonment. The Congolese jurisprudence acquired a new dimension by sentences vs the Congolese State in solidum with the convicted to pay damages to victims, even if the responsible were rebel armed-groups members (thus considering the State liable for having been unable to protect its population from harmful attacks). The EU delegation also continued to accompany the construction of a modern courthouse in Goma and Tshikapa and provided a technical assistance to the direction team of the renewed prison in Luzumu in order to help them to manage the prison in respect of the international standards.

In terms of the fight against torture, the EU delegation has supported two of its partners, Caritas Española and RCN Justice & Démocratie, in their efforts to strengthen the capacities of local authorities, civil society and human rights groups to prevent, monitor and redress cases of torture in Kinshasa and South Kivu.

A two-day workshop was organised focusing on the evaluation of recommendations received during the third cycle of DRC's Universal Periodic Review. This workshop designated key actions that the Congolese authorities should take to improve its human rights record across five themes: civil and political rights; economic, social and cultural rights; the rights of women, including sexual violence; the rights of children; and justice and the fight against impunity. The EU delegation also supported UN Women and the Belgian embassy in financing and organising an event on the participation of women candidates and voters for the 2023 elections.

**5. Multilateral context**: The DRC is party to multiple key international human rights treaties. The DRC has been non-voting for all of the human rights-related resolutions in 2021 in the UN General Assembly. In the Human Rights Council, the African Group resolution on the DRC was once again adopted by consensus. While initially the plan was to transfer the mandate of the team of independent experts on Kasaï to OHCHR, the DRC ultimately decided to prolong it, a sign of ownership and willingness for which they were commended.

## State of Eritrea

**1. Overview of the human rights and democracy situation:** No improvement was recorded in the overall human rights situation in Eritrea. A number of aspects of the country's human rights policies and practices remain of serious concern linked to particular issues, such as the use of forced labour or arbitrary detentions.

The year 2021 was dominated in Eritrea by two key developments: the COVID-19 pandemic and the conflict in neighbouring Tigray with massive Eritrean military involvement. The COVID-19 triggered a lockdown introduced in March 2020 that was lifted in April/May 2021, when schools, restaurants, shops, bars and churches gradually reopened.

The war in Tigray continued throughout 2021. It is believed that, with varying intensity, Eritrean troops have continually been involved in the conflict, but not necessarily in combat operations at all times. In March 2021, the Council adopted sanctions on one Eritrean entity under the EU Global Human Rights Sanctions Regime for human rights violations committed in Eritrea.

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

*Follow-up and implementation of the Universal Periodic Review (UPR) recommendations:* The EUTF programme to support the implementation of UPR recommendations (EUR 5 million) did not receive the government's greenlight. Consequently, the funds were de-committed. Some Civil Society Organisations (CSO) are engaged in a number of low-profile advocacy initiatives, which are limited in scope and mainly aimed at awareness-raising among Eritrean society around different illnesses and vulnerabilities such as blindness, HIV and various forms of disability. The EU has provided support to CSOs in these areas, through projects financed through thematic budget lines European Instrument for Democracy and Human Rights (EIDHR) and Civil Society Organisations/Local Actors (CSO-LA).

*Enhanced efforts to create a more conducive environment for CSOs and to strengthen the engagement of CSOs in the EU programming cycle:* The opportunities to engage with civil society in Eritrea are limited as CSOs depend on the goodwill of the government. Nevertheless, there is a marge de manoeuvre for implementing non-sensitive support programmes for the vulnerable population. In this context, the EU delegation works with and provides support to CSOs through grants under the thematic budget lines CSO/LA and EIDHR.

*Increase support to the most vulnerable parts of the society, including women and youth:* In 2021, 11 grants implemented by Eritrean CSOs and international partners (often in cooperation with local counterparts) were ongoing. They include training, awareness raising campaigns to fight social stigma against vulnerable groups, basic service delivery to vulnerable beneficiaries such as persons with disabilities, and income generation activities (agriculture, open small family business and so on). These projects and activities aim to support the most vulnerable and poorest within the society and often target youth and female-led households, which represent 47% of all households. At the end of 2021, five new grant contracts, for a total of close to EUR 500,000 were signed with five Eritrean CSOs under the 2021 EIDHR call for proposals. These projects include support for deaf people, for blind people, for children with intellectual disabilities such as autism, for abandoned children living in three private orphanages, and vocational training support for women with minor disabilities.

*Economic and social rights:* In 2021, the implementation of an EU co-funded solar energy project was successfully completed, providing affordable, accessible and clean solar electricity to more than 45,000 people in a region not covered by the national grid. The project has a direct impact on people's livelihood, including access to water, healthcare and education services as well as on the productivity of the economy.

*New technologies:* Under the CSO-LA thematic budget line, the EU delegation supports two projects implemented by cultural organisations aimed at preserving aspects of Eritrea's remarkable modernist colonial-era architecture and documenting historical records. Much of

this work centres on the digitalisation of historical records, documents and data, used by academics across the world to explore and assess aspects of this period of Eritrean history. This is also an opportunity for CSOs capacity building and networking with international peer organisations working on preserving historical heritage.

**3. EU bilateral political engagement:** Human rights issues continue to be part of the political dialogue meetings, including in the context of the conflict in Tigray.

**4. EU financial engagement:** Over the last years, the EU delegation expanded its portfolio of projects funded under two thematic budget lines. In 2021, 11 such projects were ongoing, involving five Eritrean CSOs. Other local CSOs were involved in cooperation with international ones. At the end of 2021, five new grant contracts, for a total of nearly EUR 500,000, were signed with five Eritrean CSOs under the EIDHR 2021 call for proposals.

**5. Multilateral context:** Eritrea continues to be a member of the UN Human Rights Council. The Human Rights Council extended the mandate of the Special Rapporteur on the Human Rights Situation in Eritrea in July 2021 for another year.

On 3 November 2021, OHCHR and the Ethiopian Human Rights Commission published a report about human rights violations in the conflict in Tigray, which states that there are reasonable grounds to believe that all parties to the Tigray conflict have committed violations of international human rights law, international humanitarian law and international refugee law.

## Eswatini

**1. Overview of the human rights and democracy situation:** In 2021, the Kingdom of Eswatini continued to struggle to fulfil its democracy and human rights obligations. The COVID-19 pandemic aggravated the existing vulnerabilities, gender-based violence, poverty and deep inequalities, and further limited already scarce opportunities. Journalists worked in a deteriorating media environment, in terms of violence and intimidation from different sides. The year was marked by countrywide protests by different stakeholders. In May, political parties, trade unions and civil society organisations started challenging the status quo and demanding an elected prime minister by delivering petitions to most constituencies. On 25 June 2021, the acting prime minister issued a decree banning all protests and the delivery of petitions on the ground of sanitary precautions due to the pandemic.

The second half of the year saw serious political and security turbulences following an unprecedented social unrest in June-July that turned violent with looting and burning, paralysing urban centres. It was met with repressive measures against the protesters by the government. Eswatini's Commission on human rights and public administration published a report on 29 October, pointing to 46 deaths and 245 injuries. The responsibilities are yet to be fully investigated and those responsible brought to justice.

During the civil unrest, the government closed the internet and access to social media and imposed further stringent curfew hours restricting free movement.

On 25 July, two members of parliament who had been at the forefront of the pro-democracy protests were arrested on terrorism charges for inciting unrest. They were repeatedly denied bail for unclear reasons and remained incarcerated.

Further protests in October involving burning of schools, public buildings and businesses led to the closure of schools for six weeks.

Following the unrest, the opposition gathered under the umbrella of the Multi Stakeholder Forum, encompassing the Political Party Assembly, trade unions, CSOs and faith-based organisations. Its objective was to promote an agenda for reforms.

The Southern African Development Community (SADC) sent two missions to the Kingdom (immediately after the major unrest in July and then in October) and South African President Ramaphosa (Chair of the SADC Organ on Politics, Defence and Security) visited the country in early November with a view to facilitating a comprehensive and inclusive national dialogue. The outcome of his visit was His Majesty the King's commitment to a national dialogue forum and work on its terms of reference.

**2. EU action – key focus areas:** The EU expressed its deep concerns at the situation in Eswatini, encouraging all parties to refrain from violence and to seek a peaceful resolution of the social unrest through dialogue. The EU issued three local statements on 1, 4 and 15 July, with international partners. It repeatedly engaged directly with the Government and His Majesty the King on the urgent need for a comprehensive and inclusive national dialogue, the opening of the political space, the full respect for human rights and fundamental freedoms, and holding all perpetrators accountable.

**3. EU bilateral political engagement:** In June 2021, an EU-Eswatini Political Dialogue under Article 8 of the Cotonou Agreement took place. Progress was acknowledged as regards the implementation of the Sexual Offences and Domestic Violence Act (SODVA) and various challenges were addressed on this occasion (like the bills pertaining to media and freedom of expression, the rule of law and the proportionate use of force by law enforcement agencies, operationalisation of the national Human Rights Commission, social and economic rights, the non-discrimination of LGBTI persons and post-COVID economic recovery). Throughout the year, the EU engaged in continuous dialogues at EU Ambassador level with His Majesty the King, the Prime Minister, Cabinet ministers, civil society and faith-based organisations, and the media, on a wide range of pressing human rights issues in the country. In the run up to Human Rights Day 2021, the EU partnered with the UN on a joint social media campaign, marking each of the 16 days of activism with a distinct message against gender-based violence.

**4. EU financial engagement:** The EU continued to support the implementation of various projects aimed at raising awareness and advocating for the protection and promotion of democracy, human rights, rule of law, gender equality and rights of minorities.

The project 'Women's Rights: Making Inroads towards Gender Equality, Participation and Equal Representation in Eswatini' allowed for 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 Civil Society Platform for Inclusiveness Project' supported CSOs and different communities with training on human rights and democratic principles and further facilitated the development of a collective platform to promote human rights. The project also supported

CSOs in hosting key international human rights events such as the International Human Rights Day with the EU participation.

The EU funded project 'Strengthening the implementation of Economic, Social and Cultural Rights in Eswatini' facilitated access to justice for the poor and groups in vulnerable situations.

Finally, the EU also funded a regional project implemented in Eswatini, Malawi and Zimbabwe advocating for the protection and promotion of the rights of LGBTI persons.

**5. Multilateral context:** The Kingdom of Eswatini underwent the third Universal Periodic Review (UPR) on 8 November 2021. 79 delegations made statements on this occasion and proposed 222 recommendations across different areas including the political space, freedom of expression, participation of women in political and public life, independence of the judiciary and the parliament, accountability in relation to the response by security forces to the protests in June-July, strengthening of the National Human Rights Commission, among others.

Amid civil unrest in October, UNICEF published a statement expressing its concerns about the impact of the deteriorating security situation on children and the youth. It pointed to "children caught up in violence, including from armed forces in schools and in the streets" and to the indefinite closure of schools with devastating consequences on children.

## Ethiopia

**1. Overview of the human rights and democracy situation:** The human rights situation has deteriorated, especially since September 2021 with the rapid re-escalation of the conflict in Tigray that started in November 2020. The joint investigation report by the Office of the United Nations High Commissioner for Human Rights and the Ethiopian Human Rights Commission into alleged violations and abuses of international human rights law, international humanitarian law and international refugee law published on 3 November 2021, concluded that human rights violations have been committed by all parties. The violations include extra-judicial killings of civilians, rape and looting. Other areas in the country from where human rights violations are being reported include Afar, Amhara, Benishangul-Gumuz, Western Oromia and Guji-Gedeo.

There are indications that starvation has been used as a weapon of war against the population of Tigray. As of January 2022, the UN reported that 91 % of people in Tigray is in need of food assistance. In total, 9.1 million people in Northern Ethiopia (including the Amhara and Afar Regional States) need humanitarian assistance.

In June 2021, national elections were conducted, with one year's delay due to a prior COVID-19 motivated state of emergency. According to external analysts, the elections were "peaceful but not competitive". Several opposition parties boycotted the elections and voting was delayed in several regions to the month of September. A consistent number of voters could not exercise their rights, as elections could not be implemented in areas affected by insecurity and conflict.

The state of the press freedom and the freedom of speech in Ethiopia has worsened. In the framework of the State of Emergency, it was decided in November 2021 that only government sources could report on the conflict. Several journalists were arrested in November and

December 2021. Some foreign correspondents had their licences withdrawn and were expelled, others work with strong limitations.

**2. EU action- key focus areas:** Through numerous projects and initiatives, the EU and its Member States supported the following key areas in Ethiopia: i) Promotion of electoral reforms, inclusive political party dialogue and citizens' participation; ii) Consolidation of a legal framework for the protection of human rights in line with international standards, accountable institutions, fair trials and good prison conditions; iii) Promotion of recognition of the positive role of civil society and media in society; space for more independent and professional media and effective human rights defenders protection mechanisms; iv) 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; v) 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; vi) With regard to the ongoing conflict, the UN Human Rights Council in Geneva on 17 December 2021, at the request of the EU, adopted a resolution establishing an international commission of human rights experts to conduct an investigation into allegations of violations and abuses committed in Ethiopia.

**3. EU bilateral political engagement:** A month before the elections in June 2021, the EU cancelled its planned election observation mission to Ethiopia as the federal government did not agree on standard requirements, such as independent monitoring and the import of essential communications equipment.

**4. EU financial engagement:** As of December 2021, the EU Delegation to Ethiopia had active projects on human rights funded under the European Instrument for Democracy and Human Rights (EIDHR) worth EUR 1.86 million.

This figure does not include the many other interventions related to human rights that the EU delegation implements in other areas of cooperation, such as civil society, elections, justice, peacebuilding, among others.

**5. Multilateral context:** As a member of the United Nations, the African Union and the Intergovernmental Authority on Development (IGAD), Ethiopia is an important multilateral actor for the European Union and the region. Ethiopia is often aligned with EU positions on different key issues such as 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.

The conflict in Tigray has been discussed several times at the UN Security Council in New York and the UN Human Rights Council in Geneva. On 17 December 2021, the EU requested a special session at the Human Rights Council to discuss the human rights situation in Ethiopia. It led to the adoption of a resolution calling to set up an experts' panel to examine allegations of war crimes in Ethiopia. The resolution passed with 21 States in favour, 15 opposed, including Russia and China, and 11 abstentions.

## Equatorial Guinea

**1. Overview of the human rights and democracy situation**: In 2021, the overall human rights situation in Equatorial Guinea remained a source of significant concern. Serious and systematic human rights abuses, political and civic oppression, and high levels of corruption continue to be reported. Freedom of expression, association and assembly remained severely curtailed. Local activists faced intimidation, harassment and reprisals. Political space for opposition groups remained extremely limited despite the 2014 initiative to legalise political parties. The ruling party (*Partido Democratico de Guinea Ecuatorial*) holds 99 out of 100 seats in Parliament. Legislative elections are scheduled for 2022 and presidential elections for 2023.

The opposition political party CI (*Ciudadanos por la Innovación*) has been banned since 2018. Moreover, the civil society organisation CEID (*Centro de Estudios et 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 last session of the "dialogue platform" (*Mesa de Diálogo*) was held in July 2018, offering 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 extremely narrow, with strict control and manipulation of the registration process. Further underscoring these heavy constraints are the difficulties for EG to meet the requirements for membership to the Extractive Industry Transparency Initiative (EITI), one of the commitments for a series of reforms given to IMF.

**2. EU action: key focus areas**: EU's priorities regarding human rights and democracy in 2021 were:

- Abolition of the death penalty, eradication of torture and cruel, inhumane or degrading treatment or punishment, and fair access to justice for victims of human rights violations;
- Opening of civic and democratic spaces, good governance and accountability, transparency, and fight against corruption;
- Addressing social inequalities and discrimination as well as promotion of gender equality, women's rights and the rights of LGBTI persons.

**3. EU bilateral political engagement**: Following the accreditation of the new Head of EU Delegation to Equatorial Guinea in the second half of the year, the EU has planned to hold a political dialogue with the authorities during 2022 (the first since 2018). Analysis and monitoring of the situation is ongoing. No bilateral projects were funded from the European Development Fund (EDF) because Equatorial Guinea is not party to the revised Cotonou Agreement between the EU and ACP countries. The EU's strategic human rights and democracy country priorities have informed the preparation of a possible Multiannual Indicative Programme for Equatorial Guinea, although, to date, the adoption of a MIP has been postponed. It is still unclear if Equatorial Guinea will join the post-Cotonou agreement.

The full abolition of the death penalty remains among the EU key objectives. Equatorial Guinea adopted a moratorium when they became a member of the *Comunidade dos Países de Língua Portuguesa* (CPLP) in 2014.

A new draft Criminal Code, where the death penalty is not included, is still being debated in the parliament. However, the death penalty would also have to be removed from the Military Justice Code. A Constitutional amendment and the ratification of the UN Covenant on Civil and Political Rights remain necessary to complete the process of abolition of the death penalty.

**4. EU financial engagement**: In 2021, the EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR). Projects that were active or completed in 2021 included: ensuring access to quality healthcare for the population in the most vulnerable situation through the construction of a health centre in Sampaka; providing support, protection and capacity building for civil society activists and organisations working in the field of human rights promotion and good governance (APROFORT project); and providing support in strengthening child protection and reducing gender-based violence in the slums of Malabo.

Two new projects were signed in December 2021: with *Fundación de Religiosos para la Salud* (Spain) to promote the right to gender equality and the prevention of gender-based violence in the districts of Malabo and Bata; and with *Transparencia e Integridade* (Portugal) to increase CSOs' effectiveness in promoting human rights in the context of the COVID-19 crisis, and to strengthen the capacities of organisations working for the defence of human rights and the legal response to human rights violations.

**5. Multilateral context**: Equatorial Guinea is party to some key international human rights treaties. It is not a party to the International Criminal Court. It 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. The country did not ratify the African Charter on Democracy, Elections and Governance either, despite repeated calls to do so over the years.

Equatorial Guinea was last subject to the Human Rights Council's Universal Periodic Review (UPR) in May 2019. This third review noted the country's progress on the recommendations made in 2014 and, in particular, the progress in the ratification of a number of international instruments/conventions. Equatorial Guinea received 221 recommendations and most of them (204 recommendations – 92%) were accepted, 11 were rejected, and six were noted.

In the UN General Assembly, Equatorial Guinea has consistently supported the EU-co-sponsored resolution for a moratorium on the death penalty, but overall did not align itself with other EU human rights priorities.

## Gabon

**1. Overview of the human rights and democracy situation**: The overall human rights and democracy situation remains of concern. The new draft Law on the National Commission for Human Rights, which was discussed between civil society organisations (CSOs) and the government in the framework of an EU financed project, has not yet been presented to the parliament, although the Commission's mandate officially ended in March 2021.

Gabonese authorities acknowledged the long-standing problem with irregular detentions. An ad-hoc commission, created in November 2020, met several times in 2020 and 2021 to identify cases. In June 2021, the liberation of several hundred prisoners was announced in the media.

Cases of irregular detention reportedly persisted and by November, at least 18 prisoners were still held in irregular detention. Harsh prison conditions remain (ill-treatment, poor food and health conditions).

The phenomenon of ritual crimes (abduction and murder of children and women) continue to exist in the country and the region. Cases are unaccounted, convictions are extremely infrequent and sentences rarely served, reportedly linked with institutional figures and politicians.

In September 2021, the parliament adopted three important laws aimed to put in place measures to protect women against all forms of violence and discrimination and to advance gender equality, among others, by repealing in the civil code the status of the man as head of the family. While these laws constitute essential progress in ensuring legal gender equality and the expansion of women's rights, women still represent 90% of victims of sexual violence and 83% of victims of economic violence. Only few services provide medical, psychological and judicial care for victims. Despite legal provisions on access quota, women are still underrepresented at all levels of responsibilities in political and professional life (public and private sector). Out of 143 deputies of the National Assembly, only 23 are women.

The freedom of association and assembly remains limited in practice. As regards freedom of expression /media freedom, the Communication code includes restrictions that hinder the ability of journalists to work independently, without fear of censorship or even criminal prosecution. It further prohibits any person residing outside the country to manage media published in Gabon. However, the newspapers linked to the opposition have been able to continue publishing on any subject of their choice, including criticism of the government and the president.

Fight against corruption remains nominally high on the government's agenda. The anti-corruption and money laundering strategy published in 2012 is currently under revision with the support of the EU. Regular cooperation was initiated in 2021. The impact of COVID-19 pandemic is noticeable in particular in the worsening of conditions of detention in prisons and in documented substantial increase of violence against women.

**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: democracy and governance; fight against corruption; harsh prison conditions and lengthy pre-trial detention; torture and forced disappearances; ritual crimes; women's rights and rights of the child. 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 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 in these areas.

**3. EU bilateral political engagement**: The regular EU-Gabon political dialogue resumed in January 2021. The dialogue discussed among others human rights issues, in particular with reference to the conclusions of the joint EU-Gabon working group in charge of the follow-up of the results of the intensified political dialogue (end of 2019). The EU delegation continued to be in regular contact with political and civil society stakeholders to promote the rule of law, fundamental freedoms, civil and political rights and good governance. The EU carried out formal demarches on human rights and democracy issues to request support for EU initiatives at the Human Rights Council and UNGA76 Third Committee in November 2021.

**4. EU financial engagement**: The EU co-funded project for the promotion and protection of human rights in Gabon, implemented by the UNDP, ended in March 2021. It 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. Implementation of projects funded by the EIDHR and the CSO/LA budget lines focused on: promotion and support of sexual and reproductive health rights; support to civil society, including in the area of elections and democratic dialogue; protection of persons in the most vulnerable situations in the COVID-19 context; gender equality and women's rights, and rights of the child.

The first TAIEX activity in Gabon on anti-fraud/anti-corruption took place in June 2021. The workshop supported line ministries' civil servants to reinforce their knowledge and understanding on mechanisms to fight corruption. Another workshop in November focused on anti-corruption and natural resources.

**5. Multilateral context:** Gabon's election to the UN Human Rights Council for the 2021-2023 term continues to be an occasion for the convergence of views and cooperation with the EU in multilateral fora on human rights. Gabon is a member of the African Group, the Non-Aligned Movement and the Organisation of Islamic Cooperation. The country's position is usually reflected through its regional groups, both on country and thematic resolutions. The next Universal Periodic Review for Gabon is scheduled for November 2022.

## Ghana

**1. Overview of the human rights and democracy situation:** Ghana is widely perceived as a peaceful and functional democracy in the West African sub-region (and Africa as a whole), characterised by relatively strong and stable institutions, a three-decade track record of peaceful and transparent democratic elections, freedom of expression and a vibrant civil society. However, some challenges persist. Corruption remains present in both public and private sectors. Press freedom has declined under the current administration, with the number of incidents and their gravity having increased since 2016, with particular targeting of investigative journalism. Certain social groups are inadequately protected and respected. Prison congestion and conditions have become a serious human rights concern. Although nine people had their death sentences commuted to life imprisonment in 2020, around 160 inmates are still on the death row, and every year, new death sentences are delivered. By continental standards, Ghana has some of the lowest female political representation. The Affirmative Action Bill, first tabled under the 2016 government administration, is yet to be passed by parliament. Child labour also remains a serious issue in Ghana, with many children required to assist their parents with farming or fishing instead of attending school. Abductions and trafficking of children feed the phenomenon. Child, early and forced marriage remains common. Members of the LGBTI community have become increasingly at risk with the tabling of the 'Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill', and the debate and procedures around the bill carrying into 2022.

**2**. **EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, six key focus areas have been identified:

- Rights of the child: Child labour and trafficking is still pervasive in Ghana, in particular in the fisheries and cocoa sectors. The EU actively campaigned for the rights of the child and commemorated the World Day against Child Labour and the International Human Rights Day.

- Non-discrimination, including on the basis of sexual orientation and disability: Non-discrimination is provided in Ghana's Constitution. It is largely upheld in the religious realm, as both Christian and Muslim communities enjoy long-standing peaceful coexistence, with many cases of intermarriage. However, several minority groups continue to suffer unequal treatment, including women and the LGBTI persons. The EU continues to actively exchange views with CSOs and to advocate for non-discrimination and human rights for all.

- Gender equality and women's rights: In line with the recommendations from the EU Electoral Observation Mission (EOM) on better gender representation in the political sphere, including the passage of the Affirmative Action Bill into law as a priority, the EU delegation organised a workshop on women in politics, in partnership with the civil society organisation Institute for Democratic Governance.

- Freedom of expression: Freedom of the press is constitutionally guaranteed and generally respected in practice. Ghana has a diverse and vibrant media landscape that includes state- and privately-owned television and radio stations, as well as a number of independent newspapers and magazines. The 2020 EU EOM report included a priority recommendation on strengthening the national media oversight authority, namely the National Media Commission.

- An efficient and accessible justice system: The EU's Joint Development Programme 2021-2027 for Ghana includes governance as a priority area of intervention, integrating actions to fight corruption and improve rule of law and accountability.

- Institutional reform: The EU EOM 2020, made 18 recommendations for improving elections in Ghana, ranging from increasing transparency of campaign finance to strengthening media oversight institutions. In addition to the EU's work towards the implementation of the EOM recommendations, several EU Member States have supported institutional reform.

**3. EU bilateral political engagement:** Several human rights issues were raised in the partnership dialogue between Ghana and the EU in November 2021, including preventing violent extremism, freedom of press and safety of journalists, the rights of LGBTI persons, decent labour, and the implementation of the EOM recommendations. An EU Electoral Follow-Up Mission is planned for the second half of 2022. The EU has also stepped-up advocacy and dialogue initiatives – such as the 2021 EU Cocoa Dialogues – to encourage the eradication of child labour in cocoa farming.

**4. EU financial engagement:** The EU has financial engagements in each of the areas of EU action. The EU has launched two projects on the rights of the child: Securing Child Rights in the Fisheries Sector in the Central Region and along the Volta Lake of Ghana and Building a

Sustainable Protection Network to Eliminate Child Labour as a result of Human Trafficking in the Fisheries of Lake Volta.

The EU has supported the STAR Foundation funding pool, which has allowed for the implementation of a project on the training of journalists.

The EU launched the Anti-Corruption, Rule of Law and Accountability Programme in 2016, which came to an end in January 2021. This programme financed through the European Development Fund (EUR 20 million) focused on anti-corruption, governance and accountability actions, in collaboration with the National Commission for Civic Education, STAR Ghana and the Ministry of Finance. The EU delegation is planning a programme on anti-corruption, access to justice and the rule of law for 2022.

**5. Multilateral context:** Ghana has signed and ratified most existing human rights instruments, including several International Labour Organization (ILO) conventions. The next UN Universal Periodic Review is scheduled for early 2023. In 2021, the EU delivered démarches on the UNGA First Committee (regarding the draft Resolution on UNSG Mechanism (SGM) for Investigation of Alleged Use of Chemical and Biological Weapons and the draft Resolution on Promoting International Cooperation on Peaceful Uses in the Context of International Security); and on the UNGA Third Committee (the resolutions on Myanmar, DPRK, Freedom of Religion or Belief, Rights of the Child, Women's and Girl's Rights and Gender Equality), as well as on the Death Penalty. In general, Ghana's government aligned with the EU positions, with few exceptions.

## Guinea Bissau

**1. Overview of the human rights and democracy situation:** The economic impact of the COVID-19 pandemic has further inhibited the sustainable development of the country and is causing additional social tensions. After assuming power in February 2020, President Sissoco consolidated his power during 2021. This meant to some degree a stabilisation, but the situation remained volatile, as demonstrated by the recent coup attempt. Besides, the regime, formally a semi-presidential system, showed an increased tendency towards a system dominated by the executive branch. Several opponents have left the country and face legal prosecution should they return. Guinea-Bissau is still facing many challenges impeding the improvement of the living conditions of the population, as well as the full enjoyment of their human rights. Freedom of the media remains a serious issue. Radio stations and other media that are critical of the regime have been closed or aggressed. Other significant human rights issues include cases of cruel, inhuman or degrading treatment; harsh and life-threatening prison conditions; arbitrary arrest and detention; independence of the judiciary; corruption; lack of investigation of and accountability for crimes of violence against women and girls; trafficking in human beings; and child labour. Members of the security forces are reported to commit some abuses, despite the fact that the government has mechanisms to investigate and punish such behaviour.

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

*Protecting and empowering individuals*: Civil society is active in Guinea-Bissau but suffers from a lack of resources and capacity, despite the support from 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 World Health Organization 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***:** The six-point road map entitled "Agreement on the Resolution of the Political Crisis in Guinea-Bissau", if correctly implemented following the Conakry Agreement, should pave the way to the reforms of the justice system, the security sector and the constitution, and contribute to building a resilient, inclusive and democratic Bissau Guinean society. Several projects aim to consolidate 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 network of National Human Rights Institutions. Similarly, efforts to be part of Inter-Parliamentary networks should be encouraged. Regarding freedom of the media, a European Instrument for Democracy and Human Rights (EIDHR) project supported the protection and promotion of the human rights of journalists and professionals of social communication in 2021. Another pilot EIDHR project aimed to create adapted and formal programmes in the area of citizenship and human rights education. Finally, an European Development Fund 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.

**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 (roughly EUR 150 million portfolio for the period 2014-2021) represents the main leverage and policy tool and is aligned to the country's national and sectorial development strategies.

**5. Multilateral context:** As a staunch supporter of effective multilateralism, the EU delegation is closely working with other partners – and the UN family in particular. As regards EU Member States, there has been strong cooperation as Team Europe in the fight against the COVID-19 pandemic. Guinea-Bissau has been asked again to establish an independent National Human Rights Commission. Guinea-Bissau is a party to the eight core international human rights instruments (and is expected to ratify a number of Optional Protocols). These include 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 ICESC, 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 to respond favourably to the visit request made by the Working Group on Arbitrary Detention. The last UN Universal Periodic Review took place in January 2020, and Guinea-Bissau agreed to examine 197 recommendations.

## Guinea

**1. Overview of the human rights and democracy situation:** The first two quarters of 2021 have been characterised by a "stand by" situation, with a third mandate for the then president Alpha Condé forcibly imposed to the population, largely unsatisfied of the situation and pauperised by the economical and sanitary crisis. The health situation in Guinea remained worrisome throughout the year, as in March 2021 the country experienced five simultaneous epidemics (yellow fever, measles, poliomyelitis, Ebola and COVID-19). Suspected cases of Lassa fever and Marburg were also reported during the summer 2021. This situation facilitated the tasks of the government's promoters, as the state of emergency including a curfew, a ban on large gatherings, restrictions on movement and closure of borders - in force since March 2020 – was confirmed. This had not only an impact on the freedoms of assembly, but also a particularly negative impact on the economic situation of the weakest households.

On 5 September 2021, elements of the Guinean Armed Forces assaulted the presidential palace and captured President Alpha Condé. Colonel Doumbouya, head of the 'National Rally for Development Committee' (CNRD), dissolved the government and the National Assembly, and repealed the 2020 Constitution, which was adopted for the sole purpose of enabling Alpha Condé's third term of office. In October, Colonel Doumbouya, President of the CNRD, was sworn in as President of the Transition. He appointed the Prime Minister on 6 October and then the Transitional Government on 5 November. A Transition Charter was published on 27 September, announcing a roadmap and its chronogram, as well as the establishment of a National Transition Committee (CNT) responsible for drafting the new Constitution. In January, the 81 CNT members were appointed, a generic roadmap was published, but the duration of the transition remains unknown.

**2. EU action – key focus areas:** Due to the above circumstances, the Multiannual Indicative Programme 2021-2027, on which the EU's human rights and democracy priorities are based, was adapted to the new context, giving more weight to the governance and democracy areas.

Among the priorities that remain unchanged:

- the priority 'Justice for the victims of the massacre of 18 September 2009',
- the EU delegation is waiting to know the details of the organisation of local, parliamentary and presidential elections, as well as the referendum for the adoption of a new constitution announced by the Transitional Government. All resources will be mobilised to support aspects that will ensure democratic, transparent, credible and inclusive electoral procedures: the renewal and security of the electoral register, the

creation of a new body for the management of the electoral procedure (the CENI was also dissolved), the renewal of the Electoral Code, the definition of the draft Constitution, the organisation of elections, the prevention of electoral violence, election observation, double voting through civil society, the training and mobilisation of civil society as promoter and monitor of the democratic process, the role of the media and the fight against fake news, etc.

**3. EU bilateral political engagement:** Political dialogue was almost non-existent in 2021, in particular due to the political and security situation before and after the coup d'état in September 2021.

The EU delegation and France took part in the Steering Committee organised by the Minister for Justice and Human Rights in December 2021 in order to confirm the importance the EU reserves for the organisation of the trial against the alleged perpetrators of the massacre at the Conakry stage on 28 September 2009. Additionally, as part of the promotion of and respect for human rights, the EU delegation and all the Member States in Guinea (Belgium, Germany, Spain, France and Italy) organised several events for the day of combatting violence against women and girls and during the 16 days of activism, up to the International Human Rights Day.

**4. EU financial engagement:** In implementing the EU human rights and democracy priorities for 2021, the EU delegation supported five projects:

- The implementation by Lawyers without Borders project, which started in January 2021, aiming to ensure close monitoring of human rights violations in Guinea in a context weakened by a political crisis and the COVID-19 pandemic. The specific objectives of the project are to establish monitoring and analysis of developments of the human rights situation and to strengthen the research capacities of Guinean civil society (research methodology, evidence gathering, etc.) and advocacy with the national, international and UN authorities (EUR 0.4 million).

- A second ongoing project is being managed by the Belgian NGO, Coginta, in collaboration with the two co-applicants *Les Même Droits pour Tous* and the *Organisation Guinéenne de défense des Droits de l'Homme*. The overall objective is to support civil society organisations in consolidating the rule of law by strengthening access to justice for persons in vulnerable situation and strengthening the fight against impunity (EUR 1.75 million).

- The third project, implemented by the local NGO *Association pour la Promotion et le Développement de l'Entrepreneuriat Jeunesse*, aims to contribute to the abandonment of harmful practices (early pregnancies, HIV/AIDS, sexual violence, non-spacing of births, non-registration of births, female genital mutilation and child marriages) that violate women's and girls' rights (EUR 0.2 million)

- The main objective of the fourth project, implemented by *Les Mêmes droits pour Tous*, is to carry out information and awareness-raising activities, as well as advocacy to prevent gender-based violence. The main activities are directed towards the fight

against impunity of the gender-based violence and to ensure that all cases are brought before the competent judicial and/or non-judicial authorities (EUR 0.3 million).

- The last project — signed at the end of 2021 — aims to protect the environment and the right of urban populations to a decent habitat. The project — managed by Enabel — aims to improve access for urban populations to household waste management services. Currently, the collection of waste in these districts is carried out on a small scale and there is no control by the public authorities of the final waste treatment after collection. This action will support the role of public authorities in adopting environmental regulations to ensure a safe, clean, healthy and sustainable environment in their application (EUR 10 million).

To make use of the European Instrument for Democracy and Human Rights funding in 2021, the EU delegation engaged in negotiations with two civil society organisations, defenders of the rights of LGBTI persons and victims of the 28 September 2009 massacre. However, the recent political events (coup d'état in September) slowed down the conclusion of these negotiations and led to a revision of the EU human rights and democracy priorities, in order to put a strong focus on democracy and all its components.

**5. Multilateral context:** The EU delegation has approached the Guinean Government to obtain its support on five resolutions promoted by the EU at the 75th United Nations General Assembly.

## Kenya

**1. Overview of the human rights and democracy situation:** Kenya continues to set higher human rights and democratic standards than most countries in the East African region and the wider continent, based on its progressive 2010 Constitution. As Kenya goes into an election year in 2022, freedom of expression and civil liberties are broadly respected, albeit with caveats. Kenya's media is free, even if editorial lines are influenced by political interests. The print media has been suffering from lower revenues and staff cutbacks. The higher echelons of the judiciary are fully independent and function to a high standard, but the judiciary as a whole faces financial shortages curtailing access to and execution of justice for many Kenyans.

In spite of the comparatively positive picture, Kenya continues to face a series of major challenges. President Kenyatta himself has highlighted corruption as a major scourge in the recent past. According to Transparency International's Corruption Perception Index (CPI) 2021, Kenya ranked 128th out of 180 with a score of 30 out of a possible 100. Despite convictions in a number of lower level cases in 2021, many other cases are still pending. The year 2021 has also seen a rise in disappearances and extrajudicial killings, the highest number since 2010 when the current Constitution came into force. The African Commission's Special Rapporteur on Human Rights Defenders has documented a number of cases of violations against human rights defenders in Kenya. Kenya's economy has demonstrated resilience to the COVID-19 shock in 2021. However, the pandemic is disproportionally affecting poor/subsistence-level farmers and young business owners, female-owned businesses and the tourism sector, which has led to economic and social vulnerabilities, in particular an increase in sexual and gender-based violence and teenage pregnancy, inter-ethnic conflict in

marginalised region (further exacerbated by climate change), and land and property related challenges.

Ahead of elections in August 2022, the government has gradually released funding for the Independent Electoral and Boundary Commission and appointed Commissioners to the vacant posts, as well as supported preparations by other independent bodies for the elections. However, worryingly for Kenya's longer term democratic prospects, young people see Kenya's politicians as increasingly out of touch with their daily realities. A study of trends in 2021 amongst 4.4 million young Kenyan social media users showed that in that sample young Kenyans are divided between the extremely angry (20%), the apathetic/apolitical (60%), with the remainder (20%) only mildly interested in politics.

**2. EU action - key focus areas:** In 2021, the EU's key focus areas in line with the EU Action Plan for Human Rights and Democracy (2020-2024) included: i) Protecting and empowering individuals; ii) Building resilient, inclusive and democratic societies; iii) Promoting a global system for human rights and democracy; iv) New technologies: harnessing opportunities and addressing challenges; v) Delivering by working together.

**3. EU bilateral political engagement:** The EU proactively pursued the setting up of the EU-Kenya Strategic Dialogue in 2021 through the visit of the President of the European Council Charles Michel to Kenya in March 2021 and a reciprocal visit by President Kenyatta to Brussels in May. The EU-Kenya Strategic Dialogue covers a variety of sectors, including governance and human rights issues and Implementation work has started.

The EU launched consultations and finalised a new EU Civil Society Roadmap for Kenya and worked closely with UN Women on a Country Gender Analysis, which informed the formulation of the Country-Level Implementation Plan foreseen under the Gender Action Plan (GAP) III.

**4. EU financial engagement:** The EU launched and finalised the formulation of the Multiannual Indicative Programme 2021-2027 for Kenya in which 'Leaving no one Behind' and 'Democratic and Economic Governance' feature as priority areas with substantial funding allocations.

The EU delegation continued implementation of the Programme for Legal Empowerment and Aid Delivery (PLEAD) in Kenya, the largest access to justice programme in Africa south of Sahara, which despite COVID-19 challenges, continues to be a very successful, strongly and proudly owned, Kenyan justice reform programme. The access to justice component led by the UN Development Programme disbursed new grants to Kenyan human rights organisations throughout the year. A Financing decision of EUR 35 million was adopted in December 2021 to continue a second phase of the PLEAD programme to be implemented in 2022-2028.

A new EUR 4.7 million contribution agreement to support a multi-donor basket on 'Deepening Democratisation' was signed with UNDP. The basket fund includes human rights activities implemented by UN OHCHR and women's political empowerment activities implemented by UN Women.

The European Instrument for Democracy and Human Rights (EIDHR) portfolio in Kenya consisted of eight contracts. The portfolio is healthy and contains projects on a wide variety of human rights and access to justice issues including actions to support persons with disabilities and persons belonging to minorities. A 2020 direct award to the Kenyan National

Human Rights Commission has produced insightful and timely monitoring reports on the impact of COVID-19 on Kenyan citizens' human rights including the persons in the most vulnerable situations.

The EU did not launch new calls for proposals under the EIDHR, nor the 2021 Special Measures budget lines, as it was decided to prioritise the remaining amount of the 2020 EIDHR budget towards a direct award to the largest and most credible domestic elections observer network, ELOG.

As COVID-19 responses were prioritised in 2020/2021 and support to promoting democratic governance is a priority for the EU in Kenya in 2021/2022, the funding flow reflects a direct link to the political priorities.

The EU delegation ran a social media campaign on the promotion of human rights and the fight against gender-based violence from mid-November to mid-December 2021 featuring several EU human rights priorities, policies and EU-funded projects addressing these issues.

**5. Multilateral context:** Since June 2020, Kenya has been elected for a non-permanent seat at the UN Security Council in 2021-2022.

Since its third Universal Periodic Review at the UN Human Rights Council in January 2020, Kenya has been working to implement the recommendations, notably on women's rights, female genital mutilation, civic space, fighting against corruption, strengthening the judiciary and accountability of the security forces.

## Kingdom of Lesotho

**1. Overview of the human rights and democracy situation:** In 2021, the reform process in key sectors and institutions like the Constitution, the Judiciary, the Parliament, the law enforcement agencies, and public services, the media and the economic policy has advanced only slowly and an October 2021 deadline for their completion was missed. It subsequently picked up pace at the end of 2021. The National Reforms Authority (NRA), in charge of the elaboration and implementation of the reforms developed an Omnibus Bill, including constitutional amendments, the Referendum Bill, Media Policy Bill, and the Floor- crossing Bill. The Omnibus Bill was under review of the Parliament and reached the stage of individual committees. Some other achievements included the adoption of the National Security Policy and Code of Conduct as well as the establishment of a National Security Commission. The Southern African Development Community (SADC) extended NRA's tenure by six months, to April 2022, and there is increasing pressure to complete some critical reforms before the general elections planned for September/ October 2022, especially those relating to the electoral system.

Observing and respecting human rights remains critical to attaining peace and stability in the country. This was illustrated by the many reports of police brutality, gender-based violence, dismissals and promotions within the police force and activities of criminal gangs. In addition, Lesotho still has underlying issues of trafficking in human beings and its efforts to address these issues are hampered by weak judicial institutions and high levels of corruption.

After a lengthy delay, the high-profile trial of the Minister of Development Planning and leader of the Movement for Economic Change, of the former Commander of the Lesotho Defence

Forces, and other members of the army is underway. They face charges that include murder, attempted murder and aggravated assault. They were charged together with former Deputy Prime Minister and the leader of Lesotho Congress for Democracy, who is at large.

**2. EU action – key focus areas**: A major focus of the EU has been to provide emergency support to the Lesotho Judiciary to assist them in delivering fair and timely justice. In addition, the EU has strongly supported the national reform process. Following the signing of a Financing Agreement in support of the national reforms process and the justice sector in 2020, the EU signed a EUR 2.5 million agreement with UNDP, directly supporting the work of the National Reforms Authority. The EU continued supporting CSOs.

**3. EU bilateral political engagement:** Throughout the year, the EU continued to engage actively with the government, including through the Article 8 Political Dialogue on 20 April 2021. Some of the main issues of concern addressed during the Dialogue were the continuous political instability, the need to expedite the reform process, in particular in the administration of justice. Furthermore, the EU maintained good relations with other international agencies such as the UN, local NGOs, opposition parties and likeminded development partners.

**4. EU financial engagement:** During 2021, the EU, through the 11th EDF, continued to provide financial support to various social protection and development projects in Lesotho. One of them is managed by UNICEF which implements, in cooperation with the Ministry of Social Development, the child grant programme, orphan bursaries and old-age subsidies. In 2020, the action received a EUR 5.5 million top up which has been used for cash transfers to mitigate socio-economic effects of the COVID-19 pandemic in 2021, bringing the budget for the whole action to a total of EUR 21.5 million. NGOs that received funding in 2021 include Lesotho Media and Development/ She HIVE-Association, Transformation Resource Centre and World Vision Ireland/ Lesotho. These organisations were awarded new contracts in 2021. Their work focuses on the rights of the child, human rights violations by security forces, and the sensitisation of security forces to matters of human rights. The EU remained engaged in assisting the Lesotho Judiciary through the Instrument Contributing to Stability and Peace by providing funding for foreign judges. The EU further supported the World Food Programme (WFP) by contributing EUR 1.5 million to mitigate the adverse effects of the drought and to support existing WFP efforts in building long-term resilience and providing food access to vulnerable communities.

**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, despite having the death penalty still in place, there has been no execution since 1995 and normally, death sentences are converted into life sentences. Lesotho is also a State party to major international human rights instruments even though it did not ratify some of them, including the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure or the Migrant Workers Convention. The country's last UPR session was held on 22 January 2020 and identified considerable strides made by Lesotho such as the adoption of the Anti-Trafficking Bill of 2020, which seeks to combat trafficking in human beings by sentencing convicted perpetrators to life imprisonment. The Government enacted the bill in January 2021. The National Human Rights Commission is expected to be established as soon as the bill is passed in Parliament.

## Liberia

**1. Overview of the human rights and democracy situation:** In 2021, Liberia remained a fragile country, marked by economic, social and governance challenges, heightened by the ongoing pandemic, as well as by institutional fragility. The widespread prevalence of sexual and gender-based violence, including female genital mutilation (FGM), remains the major outstanding human rights challenge, along with the rights of LGBTI persons and prison conditions. The Election Follow-up Mission deployed in April-May noted limited progress in implementing the recommendations offered by the 2017 EU Election Observation Mission ostensibly due to lack of political will. By-elections for the House of Representatives in four counties in November unfolded peacefully and Liberia passed another important test for its democracy and peace consolidation process. The elections again proved the capacity of the country and its administration to conduct a transparent, credible and inclusive national election. Some minor incidents occurred without tarnishing the overall process. While some negative effects of the COVID-19 pandemic have started receding, the economy remains vulnerable and food security situation remains vulnerable. The management of the crisis confirmed institutional and governance challenges, in particular with regard to transparent fund management. Incidents of police violence and overcrowded prisons remain challenging. Despite Liberia's strong tradition in freedom of expression and press freedom, some incidents affecting journalists or media at local level were recorded. On transitional justice, a court from Tampere, Finland conducted hearings of witnesses in Liberia as part of the ongoing trial of a Sierra Leonean national accused of war crimes allegedly committed in Liberia in 2003. The judgement in the case is expected in early 2022.

**2. EU action – key focus areas:** In 2021, the EU and Member States continued implementing the EU human rights and democracy priorities. As in previous years, issues of good governance, accountability and transparency remained, as well as human rights challenges, notably sexual and gender-based violence, FGM, the rights of LGBTI persons, press freedom, and abolition of the death penalty.

**3. EU bilateral political engagement:** During the ninth EU-Liberia Political Dialogue on 12 March, the EU acknowledged the Government's commitment to fight sexual and gender-based violence, while recalling that it remains widely spread. The EU stressed that FGM is a grave human rights violation, and reiterated its regret that the President of Liberia had still not issued an executive order to ban FGM as promised during his visit to the EU Institutions in 2018. The EU recognised the ongoing dialogue with traditional actors and the necessity to make progress through persuasion, but reiterated that a legal ban on FGM remains necessary, Liberia being one of the four countries in the world, (three in Africa) that did not criminalise FGM.

In September, the EU partnered with the Press Union of Liberia at its 57th Conference in Voinjama, Lofa county, in support of press freedom. The EU is working together with Government and media stakeholders on activities to counter hate speech and inflammatory messages. The EU has engaged a cooperation with the Liberian health institutions and partners to contribute to the vaccination campaign, including through radio interviews and active visibility actions together with vaccination centres in several of the counties. The EU contributed to the 16 days of activism against sexual and gender-based violence and a related

joint statement by like-minded partners. EU and Member States present in Liberia also contributed to the diplomatic monitoring of the by-elections.

**4. EU financial engagement:** An EU Election Follow-up Mission (EFM) visited the country in April 2021 assessing the status of the recommendations issued after the general elections of 2017. The recommendation of the EFM report will guide the EU support to the elections cycle (the next general election is in October 2023), as foreseen in the multiannual programme 2021-2027.

Liberia is one of the eight African countries chosen to be a partner of the EU-UN Spotlight Initiative (launched in 2019). The initiative was adapted to address the vulnerability of women and girls during the COVID crisis. The four-year programme is implemented by the UN, the Liberian Government, CSOs, traditional actors and the private sector, with an EU contribution of nearly EUR 16 million for the first two years. Among other actions, the EU, in partnership with Sweden and the UNDP, donated forensic equipment to support prosecution of perpetrators of sexual and gender-based violence. The installation and use of this equipment is outstanding and requires close monitoring in 2022.

In 2020 and 2021, the EU and its Member States backed the government 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 nearly EUR 2 million. Ongoing EU projects were adapted and funds reallocated to address specific COVID-19 challenges. EU and France contributed with vaccines through COVAX. The EU contributed actively to the vaccination campaign with a project funded by the European Commission of EUR 1 million implemented with Liberian health institutions, CONCERN and the International Rescue Committee. This included active outreach in several counties and radio interviews.

Under the European Instrument for Democracy and Human Rights (EIDHR), four projects, implemented by local and international NGOs, were active in 2021. They focused on: i) civic engagement and community based psychological support (CBS) in three counties (Gran Kru, Bong and Sinoe). This project is in synergy and coordination with Sweden support to CBS in other counties. ii) freedom of information and freedom of expression. The intervention addresses journalists' capacity building in freedom of information, supporting the request of revision of the Freedom of Information Act (dated 2010) and addressing the need of a proper personal data privacy law. It also works on hate speech and fake news mainly with communities and via radio programs. iii) The third project is working in collaboration with the Ministry of Justice on the human rights of persons in detention. In the framework of the COVID-19 pandemic, it contributed to support vaccination of detainees in 4 correctional institutions with an average success rate of 50%. iv) The last project aims at enhancing the capacity and autonomy of organisations of persons with disabilities to engage in the socio-economic empowerment of the deaf and hard of hearing persons in Liberia.

**5. Multilateral context:** Liberia has ratified the main international human rights instruments, but many still need to be integrated into domestic law. Liberia joined 22 EU Member States in co-sponsoring a Cross-regional joint statement on Xinjiang tabled by France in the UNGA Third Committee on 21 October 2021; it was the only African country to do so, apart from Eswatini,

which is the last African country to keep diplomatic recognition of Taiwan. Liberia, with a strong engagement of President George Weah, has played a constructive role in support of peace, stability and democracy in the West Africa region, notably on democratic transition in Guinea.

## Madagascar

**1. Overview of the human rights and democracy situation:** The situation in Madagascar presents a number of important challenges, characterised by extreme poverty, including insecurity in some areas, poor access to primary healthcare and education, vulnerability to climate change, lack of transparency, widespread corruption, cases of restrictions of freedom of expression and assembly, serious violations in gender equality and the rights of the child, and very poor detention conditions. Some issues have been exacerbated by the COVID-19 pandemic.

Despite efforts to reform the judicial system, guaranteeing all detainees access to a fair trial within a reasonable timeframe remains a challenge. In generally overcrowded prisons, persons in detention often experience psychological abuse, malnutrition, and lack of access to healthcare that could be lethal. Around half of the detainees are in pre-trial detention. Decreasing trust of the population in an inefficient and underfinanced judiciary system, affected by corruption, has led to an increasing number of cases of mob justice.

Although steps have been taken in the field of empowerment of women, violence against women and children remains a serious problem. According to UNICEF, many children suffer physical abuse at school or in their families. Completion rates and quality of primary education are low, reflecting weaknesses in teachers' training. Access to basic healthcare can be difficult or unaffordable, and the healthcare system remains affected by corruption. In some rural areas, the population is vulnerable to criminal activities, due to a weak presence of the State. Due to the humanitarian crisis in the South, 1.64 million people were facing high levels of food insecurity by the end of 2021.

The influence of business people and politicians, who own many media outlets, leads to widespread self-censorship among journalists. Cases of intimidation are reported. Publicly expressed intentions to strengthen government control of social media will have to be closely monitored.

Limitations to peaceful demonstrations, especially those organised by the opposition, have been registered.

A significant problem remains the lack of transparency in public spending. Two years after the beginning of the pandemic, the Malagasy people and the international community have not received a clear and exhaustive report on the government's expenditures related to the different components of the COVID-19 response. The Malagasy Court of Auditors has so far not published the report on its audit of the Government's 2020 expenditures related to the COVID-19 response.

Whistleblowers and human rights defenders lack efficient protection and a draft law to protect them is still pending. A whistleblower working in the Health Ministry had to face trial. A reform of the specialized jurisdiction for corruption (the "Pôles Anti-Corruption") has weakened their role in the fight against corruption.

**2. EU action - key focus areas:** In 2021, transparency and the fight against corruption were a focus of EU action, aiming at building a resilient, inclusive and democratic society via support to institutions, NGOs and civil society, including:

- Ministry of Justice: mainstreaming and operationalisation of the digitalisation of courts;
- Court of Auditors: technical assistance to the adjustment of AUGURE – the State's human resources management system, implementing the results of the Court's audit;
- Ministry of Finance: preparation of the budget and first steps towards the transition to an efficient program-driven budget, especially in health, education and justice sectors;
- Transparency International: strengthening of citizens' education and engagement against corruption and in support of human rights and democracy in Madagascar;
- Civil society: capacity building in the areas of budget analysis and efficient lobbying;
- Consortium of NGOs: analysis and establishment of a lobbying strategy concerning i) COVID-19 expenditure management and ii) access to and management of funding for health and education at local level;
- Fanainga (formerly "Fonds Commun Multi-Bailleur d'Appui à la Société Civile"): strengthening of capacities of CSOs to become a crucial development player in favour of the most vulnerable and marginalised people and communities in view of triggering sustainable social change;
- Hirondelle foundation and Studio Sifaka: fostering a culture of dialogue through media contents encouraging the population to participate in public debate;
- Safidy, a local election observatory established by the EU: consolidating local election observation capacities in view of the 2023 presidential elections, promoting the implementation of recommendations by the 2018 EU Election Observation Mission.

In addition, the EU organised 16 days of activism against gender-based violence. Several Malagasy stakeholders participated in these events. In the framework of the festival of European cinema, a film on the situation of LGBTI persons was screened, followed by a public debate and a joint declaration of EU and like-minded partners.

**3. EU bilateral political engagement:** Respect for human rights is an essential element of the EU's political dialogue with Madagascar. At the third political dialogue meeting under the presidency of Andry Rajoelina in November 2021, the EU encouraged the government to implement recommendations issued by the 2018 EU Election Observation Mission with a view to further improving the elections framework in view of the 2023 Presidential elections. The EU also highlighted specific human rights issues, like the situation of detainees in prisons, malnutrition, the right to health (including vaccination against COVID-19) and gender equality. Deforestation, trafficking of natural resources and access to land were also discussed. The EU also encouraged further progress in the area of freedom of expression and democratic space.

**4. EU financial engagement:** The European Instrument for Democracy and Human Rights (EIDHR) and CSO country allocations funded various projects accompanying vulnerable populations: persons with disabilities, children, women, youth, delinquents (women, minors). In 2020, the CSO budget line focused mostly on the COVID-19 response, notably mitigation of the socio-economic impact and building resilience of communities; those projects ended in 2021. The EIDHR focused on the monitoring by the CSOs of the transparency and efficiency of national COVID-19 response and the youth participation, notably through the media with the financing of Studio Sifaka. Regarding the EDF funding, the EU has implemented the DINIKA II

project to strengthen civil society (EUR 8 million) via the creation of the autonomous civil society fund “Fanainga”. A project of EUR 18 million for the period 2014-2022, entitled “Administration for all" continued in 2021. It aimed at strengthening the efficiency and integrity of public administration.

**5. Multilateral context:** During the Political Dialogue held in November 2021, the EU encouraged the Malagasy Government to support the EU priorities in the 76th session of the UN General Assembly Third Committee. Following the 2019 Universal Periodic Review (UPR), Madagascar, among other things, pledged to strengthen efforts to combat discrimination and violence against women, to reform the penitentiary system and to strengthen efforts in the fight against corruption. In 2021, the donors’ group tasked with tracking progress on the UPR recommendations noted that several legal initiatives were still pending (implementation decree on gender-based violence, draft Law on Protection of Human Rights Defenders and Whistleblowers). The group also discussed the security and human rights situation in the South, notably the lack of a clear mandate for security tasks taken over by the military.

## Democratic Republic of Malawi

**1. Overview of the human rights and democracy situation:** Malawi has experienced a relatively stable human rights situation in 2021. In its first year in office, the Tonse Alliance[11] administration, led by President Lazarus Chakwera, has advanced a good governance and rule of law agenda. The president and his ministers have availed themselves before parliament and to the public through the media with regular updates on ongoing activities to promote accountability and transparency.

The President has in particular taken a strong stance on corruption. In 2021, the president fired two high-ranking cabinet ministers over alleged misuse of public funds. Several former ministers, influential politicians and civil servants were also arrested and charged with various corruption-related offences. Furthermore, to tackle corruption, key governance institutions such as the Anti-Corruption Bureau, the Malawi Human Rights Commission, and the Office of Ombudsman were granted independence and significant government funding. An Independent Complaints Commission was also set up with the intention of investigating police conduct and holding officers to account.

In 2021, the COVID-19 pandemic continued to have 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 and rape).

The socio-economic situation has proved challenging for the country’s estimated 134,000 persons with albinism. While there has been a decline from previous years, the police have still recorded at least nine cases of killings, abduction and grave tampering in 2021.

There has been movement with regard to abolishment of the death penalty. In April 2021, the Supreme Court ruled

Activities included a Safe Schools intervention that has taught up to 262 adolescent learners how to detect sexual gender-based violence incidences and led to the identification of 941

[11] The Tonse Alliance is a coalition of then nine opposition political parties voted into power in June 2020. It is led by President Chakwera of the Malawi Congress Party (MCP) and Vice President Saulos Chilima of the United Transformation Movement (UTM)

that the death penalty was unconstitutional but the judgement was reversed a few months later. There are currently 27 persons on death row.

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

*Protecting and empowering individuals:* Through the flagship Chilungamo (Justice and Accountability) programme, the EU supported the Legal Aid Bureau in providing pro-poor services in 775 cases. Similarly, the Malawi Human Rights Commission and the Office of the Ombudsman were supported to collectively handle 974 cases.

The EU moved into the second phase of the joint EU-UN Spotlight programme with a contribution of up to EUR 8 million. This helped to address cases of child marriage and their immediate referral to relevant authorities and actors for action.

The Improving Secondary Education in Malawi (ISEM 1 – EUR 36 million) programme helped providing bursaries to 3400 students. The ISEM II project started in 2021 and the bursary scheme continued. The Skills and Technical Education programme has complemented this, by providing bursaries for youth attending post-secondary education, to ease their transition into employment.

*Building resilient, inclusive and democratic societies*: The EU continued supporting the UNDP-managed Malawi Electoral Cycle Support Basket Fund, with a focus on electoral reform. In October, the National Taskforce on Electoral Reform, presented to the Minister of Justice, four draft electoral reform bills. Several reform proposals aligned to recommendations of the 2019 EU Electoral Observation Mission.

*Promoting a global system for human rights and democracy*: The EU strengthened its relations with key electoral actors and agencies. The Malawi Electoral Commission expressed its openness to an EU Election Follow-up Mission in 2022, as well as to a scoping mission.

*New technologies: harnessing opportunities and addressing challenges:* The UNDP National Registration and Identification System Project was extended for two more years. In December 2021, up to 10.5 million Malawians had been registered and issued with a National Identification card.

*Delivering by working together*: The EU and the German embassy, via KFW supported the government with a temporary expansion of the target group (horizontal expansion) called COVID-19 Urban Cash Intervention to beneficiaries in urban and peri-urban areas, who were particularly affected by the pandemic. Approximately 85,000 beneficiaries received EUR 39 minimum wage for three months.

**3. EU bilateral political engagement:** Throughout the year, the EU continued to engage actively with government, despite the COVID-19 pandemic, including during the Political Dialogue on 4 June 2021. It covered issues of corruption, prison conditions, death penalty and the status of LGBTI persons in the country, among other topics. Subsequently to the political dialogue meeting, the EU also met President Dr. Lazarus Chakwera and was briefed on the president's assessment of his first year in office. The EU has also engaged with human rights defenders, civil society and media organisations. Finally, as part of the Multiannual Indicative Programme, the EU held consultations with the government in the area of governance.

**4. EU financial engagement:** During 2021, 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 situation (in particular victims of hate crimes or gender-based violence), public

finance management and promoting the civic space in Malawi. In 2021, the EU successfully wound up several EIDHR grant contracts, including a project aimed at increasing young women's participation and meaningful representation in active politics. Positive results and lessons learned from this project have set the foundation for increased support in this area under a forthcoming new Malawi Democratic Governance Action, still under formulation.

**5. Multilateral context:** In 2021, Malawi began its three-year term of office on the United Nations Human Rights Council. In Malawi's Universal Periodic Review report of March 2021, most previously noted recommendations were supported including those pertaining to sexual and reproductive health and rights, family planning and contraception, and criminalisation of marital rape. Malawi did not, however, support some recommendations, including the elimination of the death penalty, decriminalising consensual same-sex relationships and fighting discrimination against LGBTI persons.

## Mali

**1. Situation générale des droits de l'homme et la démocratie**: La situation des droits humains s'est globalement dégradée durant l'année 2021 qui a été marquée par un second coup d'Etat le 24 mai opéré par le Vice-président de la Transition Assimi Goïta, à peine 9 mois après le premier coup d'août 2020. Bien que les Organisations de la Société Civile (OSC) maliennes évoluent dans un environnement relativement propice garantissant notamment la liberté d'association, la liberté d'expression et la liberté de chercher des financements au Mali ou ailleurs, on assiste à un rétrécissement progressif des libertés individuelles et collectives. Des incidents ont été relevés en 2021 concernant des interruptions des réseaux sociaux, l'intimidations de journalistes et d'animateurs-radio.

Toutefois, la lutte contre la corruption a connu certains progrès. La mise en lumière de cas emblématiques touchant des anciennes autorités (notamment plusieurs anciens premiers ministres) affiche une volonté de restaurer la soumission de tous les citoyens à la loi, quel que soit le rang. Cependant, il convient de rester attentif au risque d'une justice sélective, qui aurait pour effet de porter atteinte à l'existence même d'une opposition, garante de la vitalité des démocraties. Dans ce contexte, les dénonciations conduites par des organisations de défense des droits de l'homme (principalement la Commission nationale des droits de l'Homme (CNDH) qui est une autorité étatique) nationales et internationales doivent inciter à un suivi particulier.

Le budget de la justice représente en 2021 1% du budget national, en légère augmentation depuis 2018, mais demeure très bas et fait toujours de la justice l'un des secteurs les moins bien dotés en termes de financement. Une redynamisation de la justice militaire semble s'être opérée en 2021. L'audition des premiers cas de violation des droits de l'Homme serait envisagée par la justice militaire malienne pour 2022.

Le rapport de la Commission d'enquête internationale (Sundh), financé par plusieurs Etats membres, n'a toutefois pas suscité de réaction gouvernementale. Pour autant le Ministre de la justice a demandé à ses services de développer une politique pénale ainsi qu'une stratégie des enquêtes et des poursuites concernant la lutte contre l'impunité des crimes contre l'humanité.

**2. Action de l'UE - domaines prioritaires**: La stratégie démocratie et droits de l'Homme de l'UE est cohérente avec le Programme Indicatif Multiannuel 2021-2027 du Mali, qui vise notamment à soutenir le respect des droits de l'homme et l'égalité des genres, pour renforcer la relation de confiance entre l'État et le citoyen.

L'approche de la programmation du NDICI est fondée sur les droits, englobant tous les droits de l'homme, avec une attention spéciale pour les groupes vulnérables. Au moins 85% des projets et programmes auront l'égalité des genres et l'autonomisation des femmes et des filles comme objectif principal ou comme objectif significatif.

L'UE présente les priorités suivantes, dont la mise en œuvre devra tenir compte de l'évolution du contexte politique:

i) Préservation de l'Etat de droit et lutte contre l'impunité : L'objectif de l'UE est de renforcer le respect de l'Etat de droit, tel qu'énoncé dans l'article 8 de l'Accord de Cotonou révisé, y compris dans les zones post-conflit, ainsi que dans l'exercice et la gestion de fonctions et de fonds publics. Cela doit passer par un renforcement de la lutte contre l'impunité des Forces de Défense et de Sécurité (notamment à travers la mobilisation des missions PSDC EUTM Mali et EUCAP Sahel Mali) afin d'accroître la relation de confiance avec les populations. L'UE entend notamment appuyer le dispositif national de promotion et défense des droits humains, comme par exemple la Commission nationale des droits de l'homme (CNDH).

ii) Les droits des femmes: L'objectif est d'une part d'encourager le développement socio-économique des femmes et d'autre part de renforcer le respect du droit des femmes par les institutions judiciaires. L'atteinte de ces objectifs nécessite la poursuite le dialogue avec les institutions maliennes sur les inégalités entre les sexes et autres discriminations ainsi qu'une implication de l'UE dans la révision du code de la famille et de la personne. Il s'agira, entre autre, de mettre en œuvre le Plan d'Action Genre (GAP) III (2021-2025) de l'UE.

iii) Les droits des enfants : Conformément à l'article 8 de l'Accord de Cotonou révisé, l'objectif sera de mettre fin au travail des enfants, en particulier dans les mines artisanales tout en éradiquant les comportements en violation claire des engagements internationaux du Mali sur les droits de l'Homme, tels que l'excision, les grossesses et mariages précoces (notamment à travers la révision de l'article 6 du Code des personnes et de la famille du Mali relatif au mariage des filles âgées de 16 à 18 ans). La résolution de la situation des enfants de la rue constituera un autre objectif. En termes d'activités, l'UE appuiera des actions auprès de l'Etat ainsi qu'auprès de la société civile, visant à lutter contre l'exploitation et abus des enfants.

**3. Engagement politique bilatéral de l'UE**: Le dialogue politique a été rendu difficile tout au long de l'année 2021, du fait du second coup d'Etat de mai et de la prolongation de la Transition sans visibilité. Le dialogue n'a toutefois pas été rompu entre le gouvernement malien et l'UE : le respect de l'Etat de droit a été évoqué par les chefs de Mission lors de leur entretien avec le Ministre malien des Affaires étrangères le 22 novembre 2021.

La communication publique sur les droits humains constitue un élément clef de l'activité diplomatique de l'UE au Mali : l'engagement de l'UE avec différents groupes de la société, via la diplomatie numérique, est un moyen essentiel de promouvoir à la fois les valeurs de l'UE et

le travail effectué par les acteurs de la société civile, notamment à travers les médias sociaux (en particulier le compte twitter et la page facebook de la Délégation). L'UE contribue ainsi à sensibiliser le public sur ses activités et ses positions en matière de promotion des droits de l'Homme.

**4. Contexte multilatéral**: En dépit du renouvèlement du mandat de la Minusma en juin 2021 pour un an, le second coup d'Etat de mai 2021 a eu un impact sur le contexte multilatéral, notamment l'exclusion du Mali des instances de la Communauté Economique Des Etats d'Afrique de l'Ouest (CEDEAO) et de l'Union africaine. La CEDEAO a adopté des sanctions individuelles en novembre puis économiques et financières en décembre 2021. En soutien à la CEDEAO, le Conseil de l'UE a pour sa part adopté un nouveau cadre de sanctions individuelles le 13 décembre 2021.

Dans la mesure du possible, la Délégation de l'UE planifiera et organisera des événements sur les droits de l'homme, notamment les journées internationales pertinentes, en partenariat avec les États membres de l'UE ainsi que les agences des Nations unies impliquées. Parmi celles-ci, la journée des droits de la femme, des droits de l'enfant, de l'Etat-civil, ou encore des droits de l'homme et contre la peine de mort, ont fait l'objet ou feront très prochainement l'objet d'efforts particuliers de communication et de visibilité.

## Mauritania

**1. Situation générale des droits de l'homme et la démocratie**: Ces dernières années la Mauritanie a effectué des avancées concrètes dans le domaine des droits de l'homme. En 2021, la Mauritanie a gagné 3 places sur l'indice de liberté de la presse de Reporters sans Frontière. Plusieurs dispositions législatives ont été révisées/adoptées en 2021 en vue d'harmoniser la législation nationale avec les instruments internationaux (i.e.: régime de sécurité sociale, modification du Code de la nationalité, loi relative aux associations, aux fondations et aux réseaux). Des stratégies nationales ont également été définies pour l'action humanitaire et la promotion de la société civile ; celle relative à la promotion et protection des droits de l'homme est en cours de définition. Pas d'avancée en revanche dans l'adoption de la loi contre les violences faites aux femmes et aux filles même si dans les faits des progrès sont constatés dans ce domaine avec notamment la mise en place effective de l'Observatoire national des droits des femmes et des filles, créé en 2020, et de plateformes multisectorielles de lutte contre les violences faites aux femmes et aux filles dans 8 wilayas du pays. Les réformes annoncées pour améliorer les conditions carcérales tardent à aboutir avec toutefois quelques progrès réalisés notamment pour désengorger des prisons. Même si peu de sanctions sont prononcées en application de la loi, le gouvernement semble engagé dans la lutte contre l'esclavage avec la formation de magistrats, la tenue d'une table ronde pluri-acteurs sur l'application de la loi et l'organisation par la Commission Nationale des Droits de l'Homme (CNDH) de caravanes de sensibilisation. Les autorités ont adopté en novembre 2021 une loi portant protection des symboles nationaux visant à limiter l'utilisation inappropriée des plates-formes de communication sociale jusqu'alors encadrée par aucune loi et qui a été qualifiée de recul des libertés par certaines parties. Si la peine de mort est prévue dans la loi pénale mauritanienne, un moratoire sur son application est en place dans le pays depuis 1987.

**2. Action de l'UE - domaines prioritaires**: Sur base de l'analyse de la situation des droits de l'homme en Mauritanie, du Plan d'action de l'UE en faveur des droits de l'homme et de la démocratie 2020-2024, huit domaines prioritaires ont été déterminés : i) la promotion et la protection des droits des femmes, ii) la promotion de la non-discrimination et de l'égalité, iii) l'amélioration de la gouvernance en matière de migration, iv) la promotion de la participation citoyenne, v) le soutien à l'Etat de droit et à la bonne administration de la justice, vi) le renforcement des droits économiques et sociaux, vii) le soutien à la société civile et aux institutions nationales de défense des droits de l'homme et viii) la promotion de l'indépendance et du pluralisme des médias et la lutte contre la désinformation. De nombreuses activités contribuant à l'atteinte de ces priorités ont été menées en 2021 par l'UE et les Etats membres en Mauritanie.

**3. Engagement politique bilatéral de l'UE**: En 2021, la Délégation de l'UE a poursuivi la promotion des droits de l'homme via le dialogue politique et des actions de diplomatie publique. Le sujet des droits de l'homme a été inscrit à l'agenda des deux réunions de dialogue politique formel (art.8) entre les autorités mauritaniennes, l'UE et ses Etats membres. Ces deux réunions ont été l'occasion de faire le point sur les sujets des droits de l'homme, de communiquer au plus haut niveau les priorités de l'UE et de ses Etats membres et de rappeler la disponibilité de la partie européenne à appuyer les efforts entrepris par les autorités dans ce domaine. Le dialogue franc engagé avec les autorités ont permis de délivrer des messages forts. Les audiences bilatérales tenues avec les autorités nationales, notamment les ministres de la Justice et des Affaires sociales, de l'Enfance et de la Famille, des affaires islamiques et de l'enseignement originel ou encore le Commissaire aux droits de l'homme ont été l'occasion de se livrer à un fort plaidoyer sur les Droits de l'Homme en particulier pour l'adoption de la loi contre les violences faites aux femme et aux filles et le renforcement de la société civile. Les visites du HR/VP en avril 2021 et de la RSUE en novembre 2021 ont été l'occasion de porter au plus haut niveau le dialogue sur les Droits de l'homme et de rendre visibles les actions de l'UE en appui aux victimes de violences basées sur le genre et en faveur du droit à l'éducation. En juin 2021, la Commission nationale des droits de l'Homme (CNDH) a honoré, lors d'un évènement public et médiatisé, l'Ambassadeur de l'UE en fin de mission en Mauritanie en lui décernant une médaille d'honneur pour son engagement en faveur des Droits de l'homme. En novembre 2021, l'UE a rejoint la caravane sur l'éradication du phénomène de l'esclavage organisée par la CNDH à travers les wilayas du pays ; ce fut l'occasion de réitérer l'engagement de l'UE à soutenir et accompagner les efforts du gouvernement en faveur du respect des principes fondamentaux des droits de l'homme. Les principales journées internationales ont été célébrées par des publications sur les réseaux sociaux ou par des activités culturelles (expositions photos, réalisation d'une fresque murale).

**4. Engagement opérationnel et financier de l'UE**: Les divers instruments financiers à la disposition de la DUE ont contribué à atteindre des objectifs prioritaires. On peut relever sous financement FED, le Programme d'appui à la réforme de la Justice (PARJ) qui contribue notamment à améliorer l'accès à la justice des populations vulnérables, y compris les jeunes en conflit avec la loi ou encore le Programme d'Appui au Secteur de la Santé dont les actions favorisent un accès non discriminatoire aux services sociaux. Plusieurs initiatives et projets ont été financés sous l'Instrument européen pour la démocratie et les droits de l'homme (IEDDH) en faveur de l'amélioration des conditions de détention, de lutte contre les violences basées sur le genre, de la lutte contre l'esclavage ou du renforcement du contrôle citoyen des cas de

violation des droits humains en appuyant la simplification du mécanisme de plainte auprès de la CNDH. Plusieurs projets financés par le FFU ont notamment permis de soutenir une approche de gouvernance de la migration fondée sur les droits humains et sur le respect des droits des migrants et des réfugiés ou encore de promouvoir un emploi décent pour des personnes issues de milieux défavorisés via des formations dans des secteurs comme le BTP, la pêche artisanale ou les métiers agricoles. D'autre part, le dialogue inclusif prévu dans le cadre de la Feuille de Route pour la Société Civile a permis à la DUE d'accompagner le renforcement des capacités de la société civile. Le nouveau Plan d'Action Genre (GAP) III (2021-2025) de l'UE défini avec les Etats membres porte sur 6 domaines thématiques : i) garantir l'absence de toute forme de violence à l'égard des jeunes et des femmes, ii) promouvoir la santé et les droits sexuels et reproductifs, iii) garantir les droits économiques et sociaux et l'autonomisation des filles et des femmes, iv) favoriser l'égalité de participation et le leadership, v) intégrer l'agenda des femmes, de la paix et sécurité, vi) relever les défis et explorer les possibilités ouvertes par la transition verte et la transformation numérique. Sa mise en œuvre est assurée par l'UE et ses Etats membres à travers de nombreuses actions.

**5. Contexte multilatéral**: En 2021, la Mauritanie a poursuivi son mandat de 3 ans (2020-2022) au Conseil des droits de l'Homme des Nations-Unies. La situation des droits de l'homme en Mauritanie a été examinée le 19 janvier 2021 devant le Comité des droits de l'homme des Nations Unies à l'occasion de son 3ème Examen Périodique Universel (EPU). L'évolution positive de la situation des droits de l'homme en Mauritanie a été saluée tout en soulignant que beaucoup de progrès restaient à faire. La Mauritanie a accepté 201 des 266 recommandations reçues et pris note des 65 restantes considérées comme non compatibles ou non conformes à la Constitution. Les recommandations relatives à la ratification du deuxième Protocole facultatif du Pacte international relatif aux droits civils et politiques visant à abolir la peine de mort et à l'adhésion au Statut de Rome de la Cour pénale internationale n'ont pas été retenues mais la Mauritanie a annoncé maintenir le moratoire de facto sur l'application de la peine de mort en place dans le pays depuis 1987. Des démarches conjointes ont été effectuées afin de solliciter le soutien des autorités nationales aux positions de l'UE et/ou des EM en matière de défense des droits de l'homme dans les enceintes internationales (AGNU, Conseil des droits de l'homme).

## Mauritius

**1. Overview of the human rights and democracy situation:** Mauritius has a good track record in the protection and respect for human rights and democracy. It remains among the top ranking countries in overall governance in Africa according to international standards. Mauritius has been witnessing a series of scandals unfolding simultaneously, generally linked to "urgent" tenders and major infrastructure. The fundamental human rights are well respected in Mauritius which has a good constitutional and legal framework. However, international conventions are not directly transposed into the local legislation. This means that the parliament has to approve laws that domesticate the international conventions. Mauritius ranked 61st in the 2021 World Press Freedom Index, losing six positions since 2020. Gender-based violence and abuse of children are matters of concern. The Ombudsperson for Children investigated 468 cases of abuse on children in the 2020-2021 period. 2021 also saw cases of domestic violence involving children, but there were less casualties than in 2020.

**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.

During 2021, the EU carried out the Rise and Shine gender equality campaign, aiming at raising awareness, especially among the youth, on the importance of promoting gender equality and women's rights. The campaign was mostly digital and proved to be instrumental for raising awareness and for the prevention of gender-based violence. Besides advocacy, the EU supported direct actions with civil society. The Rise and Shine campaign also contributed to the promotion of rights of persons with disabilities and the rights of the child.

Under the TAIEX instrument, the EU provided capacity building to the judiciary and civil servants for the setting up of the Children's Court. Under the SOCIEUX instrument, the EU provided technical assistance to the Ministry of Social Security for revamping the legislative framework concerning disability.

Several activities were also carried out to promote the respect of rights of the LGBTI community. The EU funded project on the social inclusion of LGBTI persons. An interfaith dialogue was organised in January 2021 with various religious leaders. Seminars were held on health issues, including the right to hormonal treatments, and the treatment of LGBTI persons in hospitals. Media were trained to correctly report about LGBTI issues. The National Human Rights Commission and "Collectif Arc en Ciel" trained police and law enforcement officers on the rights of LGBTI persons. Three cases were brought to justice against the penalisation of same-sex relations and court procedures are due to start in 2022.

**3. EU bilateral political engagement:** The EU policy priorities until 2024 were discussed at length in consultations with civil society and the government. The EU is promoting human rights in Mauritius through a three-tier approach at the level of government (legislation), human rights institutions (implementation) and CSO/NGOs (addressing the rights of groups in vulnerable situations). The EU-Mauritius Article 8 Political Dialogue took place in November 2021, as well as the High Level Policy Dialogue on Gender. This allowed for fruitful exchanges on a number of gender-related issues, including a discussion on the draft Gender Equality Bill which is still in the pipeline. Other important issues were addressed, namely the legislative framework concerning the rights of persons with disabilities and the swift promulgation of the Children's Act, the Children's Court Act and the Child Sex Offenders on 24 January.

**4. EU financial engagement:** Besides advocacy, the EU 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.

Under the 2021-2027 Multi Annual Indicative Programme, good governance has been identified as a priority sector of intervention, following wide consultations with public, private and civil society stakeholders. Priority sub-sectors are democratic governance, gender equality and promotion of human rights. National Human Rights Commission (NHRC) and the Ombudsperson for Children benefitted from capacity building under EU funded projects. The NHRC project ended on 31 December 2021 while the one with the Ombudsperson for Children will end in November 2022.

With regard to Anti-corruption and the Accountability architecture, the EU funded project with Transparency International continued raising public awareness about anti-corruption principles.

**5. Multilateral context:** Mauritius is a key ally on the multilateral stage to support an international rules-based order with the United Nations at its core. Mauritius acknowledges the central role of multilateralism for its prosperity, particularly as a Small Island State. Several démarches on human rights related matters were carried out in 2021. With regard to UNGA 2021, an outreach was carried out ahead of negotiations on resolutions on NEPAD and Causes of Conflict in Africa. Moreover, the EU and Mauritius had constant dialogue on regional matters of common interest.

## Republic of Mozambique

**1. Overview of the human rights and democracy situation:** The overall human rights and democracy situation in Mozambique remained challenging in 2021. Firstly, a focus of great concern continued to be the security and humanitarian crisis in the Cabo Delgado province, affected by acts of terror and extreme violence that resulted in over 3.500 deaths, approximately 800,000 internally displaced people and over 1.2 million people in need of urgent assistance. Secondly, the human rights situation was also adversely affected by the COVID-19 pandemic and its social and economic impacts (e.g. closure of schools and educational facilities). This exacerbated gender-based violence, early marriages, teenage pregnancies and child labour. 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 significant progress in the demobilisation, demilitarisation and reintegration. In 2021, the National Human Rights Commission presented its Strategic Plan for 2021-2025 focusing on 'human rights for peace and national reconciliation'.

The armed groups in Cabo Delgado continued to be accused of severe human rights crimes and abuses, including the recruitment of children into armed groups, kidnappings, beheadings, and sexual and gender-based violence against women and girls. Some accusations of human rights abuses were also raised against the Security and Defence Forces.

Mozambican and international journalists continued to report restrictions to their work in some areas, in particular in Cabo Delgado. For example, the editor of the independent Zitamar news outlet (a British journalist), was not allowed to remain in Mozambique. Overall, activists and human rights defenders continued working in a very challenging environment with actions of intimidation, kidnapping and assassinations yet to be investigated. Some restrictive media laws (on Social Communication and on Broadcasting) were submitted to the parliament, although they have been subsequently withdrawn.

**2. EU action - key focus areas:** In 2021, the EU continued to focus on key areas such as peace building and good governance. There was also a particular focus (through the Spotlight Initiative) on fighting gender-based violence. In March, EU Member States endorsed the integrated approach – encompassing humanitarian aid, development cooperation, peace building and security – to support the Mozambican authorities' efforts to address the challenges of a dire security and humanitarian situation in Cabo Delgado, with a strong commitment to the respect for human rights and the rule of law.

In October, the Council adopted a decision launching the European Union Military Training Mission in Mozambique (EUTM Mozambique). Its mandate is to train 11 units of Mozambican marines and commandos, including in human rights and international humanitarian law. The EUTM was deployed on the ground in November. Throughout the year the EU increased its

humanitarian assistance to internally displaced people and host communities, increased its peace building actions, focusing on community policing, community and interfaith dialogue and protection of children. It also increased its development assistance.

**3. EU bilateral political engagement:** A comprehensive political dialogue took place in Mozambique in July 2021. Various challenges related to the promotion and protection of human rights, good governance and peace were addressed. The EU and Member States held a policy dialogue on gender with the Minister in charge of Gender, Children and Social Action. The adoption of the new Multiannual Indicative Programme for the period 2021- 2024 under the new Neighbourhood, Development and International Cooperation Instrument – Global Europe in December opened the space for further support to gender issues which were defined as an overarching priority. Various meetings took place at the highest level including a mission to Maputo of the Minister of Foreign Affairs of Portugal, on behalf of the HR/VP, a meeting and further follow-up between the President of the European Council and the President of Mozambique. The situation in Cabo Delgado was also discussed as part of the SADC-EU Ministerial held in 2021. An EU Election Follow-up Mission will take place early 2022.

**4. EU financial engagement:**

The EU supported in 2021 a number of projects with a view to strengthening civic and political space:

- The I-IDEA programme on the support to the consolidation of democracy followed up on the implementation of the 2019 EU Election Observation Mission (EOM) recommendations. This project also contributed to paving the way for support to the next electoral cycle, especially in terms of civic and voter education.
- The 'EU Programme for Non-State Actors: Participation for Inclusive Growth – PAANE' continued delivering results on social inclusion, promotion of improved social services and citizens' participation in the elaboration and monitoring of public policies.

The EU supported the protection of people in conflict-affected area. The EU contributed with over EUR 16 million of humanitarian assistance to Cabo Delgado crisis in 2021, and nearly EUR 18 million for Mozambique. The assistance included notably access to food, water and sanitation, health and nutrition services. Moreover, the EU co-financed a 'Humanitarian Air Bridge' consisting of three flights in July 2021 delivering 20 tonnes of humanitarian cargo from EU Member States and partner organisations. Furthermore, the EU implemented six peacebuilding projects in the Northern provinces with a focus on Cabo Delgado to a total value of EUR 11.5 million. These projects supported communities, community policing, inter-faith dialogue, social cohesion and protection of children affected by conflict.

The EU continued to support the peace process between the Government and the main opposition party RENAMO. In October, the EU launched the Local Development for Peace Consolidation (DELPAZ) project with the Austrian and Italian development agencies. In November, it extended its contribution to the Peace Process Secretariat Basket Fund.

Throughout 2021, the EU implemented the State and Resilience Building Contract of a total value of EUR 100 million, as an exceptional short-term emergency response to the COVID-19 pandemic with a specific focus on education, social protection and health.

In line with the UN Convention on the Rights of Persons with Disabilities, the EU established a dialogue with several organisations which resulted in the signature of seven new civil society projects with a special focus on the rights of persons with disabilities.

**5. Multilateral context:** Mozambique went through its third Universal Periodic Review (UPR) and accepted 236 recommendations out of 266. The EU supported Mozambique's participation to the UPR review. Throughout 2021, the EU and its Member States were supportive of the UN agencies, UNHCHR, UNHCR, UNICEF, IOM and WFP, 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 which continued in 2021. 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 and subsequent emergence of political coalitions over 2021. As regards human rights, the country is a remarkable example of press freedom, ranked as the number 1 spot for Africa. However, ramping 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. The already challenging implementation of social and economic rights has been further affected by the profound impact of the COVID-19 pandemic. The impact on women and children has been the most visible. Sexual and gender-based violence increased. The situation of children, especially the most deprived, has been severely affected. According to a UN analysis, 45,000 children fell into poverty, more than 30,000 teenage pregnancies and thousands of school dropouts were registered. A series of new family laws, instrumental in advancing gender equality and economic security for women and children in vulnerable situations in marriage and divorce, are in the pipeline. However, the legislative process slowed down in 2021 due to COVID-19. Several cases concerning same-sex marriages are still pending at Namibian courts, undermining the rights of LGBTI persons.

In May 2021, Namibia underwent its third Universal Periodic Review (UPR) which recognised the progress, while emphasising that more needed to be done, especially in the areas of gender-based violence, gender equality, rights of the child, indigenous peoples' rights, discrimination against LGBTI persons, prison conditions, trafficking in human beings, access to education, adequate housing and access to safe drinking water. As regards corruption, between 2018 and 2021 Namibia dropped by six positions to 58$^{th}$ out of 180 countries in the Transparency International Corruption Perceptions Index. The "Fishrot" scandal, allegedly involving individuals linked to the ruling party, is one example that is obviously attracting much attention as regards governance and transparency. The decision of streaming the hearings online is an unprecedented acknowledgment of the importance that these proceedings carry for Namibia.

**2. EU action - key focus areas:** The EU continued to support human rights and democracy in Namibia through cooperation programmes in the following priority areas: i) good governance and accountability, directly relevant to the realisation of economic, social and cultural rights; ii) women's rights, including gender-based violence; iii) rights of the child; iv) rights of persons

belonging to minorities with special attention to indigenous/marginalised people, v) strengthening of the democratic political system, in particular civil society's role and capacity.

Examples of EU funded projects in these key areas include:

- The ''Enhancing Participatory Democracy Programme'' that will strengthen the capacity of CSOs to provide effective support to the government in the implementation and monitoring of public policies. It will specifically contribute to the achievement of the national development goals for education and skills and rural development through enhanced participatory democracy;
- The "Strengthening the roles of CSOs and women in democracy'' project, which helps CSOs to play an active role in the policies on gender equality;
- The ''Violence, alternatives to Corporal Punishment and the Child Care and Protection Act" project, which is implementing fully-fledged outreach and information campaigns to positively affect the battle against child abuse and gender-based violence;
- The "Step change in governance and inclusiveness in the most marginalised San conservancies in Namibia" aiming to help San communities with minority representation on human and land rights, gender equality, youth involvement, climate change, conservancy law, labour law, among others.;
- "Support to Early Childhood Development and Pre-Primary Education" for communities hardest hit by the lockdowns with job losses and substantial losses of income. Children and their parents will receive learning materials, food vouchers, and will promote COVID-19 protection and information about the protection of children.

**3. EU bilateral political engagement:** On 22 November 2021, the EU-Namibia annual political dialogue was held, including substantive and constructive exchanges on human rights and democracy. Concerning the promotion of the rights of persons belonging to minorities with special attention to indigenous/marginalised people, the EU continued to follow closely the debate around the oil prospection in the Northern Kavango region, home also to San populations. In March 2021, representatives of the EU Member States' embassies and the EU delegation met with the Ombudsman for an exchange on his priorities and outlook on the future developments in the area of human rights. In May 2021, the Head of EU Delegation hosted a meeting with the Minister of Justice, joined by the Ombudsman and the Member States. This meeting allowed for a follow-up exchange on the implementation of UPR recommendations and confirmed continued strategic relevance of the EU priorities. The EU delegation carried out a series of demarches related to the EU priorities at the UNGA and the UNHRC. The engagement with Namibian counterparts has been very constructive.

**4. Multilateral context:** Namibia is a strong and active supporter of the multilateral system sponsoring country-specific resolutions and several thematic resolutions such as the fight against racism. Namibia has joined as a core member of 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 UN agenda of Women, Peace and Security (WPS), under the UNSCR 1325 and subsequent resolutions. It has launched a dedicated WPS centre in Namibia that offers opportunities for international cooperation. In 2021, Namibia was at the heart of the World Press Freedom day celebrations, marking the 30th anniversary of the Windhoek Declaration for the development of a free, independent and pluralistic press. Namibia is currently a

member of the UN Human Rights Council until the end of 2022.

## Niger

**1. Overview of the human rights and democracy situation:** The increasingly difficult Sahelian context affected the protection of human rights and democracy in Niger also in 2021. There was a 75% increase in civilian casualties year on year when compared to 2020, due to insecurity incidents perpetrated by non-state armed groups, food insecurity and acute malnutrition. The latter rose towards the end of the year to record levels, with an increase in needs estimated at 192% over those in the 2015-2020 period. The population increase remained the highest in the world, with state service expansion barely managing to catch up with the heightened needs – e.g. health coverage and access to clean water remain serious challenges. High gender inequality prevails, including with regard to access to education, early or non-consensual marriage, and sexual and reproductive health and rights.

In 2021, Niger passed power democratically from one elected president to another for the first time since its independence. The newly elected President Bazoum has made education, especially of girls, a political priority. The country adopted a new land policy that could, if well implemented, lead to a better land distribution and management of pastoral-agricultural conflicts. The country has a functioning National Human Rights Commission (NHRC), rated 'A' by the Global Alliance of National Human Rights Institutions. The EU supports this institution as such, e.g. to strengthen its fact-finding and reporting expertise, but also separately the work of human rights defenders and the framework in which they work, as well as the visibility of their actions (via the European Instrument for Democracy and Human Rights, a new contract in support of NHRC was signed in 2021). Nevertheless, guaranteeing freedom of speech and of assembly remains a challenge, as is access to justice. Prisons remain overpopulated and long-term preventive arrest frequently used. There is a political will for improving financial governance and transparency, yet corruption remains a challenge, affecting equal access to state services and citizen rights.

**2. EU action - key focus areas:** EU priorities in Niger include i) Promoting gender equality and women's and girl's rights; ii) Strengthening the right to security and the fight against impunity; iii) Improving access to basic services and contributing to sustainable and inclusive development; iv) Protecting migrants and internally displaced people and fighting against trafficking in human beings; v) Supporting the rule of law and justice; vi) Promoting democratic governance and the fight against corruption; vii) Building civil society and media capacities.

**3. EU bilateral political engagement:** The EU is a main partner on human rights in Niger. The 2021 high-level political dialogue addressed the need to improve public financial management and fight corruption, by prioritising administrative decentralisation and deployment of finances into the territories, to reach those most in need.

Cultural diplomacy for peace: In the framework of the International Festival of African Fashion (1-5 December 2021), the EU reinforced its cultural partnership with Niger by spreading a message of peace in a fragile regional context and to promote women's role in society through a Team Europe photo exhibition[12].

[12] https://eeas.europa.eu/delegations/niger/108313/partenariat-culturel-l%E2%80%99ue-au-niger-soutient-la-13%C3%A8me-%C3%A9dition-du-fima_en

**4. EU financial engagement:** In terms of cooperation, in the context of the adoption of the Sahel Integrated Strategy and the Multiannual Indicative Programme 2021-2027, the EU has defined its policy priorities in 2021. These are well aligned to those of the government: good governance, human rights with a focus on education, socio-economic growth and food security management. Good governance, education, security and accountability are at the same time horizontal EU priorities. Two Team Europe Initiatives have been launched in close cooperation with the EU Member States: one promoting stability, social cohesion and sustainable and inclusive development for people in vulnerable situations (displaced people, refugees, host communities) in fragile zones, and the other, empowering youth and women to lead a dignified life and realize their potential by managing a professional activity in the areas with economic potential.

The EU continued the implementation of the 11th EDF and especially budget support operations on state-building and the strengthening of education/training and food security/ sustainable agricultural development sectors. Additionally, the European Commission DG ECHO's office in Niger funded partners with EUR 40 million to ensure urgent support to the most vulnerable populations - victims of conflict-related shocks and forced displacements, of decrease in basic service access, food insecurity and malnutrition or cholera/ COVID-19 epidemics. In the migration area, the EU continued support to the local authorities and populations in Agadez, Zinder and Tahoua by creating economic alternatives to the migration 'business' and sustainable and legal job opportunities. The EU also continued its support to migrant protection and voluntary returns, as well as emergency support to migrants and vulnerable persons evacuated from Libya via the Emergency Transit Fund (ETF). The EU also continued to support internally displaced people and refugees via the Emergency Trust Fund and the rollout of the State in the most fragile areas.

In the area of governance, the EU supported the electoral cycle, particularly through various components of the project 'Support for a credible, inclusive and transparent electoral process in Niger', through a strengthened political dialogue and an electoral expert mission in 2020/2021. The EU supported the Independent National Electoral Commission (CENI), the main elections management institution, the High Communication Council, the institution regulating the press at highest level, civil society for civic elections education, and election observation by citizens. Through the Hirondelle Foundation, the EU additionally focused on awareness raising among youth and women in the electoral period via community radios. PASOC III, the Civil Society Support Programme, was contracted and continued handing out small grants.

The EU continued to contribute to security, stability and migration management mainly through projects financed via the ETF (AJUSEN budget support) and through a project approach. The EU has supported internal security forces to attain a better territorial coverage and improve their fight against transnational organised crime and judicial follow-up. This was mainly done through support to the development of mobile units within the three internal security forces. The EU delegation and the EU Capacity Building (EUCAP) Sahel Niger mission, furthermore, managed a real synergy of their actions in the security area: equipment plan, support to human resources and logistics management (ETF), training plan (EUCAP), support

to Niger's National Gendarme Forces and National Guard (EU delegation) and support to the National Police (EUCAP).

In support of gender equality, the EU and Member States adopted a Common Local Implementation Plan of the third Gender Action Plan in 2021. Gender is a priority also in both Team Europe Initiatives, both in terms of gender equality and women empowerment. At the demand of the Ministry for the Promotion of Women and Child Protection, a dialogue framework has been set up in 2021.

**5. Multilateral context:** Niger did not ratify the Maputo Protocol forbidding non-consensual marriage and has not fixed marriage age at 18 by law. The country continues to adhere to the Geneva Consensus Declaration questioning female sexual and reproductive rights. Niger has not abolished the death penalty, though has a de facto moratorium on it.

## Nigeria

**1. Overview of the human rights and democracy situation**: In 2021, Nigeria saw a continuing trend in the deterioration of its human rights and security situation, where almost every part of the country now experiences violence and crime. The recent surge of insecurity is also a result of the staggering economic situation and poverty across Nigeria due to the combined effect of the COVID-19 pandemic, inflation and the drop in oil prices. Nigeria, especially the North, continues to have some of the worst development indicators in sub-Saharan Africa. Media freedom is slowly being eroded, curtailing the space for public debate and free speech. On 5 June 2021, the government suspended Twitter from operating in the country, accusing it of providing a platform for critics and opponents. After months of negotiations with the platform, the ban was lifted only in January 2022. At present, bills seeking to restrict media activities, both print and electronic, are pending before the parliament. A bill is also pending which proposes regulating the activities of civil society groups. Although Nigeria is a signatory to the main international human rights instruments and has passed important laws to protect the rights of its citizens, implementation and fulfilment of these legal obligations has proven challenging especially in conflict and post conflict situations across Nigeria. Challenges include: widespread sexual and gender-based violence, child marriage, female genital mutilation (FGM), trafficking in human beings, arbitrary harassment of journalists and citizens, discrimination against LGBTI persons, death penalty (albeit with a de-facto moratorium is in place since December 2016) and indiscriminate violence against civilians by non-state and State actors. There are a number of on-going controversial individual cases of human rights violations, the most emblematic cases being Sharif Aminu, Omar Farouq and Mubarak Bala. Nigeria's democratic landscape remains stable but volatile, and it is expected that this will remain the case in the run up to the 2023 general elections.

**2. EU action - key focus areas:** EU priorities in Nigeria include:

- Gender equality and women's empowerment which are mainstreamed in all EU programmes. In 2021, emphasis was placed on the role of justice and to advocacy for the establishment of specialised courts dealing with sexual and gender-based violence.

- Rights of the child: The EU focusses on providing justice services and community rehabilitation and reintegration for children in conflict, such as Almajiri children and

children forcibly returned to Nigeria from abroad. Several interventions targeted at protecting the right of the child to education have been carried out in Borno State.

- Rights of LGBTI persons: The EU provides support towards the rights of LGBTI persons through an ongoing project with a Nigerian NGO. The EU delegation also hosted a discussion with interlocutors from the LGBTI community on the International Day against Homophobia, Transphobia and Biphobia.

- Freedom of religion or belief: The EU and Member States have closely worked together on the cases of Mubarak Bala, a Nigerian human rights activist as well as, Sharif Aminu and Omar Farouq, both charged for blasphemy. The EU has also engaged with religious leaders to exchange on freedom of speech and the freedom of religion or belief, and works with traditional and religious leaders in broader development areas.

- Human Security, protection of civilians and the rights of IDPs: An important focus area in 2021 was on police reform, following the #EndSARS protests that took place in 2020. In addition, the EU has a geographical focus on North East and North West Nigeria, where it implements projects on the protection of civilians and reconciliation efforts.

- Democratic consolidation and support for elections: The EU's short, medium and long-term political and technical support, based on the assessment and recommendations offered by the EU EOM deployed to the 2019 elections, has been largely successful in consolidating democracy and building the capacity of the Election Management Bodies and key civil society actors. The EU delegation deployed a Diplomatic Watch mission to the Anambra Gubernatorial election in November 2021.

- Digital rights: The EU General Data Protection Regulation (GDPR) influenced the development of the Nigeria Regulation (NDPR), particularly the Data Protection provisions on cross-border data transfer and the current national law on data protection in Nigeria.

**3. EU bilateral political engagement:** Since mid-2021, the EU and Nigeria have engaged around a joint EU-Nigeria Ministerial roadmap, which aims to operationalise the commitments made in the joint communique, agreed at the seventh EU-Nigeria Ministerial Dialogue in November 2020. Policy dialogues also took place during the consultations on the Multiannual Indicative Programme and the Gender Action Plan, among others

**4. EU financial engagement:** The EU-UN Spotlight Initiative and the Rule of Law and Anti-Corruption programme are the EU's gender flagship initiatives, which aim at eliminating all forms of violence against women, and to improve access to justice for women and children. In 2021, the EU launched a new regional project with UNICEF on 'Access to Justice for Children on the Move', advocating for the enactment of the Child Rights Act and implementation and enforcement of laws on child rights and child protection in a number of states in Nigeria.

The EU has also provided human rights defenders emergency funding to Avocats Sans Frontières to support the defence of Sharif Aminu and Omar Farouq.

Regarding the protection of civilians, the EU supports projects implemented by Civilians in Armed Conflict (CIVIC) with the overall objective of strengthening the capabilities of security forces and other security actors to protect better civilians, mainly through training activities.

In 2021, the EU also continues to implement several programs with the International Organization for Migration and other UN agencies (UNICEF, UNDP) on Disengagement, Disassociation, Reintegration and Reconciliation (DDRR).

In 2021, a new project, 'Contributing to the mitigation of conflict over natural resources between farmer and herder communities in Adamawa state' was launched, in order to strengthen conflict resolution mechanisms. Sustained support to the democratic process is channelled through 'EU Support to Democratic Governance in Nigeria (EU-SDGN) phase II' programme.

**5. Multilateral context:** The most recent Universal Periodic Review of Nigeria took place in 2018. The next review is due in November 2023.

## Rwanda

**1. Overview of the human rights and democracy situation**: During 2021, the overall picture of the human rights situation in Rwanda remained broadly unchanged. While the Rwandan Government continues to show its strong developmental ambition 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 on arbitrary detentions and use of inhuman or degrading treatment in detention facilities. With regard to the court case against the EU citizen Paul Rusesabagina and his co-accused, concerns were expressed about the rights of defence.

Freedom of expression remains limited. Vague wording of the genocide ideology law is exploited to stifle public dissent or criticism creating an environment of self-censorship for journalists, bloggers and citizens fearing reprisal and prosecution. In 2021, law enforcement and justice investigated and put on trial a number of 'citizen journalists' that publish information and commentaries on their YouTube channels. Prosecution indicted these persons mainly for violation of the genocide denial provisions and stirring up public unrest. Yet, some media (especially online media) seem to enjoy some editorial liberty and run critical articles or inform on misconduct of public authorities.

Freedom of association remains stifled in Rwanda, with burdensome and discretionary registration processes to create new parties or NGOs, in particular to deal with human rights, diversity or gender equality. Some NGOs are unable to complete their registration or took extraordinary long time, as local district authorities did not accept to provide necessary endorsement letters.

While the legal framework addressing women's rights in Rwanda is good, the weak implementation of laws and policies coupled with discriminatory social norms hamper the realisation of women's rights. The enjoyment of sexual and reproductive health and rights, including access to reproductive health services, access to modern contraceptive methods and sanitary products is not guaranteed for all women, in particular for women in rural areas.

According to UN Women, Rwanda experienced an increase of sexual and gender-based violence and harassment, and a surge in teenage pregnancies.

Rwanda remains the only country in the region that does not criminalise consensual same-sex relations, but has no provisions in its legal code to protect LGBTI persons from discrimination, nor does it recognise unions and partnerships between same-sex persons. Persons with disabilities continue to face stigma and insufficient access to services. However, Rwanda adopted an ambitious new Disability Policy in May 2021, which seeks to promote an inclusive, barrier-free and rights-based society, and mainstream the issue across all government departments.

Rwanda continued to host about 125,000 refugees from DRC and Burundi, as well as 500 evacuees from Libya in the Emergency Transfer Mechanism co-funded by the EU to ensure their safety during status determination and resettlement. 30,000 refugees were voluntarily repatriated to Burundi.

The Rwandan Government reacted with foresight and effectiveness to the COVID-19 pandemic. Analysts have pointed to the absence of reduction in poverty and malnutrition since 2013/14, despite continuing strong per-capita growth in Rwanda. However, for the past five years, the government has steadily increased the investments in fighting against any form of malnutrition, with more focus on stunting reduction among children under five years.

**2. EU action – key focus areas**: The EU's policy priorities until 2024 focus on six areas: i) non-discrimination and protection of marginalised groups; ii) women's rights and the elimination of violence against women; iii) access to food and the fight against child malnutrition; iv) freedom of expression, regulation and capacity-building in the media sector; v) freedom of association and promoting an enabling environment for civil society and citizen participation; vi) respect for human rights in the justice system (including countering arbitrary detentions, torture and enforced disappearances).

**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 freedom of expression and association, enforced disappearances and extrajudicial killings were raised with the authorities, as were individual cases of specific interest. During 2021, EU and Member States held two policy dialogues with the Minister of Justice (in May and December) to discuss new policy initiatives in the justice sector, implementation of Universal Review Process (UPR) recommendations and future cooperation in this respect, and to address issues of concern. The case of Paul Rusesabagina (and co-accused) was discussed in meetings between EU officials and the government, as well as in the justice sector policy dialogue, and in bilateral contacts with Belgium. Throughout the process, the EU stressed its expectation that his rights to due process and a fair trial, as well as his rights to medical care and consular assistance will be fully respected.

**4. EU financial engagement**: The EU delegation and EU Member States supported projects or initiatives to pursue the objectives in line with the EU's priorities for Rwanda. In general, implementation of human rights projects have gone smoothly. One project entitled "Empower, Include, Respect: Making Human Rights work for LGBTI and Sex Worker communities in Rwanda" was the first major donor-funded action to work in this area in Rwanda, and concluded successfully in July 2021 with a positive final evaluation. The report of the external evaluator found "overwhelming testimony that the capacity to advocate has increased at both individual and community level. Both are now empowered to engage with

duty bearers and to advocate for their right to health and non-discrimination". It has also led the way for many other donors to begin working in this area. Another project concluded in 2021 focused on freedom of expression, and resulted in legal aid being granted to a large number of journalists in conflict with the law. It also carried out illuminating assessments on media regulation and access to information in Rwanda, in addition to widespread awareness raising and advocacy on journalists' rights. A number of projects, notably those on fighting discrimination against persons with disabilities, citizen participation and the right to food are still ongoing. EU provided emergency assistance to two human rights defenders in Rwanda during 2021 through the Protect Defenders mechanism. In 2021, Team Europe (EU, Belgium, Germany, France, The Netherlands, and Sweden) organised campaigns on social media, radio or TV for IDAHOT day and the 16 days of activism against gender-based violence, as well as a webinar for the International Women's Day.

**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 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 accepted 160 recommendations tabled during the third UPR (January 2021) to improve the human rights situation across key areas identified also by the EU, noted 49 recommendations and did neither support nor note another 75 recommendations. The authorities have demonstrated their determination to act on their commitments, by developing an implementation roadmap – jointly with civil society – and an IT tool to monitor progress. The ministry working with a National Treaty Body Taskforce composed of government and NGOs representatives, also prepared regular progress reports and organised stocktaking sessions for civil society and international partners to provide feedback.

Rwanda voted with the EU for all resolutions on sectoral matters (freedom of religion or belief, rights of the child, and the gender equality issues), while on country-specific resolutions Rwanda aligned itself with consensus decisions on Myanmar and DPRK, but abstained on Syria and Crimea.

## São Tomé and Príncipe

**1. Overview of the human rights and democracy situation**: The overall human rights and democracy situation in São Tomé and Príncipe remains relatively good, especially as compared to regional standards. The country ranked 12/54 in the 2020 Mo Ibrahim Index of African Governance and was granted the best governance score in the Central African region. Despite an overall positive human rights record, issues of concern remain, such as: discrimination against women, domestic violence against women and children, which continued to rise in 2021 in the context of the COVID-19 pandemic; violation of rights of the child, including child labour and sexual abuse against children; corruption; access to justice and independence of the judiciary; access to basic rights such as healthcare and safe water.

Presidential elections took place in two rounds in July and September. Following the announcement of the results of the first election round, which were contested by the third ranked candidate, public tensions and disputes arose, but were finally solved through a legal decision. Carlos Vila Nova, member of the major opposition party, won the second round with a comfortable majority of almost 58% of the votes cast. The president was inaugurated on 2

October. The elections proved once again the relative stability and resilience of democratic institutions and the country's capacity to organise regular elections, which can lead to political alternation. In October 2021, the government invited the EU to observe the legislative (regional and local) elections scheduled for the third quarter of 2022.

**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: strengthening the human rights protection framework; economic, social and cultural rights (including access to safe 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. Support for the modernisation of the justice sector is another priority, which is the main subject of the Team Europe initiative under the new Multiannual Indicative Programme.

**3. EU bilateral political engagement**: The regular EU-São Tomé and Príncipe political dialogue resumed in April 2021 (no meeting was held in 2020 due to restrictions related to the COVID-19 pandemic). The dialogue allowed open discussions on human rights issues, in particular with reference to the 2021 Universal Period Review, gender issues and violence against women. The EU carried out formal demarches on human rights and democracy issues to request support for EU initiatives at the Human Rights Council and UNGA76 Third Committee in November 2021.

**4. EU financial engagement**: In 2021, several projects financed under the European Instrument for Democracy and Human Rights (EIDHR), CSO/Local Authorities DCI thematic line or intra-ACP programmes, continued to be implemented, despite the COVID-19 pandemic. These projects concern notably the strengthening of the rights of the child; democratic control and oversight of civil society in the fight against corruption; civil society's participation and capacity to monitor and implement public policies with an impact on food security; and strengthening the right to a healthy environment.

A significant project 'Combating gender inequalities and domestic and gender-based violence' (EUR 2.5 million), will allow the Centre for Support against Domestic Violence (CACVD) to take forward and expand its activities to the whole archipelago. The start is pending a finalisation of a pillar assessment. Main activities to be carried out concern the care for women victims of violence and their children, with the development of the necessary infrastructure, support for institutions such as the Juvenile Court and operators of the Institute for Drugs and Drug Additions, and awareness actions on women's rights in schools and communities.

In 2021, in the framework of COVID-19 emergency response, the project 'Projeto comunitário infantil: sensibilização, saneamento e segurança alimentar no contexto do covid-19 em STP" (CSO-LA, budget: EUR 100,000 granted to the local NGO ADRA) continued to be implemented. The project has improved hygiene practice in schools in five rural communities, including ensuring clean drinking water. Moreover, the project addressed the children's right to proper nutrition through the delivery of a daily meal to about 500 kids at school.

**5. Multilateral context**: São Tomé and Príncipe has undergone the third cycle of Universal Periodic Review in January 2021 and received 161 recommendations. In July 2021, at the 47th

session of the UN Human Rights Council, São Tomé and Príncipe, accepted 148 recommendations, while 13 were noted. Further efforts are still needed, among others, to ratify international human rights instruments, to establish an independent and effective National Human Rights Institution, to strengthen women's and girls' access to sexual and reproductive health and rights, as well as to effectively combat domestic violence. São Tomé and Príncipe is generally a like-minded country with good convergence with the EU.

## Senegal

**1. Overview of the human rights and democratic situation:** The overall human rights situation in Senegal remains generally satisfactory, particularly against the background of the situation in other countries in the region. Senegal has ratified the major conventions on human rights, and the authorities are open to discuss and engage in positive actions, including on women rights and the rights of the child, although the political room for manoeuvre on these topics is hampered by social and cultural resistance and fear about a negative impact on social stability. Improvements are expected regarding women rights and rights of the child (early marriage, female genital mutilation) 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 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 the adoption of the new law regulating koranic schools remains pending. The situation of LGBTI persons is a matter of growing concern.

Efforts are being made to improve the poor detention conditions in Senegalese prisons, but long pre-trial detention largely responsible for overcrowding of prisons remains an issue. Implementation of alternatives to custody sentences remains slow, particularly with regard to the effectiveness of the electronic bracelet announced in June 2021. The death penalty was abolished in 2004, but the Second Optional Protocol to the International Covenant on Civil and Political Rights 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. The media landscape is wide and freedom of the press is guaranteed by law, but press offenses such as acts of defamation or the publication of 'false news' likely to 'harm the morale of the population' or 'bring discredit to the public institutions' are still subject to heavy criminal penalties (up to two years in prison).

The impact of the COVID-19 pandemic on the socio-economic situation has negatively affected the most vulnerable parts of the population. Riots erupted in March 2021, partly as a result of persistent economic and social difficulties exacerbated by the economic crisis following the COVID-19 pandemic. Restrictive measures in the context of the state of health emergency, affecting individual freedoms with the establishment of a curfew and other limitations on individual movements have also been a source of protest. These riots have revealed a potential for violent protests that has been rarely observed in Senegal. National and international NGOs denounced, on this occasion, the excessive use of force by the police. The

Red Cross reported several hundred injured (more than 500) and the authorities reported 300 injured among the demonstrators, 100 injured among the police and thirteen 13 deaths.

The prime minister function, which had been suppressed in the constitutional reform adopted by the parliament in April 2019, was restored in December 2021. After several postponements since the 2019 presidential election, the holding of local elections on 23 January 2022 was officially announced in May 2021. Although a number of related protests and unrest have been reported across the country in the months preceding the election day, it took place in an overall peaceful atmosphere, with a relatively high participation rate, including by the youth. The position of Senegal in the CPI index of corruption returned to his 2013 score (43/100) at rank 73/180 meaning that the country lost 8 places.

**2. EU action – key focus areas:** The EU action focused on the rights of women, children and persons in detention; greater attention is given to the situation of LGBTI persons. The EU also supported the fight against impunity, the strengthening of civil society and continued to promote freedom of expression and freedom of assembly in Senegal. It also focused on the impact of and access to digital technologies on human rights.

**3. EU bilateral political engagement:** The EU provided a rapid and multidimensional support to the 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 people in vulnerable situations, including children.

The EU is following up on the implementation of the Election Observation Mission (EU EOM) 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, focussed 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, the implementation of projects to ensure a major awareness-raising campaign on the different forms of child exploitation in Senegal, to follow up on the implementation of the Universal Periodic Review (UPR) recommendations and to contribute to the protection and resilience of vulnerable groups in the face of the COVID-19 health crisis in Senegal continued.

Financial assistance (EUR 10 million) under the 11th European Development Fund (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 finalised the construction of the Tambacounda Court of Appeal and 12 new houses of justice 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 civil society organisations on access to justice, prison conditions and the fight against corruption and money laundering for a total amount of EUR 1.4 million are being implemented. A EUR 2 million direct grant to a youth organisation platform aims to support political participation of youth in 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: i) reinforce their capacities in the fight against terrorism and organised crime; ii) reinforce authorities' capacities in borders management; iii) promoting a better governance of the sector.

**5. Multilateral context:** Senegal has remained an active member of the UN Human Rights Council since 2018. In 2020, its mandate was renewed until 2023.

Senegal underwent its UPR in November 2018 and submitted conclusions in November 2019. Recommendations concerned mainly women's rights, rights of the child, the rights of persons with disabilities, ethnic minorities and LGBTI persons. In response, the Senegalese government highlighted its exemplarity in certain areas (economic and social rights, rights of persons with disabilities), but also stressed its limitations in relations to certain recommendations based on national traditions and culture (mainly women's rights and rights of LGBTI persons). The EU delegation will support civil society organisations participation in the mid-term review and progress in implementation of recommendations.

## The Seychelles

**1. Overview of the human rights and democracy situation:** The Seychelles continues to have a good track record of human rights protection and an excellent position in the last Mo Ibrahim Index of African Governance. The government's commitments to pursue and strengthen good governance, the rule of law and human rights confirm the democratic values of the country. The EU grant supporting the Seychelles Human Rights Commission was officially launched in the margins of the Article 8 EU-Seychelles Political Dialogue in October. The law enforcement officers need to be further trained on human rights matters related to Police, Immigration and Prison services. Despite the situation created by the COVID-19 pandemic, the reforms plan advanced during 2021. The emergence of organisations fighting stigmatisation of the LGBTI community is a concrete outcome. The Seychelles National Assembly adopted in 2021 an amendment to the country's Penal Code increasing the age of the legal responsibility. Additional efforts should be directed to establishing effective mechanisms to promote networking among NGOs, media and schools to encourage the civil society to become active in human rights. In 2021, the Domestic Violence Act was adopted to uphold the access to equal rights for women. Domestic and gender-based violence remains however a matter of great concern, especially during the pandemic.

**2. EU action - key focus areas:** The EU has focused on gender equality and women's rights, the rights of the child, non-discrimination, including as regards sexual orientation, fighting impunity, including through international justice, as well as anti-corruption.

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, combatting gender-based violence and drug abuse. The strengthening of key institutions is ongoing, to which the EU makes a valuable contribution via its financial and technical assistance. A clear example is the three years support programme for the Anti-Corruption Agency, which went to Court with two

major cases in December 2021. According to the Corruption Perception Index report published on 25 January 2022 by Transparency International, Seychelles has improved its score by 4 points in 2021 compared to 2020.

**3. EU bilateral political engagement:** The EU-Seychelles Article 8 Political Dialogue took place in October 2021. The Seychelles is a key EU partner, including on climate change, protection of biodiversity and on the fight against piracy and trafficking in the Indian Ocean. The Seychelles perceives the EU as a reliable partner on good governance and capacity building.

**4. EU financial engagement:** The Seychelles will be allocated a bilateral envelope under the new NDICI/Global Europe Human Rights and Democracy Programme, despite the country's high-income status. This is a clear signal of the importance that the EU attaches to its partnership with the Seychelles.

**5. Multilateral context:** The EU and the Seychelles have common willingness to be partners promoting multilateralism and human rights issues, including at the global level. For example, following the Universal Periodic Review recommendations and the prompt EU support, the Seychelles now has the capacity to have a fully independent and operational Human Rights Commission, in line with the Paris Principles. Seychelles is also member of the Global Alliance for Torture Free Trade, aiming to end trade in goods used for capital punishment and torture.

## Sierra Leone

**1. Overview of the human rights and democracy situation:** A significant positive step in Sierra Leone is the abolition of the death penalty announced by the Government in May 2021, approved by Parliament, and signed into law by President Bio on 8 October 2021. In June, a Cybercrime Law reflecting international standards was passed by Parliament for the first time, gathering support from different political parties. There were some positive moves in the political scene; national conferences were held on amendments to the Public Elections and Political Parties Acts in August and October.

However, Sierra Leone continued to face human rights and democracy challenges. Prison conditions remained a cause of concern, with detention facilities overcrowded and short of minimum international standards regarding access to food, water, sanitation and healthcare. Women and girls remain at high risk of sexual and gender-based violence, including rape, Female Genital Mutilation (FGM), child marriage and teenage pregnancies. The creation of a Special Court in 2020 led to more convictions for sexual and gender-based violence crimes, but impunity remained high. Women still struggle with marginalisation and discrimination, particularly for education, employment, access to and control over resources, decision-making and political participation. The government presented a 'Gender Empowerment Bill' to parliament in October. Even though seditious libel is no longer criminalised, some journalists were arrested (and released shortly after).

In the run-up to the presidential and parliamentary elections planned for mid-2023, high political polarisation and increasing tensions between ruling SLPP and opposition APC can be observed, intensified by recurrent inflammatory messages. The lack of inclusive governance continued, with a "winner-takes-all" and "State-capture" system deepening the political,

ethnic and regional divide in the country. This situation, along with dire socio-economic conditions and widespread perception of pervasive corruption, continued to undermine the social contract, public trust in the elected institutions and the dividends of peace and democracy. Economically vulnerable youth remained prone to political instrumentalisation, and participated in incidents of intimidation and violence during some by-elections (Koinadugu, Kono). The suspension of the Auditor General Taylor-Pearce in November brought concerns with regard to the government's commitment to transparency, accountability and the fight against corruption. A mid-term census launched in December 2021 heightened political tensions.

**2. EU action – key focus areas:** In 2021, the EU and Member States continued implementing the human rights and democracy priorities focusing on gender equality, women's and girls' rights; the promotion of the rights and role of children and youth; the combat against poverty and social exclusion; the support to the role of public authorities in adopting and ensuring compliance with environmental regulations aimed at securing a safe, clean, healthy and sustainable environment; the prevention and fight against corruption; the integrity of electoral processes; the parliamentary strengthening; and the civil society oversight and accountability functions.

**3. EU bilateral political engagement:** The EU-Sierra Leone Political Dialogue on 13 July 2021 highlighted the importance of the partnership. Commitments were made in relation to addressing electoral reform and follow-up on Universal Periodic Review (UPR) pledges including in relation to the death penalty. On electoral reform, the government announced that it would lay before parliament amendments to the Public Elections Act and Political Parties Act to implement the recommendations of the EU Election Observation Mission (EOM). The EU encouraged President Bio to engage more proactively with political stakeholders and civil society on sensitive issues, such as the empowerment of women.

The EU continued to support the 50/50 Group and Search for Common Ground through the 'Empowering Women to be Effective Political Actors in Sierra Leone' project, aimed at improving the capacity and confidence of women interested in pursuing a political career. The EU sustained its support to "Rainbo" centers that provide free, confidential and quality health care services, including medical treatment and psychosocial support, to victims and survivors of sexual and gender-based violence. In November 2021, the EU delegation joined the #16Days of Activism campaign to end violence against women and girls. The EU delegation supported and participated in the launch of the government's revised Sierra Leone National Youth Policy.

In September and October, the EU delegation participated in high-level dialogues between the government and civil society on 'Decentralization for Effective Service Delivery'. The EU continued to support the improvement of public finance management.

**4. EU financial engagement:** The key development priorities supported through the 11th EDF National Indicative Programme in Sierra Leone for a total amount of EUR 376 million were: i) governance and civil society; ii) education; and iii) agriculture. In view of the new partnership approach with Africa and supporting a stable and prosperous democracy in Sierra Leone, the EU will engage under the new Multiannual Indicative Programme 2021-2027 in the following priority areas with a budget of EUR 245 million for the first period 2021-2024: green economy,

human development, and good governance. Under the European Instrument for Democracy and Human Rights, the EU continued to support domestic electoral observation and citizens' advocacy of EOM recommendations.

The EU continued to support the National Electoral Commission (NEC)'s Strategic plan and Gender and inclusivity policy, and fund two technical assistance experts supporting the NEC and the electoral cycle. The EU supported a National Task Force convened by the NEC to follow up on the EOM recommendations.

An EU Election Follow-up Mission (EFM) visited Sierra Leone from 10 October to 7 November, assessing the state of implementation of the 2018 EU EOM recommendations and discussing with a wide range of key stakeholders ways to achieve further progress in their implementation. The EFM encouraged representatives from government, parliament and political parties to implement EU EOM recommendation 22 and adopt a legislative mechanism to increase the number of women in parliament. At this crucial time before the presidential and parliamentary elections in 2023, the Mission encouraged Sierra Leonean political actors to strengthen constructive dialogue, build trust and continue working to ensure a peaceful, inclusive, transparent and credible electoral process, noting there is still time to address electoral challenges and implement electoral reforms, as well as to foster inclusiveness in the democratic and political processes in the country.

In February, the EU and Germany launched the fourth phase of the Employment Promotion Programme which focuses on improving the living conditions of young people in rural communities. The EU contribution of EUR 13 million to this 4-year program aims to improve job and income opportunities in Kailahun, Kono, Koinadugu and Falaba.

**5. Multilateral context:** Sierra Leone's third UPR cycle review took place in May 2021. Recommendations concerned taking measures to foster cohesion and address political division, reviving the Constitutional Review process, ensuring awareness and respect of international human rights standards by police forces, addressing sexual and gender-based violence, including FGM and child marriage, and abolishing the death penalty (achieved in October 2021).

## Somalia

**1. Overview of the human rights and democracy situation:** Somalia continues to suffer from widespread insecurity, fuelled primarily by the al-Shabaab insurgent group, controlling vast areas of the country, conducting frequent attacks on government-aligned forces, and ongoing political and clan rivalries, capacity weaknesses and gross misconduct and misappropriation of forces for political ends. The Federal Republic of Somalia remains a more than fragile state, with only a provisional constitution and governing federal authorities, which have not promoted consensus regarding the division of power, resources, rights and duties with the Federal Member States (FMS). The absence of stable and democratic institutions at the regional and national level, disputed legislative frameworks, weak capacity and often lack of political will to implement policies continue to be critical obstacles to ensuring respect for and implementation of human rights.

**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 Somalia (including Somaliland) in the area of human rights in 2021 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 press freedom, and improving access to justice through institutional capacity building, support to mobile courts and legal aid provision, as well as the promotion of alternative dispute resolution mechanisms. EU actions, alongside international partners, also focused on supporting community policing and providing human rights training for security forces (including through CSDP missions), 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 for prisoners.

**3. EU bilateral political engagement:** The protection and promotion of human rights, including women's rights and the rights of the child, is a vital element addressed by the EU in its regular exchanges with government counterparts at all levels. Throughout 2021, human rights have consistently formed part of the agenda. 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 on the EU's priority list. No Article 8 formal political dialogue meetings took place in 2021 due to the political context and the lingering question of the constitutional legitimacy of the caretaker governing authorities. However, human rights continued to form part of the agenda during informal bilateral dialogues with Somali authorities, wherein the key messages were reiterated on an ad hoc basis.

The EU delegation backs these dialogues with concrete support to civil society organisations working on the promotion of human rights and support to build the capacities of Somali security actors to improve the respect for human rights. For instance, sessions on human rights and international humanitarian law always feature during trainings of the Somali National Army and the Somali Police Force by AMISOM, EUTM and UNDP. In its role as co-chair of the Human Rights Working Group (until May 2021) and a regular participant in the Human Rights Pillar Working Group, the EU has also been actively engaging in coordination and advocacy efforts on various human rights-related topics. The December 2020 Somalia Partnership Forum established several agreed priorities and the EU continued to advocate for the implementation of these human rights commitments throughout 2021.

**4. EU financial engagement:** In 2021, the EU pursued its financial support to strengthen the respect for human rights in Somalia (including Somaliland) through a range of actions. With new projects, amounting to EUR 2 million under the European Instrument for Democracy and Human Rights, the EU stepped up its support to the fight against female genital mutilation and sexual and gender-based violence. Additional new interventions are dedicated to promoting the opening of civil and democratic space as well as culture and inclusion (EUR 1.9 million). As indicated above, the EU also continued its support to civil society organisations that focus on enhancing the political representation of women, persons belonging to minorities, internally displaced people and persons with disabilities. The EU's ongoing 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.

An additional EUR 20.3 million from the EU Emergency Trust Fund for Africa supports projects in the areas of rule of law, corrections and security sector reform, designed to have a positive bearing on the respect for human rights in Somalia

**5. Multilateral context:** With Somalia being a member of the UN Human Rights Council since 2018 (re-elected in October 2021 for a second three-year term) and the appointment of an Independent Expert on the situation of Human Rights in Somalia under the High Commissioner in 2016, there remains an opportunity to reinforce the work done with key government actors in favour of strengthened enforcement of human rights commitments, even if the mounting political tensions surrounding the conduct of elections has led to an increasingly unfavourable context. Somalia's membership of the Human Rights Council also represents an opportunity for civil society actors to lobby more effectively for the respect of human rights in Somalia. However, Somalia has yet to adopt and/or ratify several other key international commitments, including the Rome Statute for the International Criminal Court.

In 2021, the human rights record of Somalia was reviewed in the context of the third UN Human Rights Council's Universal Periodic Review. It resulted in 273 recommendations related, *inter alia*, to the accession or ratification of international conventions (including the Elimination of All Forms of Discrimination Against Women, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Rome Statute of the ICC), the abolition of the death penalty, the establishment of human rights related institutions, the strengthening of civil, political, social and economic rights, as well as another range of human rights of women, children, migrants and other specific groups. Out of these, Somalia accepted 246 recommendations, while recommendations related to the accession to the Rome Statute, the abolition of the death penalty or the decriminalisation of same-sex relations were merely 'noted'. Many of the 228 recommendations that Somalia received during its second review in 2016 remain to be implemented.

## 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 and preserving democracy. Large-scale civil unrest in July, as well as the high prevalence of gender-based violence, despite the government's leadership to address it, directly affected human rights in 2021. Corruption continued to be a major threat for the development of the country. Although the political leadership and the administration undertook several initiatives in 2021 to reduce corruption as part of an overall effort to strengthen governance and boost public trust in political leadership, more efforts are needed to achieve a systemic change. The local government elections held in November were transparent but were also marked by the lowest turnout in the country's democratic history.

Realisation of socio-economic rights and elimination of inequalities remains a major challenge, with the situation deteriorating in 2021 due to the impact of the COVID-19 pandemic. Gender-based violence and femicide remain serious human rights challenges. Progress in

implementing the National Strategic Plan on Gender-based Violence and Femicide was slow and the National Council to oversee its fulfilment was yet to be established. A number of related legislative initiatives were amended (Domestic Violence Amendment Bill, Criminal Law Amendment Bill) but were yet to be passed by the end of 2021. Other human rights challenges faced by South Africa and closely followed by the EU include the cases of discrimination and exclusion. The updated Prevention and Combating of Hate Crimes and Hate Speech Bill was opened to public consultation and will be discussed by parliament in 2022. The government has yet to put forward an implementation framework for the National Action Plan to combat racism, racial discrimination, xenophobia and related intolerance (2019–2024). The often difficult situation of human rights defenders and whistleblowers remains a matter of concern.

**2. EU action - key focus areas**: EU collective action in 2021 focused on maintaining dialogue, providing support, offering assistance and engaging with a broad range of stakeholders in the areas of i) elimination of discrimination and exclusion, ii) protection of human rights defenders, freedom of expression and digital space, iii) combatting inequalities, iv) closing the accountability gap, and v) strengthening the partnership with South Africa to advance human rights and democracy.

**3. EU bilateral political engagement:** Although the seventh South Africa-EU Human Rights Dialogue was again postponed in 2021, the EU continued to engage government, civil society and the broader public in South Africa on human rights both formally and informally. The Head of EU Delegation participated in a number of public events to promote human rights, with a particularly strong focus on women's rights, the fight against discrimination and exclusion, the role of human rights defenders and the support for democracy. Specifically, this included speaking on behalf of the Gender Development Partners' Group at the launch of the Presidential Private Sector Gender-based violence/ Femicide Response Fund, participation in an event for the International Women's Day, delivering remarks at the EU – South Africa policy dialogue on the Rights of Transgender and Intersex Persons, as well as participating in social media campaigns to mark IDAHOT and the Human Rights Day. The Gender Development Partners' Group, chaired by the EU Delegation, continued to hold regular discussions with the South African government and civil society to track developments in this thematic area, including the implementation of the Women Peace and Security National Action Plan adopted in March. For the 16 days of activism in November, an animated Team Europe video was produced and released simultaneously by the EU delegation, EU Member States' embassies and other like-minded partners. EU delegation also co-hosted a discussion on Guarding Democracy with City Press media.

**4. EU financial engagement:** Implementation of projects to support action in different priority areas continued in 2021. This included EUR 2 million support to the Department of Basic Education through UNICEF for disadvantaged schools, as well as EUR 2.5 million to three CSOs to address socio-economic rights during the COVID-19 crisis. A further grant of EUR 560,000 was signed in 2021 with the South African National Aids Council with the aim to generate an improved response at national, district and community level to reduce human rights violations in the aftermath of the COVID-19 outbreak. In the area of gender equality, one of the focus areas in 2021 of the EU supported 'Gender Equality and Women Empowerment' programme, was gender-responsive budgeting. 2021 also saw the launch of the 'Enhancing Accountability Programme'. Four grants were signed with civil society organisations for a total of EUR 5,3

million. These projects will implement activities in various sectors, including, gender-based violence, local governance and citizen participation to enhance accountability, as well as the right to adequate health and education. The 2021 allocation of EUR 850,000 under the European Instrument for Democracy and Human Rights will be contracted in 2022 for projects that address gender-based violence, as well as discrimination and exclusion of marginalised groups.

**5. Multilateral context:** In 2021, South Africa led the Southern African Development Community (SADC) Resolution on the Girl-Child, which was successfully adopted by the UN General Assembly in December. South Africa is also chairing the Commission on the Status of Women in 2022 and 2023. South Africa was an active and important player in the UN Human Rights Council. Although most of the resolutions were tabled by the entire African Group, South Africa is one of the leading voices on some topics. These include the fight against racism, racial discrimination, xenophobia and the rights of people of African descent, inequality and discrimination, equal pay, the right to social security, discrimination of women and girls in sports, sexual orientation and gender (SOGI), private military and security companies, business and human rights and transnational corporations.

## South Sudan

**1. Overview of the human rights and democracy situation:** The level of localised violence attributed to community-based militias, the main form of violence in South Sudan, has decreased throughout 2021, but remains worryingly high. It disrupts public life and does not allow the population to exercise basic human rights.

In January 2021, the South Sudan Joint Defence Board launched a three-year action plan for the armed forces on addressing conflict related sexual violence.

The Transitional National Assembly was inaugurated on 30 August 2021, constituting an important step towards the implementation of the Peace Agreement 2018 which overall remains behind schedule. The appointment of Hon. Jemma Nunu Kumba, a female politician, as the Speaker of the Reconstituted Transitional National Legislative Assembly (R-TNLA) and was an important step towards the empowerment of women, but the 35% quota for women in the government still needs to be met and access to resources remains unequal.

In October 2021, the government announced a Technical Committee on the Establishment of the Commission for Truth, Reconciliation and Healing. Nevertheless, it has not yet signed the 2018 Memorandum of Understanding with the AU on the African Hybrid Court, which would hold warlord commanders responsible for abuses.

In 2021, space for media, civil society, journalists and human rights defenders kept shrinking, with recurrent arbitrary arrests and detentions of journalists, human rights abuses of activists and closure of radio stations. The National Security Service enjoys unlimited power to arrest citizens without warrant, and to detain them for an unspecified period. Several human rights violations occur in the context of detention by security actors, including the National Security Service and Military Intelligence.

In December 2020, South Sudan inaugurated the Gender-Based Violence and Juvenile Court in Juba. Nevertheless, widespread and systematic sexual and gender-based violence (often used as a weapon in conflict) continued to affect broadly the society. Child labour, recruitment of child soldiers, and conflict related sexual violence against children remain serious issues in the country. Forced and early marriages are one of the reasons why 76% of girls in South Sudan are out of school.

Harmful environmental impacts associated with oil production remain unaddressed.

**2. EU action - key focus areas:** The EU focuses its support on the following key areas:

- The establishment and the capacity building of a Network of Human Rights Defenders and protection against the threats they face;

- Freedom of expression and press freedom, promoted through support to the only independent radio station in South Sudan, as well as through a contract with an organisation that works against hate speech and fake news;

- Advocacy for women's rights, community awareness-raising, economic empowerment and Technical and Vocational Education and Training (TVET), support to victims of gender-based violence, strengthening the capacity of women-led livelihoods groups, microfinance activities, cooperation with local chiefs/leaders, and training of local women's CSOs.

- Outreach and support to local and international NGOs to create a platform for policy and political voicing of NGOs. The EU also supports civil society participation in the monitoring, evaluation and verification bodies of the implementation of the peace agreement.

- Technical support for transitional justice, including for preparatory actions for national transitional justice mechanisms / processes.

**3. EU bilateral political engagement:** The EU supports the implementation of the Peace Agreement of 2018 through funding of the Joint Monitoring and Evaluation Commission (RJMEC) and the Security Arrangement Verification Mechanism. Within RJMEC, the EU is co-chairing the working group on constitutional reform and support the constitution making process through Technical Assistance provided by the Max Planck Institute. The EU has taken sanctions against those who hinder the peace process and commit human rights violations and abuses.

On 22 March 2021, the EU Council decided to list Major General Gabriel Lokujo under the EU Global Human Rights Sanction Regime for serious human rights violations and abuses, in particular extra-judicial, summary or arbitrary executions and killings.

**4. EU financial engagement:** The combined contract value of ongoing actions in 2021 is EUR 22 million. Actions in 2021 concerned the following areas: peace and resilience; the cohesion

of communities and inclusive ceasefire and transitional security monitoring mechanisms; a culture of social cohesion and peace in Jonglei; peacebuilding and intercommunity trade in the Abyei Administrative Area; supporting peace and stability in the Abyei PCA Box; decreasing tensions between the Misseriya and Dinka Ngok communities, as well as trauma-informed social healing and dialogue.

**5. Multilateral context:** Based on Resolution 46/29, the OHCHR has started cooperation with South Sudan.

The UN Human Rights Commission on South Sudan whose mandate has been extended in March 2021 for another year is regularly reporting on grave human rights violations and abuses, as well as on economic crimes such as the embezzlement of funds, which feeds corruption, local violence and the patronage system. It also reported that violations including rape and sexual violence continue to occur and may amount to international crimes.

## Sudan

**1. Overview of the human rights and democracy situation**: In 2021, the pace of improvement regarding human rights and rule of law in Sudan first slowed down and then went into reverse. A military coup carried out on 25 October stalled and undid much of the efforts delivered by former Prime Minister Hamdok and his government. Thus, the second year of Sudan's democratic transition has hit many hurdles already before the October coup and more so afterwards.

Despite some relatively positive developments earlier in the year and before the Universal Periodical Review (UPR) that was to take place early November, but later postponed, the government failed to implement key institutional and legal reforms stipulated in the August 2019 Constitutional Declaration. These reforms should have been the establishment of a Transitional Legislative Council and commissions with mandates to address peace, transitional justice, and corruption.

The first positive development happened on 20 January 2021, when the Government of Sudan established its National Human Rights Mechanism to coordinate the national efforts for reporting to regional and international human rights mechanisms and follow-up, and also to provide civil society with the opportunity to participate in such engagement. The second positive development happened in August, when Sudan deposited the required instruments of ratification/accession with the UN Treaty Section in New York, marking the final step in the process to join the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

In response to anti-coup protests, security forces have repeatedly used excessive force, including lethal force, against demonstrators. Documented attacks were conducted by the security forces on the wounded, doctors and hospitals. Prosecutions followed against the leaders and members of the resistance committees and revolutionary groups. The security forces detained a large number of minors during the marches, seven of whom were basic school students. Many were subjected to severe beatings.

Women were also particularly targeted. Official complaints of rape and gang rape, allegedly perpetrated by security forces in Khartoum during the repression of the protests have been filed. The UN Human Rights Office (OHCHR) also received reports of women being sexually-harassed by security forces as they attempted to flee the protests.

The Internet was shut down for three weeks as from the day of the coup, despite Sudanese courts repeatedly ordering the country's main telecoms companies to restore internet access. Restrictions on the internet, telecommunications services and social media were still kept, depriving people of Sudan – but also diplomats - of access to information. Press and media in Sudan also faced massive targeting and continuous harassment, which has escalated in an unprecedented manner since the October coup.

In August 2021, Sudan signed a Memorandum of Understanding between the Sudanese Ministry of Justice and the Office of the Prosecutor of the International Criminal Court (ICC) regarding collaboration with the ICC. Government officials reaffirmed their previously expressed commitment to cooperate with the ICC and the Cabinet of Ministers agreed in June to hand over suspects to the court. However, the joint session of the Cabinet of Ministers and the Sovereign Council to confirm this decision never took place.

Furthermore, the coup of 25 October led to the suspension of the International Criminal Court's investigations into crimes in the Darfur region. Violence has escalated dramatically in Darfur, with many hundreds killed or injured and more than 83,000 people displaced in Central, North, and West Darfur since October 2021 (in addition to thousands displaced in South Kordofan); displacement levels are eight times higher than in 2020, according to the United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS).

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

- Protection, legal, medical and psycho-social services to human rights defenders;
- Support to the UN Human Rights Office (OHCHR);
- Advancing sustainable development through human rights;
- Strengthening the rule of law and accountability;
- Preventing violations and strengthening protection of human rights;
- Gender equality and women's rights;
- Enhancing participation and protecting civic space;
- Capacity building;
- Support to new/informal types of civil society and citizenship groups, especially youth;
- Media freedom;
- Support in the fields of quality primary education;
- Protection and promotion of the human rights of migrants, refugees and internally displaced people (IDPs).

**3. EU bilateral political engagement:** Meetings with the transitional authorities continued throughout the year to convey EU position on the political process and the need to protect human rights, as well as on the role of human rights activists, in particular women and youth.

In parallel, the EU delegation held a number of meetings with human rights defenders (HRDs) to get regular updates on the human rights situation and HRDs´ situation.

**4. EU financial engagement**: As of December 2021, the EU Delegation to Sudan had active projects on human rights funded under the European Instrument for Democracy and Human Rights (EIDHR) worth EUR 4 million for the 2018-2021 period. This figure does not include the many other human-rights-relevant interventions that the EU delegation has implemented in other areas of cooperation, such as civil society, migration, disarmament, demobilisation and reintegration (DDR), among others.

**5. Multilateral context:** The international community has widely condemned the military coup of 25 October 2021. Following the military takeover, the African Union suspended Sudan's participation in activities until the restoration of a civilian-led authority.

Since January 2020, Sudan has been a member of the UN Human Rights Council (HRC). The HRC held a special session on Sudan on 5 November to discuss the implications of the 25 October coup on the human rights situation in the country. At the special session, the Human Rights Council adopted resolution HRC/RES/S-32/1, which requested the High Commissioner to designate an expert on human rights in Sudan. In November 2021, UN High Commissioner for Human Rights Michelle Bachelet designated Adama Dieng as an expert on human rights in Sudan. According to the resolution, Dieng will monitor the developing human rights situation in Sudan with the assistance of, and in close cooperation with, the UN Joint Human Rights Office in Sudan. In performing his duties, the expert will pay special attention to victims and ensure a gender perspective. In 2021, unfortunately, the expert on human rights was not able to visit Sudan.

The UN Integrated Transition Assistance Mission in Sudan, a special political mission to provide support to Sudan during its political transition to democratic rule, was further extended until 3 June 2022. After the coup in October, UNITAMS' work became complicated, as the Constitutional order was disrupted, and the mission's mandate had been questioned by some political actors. However, Special Representative of the Secretary-General (SRSG) Volker Perthes remained vocal and active during the last months of 2021.

## 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. The first months of 2021, the second term of President Magufuli (after elections in October 2020) confirmed the trend of restricted political space and civic freedoms. After his death (in office), a constitutional and peaceful transition saw the inception of the mandate of President Samìa Suluhu Hassan (formerly vice-president, from the majority party CCM) in March 2021. The constraints on freedom of association and expression relaxed in the second half of the year, but the legal and regulatory framework did not change. While NGOs and media enjoyed more space, freedom of assembly for opposition political parties remained constrained: they could only hold internal meetings, and in the case of the main opposition party CHADEMA, several incidents affecting militants and supporters took place; CHADEMA Chairman was imprisoned and under trial for terrorism-related charges since August 2021. In semi-autonomous

Zanzibar, the coalition government (CCM and ACT Wazalendo) continued after the death of the historic, charismatic leader Seif Sharif Hamad in February, preserving political stability in the archipelago.

Tanzania showed clear political will to work on gender equality and women's rights; high-level appointments included several women ministers. Women were allocated *special seats* for representation in Parliament, with some controversies arising over some MPs' party volatility. Zanzibar President Mwinyi was appointed (early 2022) as Champion for the *HeforShe* global campaign for all Tanzania; Mainland and Zanzibar adopted their National Plans of Action to End Violence against Women and Children 2017-2022. Women's rights and the rights of the child are recognised and legally protected in Tanzania. However, challenges remain due to widespread poverty and substantial weaknesses in protection systems, especially in the rural areas, also because of weak community awareness about some forms of violence (female genital mutilation (FGM), child marriage, corporal punishment, domestic violence, trafficking of minors). President Samìa took action against the practice of expelling pregnant students from school, which was upheld by the previous President. FGM is criminalised in Tanzania but is still practiced in some communities with an overall prevalence of about 10%. The Child Marriage Act is under review but still not amended, with approximately over 30% of girls married under 18. As is the case in several countries in the region, same-sex relations are illegal and there is no political will to decriminalise. The situation of LGBTI persons was exacerbated during COVID-19 with evictions, raids and state-tolerated ostracism. Persons with disabilities continue to struggle accessing basic services.

The current constitutional framework overall reflects core fundamental commitments and principles of human rights, but with limited remedies. Legal provisions remain largely insufficient to guarantee gender equality, non-discrimination for sexual orientation and protection of human rights defenders.

**2. EU action - key focus areas:** The EU followed individual cases and sought to promote democracy and human rights, which were brought on the agenda of political dialogue. The EU organised consultations on human rights and democracy with different stakeholders supporting the elaboration of the new strategic documents such as the Country level Implementation plan of the Gender Action Plan III, among others. The EU organised a high-level dialogue on the death penalty to foster discussion among different stakeholders, which was widely reported in the media. Through culture, the EU conveyed important messages, in particular towards youth, for example during the 16 days of activism against gender-based violence and on the International Human Rights Day; other cultural events such as the Zanzibar international film festival and Zanzibar music festivals have also been selected to raise awareness in particular on women's rights and gender equality. The EU continued the implementation of projects on human rights, in particular related to business and human rights in the mining sector, freedom of expression and media freedom, and started identification of a large programme under the Neighbourhood, Development and International Cooperation Instrument (NDICI)/ Global Europe Human Rights and Democracy Programme in support of gender equality.

**3. EU bilateral political engagement:** The President of the European Council and the Tanzanian President met in the margins of the UN General Assembly in September 2021. In October 2021, the EU and Tanzania held a session of Political Dialogue for the first time since

2017, with ministerial participation and a structured agenda that included a discussion on human rights and democracy. 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 electoral process. Nevertheless, the EU supported some activities for dialogue among the civil society and the public authorities on election-related recommendations.

**4. EU financial engagement**: Given the Tanzanian government's own priority on women's economic empowerment, in 2021, the EU delegation and Member States took gender equality and women's empowerment as one of the main priorities for the next programming period. The EU identified a stand-alone programme tackling all six priorities of the EU Gender Action Plan III, for an amount of EUR 70 million, which will also foster dialogue with national authorities on these topics. Specific projects included fostering community dialogue on gender-related issues such as child marriage, FGM, land ownership and inheritance. Dialogue between civil society – including the private sector – and public authorities, as well as media participation were also important engagements in 2021, supporting active citizenship and community-level peacebuilding, both in the mainland and in the Zanzibar archipelago.

**5. Multilateral context:** Tanzania has not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the only country in Sub-Saharan Africa together with Zimbabwe. The EU closely watched Tanzania's third UPR cycle in 2021, including discussions within civil society and international partners, as well as the formal review held on 5 November. The EU through its Member States engaged in a number of recommendations. Tanzania received 252 recommendations from 92 states and the government accepted 108 recommendations (42%), 132 were "noted" (53%), while 12 are still "under consideration" (5%). The Committee on the Elimination of Discrimination against Women (CEDAW) reporting due in 2021 was prepared with the support of international partners, but had not yet been submitted. The EU collaborated 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:** 2021 was marked by the peaceful conduct of the presidential election on 4 December. The country successfully managed to complete the first phase of its transition from dictatorship to democracy by passing the litmus test of historically unprecedented, competitive, and credible elections that landed the current president a solid mandate for a second term. Voter turnout was impressive at 89.3% and demonstrated how engaged Gambians are with the course that their country is taking. Civil society organisations made a key contribution to the positive conduct of the elections both by actively educating Gambians on the process, and by acting as domestic observers throughout the process. The EU Election Mission deployed to observe the 2021 presidential election acknowledged the democratic gains made since 2017. The Mission highlighted at the same time that major legislative reforms had not yet materialised and stressed the need for fundamental legal reforms, including Constitutional reform, which, despite efforts to reach a political consensus, stalled in 2020. Following The Gambia's parliamentary elections in April 2022, a renewed impetus for reforming the authoritarian-era legal architecture is widely expected.

In terms of human rights and fundamental freedoms, The Gambia consolidated its overall positive record and made significant progress. The Women's Act (2010) was partially revised to repeal some of its most discriminatory provisions. It now includes a new provision that stipulates that 33% of positions in public institutions should be occupied by women. By the end of the year, a draft Bill aiming to create National Assembly reserved seats for women was about to be tabled before the National Assembly. Furthermore, the Persons with Disabilities and the Access to Information Acts were signed into law. On the other hand, draft Anti-corruption legislation, drafted in 2019, was still pending before the National Assembly. As the year progressed and the election drew closer, pressures on freedoms mounted, leading to instances of intimidation of journalists primarily. People enjoyed the right to freely and without fear express and debate their political preferences. In some ways, and notably on social media, the boundaries of these freedoms were not always respected.

The process of transitional justice, the Truth, Reconciliation and Reparations Commission (TRRC), has finalised and made public its final report and recommendations on 24 December. It places criminal responsibility on President Jammeh, his close associates and members of his government for human rights violations and abuses committed against Gambians and West Africans in the period spanning 1994-2016. The onus is now on the government to follow through on the TRRC's recommendations. A government White Paper to this end is expected by 25 May 2022.

The report brings back into focus the need for the government to take action on abolishing the death penalty, in line with its stated intentions and the UPR 2019 recommendations to that effect. Prison and detention conditions in The Gambia are still inhuman and degrading.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU has focused on the following priorities: protecting fundamental freedoms, strengthening the rule of law, supporting electoral processes, bolstering transparent, accountable and independent oversight institutions, fighting impunity, promoting the meaningful participation of women and girls in all spheres of public life and non-discrimination, fostering a pluralistic civil society, abolishing the death penalty.

**3. EU bilateral political engagement:** The EU priorities in The Gambia are part and parcel of every engagement with representatives of the relevant Gambian authorities and institutions. It also used public diplomacy, social media to advance certain areas of importance. Particular attention was given to the participation of women in all spheres of public life, to press freedom and freedom of expression. The HR/VP in his congratulatory letter to President Barrow following his election victory underlined that the EU continues to stand ready to accompany The Gambia through legal and constitutional reforms.

**4. EU financial engagement:** In the context of the elections, EU funding went to supporting civic education on electoral processes, domestic observers and to an early warning system and mitigation of potential triggers for electoral violence. The EU was also the main sponsor of The Gambia Press Union's National Journalism Awards and was given the honour to present the awards for Human rights reporting and the Press Freedom lifetime achievement award, thereby underlining the importance that the EU attaches to freedom of expression. To further cement its impressive role as the beacon of human rights in The Gambia, the EU is developing plans to support the National Human Rights Commission.

**5. Multilateral context:** Over the last years and despite capacity constraints, The Gambia has made considerable efforts to comply with its international and human rights reporting obligations. The country underwent the last Universal Periodic Review in the framework of the UN Human Rights Council in November 2019; out of the 222 recommendations, 207 were accepted. Recommendations covered the role of women in society, abolition of the death penalty and non-discrimination of persons belonging to minorities, among others. The Gambia's next UPR is expected in 2024.

## Togo

**1. Overview of the human rights and democracy situation:** In 2021, the human rights and democracy situation in Togo remained stable but did not improve. The sharp tensions between the presidential majority and the opposition have persisted and even further deepened, while the freedom of the press and media is also limited. Imprisonment of political opponents, trade union members, and independent or critical journalists have continued during the year, while the DMK coalition (the main opposition force) keeps on considering the president and his government as illegitimate, which undermines the attempts of internal dialogue that have been carried out. Independent media are often shut down, and there is evidence that the spyware Pegasus has been used against journalists and human rights activists. Some progress has been registered in the field of gender equality. Regional elections foreseen for 2021 have been eventually postponed to 2022.

**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, for the challenges that the country is facing. EU action in support of human rights and democracy in Togo focuses on improving the judicial system, supporting national reconciliation, capacity-building of the 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 18 October 2021, the EU and Member States held the 22nd Article 8 Political Dialogue meeting with the Togolese authorities. In general, the meeting confirmed the good political relations between EU and Togo, as well as the will to strengthen them further. While the EU and the represented Member States welcomed the progress made by Togo in the field of gender equality, they also pointed out the worsening situation as far as democracy and human rights are concerned.

**4. EU financial engagement:** Consistently with the Programmation Joint Document (2021-2027), the EU, Germany and France adopted a joint-cooperation strategy along three priority areas aligned with the Government's Togo 2025 roadmap, and three Team Europe initiatives for the period 2021-2024:

- support for socio-economic inclusion and human development, through support for widespread access to and quality improvement of public services (water, sanitation, education, health, culture, energy, connectivity): EUR 50.75 million;

- support for the development of sustainable agro-industries, the management of natural resources and the protection of biodiversity: EUR 50.75 million;
- support for the consolidation of a peaceful and resilient society, with a particular support for peace and security, the rule of law, the modernisation of public action and decentralisation: EUR 29 million;
- support for measures for the Cooperation Facility/support to the civil society: EUR 14.5 million;
- Team Europe Initiative "energy and connectivity": EUR 35.3 million;
- Team Europe initiative "sustainable agrobusiness": EUR 41.1 million;
- Team Europe initiative "Decentralisation and Local Governance": EUR 29.5 million.

**5. Multilateral context:** In promoting human rights and democracy, the EU delegation and Member States' embassies work 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 itself.

## Uganda

**1. Overview of the human rights and democracy situation:** General elections took place in January 2021, tarnished by electoral violence and contestation of the process and the results. Disappearances and arbitrary arrests affected hundreds of opposition supporters, some lasting for months and illustrating the erosion of the rule of law in the country. There were further constraints for civil society organisations (CSOs) and human rights defenders (HRDs), including the suspension for 54 NGOs (because of a legal 'non-compliance') in August, unsubstantiated money laundering charges against a prominent HRD, violence against journalists, and the arrest of NGO employees supporting communities negatively impacted by oil developments. Importantly, the Democratic Governance Facility (DGF), a pooled fund active since 2011 and currently supported by the EU, Austria, Denmark, Ireland, Netherlands, Sweden and Norway was suspended in February 2021.

Accountability for serious human rights violations was elusive in 2021. Despite sustained advocacy by local civil society groups, the deaths of at least 54 people during political protests in November 2020 remained unaccounted for. Access to justice remained severely constrained, characterised by lengthy pre-trial detention and limited coverage of legal aid services. The process for establishment of a national legal aid policy and law, as well as a witness protection act, has stalled.

Human rights concerns linked to the State's response to COVID-19 persisted in 2021. Access to education was affected by a blanket school closure for almost two full years (the longest period in the world). Lockdown periods exacerbated sexual and gender-based violence, and led to an increase of teenage pregnancies. The number of children engaged in child labour doubled to over four million in 2021. LGBTI persons in Uganda continued to face discrimination and attacks during 2021; 44 people were arrested in May. The abuse of land

rights and environmental rights caused concern, with the arrest of several environmental rights campaigners and staff of environmental NGOs.

**2. EU action - key focus areas:** The EU organised or supported nine international days or events related to democracy and human rights in Uganda, including the 2021 EU Human Rights Defenders Award hosted by Germany. In 2021, the EU responded to alarming needs to protect and empower Human Rights Defenders in Uganda and to build a more inclusive society where NGOs can also play an active role, and expressed its concern about potential misuse of anti-laundering/countering financing terrorism legislation to constrain civil society.

For the 2021 electoral process, the EU did not deploy an electoral observation mission nor an electoral expert mission to Uganda. The EU delegation coordinated a local Diplomatic Watch exercise for the general elections in January.

Regarding digital rights and internet governance, the EU raised concern about the internet shutdown during the electoral process and some blockages (Facebook), and supported some projects on digital security and inclusion, as well as on innovation. Regarding business and human rights, the EU engaged on community rights in difficult cases in Kirandondo district, Bugoma Forest, and Albertine region.

**3. EU bilateral political engagement:** The EU did not hold any session of political dialogue at presidential level in 2021, but engagement with Ugandan authorities continued at all levels; contacts with the new governmental appointees took place since the summer and policy dialogue continued. The EU engaged with senior government officials and offices to raise concerns about prosecution and the shrinking civic and political space, including with the renewed Uganda Human Rights Commission.

In its dialogue with the authorities, the EU and its Member States repeatedly raised the issues of civic space and human rights and publicly condemned violations of human rights. Human rights related demarches were presented to the Ministry of Foreign Affairs.

**4. EU financial engagement:** The EU agreed to continue financial engagement with Uganda for the next programming cycle 2021-2027, including the priority of Promoting Democratic Governance and Social Inclusion in its Multiannual Indicative Programme.

In September, the EU delegation and nine Member States ensured a continued strong focus on support to civil society, through the agreement of a new EU CSO roadmap for 2021 – 2027. The Civil Society in Uganda Support Programme (CUSP) continued to support the strengthening of CSOs' capacities and their engagement in development processes and with the government.

Grants from the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations/Local Actors (CSO-LA) continued to complement the geographical envelope. Grants covered the issues of youth and livelihoods, natural resources governance, gender-based violence and violence against children, women's economic empowerment, human rights and freedom of expression. Under the EIDHR, two new contracts were signed in 2021 to support CSOs in combatting violence against women and advancing the rights of groups in vulnerable situations in the COVID-19 context.

**5. Multilateral context:** With the support of the Justice and Accountability Reform programme, the backlog of human rights reports to United Nations treaty bodies was reduced.

The EU-UN Spotlight Initiative to eliminate violence against women and girls in Uganda progressed well in good collaboration with the UN and the government. Spotlight supported mainstreaming of gender-based violence prevention in sectoral and local governments' plans, contributed to social norms change and promoted sexual and reproductive health and rights. In a context of sharp increase of gender-based violence due to a prolonged COVID-19 lockdown, the programme also provided support to 16 shelters for victims of gender-based violence.

In 2021, the EU worked with UNESCO for an event on the International Day to End Impunity for Crimes against Journalists.

## Zambia

In 2021, Zambian politics were dominated by the tense presidential and legislative elections, which resulted in a landslide victory of the opposition candidate Hakainde Hichilema and a peaceful transition of power on 24 August. The new Zambian government has embarked on a course of wide-ranging political, economic and social reforms. While some initial gains could already be observed, especially as regards political and civil liberties, much remained to be done on the more structural challenges, such as poverty and gender-based discrimination. In this framework, the government vowed to improve Zambia's democracy, rule of law and the human rights situation, which had gravely deteriorated over the last years. President Hichilema promised to modify the controversial Public Order Act (POA), to respect freedom of assembly, freedom of the press, access to information and the independence of the judicial system.

The EU EOM assessed the elections as technically well-managed but noted that the process was marred by unequal campaign conditions, restrictions on freedoms of assembly and movement and misuse of incumbency. Arbitrary application of COVID-19 campaign regulations and Public Order Act provisions hindered opposition candidates from competing under equal conditions and amplified widespread perceptions of a lack of level playing field in the campaign. Furthermore, the media landscape was highly polarised, with state media giving an extensive advantage to the ruling party and disinformation and tribalism pervaded online debate to the detriment of voters. The President deployed the Zambia Defense Force to boost police capacity in response to political violence in the capital.

Corruption remained widespread in Zambia permeating all sectors of society and severally hindering good governance, citizen's access to services and business conduct. An Anti-Corruption Act was adopted in 2010 but its implementation remained a challenge in 2021. The Anti-Corruption Commission lacked resources and independence during the previous administration. President Hichilema has pledged to fight strongly against corruption, including by empowering relevant government bodies.

Poverty and vulnerability continued to be key challenges with Zambia remaining one of the most unequal countries. In an attempt to address the social crisis, aggravated by the COVID-19 pandemic, the new government presented an expansionary budget for 2022 with a

substantial increase in health, education and social cash transfer programmes. The rights of the child were severely affected by high prevalence of violence and early age employment.

In 2021, women´s and girls´ rights continued to face major obstacles in Zambia, with a high prevalence of sexual and gender-based violence and child marriage. Women experienced significant challenges in the political, social and economic spheres. Sexual and reproductive health and rights remained a key issue, reflected in the country's alarmingly high adolescent pregnancy rate.

LGBTI persons suffered from violence, stigmatisation and lack of legal protection. Consensual same-sex relations continued to be criminalised. The rights of persons with disabilities remained restricted with regard to access to basic social services. Access to justice was still problematic for the majority of Zambians, mostly due to lack of awareness, financial resources and legal services. The situation in prisons remained very poor.

**2. EU action - key focus areas:** The EU's human rights and democracy policy priorities in Zambia until 2024 are in line with the EU policies at political and development cooperation level:

- The enhancement of good governance practices, including the fight against corruption, improved civic and political rights. Improved natural resource management;
- The promotion of a fair, independent and efficient justice system, including the fight against impunity, the right to a fair trial, the rights of persons in detention, and the abolition of the death penalty;
- The advancement of women's and girls' rights, including sexual and reproductive health rights and the fight against gender-based violence;
- The promotion of economic, social and cultural rights, including for children and their right to good education and good health;
- The cultivation of an environment of non-discrimination, with a focus on the rights of marginalised groups.

**3. EU bilateral political engagement:** In 2021, the political engagement of the EU delegation regarding human rights and democracy took different forms and included interactions with key stakeholders as part of the ongoing political dialogue (Article 8 meeting; meetings with the President, relevant ministers, etc.). The EU and its Member States engaged also in dialogue with numerous shareholders, including the Electoral Commission of Zambia, around different aspects of the electoral process, which was supported by an EU Election Observation Mission deployed for the August 2021 general elections. The Zambia-EU "Article 8" Political Dialogue that took place in March 2021 was also mainly dedicated to preparing the general elections, and discussing how to guarantee an electoral environment respectful for fundamental freedoms and ensuring a level playing field between all candidates. The EU has also engaged with human rights defenders, civil society and media organisations.

The EU participated in the 2021 Anti-Corruption Day events. The EU advocated for the review of the Public Order Act and the 2009 NGO Act and continued to promote the abolition of the

death penalty. The EU also conducted quiet diplomacy on the issue of the rights of LGBTI persons with Zambian authorities, engaging also with the LGBTI NGO consortium.

**4. EU financial engagement:** The EU and the Member States are major development partners for Zambia. They currently support human rights and democracy via grant support to CSOs, to the national Human Rights Commission and the National Assembly, as well as via technical assistance to government authorities.

In the framework of the electoral process, the EU supported, through cooperation projects, the UNDP basket fund, the national observation and parallel voter tabulation, civic education and media. The EU provided technical support to the Anti-Corruption Commission and to the Office of the Auditor General, through Twinning with specialised public institutions from Finland, Austria, Germany and Croatia. The EU supported women's and girl's rights notably through the large-scale EU Sexual and Gender-Based Violence Programme (NATWAMPANE) in Luapula and Northern Provinces. The EU have also developed the Zambia Country Level Implementation Plan of the new Gender Action Plan III that runs from 2021-2025. Ireland and Sweden supported the national gender-based violence programme through the relevant UN Joint Programme. The EU further provided support to various communities to undertake activities that focussed on advancing the rights of the child and inclusive education. The EIDHR provided grants to five CSOs to promote an environment of non-discrimination in Zambia.

**5. Multilateral context:** During the 2021 UN General Assembly in New York, President Hichilema and EU Council President Michel held a bilateral meeting. It was an opportunity to discuss Zambia's renewed engagement in multilateral for a, as well as issues of mutual interest (equal access to vaccines, green economy, development partnership, among others).

The EU reached out to the Zambian government regarding a number of multilateral initiatives, including support for the COP26 in Glasgow, Global Agreement on Plastics, the Biodiversity COP15 in Kunming and the 76th UN General Assembly Third Committee.

## Zimbabwe

**1. Overview of the human rights and democracy situation:** In 2021, the human rights situation did not improve in Zimbabwe. There were, however, no reported cases of large-scale and extreme violence. Politically motivated use of the security forces and of the judiciary system, such as arbitrary arrests, lengthy pre-trial detentions and COVID-19 restrictions were used to restrict liberties.

Intimidation of the political opposition and other government critics has continued to restrict the democratic and civic space, which is under threat of shrinking further through the Data Protection Act and ongoing legislative processes such as the Private Voluntary Organisations (PVO) Amendment Bill and the envisaged so-called "Patriotic Act". The EU is concerned about these developments.

Perpetrators of human rights violations should be swiftly brought to justice to end impunity. The recommendations of the Motlanthe Commission of Inquiry have not been followed substantially and need to be implemented as a matter of priority and urgency. It is important

that international human rights obligations are adhered to and the constitutional rights of the people of Zimbabwe respected.

The economic and social situation did not significantly improve in 2021. Urban poverty is rising and the purchasing power of the population is decreasing. Faced with the COVID-19 situation, the government has been able to vaccinate proportionally more people than many African countries. Nevertheless, the lockdown has been systematically used as a political tool for silencing discontent.

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

i) Promoting fundamental freedoms, strengthening civic and political space, and supporting independent and pluralistic media, access to information and the fight against disinformation:

The EU continued to provide support to constitutional alignment of elections, media and security related laws by the government. The EU strengthened civil society to promote gender equality through participatory advocacy on the rights of the child, awareness raising and the fight against child marriages. The EU supported increasing community access to information and participation in governance processes. The EU also promoted the rights of vulnerable groups in places of detention and further supported the response to the COVID-19 pandemic in prisons. The EU contributed towards the promotion of human rights by persons with disabilities. The EU strengthened the transparency and accountability in the mining sector and enhanced capacity of marginalised groups and local authorities to defend their rights and promote local development respectively.

ii) A stronger civil society that promotes peace and reconciliation and citizens' participation:
The EU works to strengthen the coordination and capacity of non-state actors to participate proactively in policy dialogue at all spheres of governance, as well as to demand accountability and access to information. Ireland has continued to support civil society organisations in engaging effectively and constructively with the State and other stakeholders on governance issues, such as access to justice, media, elections, human rights and service delivery. Germany further supported civil society organisations with a focus on conflict prevention and social cohesion to pilot approaches fostering social cohesion and conflict resolution in selected rural and urban communities.

iii) Enhancing democratic, accountable and transparent institutions:
The EU continued its support and advocate for increased access to justice, citizens' 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 and in line with the EU EOM recommendations of 2018).

iv) Protecting people, eliminating inequalities, discrimination and exclusion and empowering people: As a part of a regional programme, the EU supported the strengthening of the legal framework and non-discriminatory environment as regards the defenders of the rights of LGBTI persons and their organisations. The EU, in partnership with UN agencies and the Government of Zimbabwe, continued to address violence against women and girls through the Spotlight Initiative. Germany supported two flagship projects for the prevention of violence against women and girls. One flagship focused on the prevention of violence at public

water points and the other on the engagement of religious and traditional leaders to stop child marriages. The Netherlands supported a program that brings together three organizations providing specialised services to women, mainly survivors of sexual and gender-based violence. Sweden provides core support to promote rights of LGBTI persons in Zimbabwe. The EU, Sweden and Ireland contributed to the Health Development Fund, a multi-donors fund, which includes action on sexual and reproductive health and rights, as well as on gender-based violence, in collaboration with UNICEF and UNFPA.

**3. EU bilateral political engagement:** Human rights priorities are among the highest in the EU agenda in Zimbabwe. The formal Political Dialogue, which is the main instrument for engagement between the EU and Zimbabwe, took place on 10 June 2021 and included substantive discussions on human rights, democratisation, rule of law and good governance. EU Heads of Mission held a series of meetings with human rights NGOs and, separately, with democracy and electoral NGOs. The EU Delegation further held meetings on human rights with the Vice-President, line ministries and independent commissions. Within the Spotlight initiative, the Government High-Level Political Compact to end gender-based violence was launched by the President of Zimbabwe. The Declaration by the High Representative on behalf of the EU issued on 19 February 2021 in conjunction with the renewal of the EU's restrictive measures on Zimbabwe constituted a strong communication tool on human rights and democracy in the country.

**4. EU financial engagement:** The EU development cooperation in Zimbabwe is channelled exclusively through CSOs and international organisations. The overall envelope will contribute to improving the civil and political, as well as the economic, social and cultural rights. The 11th EDF National Indicative Programme signed in 2015 amounted to EUR 287 million. Some EUR 96 million were additionally mobilised to support the EPA negotiations and to address various unforeseen crises, including COVID-19 and humanitarian crises. Thematic instruments (e.g. EIDHR, CSO-LA thematic line, Intra-ACP) were designed to complement these geographic priorities. Following the 11th EDF, the Multiannual Indicative Programme 2021-2027 was adopted in December 2021 and will be implemented from 2022 onwards.

**5. Multilateral context:** The EU regularly raises Zimbabwe's non-compliance with international human rights and democracy standards in multilateral fora. In order to prepare for the 2022 Universal Periodic Review of Zimbabwe, the EU Heads of Mission held a number of meetings with CSOs active in the areas of democracy and human rights and scheduled the analysis of the final report in order to monitor its follow up.

# Arabian Peninsula

## Bahrain

**1. Overview of the human rights and democracy situation:** The current reform drive spearheaded by the Crown Prince and Prime Minister of Bahrain as well as the COVID-19 pandemic prompted the Bahraini authorities to implement judicial reforms and expand the alternative sentences, which resulted in the release of over 100 prisoners. Specifically, in April at least 73 inmates who served half imprisonment sentences had their remaining jailed terms

commuted into alternative penalties. In September, Bahrain extended an 'alternative sentencing' reform to include all prisoners. Alternative sentences may include community service, home detention, exclusion orders, non-contact orders, electronic tagging, rehabilitation programs or compensation. Subsequently, at least 30 prisoners were conditionally released, most of whom considered political prisoners by international NGOs. At least three inmates died in prison in 2021, prompting violent protests concerning the prison conditions and alleged medical negligence.

Moreover, the government addressed the socio-economic challenges of the pandemic notably as regards health services, including the free administration of vaccines to all citizens and residents. However, the enjoyment of civil and political rights, such as freedom of expression and freedom of association, continued to be restricted. At least 26 individuals have been on death row, all at risk of execution, having exhausted all legal remedies. Protests associated with the 10th anniversary of the 2011 uprising in Bahrain and the normalisation of relations with Israel led to new arrests in 2021. Human rights complaints were regularly investigated by the National Institute for Human Rights and the Ombudsperson's office.

Migrant workers, who make up 45% of the population, continued to face difficulties and legal constraints, despite the progress made following the introduction of the Flexi Work Permit reducing migrant workers dependency on Bahraini sponsors. This was mainly due to the kafala (sponsorship) system, which binds certain categories of foreign nationals to their employer and opens the doors to abuses, especially domestic workers.

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

*Protecting and empowering individuals:* In the context of the COVID-19 outbreak, the EU Special Representative for Human Rights reached out to several countries in the Gulf, including Bahrain. The EUSR welcomed the release of a significant number of the Bahraini prison population amid the spread of the coronavirus, hereby encouraging the country to extend these measures also to several imprisoned human rights activists with pre-existing medical conditions which put them at greater risk from the coronavirus. In the context of the EU-Bahrain human rights dialogue, the EU raised a number of individual cases and reiterated the pleas for the release of prisoners on humanitarian grounds.

*Building resilient, inclusive and democratic societies:* Bahrain 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, members of the Shia community continued to be object to discriminatory treatment. Bahrain remained committed in promoting inter-faith dialogue and peaceful coexistence. On 14 September 2021, the Jewish synagogue was reopened after extensive restoration and prayer services took place in public. 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. In April, Bahrain's Cabinet amended its Press, Printing and Publishing Law. The amendments included, among others, the expansion of the controls usually applied to the traditional media to digital media. A national human rights action plan will be adopted in 2022 after a series of consultations and workshops.

As a follow-up to the fifth informal EU-Bahrain Human Rights Dialogue held on 22 February 2021, several follow-up activities were identified, including in the field of freedom of expression and religious tolerance. In the same context, experts exchanged on 31 March 2021 on the preparation of the Bahraini National Action Plan for Human Rights.

*Promoting a global system for human rights and democracy:* Bahrain is a party to the 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 on the abolition of the death penalty, nor the Convention on Enforced Disappearances. The EU delegation has maintained communication with the UN Office in Manama and has coordinated common messages on the ratification of these conventions, as well as on reforms related to the implementation of the UN Sustainable Development Goals.

*New technologies: harnessing opportunities and addressing challenges:* According to a report released in August 2021 by Citizen Lab at the University of Toronto, the mobile phones of nine Bahraini activists were allegedly hacked between June 2020 and February 2021 using NSO Group spyware. The EU has raised the issue with the Bahraini authorities.

*Delivering by working together:* The EU and the Member States worked closely in monitoring the human rights situation in the country, including as a follow up to the EU-Bahrain human rights dialogue. In this context, on 2 May 2021, the Head of EU Delegation to Bahrain, together with EU Member States' ambassadors and representatives of international organisations accredited to Bahrain, participated in a visit of the Jau prison. The visit allowed for engaging with the Bahraini authorities who organised it, with prison staff as well as several inmates.

**3. EU bilateral political engagement:** During the fifth human rights dialogue, the EU and Bahrain addressed individual cases, of the two dual (EU – Bahraini) nationals Abdulhadi Al Khawaja and Sheikh Habib Al Muqdad. Moreover, human rights featured in bilateral talks between HR/VP Josep Borrell and Bahraini Foreign Minister Al-Zayani during the visit to Brussels in February 2021 and in the margins of multilateral events. The EP delegation for relations with the Arabian Peninsula raised human rights during a mission to Bahrain in November 2021.

**4. EU financial engagement:** Under the FPI-funded 'Enhanced EU-GCC Political Dialogue, Cooperation and Outreach', youth empowerment, especially through education programmes, in an inclusive and gender balanced manner, as well as the implementation and monitoring of Bahrain's gender strategy, developed by the Supreme Council for Women have been two of the identified priorities for cooperation.

**5. Multilateral context:** Bahrain was a member of the UN Human Rights Council between January 2019 and December 2021. In general, it has rarely aligned itself with EU priorities, either thematic or geographic.

## Iraq

**1. Overview of the human rights and democracy situation:** In 2021, the overall human rights situation remained challenging. The EU expressed concerns about the targeting of activists and human rights defenders, the deficiencies in due process and fair trial, discrimination against persons belonging to minorities, as well as gender-based violence. Instances of intimidation and assassination of prominent activists and journalists, as well as aspiring

political actors, took place against the background of the October 2021 elections, despite the government's efforts to provide protection and a safe environment. An EU Election Observation Mission (EOM) assessed as competitive the early parliamentary elections, held under a new electoral system.

Cases of torture in police detention centres and interrogation cells in formal and informal prisons were reported. Iraq continued to apply the death penalty with at least 19 death sentences executed in 2021 amid serious concerns over deficiencies as regards due process. On 1 March, the parliament passed the Law on Yazidi Female Survivors, which created a framework for reparations beyond Yezidi victims. However, the Anti-Domestic Violence Law, which had been discussed in the parliament at length, was not adopted. Security forces reportedly continued to deny security clearance, required to obtain identity cards and other essential civil documentation, to thousands of Iraqi families that the authorities perceived to have ISIS affiliation. In the Kurdistan region, freedom of expression remained under pressure: the EU shared UN concerns over fair trial and due process standards in the proceedings against several journalists.

The EU and Iraq cooperated constructively on the irregular migrant situation on the EU border with Belarus, where a majority of stranded migrants were Iraqis. Iraqi authorities took action to curb smuggling networks and organised return flights from Minsk.

**2. EU action - key focus areas:** The EU´s human rights policy in Iraq continued to focus on the response to the protest movement's legitimate democratic demands, including supporting electoral preparations, strengthening democratic institutions and supporting socio-economic reforms. The EU further engaged in the protection of human rights defenders, women's empowerment, easing the return of IDPs, protection of minorities, as well as national and social reconciliation. The EU regularly advocated for Iraq to adhere to the core tenets of international human rights law and, notably it undertook, jointly with Member States, a demarche on the accession to the ICC and the Agreement on Privileges and Immunities of the Court (APIC).

**3. EU bilateral political engagement:** The EU continued to engage with Iraqi authorities on human rights at all levels, in particular in view of the legislative elections. Deeply concerned by several episodes of violence, the EU and Member States met Prime Minister Kadhimi on 17 June to call on the Iraqi government to protect protesters, activists and journalists against attacks and to allow them to exercise their fundamental rights, including the freedom of expression and the freedom to peacefully assemble and demonstrate. The EU also engaged in regular meetings with civil society organisations across the country to have a first-hand understanding of the situation on the ground and to identify priorities for political engagement and targeted support, notably by specific projects. The HR/VP met with several CSOs representatives and human rights defenders during his visit to Iraq on 7 September 2021.

In Kurdistan region, the EU followed closely the evolving situation and undertook a series of outreach activities vis-à-vis local authorities, in conjunction with Member States.

Following an invitation by the Independent High Electoral Commission, the EU decided to deploy the first-ever EOM to Iraq to observe the 2021 early parliamentary elections. The preliminary EOM report concluded that elections were technically well managed, competitive, and the largely calm electoral campaigns enabled voters to make informed choices. Voting was largely peaceful and orderly, and voters were able to freely express their will. However, the legislation imposed some undue restrictions on electoral rights, unregulated campaign

spending negatively affected the level playing field, freedom of the media and expression was not properly safeguarded during the campaign, and the tabulation and announcement of results lacked transparency. Nevertheless, the elections should be seen in a regional context.

**4. EU financial engagement:** In 2021, the EU supported a vast array of activities through various EU financial instruments. On the protection of human rights defenders, the EU implemented the project "Protecting Human Rights Defenders: Securing a movement for Human Rights" via the Al Amal Association. On promoting gender equality, an EU project with the Gender Department of the American University in Sulaimania trained university professors and established a gender studies network between scholars from Iraq, Egypt, Lebanon, Qatar, Saudi Arabia and Morocco. As regards, freedom of expression, independent media and access to information, the EU continued its project with BBC media action 'Community Cohesion through Community media'. It aimed to secure the operation of two independent Iraqi media outlets to offer accurate and correct information, as well as platforms through which citizens can have a say in how they are governed. On the accountability of institutions and fighting corruption, the EU started a new programme with UNDP entitled 'Support to justice initiatives curbing corruption and promoting commercial dispute resolution' to enhance the legal and strategic anti-corruption framework in Iraq and to build capacity for the investigators. On the rule of law and security sector reform, the UNDP anti-corruption project also includes a dedicated component in support of the Iraqi judiciary to enhance integrity standards and foster the justice sector capacity to fight corruption. With respect to economic, social and cultural rights, including education, the EU implemented several projects notably to: revive historical areas and cultural activities in Mosul and Basra; promote interfaith and intercultural dialogue; promote private sector development and entrepreneurship, access to finance, agriculture and agri-value chain development. On political participation and transparent, inclusive and credible elections, the EU contributed EUR 5.5 million to a UNDP-led project offering technical assistance to the Independent High Electoral Commission to organise the elections in line with international standards.

**5. Multilateral context:** Iraq is a State Party to the main international human rights instruments, although it has not implemented all of them. The EU conducted several demarches, notably in conjunction with UN General Assembly Third Committee.

## Kuwait

**1. Overview of the human rights and democracy situation:** Kuwait achieved some progress on human rights in 2021 with the launch of the so-called 'national dialogue' and the issuing of an amnesty to political dissidents in exile. However, the amnesty did not include the Kuwaiti bloggers who are currently in jail or in exile for expressing their views on social media. The prolonged political crisis, which resulted in two resignations of the government, delayed human rights reforms.

Despite having a relatively open media by regional standards, the scope for expressing dissenting views in Kuwait shrank, with tightening of the state's control over broadcast, print and online outlets. Several bloggers are either imprisoned or in self-imposed exile for postings which were considered as offensive to the Emir, neighbouring countries or Islam.

Migrant workers, who make up around two-thirds of the population, continued to face difficulties and legal constraints. This was mainly due to the *kafala* (sponsorship) system,

which bound foreign nationals to their employer and opened the doors to abuses. Despite the adoption of new legislation improving the situation of migrant workers, working conditions of domestic workers and undocumented migrants often remain difficult.

The stateless 'Bidoons' continued to face difficulty in obtaining identification documents, resulting in problems to access public services such as health, education and employment, or even to travel outside of the country. The temporary committee on 'Stateless affairs', which was tasked to complete a draft law on their civil and social rights, has not been formed in the new National Assembly (post October 2021). Bidoons' children remain mainly excluded from free access to public education. Only Kuwaiti citizens can enjoy freedom of assembly and association, while foreigners are not permitted to take part in public gathering. In August 2021, 19 'Bidoon' activists were interrogated for participating in public gatherings. In 2021, the Kuwaiti authorities deported at least two foreign residents for peaceful assembly. Non-citizens cannot register a trade union or a civil society organisation.

In September 2021, the Minister of Commerce and Industry issued a decision banning discrimination and sexual harassment in the workplace in the private sector. In December 2021, Kuwait's military opened enrolment for women as non-commissioned officers and civilians. However, important restrictions were introduced in implementation. Women continued to face discrimination regarding inheritance, marriage, child custody, and their inability to pass on their citizenship to their children. Lack of women's political representation remained a challenge, as there are no female MPs and only one female minister in the Kuwaiti representative bodies. Kuwait witnessed a rise in gender-based violence, including femicides.

LGBTI persons continued to face discrimination; according to the Article 193 of Kuwait's Penal Code "consensual intercourse between men of full age" is punishable with up to seven years in prison. While in October 2021, a transgender woman was sentenced to a prison, Kuwait's constitutional court has in February overturned a law that criminalised "imitation of the opposite sex" and that was used to prosecute transgender people.

Kuwait maintains the death penalty, including for non-violent offenses (e.g. drug-related charges). While no executions have been reported since January 2017, a formal moratorium has not been announced.

**2. EU action - key focus areas:** The EU engaged regularly with Kuwaiti institutions dealing with human rights, mainly in the context of the EU-Kuwait Informal Human Rights Dialogue. The EU delegation engaged with local civil society as well. The EU delegation continued to engage with EU Member States through the EU Informal Working Group on Human Rights, which met three times during 2021. In parallel, the EU delegation worked closely with likeminded countries and international organisations on women empowerment and migrants' protection.

The European Parliament's Delegation for Relations with the Arab Peninsula visited Kuwait in November 2001 for an inter-parliamentary meeting with the National Assembly of Kuwait, a meeting with the National Diwan for Human Rights as well as with civil society organisations and representatives from the academia. It has raised several human rights concerns, including the situation of the stateless 'Bidoons' and migrant workers, as well as a lack of women's political representation.

As a follow up to the EU-Kuwait informal Human Rights Dialogue, the EU delegation co-organised with local and international partners a high-level event on Women Economic Empowerment, where 15 Kuwaiti private companies signed the 'Women Empowerment

Principles', raising the total number of signatories in Kuwait to 46. On the International Human Rights Day on 10 December, the Head of EU Delegation to Kuwait published a video and gave an interview to the Kuwaiti highly popular newspaper Al-Rai.

**3. EU bilateral political engagement:** The EU expanded its engagement with Kuwait on human rights. In March 2021, the EEAS and Kuwaiti MFA conducted the second Informal Human Rights Dialogue in a virtual format. Both sides discussed developments in the area of human rights and cooperation in multilateral fora.

**4. EU financial engagement:** In the course of 2021, the EU continued to support the protection of human rights in partnership with local CSOs. The EU delegation supported financially the LOYAC Academy of Performing Arts to engage youth in creative expression through art and dance, under the umbrella of an annual Festival of Art and Dance. Furthermore, the EU delegation supported financially the project of the Kuwaiti Society of Human Rights, which provides legal aid to migrant workers concerning their rights and raise public awareness about the situation of migrant workers.

**5. Multilateral context:** The second informal Human Rights Dialogue provided an opportunity to exchange views on the activities of the UN Human Rights Council and the UN General Assembly Third Committee. In preparation for the UNGA Third Committee sessions, the EU delegation has delivered demarches on EU priorities to the Kuwaiti MFA.

## Oman

**1. Overview of the human rights and democracy situation:** On the second year of the reign of Sultan Haitham, the situation of human rights remained stable. The Omani authorities tried to maintain a delicate balance between the more conservative and the more progressive elements of Omani society. The authorities show respect for individual and social rights; courts are generally impartial. There are no reports of systematic torture and there is a de-facto moratorium on the death penalty since 2001. The space for political debate and freedom of expression, peaceful assembly, association and media freedom is limited, however. Socio-economic rights are respected, especially for Omani nationals, even though a conservative view on women's role prevails in the Omani society. Freedom of religion or belief is not an issue of particular concern in Oman, as the government and religious leaders promote religious tolerance.

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

*Protecting and empowering individuals:* Although significant progress has been achieved in protecting and empowering women, discrimination in legislation on specific issues (e.g. in inheritance, divorce, family and nationality law) needs to be addressed. Similarly, an overall positive social framework for expat workers prevails in the country but Oman's *kafala* (sponsorship) immigrant labour system and a lack of labour law protections (despite the 2016 reforms) leaves room for exploitation by the employers.

*Building resilient, inclusive and democratic societies:* On 11 January 2021, the new Basic Law of State (Constitution) was adopted. The Basic Law enshrines secure and effective protection for human rights and respect for international and regional treaties, and recognised that the rules of international law were among the guiding principles of State policy. It guarantees the division of powers and it reaffirms the principles of the independence of the judiciary and the

rule of law as a basis for governance, and the role of the State in ensuring that citizens and residents enjoyed rights and freedoms, in particular the rights to equality, education, life and dignity, security and privacy.

*Promoting a global system for human rights and democracy:* On 21 January 2021, the UN Human Rights Council conducted Oman's third Universal Periodic Review. Oman received 264 recommendations, of which the Sultanate accepted 208, took note of 49 of them and partially accepted and took note of 7 other recommendations. While Oman accepted recommendations for safeguarding foreign workers rights and advancing women's rights, it took note of recommendations related to abolishing the death penalty. EU Member States actively participated in the review.

*New technologies: harnessing opportunities and addressing challenges:* In the summer of 2021, at least five individuals were reportedly arrested for expressing their views on social media. The EU has been advocating for freedom of expression.

*Delivering by working together:* Throughout 2021, the EU monitored the human rights situation in the country including freedom of expression, women's rights, labour rights and trafficking in human beings. The EU Delegation in Riyadh, also responsible for relations with Oman was in regular contact with resident EU Member States coordinating EU positions on human rights matters and liaising with the authorities in Muscat.

**3. EU bilateral political engagement:** Oman is an important EU partner and there is an on-going political dialogue at many levels, including on sectorial issues. Following the signature in September 2018 of a Cooperation Arrangement between the EEAS and Oman's MFA, senior officials meetings have taken place encompassing an enhanced political dialogue component and sectoral policy cooperation discussions. Oman is currently the only Gulf Cooperation Council country with which a human rights dialogue is not undertaken by the EU. At political consultations in June 2021, the EU proposed to engage in an informal human rights dialogue. The issue was also discussed in February 2022. The Omani side is giving due consideration to the proposal.

**4. EU financial engagement:** Under the FPI-funded 'Enhanced EU-GCC Political Dialogue, Cooperation and Outreach', youth empowerment has been one of the priorities identified for projects, especially through education programmes, in an inclusive and gender-balanced manner. Other priority areas are tourism and environmental protection.

**5. Multilateral context:** Coordination at the multilateral fora should be improved. Oman tends to align itself with its GCC partners or to avoid human rights resolutions that are considered to be either contentious or politically charged.

## Qatar

**1. Overview of the human rights and democracy situation:** Throughout 2021, Qatar continued to reform its labour laws aiming at improving the living and working conditions of its large migrant worker community (over 85% of the country's population). Those reforms entailed the *de jure* dismantling of the *kafala* (sponsorship) system in the country. It is the first country in the region to have done so and offers an example for other countries in the region to follow. Further reforms are needed and the recently adopted ones still need to be implemented fully.

In March, the Ministry of Administrative Development, Labour and Social Affairs announced the implementation of the new minimum wage for all workers. Progress is needed to monitor and to sanction violations. In May, the Ministry announced the launch of a single platform for complaints about working conditions. The system also provides a reporting service that allows all citizens and residents of the country to report public labour law violations. The main deficiencies in the implementation of the 2020 reforms dismantling the *kefala* system are related to the impact on the worker when he/she changes employers and to the payment of wages.

In October, for the first time, 30 out of the 45 members of the Shura Council were elected in public vote. The elections triggered intense public debate and limited demonstrations by representatives of certain tribes discriminated by the electoral regulations. The turnout was 63,5%. No woman candidate was elected. On the occasion of the appointment of the remaining 15 members of the Council, the Emir appointed two women. One of them was elected as Vice-Chairperson. This originally advisory body was to acquire new legislative prerogatives after the elections.

In general, however, civil liberties remain restricted. Legislation limiting 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. In May, a Kenyan national and human rights activist was arrested for denouncing, under a pseudonym, the working and living conditions of foreign workers in Qatar. On 29 May, the Government's Communications Office said the 28-year-old was "formally charged with offences related to payments received by a foreign agent for the creation and distribution of disinformation within the State of Qatar". After almost three months of detainment, Mr Bidali was released mid-August and allowed to leave the country after the payment of a QR 25,000 fine. Some concerns also remain about the implementation of the death penalty after Qatar ended a 17 year-long de facto moratorium on the use of capital punishment in 2020.

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. LGBTI persons continued to risk criminal prosecution under the Qatari Penal Code. While Islam is the state religion as per the Constitution, eight registered Christian denominations continued 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 regular conferences on inter-faith dialogue and religious tolerance.

**2. EU Action – key focus areas:** The EU continued to engage on human rights with the Qatari authorities, including through the EU – Qatar Human Rights Dialogue. Among the recurrent topics featured migrant workers' rights, labour reforms, women's rights and freedom of expression. In September 2021, the HR/VP welcomed publically the improvement of migrant workers' rights through the pursuit of labour reforms in Qatar and called for further progress[13].

[13] https://eeas.europa.eu/headquarters/headquarters-homepage/104915/qatar-remarks-high-representativevice-president-josep-borrell-joint-press-conference-deputy_en

In June, the College of Humanities and Social Sciences at Hamad Bin Khalifa University held a virtual high-level workshop for women leaders, in partnership with the EU Delegation to the State of Kuwait (co-accredited to Qatar). The three-day workshop aimed to further develop the essential skills and capabilities of Qatari women interested in public role. Senior politicians, media experts, campaigners, and legal scholars from the EU, Qatar, Kuwait, and Tunisia shared their knowledge and experience with 11 Qatari women, including potential candidates for the Shura Council elections. This activity was conducted with the help of the FPI funded Enhanced EU-GCC Political Dialogue, Cooperation and Outreach project.

**3. EU bilateral political engagement**: Human rights remained a recurrent topic in political dialogues and regular diplomatic engagement of the EU representatives. In June, EU held the third round of the human rights dialogue with Qatar. The discussion focused on the latest human rights developments, especially matters related to expatriate and domestic workers, the death penalty, women's rights and freedom of expression. On 22 September, the Prime Minister and Minister of the Interior, Sheikh Khalid bin Khalifa bin Abdulaziz Al Thani, met with visiting Members of the European Parliament. The EP delegation also met with high-level Qatari officials and noted progress on labour reforms. On 30 September, HR/VP Josep Borell paid a visit to Qatar and met with the Emir of Qatar, Sheikh Tamim bin Hamad Al Thani, and the deputy Prime minister and Minister of Foreign Affairs, Sheikh Mohammed bin Abdulrahman Al Thani. The HR/VP raised labour reforms and the elections for the Shura Council. On 29 October, the European Commissioner for Justice, Didier Reynders had a virtual meeting on human rights with Hassan al-Thawadi, Secretary General of the Supreme Committee for Delivery and Legacy. In December, the Minister of Labor, Dr. Ali bin Smaikh Al Marri, former President of the National Human Rights Committee, met in Brussels with the Vice-President of the European Commission, Margaritis Schinas, and the European Commissioner for Employment and Social Rights, Nicolas Schmit. The Minister met also with several representatives of the European Parliament. During his visit, he stressed that "Qatar's strategic vision is to be a model in the region with regard to workers' rights".

**4. EU financial engagement:** There was no EU financial support provided for human rights-related activities in Qatar. FPI funded 'Enhanced EU-GCC Political Dialogue, Cooperation and Outreach' project organised an event in support of women's political participation in June 2021.

**5. Multilateral context:** In October, Qatar was elected to the UN Human Rights Council by 182 votes, for the period 2022-2024. In 2021, Qatar did not ratify additional international human rights instruments. However, Qatar recently became the first country in the region to ratify two main Covenants: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

## Saudi Arabia

**1. Overview of the human rights and democracy situation:** Despite remaining challenges, the human rights situation in the Kingdom of Saudi Arabia (KSA) improved in 2021. KSA engaged in the first round of Human Rights Dialogue with the EU and upheld an informal moratorium on executions for non-violent (drug-related) crimes since June 2020. Moreover, the death penalty on four minors (Abdullah al-Zaher, Ali Al-Nimr, Dawood al-Marhoun and Abdullah Al Howeiti) was commuted or overturned. Most imprisoned women human right defenders were

also released in 2021, including Loujain al-Hathloul and Samar Badawi. Societal tolerance has also been enhanced. However, political freedoms remained curtailed. In 2021, 67 people were executed, which represents a 148% increase in comparison to 2020 (27 executions). Media remained centrally controlled and, reportedly, several Saudi citizens were arrested for expressing critical views in social media. Migrant workers, who make up 37% of the population, continued to face difficulties and legal constraints. This was mainly due to the *kafala* (sponsorship) system, which, while largely amended and with new regulations to protect foreign workers introduced, still binds foreign nationals to their employer and opens the doors to abuses.

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

*Protecting and empowering individuals:* In 2021, some of the most prominent human rights defenders, especially women human rights defenders, regained liberty. The EU advocated for their release at different levels, including via the engagement of the EUSR for Human Rights with the Chairman of the Saudi Human Rights Commission. Despite their release, they remained under travel bans and other restrictions. Contrary to the KSA's Universal Periodic Review commitment, EU diplomats could not monitor trials, especially at the Specialised Criminal Court, in spite of repeated requests to attend hearings. Gender issues continued to gain some traction; in 2021, KSA surpassed its national goal of reaching female employment of 30% by 2030. Labour Law reforms to protect foreign workers, amending the *kafala* (sponsorship) system, do not apply to the most vulnerable groups, including domestic workers. As regards freedom of religion or belief, the Saudi authorities claimed a more tolerant approach towards non-Muslim religions (e.g. Christmas celebrations); however, without modifying discriminatory legal framework.

*Building resilient, inclusive and democratic societies:* No progress was recorded on political participation since the dates for the overdue municipal elections (the only elections to be held in KSA) were not announced. The Majlis as-Shura, while it debates a wide range of social issues, is a consultative body. However, in early 2021, the Crown Prince announced the drafting of new laws, including the Personal Status Law, the Civil Transactions Law, the Penal Code for Discretionary Sentences, and the Law of Evidence, which will contribute to the codification of the Sharia Law, increasing the level of integrity, efficiency and predictability of judicial institutions, and potentially enhancing the reliability of procedures. The EU has welcomed these announcements, including during the human rights dialogue, stressing the advantages of codifying the regulatory framework, and has conveyed its readiness to provide technical assistance on specific aspects of the judicial reforms.

*Promoting a global system for human rights and democracy:* In 2021, KSA did not ratify any of the pending UN Human Rights main Conventions (CCPR, CESCR, CAT-OP, CCPR-OP2-DP, CED, CMW). The EU has been urging KSA to ratify them. On a more positive note, KSA authorities cooperated with the UN Office in Riyadh, as well as UN agencies based abroad to deal with issues related to irregular migration and combatting of trafficking in human beings. The risk of extradition and / or deportation of individuals who face imminent risks in their home countries, including in China and Ethiopia, remained a source of concern. The EU raised the issue with local authorities, at the most appropriate level.

*New technologies: harnessing opportunities and addressing challenges:* Throughout 2021, there were reports that individuals had been arrested for criticising the government on social media. The EU continued to promote freedom of expression, while rejecting hate speech, and

proposed separate discussions on this matter as follow-up events to the human rights dialogue.

*Delivering by working together:* The EU and its Member States cooperated on the launching of the EU-KSA Human Rights Dialogue. They continued with burden sharing mechanism for trial monitoring. The EU and Member States continued to raise jointly issues of common concern with the KSA authorities, at local level, in Brussels, as well as via EU Member States' ambassadors/ envoys for human rights.

**3. EU bilateral political engagement:** On 27 September 2021 in Brussels, the EU Special Representative for Human Rights, Mr. Eamon Gilmore, and the Chairman of KSA's Human Rights Commission, Dr. Awwad Al-Awwad, co-chaired the first round of a bilateral Human Rights Dialogue. Twenty-two EU Member States observed the dialogue. The HR/VP, Josep Borrell, raised human rights during his talks with the Saudi Foreign Minister, Prince Faisal bin Farhan, including during his visit in October 2021, and in the margins of multilateral events. Locally, the EU delegation and ambassadors of EU Member States continued regular exchanges on human rights with the Saudi Ministry of Foreign Affairs and the Human Rights Commission. The EU delegation awarded the annual Chaillot Prize to Sheikha Al Dosary, the founder and manager of Saudi Women Stories, for protecting and promoting human rights in the Gulf Cooperation Council countries.

**4. EU financial engagement:** The EU identified women empowerment as a priority for bilateral engagement under the FPI funded 'Enhanced EU-GCC Political Dialogue, Cooperation and Outreach' project. In cooperation with the Saudi Human Rights Commission, the EU delegation co-organised an awareness-raising event for students about their human rights in the context of celebrations of the International Human Rights Day. In the spirit of Team Europe initiatives, EU Member States contributed to events promoting EU human rights priorities locally.

**5. Multilateral context:** Coordination at multilateral fora remains insufficient and uneven. Overall, Saudi Arabia often voted against or abstained on thematic or/ and country resolutions sponsored or tabled by the EU or its Member States. Active Saudi lobbying against the renewal of the mandate of the Group of Eminent Experts for Yemen, initiated by an EU Member State and supported by the EU, was a recent example. Despite these challenges, the EU will continue to seek cooperation with KSA on regional and thematic issues in the multilateral context. In September 2021, EU Member States largely supported KSA's candidacy for the UN Human Rights Council's advisory board and the election of Ms. Nurah Maziad S. Alamro.

## United Arab Emirates

**1. Overview of the human rights and democracy situation:** The United Arab Emirates (UAE) continued to improve its human rights record, especially in the area of socio-economic rights, implementing several Universal Periodic Review recommendations.

On multiculturalism and religious tolerance, expatriate minorities can freely practice their religion. The UAE has been a strong promoter of interfaith dialogue, exemplified at Expo Dubai 2020 and by the planned construction of the Abrahamic Family House in Abu Dhabi.

The UAE also made progress on human rights with respect to the elimination of discrimination and women empowerment. In 2021, laws were introduced to strengthen protection for women and implement equal pay in the workplace. Equally, a new law regulating the personal

status matters of non-Muslims in Abu Dhabi was introduced, which makes it possible for non-Muslims to apply their home country's civil laws, offering the opportunity for equal rights on matters such as testimony, estate, divorce and joint custody.

The UAE adopted further reforms concerning Family Law. At the federal level, the UAE decriminalised consensual relationships outside of marriage and strengthened protection of children born out-of-wedlock. Specific to Abu Dhabi, non-Muslims gained further rights through changes to the personal status laws, which allow them to operate under laws from their home country on family matters, such as marriage and divorce.

On migrant workers, the government made some progress on labour standards, especially at Expo Dubai 2020; however, the *Kefala* (sponsorship system) remains in place. The new Labour Law (effective 02/2022) consolidates workers' rights with respect to discrimination, wages and unlimited contracts. However, challenges remain, for example in terms of recruitment of migrant workers during the COVID-19 pandemic.

In the context of COVID-19 restrictions, the UAE ramped up its surveillance capacity and AI technologies in an already highly monitored society. While the UAE issued its first federal Personal Data Protection Law on protecting and processing personal data, deficiencies remain.

There was no reported progress on civil and political rights or political pluralism; political parties are not allowed and political participation occurs via limited, appointed electorate that participates in periodic elections of the Federal National Council.

Although the constitution guarantees free speech, fundamental freedoms, including the freedom of expression, remained curbed. Authorities can censor local or foreign media if they criticise the UAE and its policies. The UAE continues to employ provisions in the Penal Code and other laws to imprison peaceful critics, political dissidents and human rights activists. Cases of torture or inhuman treatment have been reported by NGOs, and the death penalty remains a punishment for certain crimes.

To address these matters, the UAE embarked on a human rights review to draw up a National Human Rights Action Plan. It appointed a board of trustees to its National Human Rights Institution, which is responsible for promoting and protecting human rights (including developing the Action Plan).

**2. EU action - key focus areas**: The EU's human rights work focuses on fundamental freedoms, on groups in vulnerable situations, women's rights, the rule of law and digital technologies.

The EU supported the UAE's efforts to promote women empowerment, including in the context of its UN Security Council and UN Human Rights Council membership. For example, the EU supported the UAE on gender equality under the Country Level Implementation Plan and co-hosted events on 22 and 24 October 2021 at Expo 2020 Dubai, with focus on women in leadership positions and success stories of women tech entrepreneurs from EU and GCC countries.

The EU analysed the new Labour and Personal Status Laws and will monitor their implementation. To promote a global system for human rights and democracy, the EU continued to encourage the UAE to join the main international covenants. At the Expo 2020 Dubai, the EU delegation hosted an event on human-centric AI to protect personal data.

**3. EU bilateral political engagement:** In June, the EU and UAE held the 10$^{th}$ round of the Human Rights Dialogue. Discussions centred on labour rights, freedom of expression and

association, digital technologies and artificial intelligence, the rule of law and women's rights. The EU inquired about the situation of human rights defenders and stressed the importance of ratifying basic UN human rights instruments, especially as UAE was joining the UN HRC. Following the dialogue, the EU proposed various follow-up topics to discuss at expert level. This complemented the Senior Officials Meeting in March, where a number of issues were discussed, including notably artificial intelligence and human rights, the rights of migrants and women empowerment.

**4. EU financial engagement:** Under the FPI-funded 'Enhanced EU-GCC Political Dialogue, Cooperation and Outreach' project, the EU organised the 'Women and Career Progression: How to Fully Harness Human Potential' event at the Women's Pavilion at Expo 2020 Dubai on 22 October 2021.

**5. Multilateral context:** The UAE was elected as a member of the UN Human Rights Council and the UN Security Council. This created opportunities for increased engagement and consultation on multilateral human rights issues. The EU supported the UAE in the drafting of its National Action Plan for the implementation of UN Security Council Resolution 1325, while engaging in advocacy for women's participation in peacekeeping and post-conflict efforts.

The UAE did not sign any major international covenants in 2021, such as the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.

The EU carried out demarches and outreach towards the UAE, including on a number of resolutions at the UNGA Third Committee.

## Yemen

**1. Overview of the human rights and democracy situation:** In 2021, the human rights situation further deteriorated as a result of military escalation in certain parts of the country (Marib in particular), exacerbating the world's worst humanitarian crisis. Civilians suffered from increased air and drone strikes. The warring parties perpetrated grave human rights violations and abuses by e.g. denying humanitarian access, killing or wounding civilians, attacking medical and humanitarian personnel, occupying schools and hospitals and recruiting children. The global COVID-19 pandemic further weakened traditional health structures and deteriorated economic situation.

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

*Protecting and empowering individuals:* The EU delegation, in cooperation with EU Member States developed and started to implement the EU GAP III Country Level Implementation Plan for Yemen. The EU stepped up its engagement with civil society organisations that provided support to groups in vulnerable situations such as Muhamasheen, persons with disabilities, IDPs, and refugees. The EU delegation supported capacity building of journalists and media activists through projects with 'Search for Common Ground' and GIZ. In 2021, the GIZ project offered trainings and on-the-job coaching to produce conflict sensitive media pieces for 103 journalists.

*Building resilient, inclusive and democratic societies:* In 2021, the EU Delegation to Yemen developed and adopted an EU Country Roadmap for the Engagement with Civil Society.

Several EU-funded projects supported the implementation of CSO capacity building projects, focusing on building their financial and management capacity within the livelihood sector and on the topics of gender-based violence and women empowerment (SFCG, NRC, GIZ, Saferworld).

*Promoting a global system for human rights and democracy:* In 2021, the EU and Member States called against the prevalence of impunity and lack of accountability mechanisms, especially for violations of human rights and of international humanitarian law at all levels, including during joint missions to Yemen. The EU Special Representative for Human Rights met with the Minister of Legal Affairs and with human rights defenders. The EU and its Member States held a continuous dialogue with e.g. the Group of Eminent Experts (until the end of its mandate), OHCHR and the National Commission to Investigate Alleged Violations of Human Rights.

*New technologies: harnessing opportunities and addressing challenges:* The EU funded Hala systems for IT solutions to monitor the implementation of a possible ceasefire.

*Delivering by working together:* The EU and Member States worked closely together to deliver EU messages to all parties involved in the Yemeni conflict. This included also 'joint missions' to Aden and Sanaa. The EU co-chaired with Switzerland a number of coordination meetings under the Group of Friends of Children and Armed Conflict to advance the agenda of children's protection in armed conflict and to lobby relevant stakeholders including a high-level meeting with the UN Special Representative on CAAC.

**3. EU bilateral political engagement:** The HR/VP met with President Hadi in Riyadh in September 2021 and raised the human rights and humanitarian situation in the country. Throughout the year, the EU issued several statements (at HR/VP, spokesperson's and local level) on developments in Yemen. The new Government of Yemen, announced in December 2020, was the first without women members in 20 years. As a result, the EU delegation raised this issue at all levels of decision-making in Yemen. Calling for full respect of international humanitarian law during all circumstances has been a key message in all meetings.

**4. EU financial engagement:** The EU and Member States have funded actions providing support to NGOs and local CSOs working on e.g. women's rights and fighting violence against women through several development cooperation projects (e.g. SFCG, NRC, GIZ, Saferworld). Through Silatech, the EU supported female entrepreneurs in creating new businesses or restoring their own business impacted by the conflict, through the provision of grants and trainings. During 2021, the EU delegation signed contracts with several organisations to protect and promote the rights of children, youth and women. As a result of the EIDHR/CSO-LA call for proposals of 2021, five new projects with Khadija Foundation for Development, Goethe-Institut, Stichting ZOA, Elbarlament, Oxfam GB will help to build capacity among local civil society organisations in Yemen.

**5. Multilateral context:** In spite of EU support, the mandate of the Group of Eminent Experts was not prolonged by the UN Human Rights Council. However, the EU will continue to look for ways to support monitoring of human rights situation in Yemen, including at local level. The EU Delegation and UN Women co-chaired the International Gender Coordination Group (IGCG) for Yemen meeting series.

## Asia

## Afghanistan

**1. Overview of the human rights and democracy situation:** The situation of human rights and democracy showed a downward trend as of 15 August 2021, the day of the Taliban's military takeover of the country, though there had also been significant human rights violations before, to a large extent as a result of the armed conflict. During the first half of 2021, the United Nations Assistance Mission in Afghanistan (UNAMA) documented over 5,000 civilian casualties, representing a 47 percent increase compared to the first half of 2020. Women and children made up almost half of all civilian casualties. Targeted attacks against human rights defenders, media workers, civil servants, and ethnic and religious minorities, notably the Hazara community, were greatly worrying during the same period.

The re-instated Taliban regime brought a silencing of arms and broader mobility for the Afghan people. However, the dire humanitarian and economic situation considerably affected fundamental rights and freedoms, including the right to life, as the majority of the population started increasingly lacking basic needs of subsistence. In addition, extra-judicial killings, including targeted and revenge killings, arbitrary detentions, torture and ill-treatment of suspects continued, despite the proclaimed general amnesty by the Taliban. A rule of law vacuum appeared in Afghanistan due to the de facto authorities' silence on how the established legal and judicial system would continue to operate. Incidents of violence against women and girls persisted, including the arrest and detention of female protestors, restrictions on access for girls to secondary education, restrictions on access for women to work, and harmful practices such as child/forced marriages. The Taliban regime deepened gender segregation of society and women's exclusion from public space, with additional rules constraining women's freedom of movement or representation in the media.

**2. EU action - key focus areas:** The EU priority actions in Afghanistan included women's rights, rights of the child, an enabling and protective environment for civil society and media, and free, inclusive and representative elections. In addition, the promotion of economic and social rights was an important objective of EU development cooperation with the Islamic Republic of Afghanistan.

The conclusions adopted by EU Foreign Affairs Council in September 2021 laid down five benchmarks – all directly or indirectly pertaining to human rights and democracy – guiding the EU engagement with the Taliban as the de facto authorities of Afghanistan. These include unhindered humanitarian access, with respect to international humanitarian law; the protection and promotion of human rights, notably for women and girls, children and persons belonging to minorities; safe passage of EU citizens and Afghans who want to leave the country; preventing Afghanistan from serving as a base for hosting, financing or exporting terrorism to other countries; and the establishment of an inclusive and representative government through negotiations.

The EU increased its initial annual allocation of humanitarian assistance by five-fold in 2021, and the de facto authorities largely enabled its direct delivery to the population in need. The EU efforts for safe passage concerned EU nationals, EU employees of Afghan nationality, and so-called Afghans at risk. During the first phase of these operations in August, the EU assisted over 500 people to leave Afghanistan, mainly employees of the EU Delegation in Kabul and their dependents. The second phase started in late 2021 and focused on former EU-affiliated

Afghans and people who were in a vulnerable situation due to their human rights or political activism.

**3. EU bilateral political engagement:** The EU and the Islamic Republic of Afghanistan held their Special Working Group on Human Rights, Good Governance and Migration in February 2021, which provided a platform to call upon the Afghan authorities to uphold human rights and discuss with their actions undertaken. Regular consultations of the Special Working Group took place within the framework of the EU-Afghanistan Cooperation Agreement for Partnership and Development, the implementation of which was put on hold following the Taliban takeover of power.

The EU was observing the intra-Afghan peace talks through a non-permanent presence in Doha, and engaged in discussions with both the Afghan government's and the Taliban's negotiating teams. The new EU Special Envoy for Afghanistan, appointed in May 2021, travelled to the country in June, July and August 2021. His visits provided opportunities to meet with a wide range of stakeholders, including political actors, civil society partners and the diplomatic community.

Even after 15 August 2021, the EU sought to maintain regular contacts with civil society representatives, both inside and outside of Afghanistan, despite the fact that previous networks were largely disrupted. At the end of November 2021, the EU conducted a first in-depth dialogue with representatives of the Taliban caretaker cabinet in Doha, led by the EU Special Envoy on Afghanistan along the EU's five benchmarks of engagement.

The EU maintained an active public diplomacy strategy, through official statements and social media outreach, notably on the issues of ceasefire, reduction of violence and targeted killings during the first part of the year, and on the clampdown on human rights and democratic gains following the Taliban takeover of power.

**4. EU financial engagement:** The EU mainstreamed gender equality and women's empowerment perspectives both through the cooperation portfolio of the EU delegation prior to the overthrow of the government in August 2021 and the EU's humanitarian and basic services response following the suspension of regular development assistance.

On women's economic empowerment, the EU launched a four-year project focusing on supporting women-led agro businesses. The EU's basis services assistance also kept a focus on women's livelihood, through a contract with UNDP aiming to safeguard women-led small businesses. All actions supporting the health and education sectors took into account women's and girls' rights. Specific EU actions for education aim to ensure that all public-school children, girls and boys, continue to have access to education. For girls in secondary education level, the EU decided to support cash transfers for their households conditioned on girls' enrolment and attendance in school.

The EU portfolio under both the Civil Society Organisations and Local Authorities and the European Instrument for Democracy and Human Rights reflected the priority given to gender equality. Ongoing contracts in 2021 focused, *inter alia*, on supporting women with disabilities and women organisations and local initiatives by civil society organisations aimed at improving women's access to health and education.

The EU-funded Spotlight Initiative, implemented by the UN, addressed gender-based violence. In 2021, 16 projects from Afghan women organisations were selected for support. Their implementation will start in 2022.

To respond to the increased need to protect human rights defenders, in December 2021, the EU launched two new projects with the consortium Protect Defenders.

**5. Multilateral context:** In August 2021, the UN Human Rights Council held a one-day Special Session on the serious human rights concerns and situation in Afghanistan. This resulted in the adoption of a resolution requesting the UN High Commissioner for Human Rights (UNHCHR) to present a comprehensive written report to the 49th session in March 2022.

In September 2021, during the 48th session of the HRC, the EU presented a follow-up resolution that passed with broad-based support, and established the mandate for one year for a Special Rapporteur to monitor human rights development in Afghanistan. The Special Rapporteur will be appointed during the 49th session of the HRC.

## People's Republic of Bangladesh

**1. Overview of the human rights and democracy situation:** Bangladesh, one of the most densely populated, disaster-prone and climate change affected countries in the world, has been very successful in reducing poverty and increasing access to primary education in the last decades. Bangladesh's progress was acknowledged in 2021 through the SDG Progress Award granted by the UN-sponsored Sustainable Development Solutions Network. Despite these positive socio-economic developments, a quarter of the population still lived below the poverty line and income inequality remains a serious challenge.

The human rights situation in the country continued to give rise to concerns regarding shrinking space for civil and political rights. The government of the Awami League party has been in office since 2008 now for a third consecutive term. The space for pluralistic democratic process and opposition continued to be under sustained pressure. Violent incidents occurred in the context of local and city corporation elections, in which opposition parties often did not officially participate.

Extrajudicial killings and enforced disappearances remained a matter of major concern and required thorough and conclusive investigations as well as full accountability for those responsible. Local and international observers, including the UN Committee against Torture (CAT) and the UN High Commissioner for Human Rights (OHCHR), continued to raise concerns over allegations of widespread use of torture and ill-treatment by security forces

Since the implementation of the Digital Security Act (DSA) in 2018, freedom of speech has continued to decline, with measures including undue restrictions on freedom in the digital space. Signals from the government that the DSA will be aligned to international standards were welcomed and should result in concrete improvements. The COVID-19 pandemic has aggravated the trend, with numerous journalists and activists detained and arrested, notably for questioning the government's measures during the pandemic, and harassment of journalists has increased.

While real progress was made during recent years on the rights of the child including increasing primary school enrolment, the closure of all education institutions for more than 18 months due to the COVID-19 pandemic had detrimental consequences for children's future and wellbeing, with reports of increased school dropouts, of child labour and of early and forced marriages. Bangladesh has made marked improvements in women's rights. However,

the pandemic has also negatively affected women's rights, with increased incidence of sexual harassment, rape, domestic violence, child marriages, and other forms of violence, also because women's support systems were unable to continue to fully function.

In spite of the signing in 1997 of the Chittagong Hill Tracks Peace Accord, peace and stability remained fragile and full implementation of the accord had not yet been achieved. The legal framework in Bangladesh did not sufficiently guarantee the protection of religious, ethnic and descent-based minorities and marginalised groups (including LGBTI persons). Ethnic and linguistic minorities have limited access to fundamental social rights and suffered land grabbing and violence. The Hindu minority endured communal violence during the Durga Puja festival in October 2021 leaving at least 9 people dead and over 300 injured among the parties involved. The authorities made numerous arrests but perpetrators had not yet been brought to justice.

Bangladesh continued to implement the death penalty. Executions were rarely carried out and death sentences were often converted to life imprisonment. However, the number of death row prisoners has gradually increased.

Labour rights remained a matter of longstanding concern despite progress made since the adoption of two parallel plans in 2021: the Labour Rights Roadmap submitted to the ILO Governing body and the National Actions Plan on labour, which had discussed with the EU since October 2019.

Throughout 2021, Bangladesh continued to demonstrate solidarity by sheltering more than 1 million Rohingya refugees in highly challenging circumstances. The conditions in the camps remained difficult, and there was a need for sustained and reliable assistance from the international community to support Bangladesh's efforts until the refugees repatriate in a voluntary and safe way. Concerns in the camps included deteriorating security, access to education, livelihood opportunities and freedom of operation for humanitarian workers and international NGOs. The relocation of refugees to Bhasan Char Island has continued, with concerns raised as to the voluntariness of the process. The 2021 negative trends showed that humanitarian assistance only reached its limits, five years after the main exodus.

**2. EU action - key focus areas**: The main areas of EU action in Bangladesh included the integrity of electoral processes, notably following up on the recommendations of the 2018 Election Expert Mission, freedom of expression, independent media, access to information and fight against disinformation, notably by offering technical assistance for amending the DSA, gender equality, women's rights and gender-based violence and human rights defenders and CSOs, and last but not least, support to the Rohingya refugees.

**3. EU bilateral political engagement**: The EU Delegation to Bangladesh and EU Member States, often with other international partners, held a number of dialogues and meetings throughout the year with key representatives of the government, including on human rights, as well as with representatives of the civil society. The diplomatic consultations in Brussels in October 2021 were another important occasion for the EU and Bangladesh to discuss human rights. Virtual meetings took place in the context of the monitoring of Bangladesh's compliance with conditions for the 'Everything But Arms' preferential trade regime it benefits from, with a focus on labour rights.

**4. EU financial engagement**: Projects supported by the EU and Member States focussed on marginalised and vulnerable groups, civil society, its accountability and inclusion in decision-

making, social and economic rights, rights of persons belonging to minorities, freedom of expression, gender equality, women's rights and the fight against sexual and gender-based violence, rights of the child, and the rights of the Rohingya refugees.

**5. Multilateral context**: The EU and Members States, together with likeminded partners, continued to address the human rights and democracy priorities in the country in the multilateral context, notably with the involvement of UN mechanisms and bodies. Regular coordination between the diplomatic missions and the UN Resident Coordinator Office (e.g. monthly meetings on human rights) or thematic ones (e.g. on DSA related issues, governance or elections) took place throughout the year.

## Kingdom of Bhutan

**1. Overview of the human rights and democracy situation:** In 2021, Bhutan continued the consolidation of its democratisation process initiated by constitutional changes in 2008. Its constitution and basic laws were largely in line with international standards. No major incidents of serious human rights violations were reported in 2021. The government's primary focus on containing COVID-19 slowed down progress in implementing further reforms.

Bhutan made continued progress regarding the rights of women and children, notably in expanding education and reducing infant mortality, recording one of the lowest child mortality rates in the region, as well as improving gender parity in health/life expectancy and education. However, the COVID-19 pandemic caused a severe increase in gender-based violence (up by more than 50% in comparison to 2020). In this context, the effectiveness of the amendment of the Penal Code to increase penalties for rape remained questionable. The government addressed the situation of youth and children by developing a National Child Protection and Gender-Based Violence COVID-19 Response Plan, implemented with the assistance of UNICEF. The Build Bhutan Project served, *inter alia*, to address youth unemployment, which further increased due to COVID-related lockdowns and the contraction of the tourism sector.

However, the Kingdom remained among the bottom-ranking countries on gender equality ranking 130 out of 156 countries in the 2021 Gender Gap Index. Political representation of women remained low. Although the 2021 local elections saw a higher number of women candidates and women elected than during past elections, women still accounted for only 12.5% of local representatives. The 2020 amendment to the Penal Code decriminalising homosexuality which entered into force in 2021 was a positive development.

While the Constitution protects freedom of religion or belief and bans sectarian discrimination, cases of institutional discrimination of non-Buddhist religious organisations persisted. Those practicing other religions had to worship in private. They also faced problems when registering property, applying for jobs, renewing their ID card or in obtaining loans. Other persons belonging to minorities, especially the Nepali speaking Bhutanese, reported difficulties in maintaining their cultural practices. The fate of 6,000-7,000 Lhotshampas remaining in refugee camps in Nepal remained unresolved.

Bhutan's media landscape evolved in the recent years. Freedom of expression was generally respected and pluralism of the media was constitutionally guaranteed. However, experts emphasised that the National Security Act allows a broad interpretation of hate speech. As a result, journalists and human rights activists remained cautious and applied self-censorship.

The year 2021 also brought positive developments in the area of freedom of assembly with a broad consultation of potential amendments to the Civil Society Organisation Act. When enacted, the changes can further facilitate the registration and functioning of NGOs.

**2. EU action - key focus areas:** In 2021, the EU continued to support the Bhutanese government's efforts to strengthen democracy through the empowerment of local authorities and the creation of a vibrant civil society, as well as the protection of the rights of the child, women's rights, gender equality and the end of discriminatory treatment of persons belonging to minorities.

**3. EU bilateral political engagement:** The absence of a local EU presence and the *de facto* closure of Bhutan throughout 2021 as a measure to fight the pandemic made it very difficult to maintain a dialogue with the government. Local visits did not take place due to the COVID-19 pandemic.

**4. EU financial engagement:** EU projects supporting women's political and social empowerment, freedom of religion or belief, civic awareness and citizens' participation, as well as socio-economic empowerment and vulnerability reduction initiatives were completed. A new initiative promoting support to civil society and the engagement between the Bhutanese Parliament and CSOs was launched, as were two projects in the area of hospitality and tourism with a women empowerment angle.

**5. Multilateral context:** Bhutan ratified only two out of the nine international 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 Optional Protocols. Despite the signature of the International Convention on the Elimination of All Forms of Racial Discrimination (ICRED) in January 2020, its ratification remained pending. Likewise, ratification of the UN Convention on Rights of Persons with Disabilities has not yet materialised. In view of the Kingdom's graduation from Least Developed Country status, planned in 2023, the EU maintained its offer to provide Bhutan with technical assistance for the ratification and implementation of the remaining conventions, and supported Bhutan's membership in the ILO.

## Brunei Darussalam

**1. Overview of the human rights and democracy situation:** Since the entry into force of the Sharia Penal Code in 2014, Brunei has had a dual judicial system based on Common Law and a parallel Sharia Law system, which foresees capital or corporal punishment for crimes such as adultery and same-sex relations, including death by stoning. The Sharia Penal Code also imposed criminal liability and corporal punishment for children, as well as the death penalty for blasphemy. While corporal punishment in the form of whipping had been enforced on a regular basis, the Sultan maintained a de facto moratorium on the death penalty. No execution has been carried out since 1957.

Freedom of religion or belief remained restricted, with Shafi'i Islam as the official religion, and restrictions to the practice of other religions, or indeed other Islamic theologies. Whereas proselytising for Islam was strongly encouraged and supported, the government forbade citizens to convert to non-Islamic faiths, considered as apostasy punishable by death under

Sharia Law. New places of worship other than those of the Muslim faith were not registered and the renovation of existing ones faced nearly insurmountable hurdles. Non-Muslims also suffered other forms of discrimination, for example in obtaining social benefits or applying for jobs in the public sector and armed forces. The death of the much-respected Cardinal Sim in early 2021 was a great loss for the community of around 20-25 thousand Catholics living in Brunei.

Other human rights issues related to civil and political rights, most notably the absence of democratic elections, were recorded. There have been no general elections since 1965, and the government only held elections for village-level councils playing a consultative role. The country has been under a state of emergency since 1962, which restricted freedom of assembly and expression, while granting the Sultan the right to pass legislation without review. Brunei effectively had no political opposition and almost no independent civil society.

National legislation contained a range of provisions, such as in the Sedition Law, that restricted press freedom and silenced criticism of the Sultan and the government. The largest media were state-run and not considered free. Brunei slipped from the 152nd to the 154th place out of 180 countries in the World Press Freedom Index 2021. While the authorities monitored online freedom of speech, Brunei had an active online community and there were hardly any restrictions on the internet.

The government implemented significant restrictions to freedom of association and assembly (e.g. suspension of the activities of NGOs at any time for any reason; a ban on strikes).

Brunei had several laws in place to combat trafficking in human beings, such as the Women and Girls Protection Act, the 2019 Prevention of People Smuggling Order, and the 2019 Anti-Trafficking in Persons Order. It ratified the Association of Southeast Asian Nations (ASEAN) Convention against Trafficking in Persons in January 2020, adopted a National Action Plan and created an inter-agency anti-trafficking committee. However, the enforcement of regulations by the government continued to be insufficient.

According to the ASEAN Gender Outlook, Brunei had the highest number of women executives in the region, but the lowest representation of women in politics. The government launched a draft guideline to address sexual harassment in the public sector. Brunei's Islamic Law tends to disadvantage women in areas such as divorce and child custody. The Sharia Penal Code criminalised 'indecent behaviour', required women to dress 'modestly', and made abortion and extramarital sexual relations capital offences. In addition, legislation denied women the right to confer nationality on their children on an equal basis with men. As a result, there were thousands of stateless residents who were denied rights and benefits. Stateless children did not have free access to education but have to pay a fee, albeit minimal.

**2. EU action - key focus areas:** There was no structured dialogue on human rights with Brunei, but the local EU Member States missions and the non-resident EU Head of Delegation, when visiting Brunei, regularly raised human rights concerns. Travel restrictions related to the COVID-19 pandemic prevented a visit by the non-resident EU Head of Delegation in 2021.

**3. EU bilateral political engagement:** Since negotiations for a Partnership and Cooperation Agreement remain on hold, EU-Brunei bilateral relations remain limited. The EU Delegation in Jakarta continues to follow human rights developments on the ground, in liaison with the two EU Member States who have a mission presence in Brunei.

**4. EU financial engagement:** There is no EU financial engagement in Brunei.

**5. Multilateral context:** Brunei has ratified a number of key human rights conventions, including 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). Even though the Sultan in 2019 publicly committed to ratifying the Convention against Torture (UNCAT), Brunei had not yet done so at the end of 2021. In its capacity as Chair of ASEAN in 2021, Brunei chaired the ASEAN Intergovernmental Commission on Human Rights, discussing topics such as the rights of the child, the rights of persons with disabilities, migration, the environment, and trafficking in human beings.

## Kingdom of Cambodia

**1. Overview of the human rights and democracy situation:** During 2021, the political and civil space in Cambodia remained closed. The situation for members of the dissolved opposition party, the Cambodia National Rescue Party (CNRP), remained critical. In 2020, the European Commission took a decision to temporarily and partially withdraw the tariff preferences granted to Cambodia under the EU'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). This decision remained in place in 2021.

The courts continued to prosecute opposition politicians and activists, including through criminal charges. During the year, the courts ordered the arrest of 25 activists and supporters from the former CNRP, convicted 18 activists, and kept 14 activists in pre-trial detention. On 1 March 2021, Sam Rainsy, former CNRP president, and eight other senior CNRP members, were convicted in absentia to between 20 and 25 years imprisonment on charges of (attempted) attack on the institutions of Cambodia. The government did not allow their return to the country to defend themselves and cancelled their passports. In December 2021, after a year suspension, the Court resumed the proceedings in the pending cases of the mass trial against 60 ex-CNRP members.

The situation for human rights defenders continued to deteriorate. The adoption by the National Assembly of the Law on Preventive Measures against the spread of COVID-19 narrowed further the space for freedom of assembly and expression. The approval by the Cambodian government of a Sub-decree regarding a national internet gateway in February 2021, as well as the consideration of a Cyber Crime Law and a Public Order Law (not yet approved or implemented), increased the risk for online censorship and surveillance. COVID-19 related measures resulted in a decrease of economic activities and had a negative impact on workers' living conditions and the situation of women. Low capacity, limited funding and self-censorship hampered independent and investigative journalism. Four journalists were arrested and three of them remain in pre-trial detention. Cambodia continued to rank 144th out of 180 countries in the 2021 World Press Freedom Index.

**2. EU action - key focus areas:** EU activities continued to focus on the protection and empowerment of 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. The EU delegation continued to engage with human rights defenders, local human rights civil society organisations and NGOs. Furthermore, the EU delegation and EU Member States monitored a large number of court hearings of human rights defenders, politicians and

activists. Through these actions, the EU also promoted the building of resilient and inclusive societies and delivered by working together with other stakeholders in Cambodia. With regard to social and economic rights, the EU delegation supported the expansion of social protection to the persons in most vulnerable situation and engaged the government in the provision of social benefits associated to employment, through its social protection programme. The EU, in partnership with the UN, notably the International Labour Organization, supported several programmes related to workers' rights, including advocacy for ratification and implementation of ILO conventions.

**3. EU bilateral political engagement:** Human rights and democracy have figured in all bilateral contacts with the Cambodian authorities, politicians and CSOs. The EU also addressed these topics as part of all the policy dialogues with high-level representatives of relevant authorities within the framework of the EU's cooperation programmes. Regular contacts with members and leaders of opposition parties, supporters and families of detained activists and politicians were maintained.

**4. EU financial engagement:** The EU continued to support human rights and democracy in Cambodia through its cooperation instruments, which financed projects mainly implemented by CSOs and UN agencies. The EU provided core operational support to the Office of the High Commissioner for Human Rights (OHCHR) through a project, which started in December 2020. In 2021, the EU also managed 17 grants under the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations and Local Authorities (CSO-LA) thematic instrument, addressing human rights through a broad range of issues ranging from freedom of expression and protection of land ownership, to rights of migrants and combatting gender-based violence. In 2021, in response to the economic and social impact of COVID-19, the EU placed special emphasis on strengthening social protection, such as access to healthcare and education.

**5. Multilateral context:** In October 2021, the UN Secretary-General and the Special Rapporteur on the situation of human rights in Cambodia each presented separate reports on the human rights situation in Cambodia at the 48th session of the Human Rights Council (HRC). The first report addressed the role and achievements of the Office of the UN High Commissioner for Human Rights in assisting the government and the people of Cambodia in the promotion and protection of human rights. The second report focused, among others, on the democratic space, civil and political rights, economic, social and cultural rights, as well as on the impact of the COVID-19 pandemic. The HRC furthermore adopted a resolution on 'Advisory services and technical assistance for Cambodia', extending the mandate of the UN Special Rapporteur on Cambodia with an additional two years. This represents an important step forward, in view of the upcoming communal elections in June 2022, allowing the HRC to follow closely the situation in Cambodia.

## People's Republic of China

**1. Overview of the human rights and democracy situation**: The year 2021 witnessed a further worsening of the human rights situation in China. The crackdown on NGOs and other civil society organisations continued, focusing notably on gender equality and women's rights, rights of LGBTI persons, workers' rights and human rights and the environment. NGOs and

other organisations were forced*, inter alia,* to close their social media accounts or disband. Pandemic-related restrictions imposed an additional level of control on citizens, affecting also the work of human rights defenders and journalists.

The space for civil society activities remained limited, as NGOs, CSOs and academia were able to function only under strict supervision of the Communist Party of China (CPC) and government structures. Several human rights defenders, human rights lawyers, and journalists were detained in 2021. Instances of enforced disappearance, known as 'Residential Surveillance at a Designed Location', were also reported. The right to a fair trial and the guarantees of due process of law were almost systematically violated, with no access to a lawyer of own choice and limited or no contacts with families. The authorities continued the use of secret detentions and trials, often held at short notice. Detained human rights activists faced ill-treatment, torture in detention and lack of adequate medical treatment, as well as heavy surveillance after their release.

Religious activities continued to take place in accordance with Chinese law and regulations, which foresee a supervisory role of the CPC. The authorities continued to crack down on Christian Protestant communities belonging to independent 'house churches' and so-called 'cults'.

Media freedom and access to information continued to be severely limited. Censorship and harassment targeted bloggers and professional journalists, including foreign reporters who had covered topics that were considered sensitive by the authorities (Xinjiang, Tibet, Hong Kong, COVID-19 management). At least 127 Chinese professional journalists and independent bloggers are currently in detention after reporting on sensitive topics. The Chinese government's refusal to renew their visas and efforts to put pressure on them due to the nature of their reporting forced several foreign reporters to leave China. The working conditions for the remaining foreign correspondents in China deteriorated further, with many facing harassment from both Chinese authorities and citizens.

China continued to upgrade its digital surveillance capacity, which can potentially target foreign journalists, international students, foreign diplomats, and Chinese civil society activists. This came in addition to the array of technologies designed to combat the COVID-19 pandemic, such as QR code-based tracking apps.

In Xinjiang, the government maintained a large network of political re-education camps, conducted widespread surveillance, and systemic restrictions on the exercise of fundamental freedoms, including freedom of religion or belief, and on people belonging to the Uyghur and other minorities. Forced sterilisation and birth control, separation of families and sexual and gender-based violence were also reported. Reports, based on interviews with people who experienced Chinese policies in Xinjiang and on the analysis of open source information, defined Chinese policies in Xinjiang as 'crimes against humanity'[14] On 9 December 2021, the Uyghur Tribunal, a UK-based unofficial tribunal created with NGOs support, published its judgement, concluding that Chinese authorities had committed 'genocide, crimes against

[14] https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting
https://www.amnesty.org/en/latest/news/2021/06/china-draconian-repression-of-muslims-in-xinjiang-amounts-to-crimes-against-humanity/

humanity and torture'.[15] The long-standing call on China from the UN High Commissioner for Human Rights to allow meaningful and unfettered access to Xinjiang and conduct an independent, objective, impartial and transparent assessment of the human rights situation on the ground, which the EU fully supported, remained unanswered. Access to Xinjiang was possible only for controlled visits of official delegations or tourist groups.

The Chinese government also continued to implement similar policies in the Tibet Autonomous Region (TAR) and the Tibetan inhabited territories, severely limiting Tibetan culture, language and identity. Religious practices continue to be heavily controlled by the CPC, in line with existing regulations. Detentions, torture and deaths in prison of Tibetan monks and rights activists continued to be reported. Private language schools teaching in Tibetan were closed or asked to start teaching in Mandarin. In July 2021, authorities announced that kindergartens in ethnic minority areas must use Mandarin as teaching language. Access to the TAR was possible only for controlled visits of official delegations or tourist groups.

In Inner Mongolia, the local authorities adopted regulations limiting the use of the Mongolian language in favour of Mandarin.

**2. EU action - key focus areas**: In 2021, many of the EU's actions regarding the human rights situation in China aimed at protecting and empowering individuals. The EU regularly addressed, both bilaterally with the Chinese authorities and through public communications, individual cases involving human rights defenders who had disappeared, been detained or sentenced, and persons belonging to ethnic and religious minorities. In statements and EEAS spokesperson's tweets, the EU also addressed issues related to freedom of expression, gender equality and women's rights, the harassment and intimidation of journalists and media workers in China, including foreign correspondents, and the sentencing of foreign citizens in China. The EU and Member States diplomats attempted to attend a number of court hearings, but were prevented from accessing the court buildings by local authorities.

On 22 March 2021, the EU listed four individuals and one entity from China for their involvement in serious human rights violations and abuses in Xinjiang as part of a wider package of listings under the EU Global Human Rights Sanctions Regime (EUGHRSR). Following the EU's listings, China adopted disproportionate countersanctions against European parliamentarians, academics, think tanks, and EU decision-making bodies. The EU renewed its listings under the EUGHRSR on 6 December 2021.
The EU delegation in China and EU Member States organised and supported a number of public diplomacy activities, such as panel discussions, film screenings and social media campaigns, to mark the most significant human rights anniversaries, including International Human Rights Day, International Women's Day, World Press Freedom Day, International Day Against Homophobia and Transphobia, and the International Day for the Elimination of Violence Against Women.

**3. EU bilateral political engagement**: The 38th round of the EU-China human rights dialogue did not take place in 2021, after China unilaterally suspended the human rights dialogue as part of its countermeasures following the EU's sanctions of 22 March 2021. Both sides expressed the need for continued dialogue on human rights at the highest levels, and the EU

[15] https://uyghurtribunal.com/wp-content/uploads/2021/12/Uyghur-Tribunal-Summary-Judgment-9th-Dec-21.pdf

remained committed to holding the next round of the human rights dialogue as soon as possible.

Both bilaterally and multilaterally, the EU continued to call on China to fulfil its obligations under the UN Charter and international law, as well as under China's Constitution. Throughout the year, the EU published statements on human rights defenders, journalists, cases of arbitrary detention and unfair trials. Despite the suspension of the human rights dialogue, human rights remained a key issue for the EU in its political dialogue with China. EU interlocutors systematically raised the human rights concerns in China at the highest level during the year.

**4. EU financial engagement**: The EU carried out a number of projects to support and promote human rights in China. These projects take shape through official government cooperation, with local partners and with grassroots support. The projects focused on a wide array of social topics, including the rights of women, children and migrant workers, enhancing access to justice for persons with disabilities and victims of domestic violence, and supporting the rule of law.

**5. Multilateral context**: In multilateral fora, China continued to advance a human rights vision centred on people, in which collective development is a pre-condition for the realisation of human rights, and collective rights precede individual rights. China continued to see the rights to subsistence and development as the primary basic human rights, to the detriment of civil and political rights. China promoted this definition of human rights, notably through ad hoc thematic resolutions in multilateral fora, calling into question the principles of universality and indivisibility of human rights.

Throughout the 2021 sessions of the UN Human Rights Council and the 76th session of the UN General Assembly Third Committee, the EU continued to urge China to comply with its obligations under national and international law to respect, protect and fulfil human rights. The EU's concerns included but were not limited to the growing restrictions on the exercise of freedom of expression and media freedom, intimidation and surveillance of human rights defenders and journalists, arbitrary detentions and the use of torture and the practice of 'Residential Surveillance at a Designed Location', amounting to enforced disappearance. HR/VP Borrell expressed concerns on the human rights situation in China in his intervention at the Human Rights Council on 23 February 2021 during the high-level segment.

## Hong Kong Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation**: The year 2021 started with the mass arrest of 55 pro-democracy politicians in early January, saw the beginning of the first trials under the National Security Law (NSL), and ended with the Legislative Council elections devoid of opposition on 19 December 2021.

Severe democratic setbacks and an increasingly restrictive interpretation and dismantling of the 'one country, two systems' principle marked the year. In March 2021, the National People's Congress amended the annexes of the Basic Law to overhaul Hong Kong's electoral system weakening its already modest democratic elements. Implementation of the NSL was

more forceful than expected and resulted in the imprisonment or exile of most democratic politicians and the disbandment of numerous civil society organisations. Several international civil society groups closed their offices in Hong Kong.

The wide-ranging nature of the offences under the NSL, its strict implementation and the severity of the sentences foreseen by the law had a chilling effect on the exercise of previously protected rights and freedoms. This included limiting freedom of expression and a regression of media freedom, with arrests of journalists and the closure of most independent media. Several foreign journalists working in Hong Kong had been forced out over the past few years.

**2. EU action - key focus areas**: In line with the Council conclusions on Hong Kong adopted in July 2020, the EU's main human rights and democracy activities focused on: (1) Observation of the trials of pro-democracy activists in Hong Kong: The EU Office and Member States represented in Hong Kong monitored 81 court hearings, including the July 2020 primary election case, the major 'unauthorised assembly' cases of 2019 and the 4 June candlelight vigil cases of 2020 and 2021; (2) Support to civil society, academia and the media: The Council conclusions committed the EU and its Member States to 'further engage with and support civil society'. Whilst the EU Office still met a wide range of political contacts and civil society representatives at the beginning of the year, this was no longer the case towards the end of the year. Many of these contacts have become reluctant to establish contact with foreign diplomats, as they are wary of the provisions of 'collusion with foreign forces' under the NSL, which can lead to long prison sentences.
On 7-30 June 2021, the EU Office co-organised the annual Hong Kong Human Rights Arts Prize 2021. The event consisted of an arts competition, an exhibition as well as an auction of the exhibited work. The EU Office also co-organised the EU-Asia Rainbow Docs film festival to shed light on the struggles of the LGBTI community between 30 June and 11 July.

In line with the Gender Action Plan III, the EU Office intensified efforts to highlight gender equality issues in our public diplomacy campaigns. The EU Office supported the initiative of the Dutch Consulate General to light up the iconic Clock Tower in orange for the International Day for the Elimination of Violence against Women. The two diplomatic offices also actively reached out to media to explain the response of gender-based violence in Europe under COVID-19, ensuring that the issue could receive sufficient attention.

**3. EU bilateral political engagement:** High-level visits from the EU institutions could not take place for the second year in a row due to COVID-19 restrictions. The EU Office met frequently with government officials, lawmakers, academia and civil society although it proved more challenging than in previous years. In 2021, the annual EU-Hong Kong Structured Dialogue did not take place, for the second year in a row.

The EU also expressed its concerns on the deterioration of Hong Kong's high degree of autonomy through a series of statements. These included notably the EU declarations of 7 January on the mass arrest of people involved in the July 2020 pro-democracy primary elections and on 11 March regarding the electoral system, as well as HR/VP statements issued on 9 June on the changes to Hong Kong's electoral system and on 20 December regarding the Legislative Council Election held on 19 December 2021.

**4. EU financial engagement**: The EU is working on possibilities to step up its engagement and support for civil society, in line with Council conclusions and taking into account practical limitations on the ground.

**5. Multilateral context**: HR/VP Borrell mentioned Hong Kong in his speech at the United Nations Human Rights Council on 23 February 2021 during the high-level segment.

## Macao Special Administrative Region of the People's Republic of China

**1. Overview of the human rights and democracy situation**: In 2021, Macao authorities took unprecedented moves that ran counter to the political rights and fundamental freedoms enshrined in the Basic Law of Macao. These developments posed challenges to the implementation of the 'one country, two systems' principle and took place in tandem with the political crackdown in the neighbouring Hong Kong Special Administrative Region (SAR).

Press freedom met increasing difficulties, with self-censorship being a feature of the media landscape. On freedom of assembly, the Court of Final Appeal on 3 June 2021 rejected an appeal related to the organisation of the annual candlelight vigil to commemorate the Tiananmen crackdown. In July 2021, the Macao authorities disqualified 21 candidates from running in the Legislative Assembly elections in September. In an EU Spokesperson's statement, the EU underlined that this was a detrimental step that runs counter to the rights guaranteed in Macao's Basic Law, undermines political pluralism and curtails democratic debate. On 12 September 2021, the election of the seventh Legislative Assembly of the Macao SAR took place. Only three 'non pro-establishment' politicians secured seats in the legislature. This meant that the legislature would now house limited representation of pro-democracy lawmakers, rendering checks and balances on the executive's action as being mainly symbolic. Macao had not yet effectively enforced freedom of association and collective bargaining as enshrined in International Labour Organization conventions.

**2. EU action - key focus areas:** The EU Office continued to monitor the political situation in the SAR, especially in relation to legislative proposals to improve the safeguarding of national security.

The on-going travel restrictions due to the COVID-19 pandemic continued to prevent officials from the EU Office in Hong Kong from visiting Macau. This hindered the work of the Office and limited contacts with officials in the Macau SAR government and other interlocutors.

**3. EU bilateral political engagement:** The 24th EU-Macao Joint Committee meeting, which was originally due to take place in 2020, was not held. Despite requests from the EU to hold the meeting in 2021 online, it did not take place. Travel restrictions and restricted access to Macao SAR undermined EU's capacity to cooperate with local authorities and to reach out to local stakeholders in the business and diplomatic community, as well as to civil society.

**4. EU financial engagement**: There is no EU financial engagement in Macao.

## Taiwan

**1. Overview of the human rights and democracy situation:** Taiwan is a vibrant democracy with a system of governance based on the rule of law and the respect of fundamental freedoms. Elections and referenda are held regularly in a fair and transparent manner. Taiwan maintained one of the most progressive human rights policies in Asia. Taiwan is a pioneer of the rights of LGBTI persons in the region, being the first in Asia to legalise same-sex marriages. Following the establishment of its National Human Rights Institution (the National Human Rights Commission), Taiwan is finalising a National Action Plan on Human Rights. In 2021, Taiwan started implementing its first National Action Plan on Business and Human Rights. The death penalty remained an issue of concern. Taiwan is working on the integration into domestic law of ILO C188 Work in Fishing Convention, but further efforts are needed to improve the protection of migrant workers' and fishers' rights and working conditions. The foreseen adoption of the National Action Plan on Fishing and Human Rights planned for 2022 should contribute to these efforts.

**2. EU action - key focus areas:** EU action focused on protecting and empowering individuals and building a resilient, inclusive and democratic societies. The EU and Member States present in Taipei identified the following priorities: promoting Taiwan's compliance with international human rights law, including by developing its human rights institutional framework and domestic legislation to protect refugees; improving the human rights situation and working conditions of migrant workers; promoting the abolition of death penalty in Taiwan, including working towards a moratorium on executions and towards sensitising public opinion and judicial practitioners; supporting independent and pluralistic media and the fight against disinformation; and supporting and protecting human rights defenders in the region, including by contributing to the safety and protection of journalist and media workers.

The EU continued its consultations with Taiwan with a focus on migrant workers' rights and working conditions, the death penalty, 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.

To promote the working conditions of migrant fishers and to assist Taiwan in aligning domestic law with the ILO C188 Convention, on 22-25 March 2021, the EU, in collaboration with Taiwan's Ministry of Labour and Fisheries Agency, organised a webinar on the working and living conditions of fishers, funded by the Technical Assistance and Information Exchange instrument (TAIEX).

The EU also promoted the abolition of the death penalty, by co-hosting with one EU Member State the screening of a documentary on this topic, followed by a discussion with experts.

**3. EU bilateral political engagement:** The EU and Taiwan discussed human rights in the EU-Taiwan annual consultations held in February 2021. The 4th EU-Taiwan Human Rights Consultations took place on 15 July 2021 in a virtual format. Discussion focused on gender equality and rights of LGBTI persons, business and human rights, migrant workers' rights, the death penalty, and the situation of human rights defenders and journalists, also in the region. The EU remained engaged on the working and living conditions of migrant workers, that have

been further impacted by the COVID-19 pandemic, and on the abolition of the death penalty, raising this issue on a regular basis with the Taiwanese authorities.

**4. EU financial engagement:** In 2021, the European Economic and Trade Office in Taiwan (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 NGOs and with the Taiwanese authorities. In line with EU political engagement, the EETO supported the work of the Taiwan Alliance to End the Death Penalty (TAEDP) with the organisation of a film screening on abolition of the death penalty and supported the publication of a special edition of the TAEDP newsletter to mark the World Day Against the Death Penalty.

**5. Multilateral context:** Although not a member of the UN, Taiwan voluntarily incorporated the provisions of five of the UN's nine human rights treaties into its domestic laws, notably the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD). Taiwan was also in the process of domestication of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Optional Protocol to the Convention against Torture (OPCAT). Taiwan regularly published reports on the implementation of these treaties and invited international experts to review them. A third review of Taiwan's implementation of the ICCPR and ICESCR scheduled for 2021 was postponed to May 2022.

## Iran

**1. Overview of the human rights and democracy situation:** The situation of human rights in Iran remained a matter of concern in 2021. Furthermore, the COVID-19 crisis exacerbated the vulnerability of the least protected persons in Iranian society, which was partially mitigated in the second half of the year thanks to a significant acceleration in the distribution of vaccines. 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 the lack of fair trial guarantees, violations of freedom of expression, religion or belief and of the human rights of women and girls. Abuse and torture in prison, the detention and conviction of dual nationals and the situation of human rights activists remained matters of serious concern. A water shortage in Khuzestan sparked a series of protests during the summer of 2021, marked by reports concerning the disproportionate use of force by Iranian security forces. A positive development in an overall difficult situation was Iran's effort to continue hosting one of the largest refugee populations in the world, including approximately 1 million registered Afghan refugees, and to provide them with access to basic services, in particular health care, including coronavirus disease vaccination, and education for children.

**2. EU action - key focus areas**: A new government took office in the second half of the year. The EU policy approach towards Iran remained unchanged and continued to be based on a balanced and comprehensive approach, critical in all areas of concern and cooperative when there is mutual interest, as outlined in the Council conclusions of February 2019. As part of its

comprehensive policy approach, the EU followed the situation of human rights in Iran, including individual cases, very closely and continued to address all relevant issues using a mixture of 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 through public statements the use of death penalty in particular for juvenile offenders, protestors and dissidents.

**3. EU bilateral political engagement:** Human rights continued to be an integral part of the EU's policy vis-à-vis Iran. As a result, the EU continued to address as appropriate all issues of concern with respect to the human rights situation in Iran and insisted, both privately and publicly, that there must be accountability for abuses whenever they occur. The EU continued to urge the Iranian authorities to pursue a consistent policy towards the abolition of capital punishment. The EU also reiterated its concerns regarding the situation of political prisoners and that of EU-Iranian dual nationals arbitrarily detained in Iran, and urged the Iranian authorities to ensure that all prisoners are kept in safe conditions, in compliance with the applicable international law, and that they are granted medical assistance whenever needed. Furthermore, the EU continued to urge the Iranian authorities to guarantee the full range of fundamental rights to their citizens irrespective of religion, belief or any other status, including the right to assemble and to express grievances in a non-violent manner. Through this political engagement, the EU will continue to urge improvements in the human rights situation in Iran.

**4. EU financial engagement:** In implementing projects in the framework of the Iran Multiannual Indicative Programme for 2021-2027, the EU always takes into account its human rights commitments.

**5. Multilateral context:** The Government of Iran received 329 recommendations following Iran's Universal Periodic Review (UPR) in November 2019, including from 26 EU Member States. At the 43rd session of the Human Rights Council on 24 February – 20 March 2020, Iran accepted 143 of the 329 recommendations it received in 2019. The EU continued to be a strong supporter of the UN Special Rapporteur on Human Rights in Iran and encouraged Iran to fully cooperate with the latter's mandate. 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 and belief. In 2021, the COVID-19 pandemic exposed specific challenges to human rights and democracy in the country. Amid surges in COVID-19 cases, the government placed restrictions on public and private gatherings and imposed curfews on business operating hours. In particular, the government imposed severe restrictions on correction facilities, nursing homes, and the military to prevent spreading of COVID-19, which led to serious questions on infringement of human rights. As in many other countries, the pandemic sustained pre-existing discrimination and stigmatisation against social minorities including foreigners and LGBTI persons.

Many legislative initiatives that aimed to address existing human rights challenges were put forward. In October 2021, a new Law strengthening punishment for stalkers came into effect, imposing stiffer penalties for stalkers amid calls for tougher penalties for offenders. The government also tabled the Press Arbitration Act amendment bill, which imposes tougher penalties for publication of false information. At the same time the longstanding bill on anti-discrimination remained stalled this year, despite a sustained push from the National Human Rights Commission and increasing calls for an adoption of the law from the public.

While gender equality improved greatly over the last few decades, challenges remained, in particular in the economic and political sphere. Other human rights concerns in the country included issues related to the death penalty – which is still on the books despite a *de facto* moratorium since 1998 – and to civil society organisations working on the human rights situation in the DPRK.

**2. EU action - key focus areas:** EU's actions in the Republic of Korea in 2021 focused on the abolition of the death penalty, combatting all forms of hate and discrimination on any ground, working towards women and youth's equality, safeguarding human rights and democracy in the digital environment, and enhancing support for independent civil society, including human rights defenders.

**3. EU bilateral political engagement:** Despite the COVID-19 pandemic, the EU maintained its outreach and engagement with the government and human rights CSOs. Marking Human Rights Day, the EU co-organised an event with the UN Office of the High Commissioner for Human Rights (OHCHR) in support of civil society organisations working on human rights issues both in the Republic of Korea and the DPRK. The EU engaged in activities to call for the abolition of death penalty in the Republic of Korea.

The EU organised specific events to engage with government and civil society actors on gender equality and women empowerment. On the International Women's Day, the EU organised a "Coffee with Europe" Talk Concert and discussed women's achievements and challenges towards gender equality in the Republic of Korea and Europe, with female EU ambassadors and a director-general from the Ministry of Gender Equality and Family.

The EU continued to support all efforts to fight hate and discrimination and encourage the adoption of an anti-discrimination law, in particular with the National Human Rights Commission of Korea, by co-hosting the 2021 International Human Rights Conference on protection for marginalised groups during the COVID-19 pandemic and legislation of Equality Act. The EU Delegation, in cooperation with the Korea-EU CSO Network (KEN), supported by the EU Policy and Outreach Partnership (EUPOP) project, co-hosted the EUPOP Republic of Korea CSO Conference and discussed gender equality, rights of persons with disabilities, and migrants' rights. The EU and Member States also actively engaged the Korean government on a wide range of activities on promoting the rights of LGBTI persons in the Republic of Korea.

**4. EU financial engagement:** The EU Policy and Outreach Partnership project specifically addressed topics under the theme of non-discrimination, raising awareness about EU and international human rights frameworks, and broadly addressing gender equality across its

activities. Through the project, the EU carried out targeted outreach, dialogue and communication actions and explored concrete partnerships with local CSOs.

**5. Multilateral context:** There was a high degree of convergence between the EU and the Republic of Korea as regards the priorities for the promotion of human rights in international institutions. The EU and the Republic of Korea exchanged views on draft resolutions ahead of the 46th, 47th and 48th session of the UN Human Rights Council and the 76th session of the UN General Assembly Third Committee. As in the previous year, the Republic of Korea did not co-sponsor resolutions on the human rights situation in the DPRK.

## Democratic People's Republic of Korea (DPRK)

**1. Overview of the human rights and democracy situation:** The government continued the policy of addressing the COVID-19 pandemic through the closure of international borders and further restrictions on internal travel and did not reach agreement on offers of vaccines from COVAX. The restrictions on travel may have limed the spread of the virus, but they negatively impacted human rights and are likely to have had a detrimental effect on the humanitarian situation. The measures appeared also to be part of a strategy to strengthen the authority of the State by further restricting access to information and the ability to engage in the unofficial market transactions on which much of the population depends for its livelihood.

While the DPRK acknowledged food shortages, international humanitarian agencies were not able to access the country to conduct a needs assessment. Outside observers expressed growing concern that the reduction of imports, obstacles to market transactions and suspension of projects by international humanitarian agencies, together with the long-term effects of poor economic management and previous natural disasters, were leading to increased food insecurity and a potential humanitarian emergency.

There were no indications that the DPRK engaged in constructive action to address the gross, systematic and widespread violations and abuses of human rights identified by the International Commission of Inquiry in 2014 and through subsequent information from equally reliable sources.

**2. EU action - key focus areas:** The EU maintained close cooperation with civil society organisations and other international stakeholders such as the UN Office of the High Commissioner for Human Rights (OHCHR) and other like-minded international partners. The EU continued to play a leading role in highlighting human rights violations and abuses in the DPRK, notably through the initiation of country-specific resolutions at the UN Human Rights Council and the UN General Assembly.

The EU applied sanctions against two senior DPRK officials and the Central Public Prosecutor's Office under the EU Global Human Rights Sanctions Regime.

**3. EU bilateral political engagement:** The EU maintained limited contact with the DPRK authorities, including on issues related to human rights.

**4. EU financial engagement:** The EU temporarily suspended implementation of humanitarian assistance and food security projects in the DPRK in the context of the withdrawal of international staff from the country.

**5. Multilateral context:** The EU initiated country-specific resolutions on the human rights situation in the DPRK at the HRC and the UNGA. Both resolutions were adopted without a vote.

HRC resolution 46/17 stressed the importance of following up on the recommendations contained in the report of the Commission of Inquiry, expressed deep concern about the systematic, widespread, and gross human rights violations in the DPRK and the humanitarian situation in the country, which may have further deteriorated in the contest of COVID-19. The resolution introduced new language on the situation of Prisoners of War. Underlining the need for accountability, the HRC decided to continue strengthening, for a further two years, the capacity of the OHCHR, including its field-based structure in Seoul. The High Commissioner was requested to provide an oral update on the progress made in this regard, and the mandate of the Special Rapporteur was extended for a period of one year.

UNGA resolution 76/177 expressed deep concern about the grave human rights situation, the pervasive culture of impunity, and the lack of accountability for human rights violations and abuses in the DPRK. It condemned in the strongest terms the long-standing and ongoing systematic, widespread and gross violations of human rights and expressed its very serious concern about numerous human rights violations of both political and civil and social, economic, and cultural rights. Reflecting the current COVID-19 and humanitarian situation, the text introduced new provisions on cooperation with COVAX.

## India

**1. Overview of the human rights and democracy situation:** India remained a democratic and pluralist country where the 1950 Constitution, relevant legislation and mandated institutions serve to warrant citizens' rights. India's judicial system was statutorily independent and elections had taken place regularly since 1952 following international standards. The country has had a vibrant civil society and a well-developed media landscape that seeks government accountability and action. Human rights institutions at national and State level are in place. However, structural issues such as a lack of institutional capacity, unequal distribution of resources and access to services, as well as engrained attitudes continued to hinder the full protection of human rights. According to various sources, 2021 was marked by rising episodes of violence and discrimination, especially towards religious minorities.

India slipped in several international human rights indexes. In the 2021 Freedom in the World report, published by the US-based democracy watchdog Freedom House, India's status declined from "Free" to "Partly free", citing "rising violence and discriminatory policies affecting the Muslim population" and "a crackdown on expressions of dissent by the media, academics, civil society groups, and protesters". The 2021 World Press Freedom Index ranked India 142nd (the same position as in the previous year) out of 180 countries, blaming attacks on journalists and pressure on the media, with special reference to the situation in Kashmir.

The UN Special Rapporteur on the situation of human rights defenders repeatedly criticised the discretionary application of the Unlawful Activities (Prevention) Act (UAPA) and "Sedition" Law, as limiting and affecting the work of human rights defenders and journalists. The death in jail of the 84-year-old human right activist and priest Father Swamy, who was arrested in October 2020 on UAPA-charges and detained until his death on 5 July 2021, raised severe criticism domestically and abroad. In the Jammu Kashmir region where the special status in terms of autonomy was revoked in 2019, UN human rights experts expressed again in December 2021 concern on the use of UAPA "as a means of coercion" to restrict civil society. Alleged cases of arbitrary detention, violence and torture have been reported.

The Armed Forces Special Powers Act (AFSPA) in place in Jammu and Kashmir and in the North-eastern states of Assam, Nagaland, Manipur and Arunachal Pradesh came under the spotlight again in 2021, notably after the killing of 14 civilians by security forces in Nagaland, on 4 December 2021.

Following the entry into force of the Foreign Contribution (Regulation) Amendment Act (FCRA), many CSOs opted not to seek renewal of their licence. Provisions prohibiting sub-granting of foreign funding made it more difficult for coalitions and alliances to operate. The more complex regulatory environment is likely to impact negatively the work of many organisations providing "last mile" services to the most vulnerable, including in rolling out activities to counter COVID-19. As per the government of India's website, more organisations have had their FCRA licences deemed ceased and cancelled, than are currently active. Amnesty International India, whose accounts were frozen in September 2020, remains unable to operate.

Despite domestic laws in place to protect women's and girl's rights, socio-cultural and patriarchal norms, stereotypes and caste hierarchy endure, notably in the case of Dalit women and girls. Lack of facilities and training to implement the laws remained problematic. Beyond discrimination, India has some of the world's worst statistics in terms of girls "missing at birth" due to pre-natal gender-based sex selection. India dropped 28 places in the Global Gender Gap Index in 2021 and now ranks 140th out of 156 countries. The report noted that most of the decline was seen in the Political Empowerment sub-index and as a main change highlighted the decline in the share of ministers who are women, which halved, from 23.1% in 2019 to 9.1% in 2021. The share of elected women in the Parliament remained at around 14% despite the Women's Reservation Bill, reserving 33% of seats in the Parliament and in State Assemblies for women (pending for the last 25 years).

The death penalty remained in India's penal code. According to Project 39A, a criminal law reform advocacy group, there were 488 prisoners on death row across India on 31 December 2021, compared to 404 by the end of 2020. No executions took place in 2021 (the last executions were carried out in March 2020).

**2. EU action - key focus areas**: EU activities regularly promote key policy areas relevant to the five strands of the EU Action Plan for Human Rights and Democracy, mainly focusing on defending the integrity of the person; combatting discrimination and inequality; promoting gender equality; promoting the rights of the child; supporting domestic institutional and individual rights and human rights defenders.

Moreover, as part of the delivering by working together strand, a different Ambassador of an EU Member State acted as EU Gender Champion every semester. Finland was the first EU Gender Champion during the first half of 2021, followed by Estonia. Sweden would be next.

**3. EU bilateral political engagement:** The EU continued to engage stakeholders in India in various formats and at various levels, although under strict COVID-19 measures. In-person meetings and outreach events had to be limited. On 12 April 2021, the 9th EU-India Human Rights Dialogue took place (resumed after an eight-year break), marking a significant step in the bilateral relations. It allowed for a frank and open discussion with both partners reiterating their commitment to the shared principles and values of democracy, freedom, rule of law and respect for human rights. Both sides also agreed to hold the dialogue on an annual basis. The EU delegation reached out on several occasions to the National Human Rights Commission raising issues such as the arrests and arbitrary detention of political or human rights activists, the discrimination of religious minorities in the country and the impact of the FCRA regulation.

**4. EU financial engagement:** Human rights and gender equality continued to be mainstreamed through cooperation and thematic projects, mainly under the Instrument for Democracy and Human Rights (EIDHR), through the promotion of inclusive governance and equitable access to public services and entitlements, and strengthening leadership and organisational abilities of marginalised communities towards social inclusion. In 2021, the EU continued to fund eight projects focused on promoting women's economic empowerment, increasing their participation in the climate change agenda and digitalisation. The EU also supported the WeEmpower Asia programme, implemented by UN Women in seven Asian countries, including India, which aimed to support private sector to expand economic participation and business opportunities for women.

The EU also continued to provide financial support to 12 ongoing projects under the EIDHR. These projects addressed caste-based discrimination, manual scavenging, forced labour and slavery, torture and the death penalty, as well as promoting the rights of the child, gender equality, the rights of persons belonging to minorities, the rights of LGBTI persons, freedom of expression, freedom of religion or belief, strengthening the protection of human rights defenders, and access to justice. Two new projects under EIDHR were also launched in 2021 addressing, *inter alia*, the impact of COVID-19 on human rights.

**5. Multilateral context:** In the years 2019-2021, India was a member of the UN Human Rights Council (HRC), and aligned itself once with the EU (on Afghanistan) and co-sponsored several resolutions. India signed but not ratified the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, the Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Although it is party to the International Covenant on Economic, Social and Cultural Rights, India did not sign its Optional Protocol. Likewise, India did not sign the Optional Protocol of the International Covenant on Civil and Political Rights. No new developments could be reported in 2021 regarding the status of these conventions and protocols. Moreover, the country recorded a serious backlog in fulfilling its reporting obligations.

## Indonesia

**1. Overview of the human rights and democracy situation:** The COVID-19 pandemic exacerbated existing human rights concerns, including issues relating to information transparency and freedom of expression, workers' rights and social security, domestic violence, as well as freedom of assembly and freedom of movement, and created new challenges. The pandemic particularly affected specific groups such as women, children, ethnic minorities and LGBTI persons, against the backdrop of an already marked increase in sexual and gender-based violence. Violence intensified in the provinces of Papua and West Papua, following the assassination of the Papua Regional Intelligence Agency (BIN) Chief, and the amendment of a Special Autonomy Law for Papua.

With no death penalty executions taking place in 2021, Indonesia continued its de facto moratorium on the death penalty, with the last executions dating back to 2016. However, the number of death penalty prosecutions and convictions continued to increase in 2021. It was estimated that at least 541 prisoners were held on death row (compared with 358 in 2020), and at least 82 new death penalty sentences were pronounced (compared with 92 in 2020). Human rights defenders, particularly those working on environmental issues, the rights of indigenous peoples, and the rights of persons belonging to religious minorities, reported an increase in intimidation, harassment and violence. Indonesia's judicial system demonstrated progress in the realm of environmental human rights, notably through a landmark case whereby the government was implored to improve the air quality of Jakarta after finding them guilty of environmental negligence in a civil lawsuit.

With regard to religious non-discrimination, the Supreme Court struck down the government's attempt to ban public schools from making religious attire compulsory in May 2021. The Minister of Education adopted a decree against sexual violence in universities in October 2021, and Parliament made progress on a draft Sexual Violence Bill scheduled for adoption in 2022.

The revision of the Criminal Code, launched in 2015, did not come to fruition in 2021 and was reintroduced in the 2022 legislative programme. The draft bill contained controversial provisions potentially affecting the rights of LGBTI persons, freedom of religion or belief, the right to privacy and the death penalty. Both the parliament and the government considered provisions that would criminalise same-sex or extra-marital sexual relations, blasphemy, and insult to a religious leader during a religious service.

**2. EU action - key focus areas:** The EU continued to monitor the human rights implications of ongoing legislative work, including the revision of the Criminal Code, the Sexual Violence Bill, the Information and Electronic Transactions Law and the Job Creation Bill, through regular meetings with government, parliament and civil society representatives. To support building a resilient, inclusive and democratic society, another key area of EU engagement was advocacy for non-discrimination and protection of the rights of groups belonging to minorities. Working together, the EU delegation and EU Member States' missions engaged with government and parliament on freedom of expression, freedom of religion or belief, discrimination against persons belonging to minorities including LGBTI persons, and the need to protect human rights defenders, journalists and ethnic minority representatives. The EU delegation and EU Member States' missions also closely followed issues relating to women's empowerment, business and human rights, and access to justice. Throughout the year, the EU delegation promoted the universality of human rights by organising and supporting a number of public activities marking the most significant human rights anniversaries, including International Women's Day, World Press Freedom Day, the 16 Days of Activism against Gender-Based

Violence and International Human Rights Day. The EU also led several initiatives including the EU4Wartawan Journalists' Writing Competition on the theme of 'Impact of Digital Technologies on Human Rights', the '100% Human Film Festival', and the EU Social DigiThon, with a focus on finding solutions for those most affected by COVID-19, as well as tackling cyberbullying towards children.

**3. EU bilateral political engagement:** The EU and EU Member States consistently raised the linkages between human rights and other topics, such as digital technologies and the environment, in official contacts with Indonesian officials at all levels. The EU-Indonesia Human Rights Dialogue in May 2021 and HR/VP Borrell's visit to Indonesia offered opportunities to engage with Indonesia on these important issues and allowed the EU to underscore the importance of safeguarding democratic spaces. In December 2021, European Commission Vice-President Šuica participated in the 14th Bali Democracy Forum on the importance of inclusion, equality and non-discrimination in the COVID-19 pandemic recovery. Throughout the year, the EU delegation and EU Member States carried out eight EU demarches with the aim of promoting the international human rights framework.

**4. EU financial engagement:** In 2021, the EU continued to work closely with Indonesian CSOs, supporting more than 20 projects. These projects introduced a human rights-based approach and gender mainstreaming in their implementation. They covered human rights issues mentioned above and support for democratic principles, including the prevention of torture, non-discrimination based on gender identity and sexual orientation, access to health and addressing the socio-economic impact of the COVID-19 pandemic on groups in vulnerable situations, the protection of human rights defenders, as well as access to justice.

**5. Multilateral context:** Indonesia served as a member of the UN Human Rights Council for the 2020-2022 term. Indonesia's Universal Periodic Review was originally scheduled for 2021 but was ultimately delayed until 2022. Indonesia engaged as a member of the HRC in a number of HRC sessions, including the special session on Ethiopia, as well as in the regular sessions. Indonesia also participated in the 65th session of the UN Commission on the Status of Women.

## Japan

**1. Overview of the human rights and democracy situation:** Japan promoted fundamental values and respect for international human rights obligations, including in international fora, and played an important role in the UN General Assembly (UNGA) Third Committee and in the Human Rights Council (HRC). Japan ensured a generally high level of respect for human rights. However, the issue of the death penalty remained of concern. Japan also continued to lag behind in the area of gender equality and in defending the rights of sexual minorities and children subjected to parental abduction.

Developments in 2021 included the enactment of a bill on 9 June by the Japanese Diet, to prepare legislative measures to pave the way for Japan's ratification of ILO Convention No. 105 on forced labour, after approval by a majority vote in the House of Councillors. Although Japan did not legally recognise same-sex marriage, the Tokyo Metropolitan Government announced its intention to introduce a 'same-sex partnership system' that would officially recognise LGBTI and other partnerships of persons belonging to sexual minorities as equivalent to marriage. The adoption of a National Plan on Business and Human Rights raised

awareness of the role of the private sector in Japan. In November 2021, for the first time, Japan appointed a Special Adviser to the Prime Minister on human rights issues.

After a two-year hiatus, the government performed three executions in December 2021. Conditions for prisoners and detained asylum seekers gained attention with the death in March 2021 of a Sri Lankan woman in a detention facility, prompting new measures to prevent recurrence. The COVID-19 pandemic widened further the large gender equality gap. Throughout the year, Japan continued its stringent entry restrictions and border controls related to the COVID-19 pandemic, maintaining disproportionate barriers to foreign students, academics, businesspeople and families of residents and diplomats, eliciting widespread criticism that the restrictions violate rights, including to family reunification.

**2. EU action - key focus areas:** The priority areas on human rights are: i) death penalty, criminal justice system and the rights of persons in detention; ii) gender equality and women's empowerment; iii) the rights of LGBTI persons; iv) rights of the child; and v) business and human rights. All the priorities were in line with the 'Protecting and empowering individuals' objective. They promoted also building resilient, inclusive and democratic societies, a global system for human rights and democracy with possible relevance to the 'New technologies: harnessing opportunities and addressing challenges' objective.

**3. EU bilateral political engagement:** The EU and Japan engaged in cordial and constructive human rights discussions in various formats, including in high-level bilateral meetings and in specific thematic dialogues. The EU coordinated positions with Japan at the annual EU-Japan Human Rights Consultations on 16 June 2021, including discussions on cooperation in multilateral fora, country specific situations, and bilateral issues. Japan and the EU engaged in consultations on critical human rights matters also at the EU-Japan UN Consultations of 28 October 2021, in a number of demarches delivered by the EU delegation and EU Member States to the Japanese government and at a number of senior-level bilateral meetings and regional dialogues. These included human rights concerns in China, Myanmar, Afghanistan, the Middle East and Latin America. Bilateral engagement occurred routinely in the context of G7, G20, ASEM and ASEAN events.

The EU and Japan shared fundamental values and principles regarding human rights and have had a longstanding cooperative relationship. However, divergences remained, notably on the issues of the death penalty and parental child abduction. The EU continued to work towards the abolition of the death penalty, issuing immediately a local statement after the executions in December 2021 and participating in several events on the death penalty in Japan, organised in the framework of the 14th UN Congress on Crime Prevention and Criminal Justice in Kyoto on 7-12 March 2021. The EU scaled up cooperation on gender equality and stepped up actions to combat discrimination and harassment against LGBTI persons. The EU engaged with the Japanese government, Diet members and civil society on the issues of gender equality and women's empowerment, in various formats throughout the year, including at a successful seminar on gender equality on 31 March 2021. The EU also strengthened engagement with Japan to actively promote and support global efforts to implement the UN Guiding Principles on Business and Human Rights and reached out at a number of levels to work with Japan towards ratification of two fundamental ILO conventions. The EU made active use of social

media and undertook with Member States joint social media campaigns surrounding international human rights related events.

**4. EU financial engagement:** In the area of the death penalty, criminal justice system and the rights of persons in detention, the EU delegation has managed a project with CrimeInfo to stimulate civil society-led activities to increase awareness of the criminal justice system in relation to the death penalty in Japan. Additionally, the new two-year Project 'Veritas-Evidence-based advocacy on the Death Penalty – Japan' will give continuity to the EU's support to CrimeInfo. On gender equality and women's empowerment, the EU delegation launched two bilateral projects under the SPA Support Facility on gender equality/women's empowerment for 2022.

**5. Multilateral context:** Japan has been an important partner of the EU in multilateral fora. The EU and EU Member States carried out several demarches in 2021 to request support from the Japanese government for human rights-related resolutions at UNGA and the HRC. At HRC48, Japan supported the resolution on the human rights situation in Afghanistan. After years of abstention, Japan supported the EU resolution on Myanmar at the 76th UN General Assembly Third Committee. Japan also welcomed and continued to co-sponsor the resolution on DPRK, which included a reference to abductees, and supported the resolutions on freedom of religion or belief, Burundi, Belarus, Crimea and Syria.

However, some differences with the EU arose for certain resolutions addressing grave human rights violations. For example, Japan did not support the resolution focused on the creation of the mandate of a new Special Rapporteur on human rights and climate change and the resolution on the human rights situation in Yemen. It also abstained in voting for resolution 48/13 on the right to a clean, healthy and sustainable environment. Notably, Japan was the only G7 country that did not support the EU-launched Joint Statement on the situation of women and girls in Afghanistan of August 2021.

## Lao People's Democratic Republic (Lao PDR)

**1. Overview of the human rights and democracy situation:** The overall situation with regard to human rights and democracy in the Lao PDR largely remained unchanged in 2021 with no significant signs of improvement. The country continued to lag behind in terms of effective implementation of its international human rights obligations in several areas, *inter alia*, concerning the freedom of expression and peaceful assembly and meeting reporting obligations. The several lockdowns throughout the year exacerbated the COVID-19 impact on socio-economic rights, in particular affecting groups in vulnerable situations including women, children, people living in remote areas, people living in poverty, migrant workers and persons with disabilities, and have enabled new rights abuses (such as long delays in payment of salaries or compensation). The National Assembly held elections on 21 February 2021; however, the elections and the campaign were characterised by a non-competitive and heavily controlled process that failed to guarantee the free expression of voters. The new Lao government formed after the elections has highlighted the necessity of combatting corruption and addressing the ineffective use of public funding. This commitment, however, has not yet translated into tangible results. The Lao PDR remained ranked 172nd out of 180 countries in the 2021 World Press Freedom Index.

**2. EU action - key focus areas:** EU's priorities for 2021 continued to focus 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 engaged with the Lao government within the framework of the 10th EU-Laos Human Rights Dialogue. The EU also supported capacity building for Lao ministries and National Assembly members on human rights conventions and related international obligations and commitments, for example, by facilitating the organisation of consultations between the government and civil society to prepare the State reports on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), and contributing to the gap analysis on the domestication of the International Covenant on Civil and Political Rights (ICCPR) in the Lao legislation.

**3. EU bilateral political engagement:** The 10th EU-Laos Human Rights Dialogue, which took place virtually in June 2021, provided a platform to take stock of progress made since the previous meeting in 2019, address issues of concern, and identify ways to support the government's stated commitments into more tangible actions. The agenda covered, *inter alia*, freedom of expression, rights of persons belonging to minority groups, and cooperation in multilateral fora. The EU Delegation and the Ministry of Foreign Affairs jointly organised a hybrid panel discussion on access to justice as a human right on 30 November 2021, as a side-event of the human rights dialogue. It aimed at raising awareness of the existing legal protection, legal aid and adjudication mechanisms, and offered an opportunity to exchange on lessons learned and ongoing challenges when ensuring access to justice in Lao PDR. 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 2021 the sub-group on Legal and Institutional Oversight. The EU also took a proactive role in identifying – together with Switzerland, the Ministry of Home Affairs and the UN Development Programme – priorities and opportunities for engaging local civil society within the GSWG. As a result, the government invited a growing and more varied number of civil society organisations and representatives to actively participate in the GSWG.

COVID-19 restrictions have made it impossible to organise several human rights related activities originally envisaged for 2021, such as a Civil Society Fair or a discussion to mark the International Day Against Homophobia, Transphobia and Biphobia (IDAHOT).

**4. EU financial engagement:** In 2021, the EU provided continuous support to local stakeholders by participating in and financially contributing to the informal GSWG meetings between CSOs, the government and donors, and maintaining its engagement and dialogue with CSOs partners. The EU notably increased its support to CSOs. In 2021, more than 45 local CSOs and international non-governmental organisations received EU financial support either directly or indirectly through sub-grants. Both the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations and Local Authorities (CSO-LA) instrument remained significant tools to support civil society's engagement, promote human rights and gender equality, as well as support local CSOs' capacity development in areas such as project management, advocacy and awareness of the legislation relevant to the functioning of the CSOs. EU financial and operational support to the governance sector continued to take place 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 respect for human rights.

**5. Multilateral context:** In close cooperation with the UN country office and other development partners, the EU provided support to the Lao Ministry of Foreign Affairs mainly through the CEGGA programme for activities dedicated to the finalisation and adoption of the National human rights plan of action for the implementation of Universal Periodic Review (UPR) recommendations, following the adoption of 160 recommendations during the third UPR cycle in 2020.

## Malaysia

**1. Overview of the human rights and democracy situation**: The human rights situation in the country saw little change from 2020. The final months of 2021 marked some positive developments such as the strengthening of the rule of law when courts ruled in favour of civil rights movements and newly established political parties. A dynamic social media scene and surge in citizen empowerment appear to reflect an increased desire in parts of Malaysian society for strengthening democracy. Malaysia maintained the de facto moratorium on executions introduced in 2018, but courts continue to pass death penalty sentences. Malaysia was under emergency rule from January to August 2021 and in lockdown for the better part of the year.

Freedom of expression declined in 2021, with Malaysia falling in the World Press Freedom Index, from the 101st place in 2020 to the 119th position in 2021. The World Economic Forum's Global Gender Gap Report 2021 ranked Malaysia at 112 out of 156 countries, slipping a further eight places. Women and LGBTI persons living in Malaysia faced a challenging environment. Gender inequalities, notably related to income or career disruption, were substantial in Malaysia and based on patriarchy and religious discrimination. Migrant workers, mostly from Indonesia and Bangladesh, made up 15% of the working population. Malaysia hosted over two million documented migrant workers, as well as an estimated two to five million undocumented migrants. Migrant workers were often subjected to exploitation at the workplace. The launch of the National Action Plan on Forced Labour 2021-2025 and the ratification of ILO Protocol 29 to the Forced Labour Convention were welcome. Regarding Rohingya refugees, Malaysia repeatedly stressed its inability to accommodate more, calling upon the international community to help find a lasting solution. Civil society criticised a Bill to create an Independent Police Conduct Commission as inadequate to address police complaints and misconduct.

**2. EU action - key focus areas**: EU's human rights priorities in Malaysia included youth and democracy, labour rights, freedom of expression, support to human rights defenders, ratification of core human rights conventions, and promoting gender equality, including the rights of LGBTI persons. In terms of protecting individual rights, the EU focus remained on the abolition of the death penalty. Showing its commitment to delivering by working together, the EU launched a new regional project focusing on the prevention of torture: "Reducing risky practices leading to torture and ill-treatment in police custody in Malaysia, Philippines and Thailand." The project built new synergies against forced confessions and incommunicado

detention, supported human rights defenders and practitioners, and raised awareness among the wider public.

**3. EU bilateral political engagement**: Due to severe COVID-19 restrictions in the first part of 2021 and the change of government in August, the primary means of EU engagement were project-related activities. For example, the regional project "Business and Human Rights, Malaysia" supported the implementation of the UN Guiding Principles on Business and Human Rights and reinforced the capacity of the government to draft and implement the National Action Plans on Business and Human Rights. The National Strategic Office of the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (NSO MAPO) organised a multi-stakeholder consultation to inform the development of the National Action Plan on Anti-Trafficking in Persons (NAPTIP 2021-2025). In the context of the pandemic and Malaysia's critical position in key supply chains, the EU actively engaged with the Malaysian authorities to ensure the establishment of measures that guarantee both the full protection of workers' rights and the continued production of personal protective equipment in quantities that could meet increased demand. The EU regularly emphasised to government and businesses the importance of respecting fundamental labour rights, including the need to eliminate forced labour.

**4. EU financial engagement**: Several EU CSOs projects re-directed activities to support target groups with emergency needs, while larger regional projects focused on communities in vulnerable situations not reached through official channels, such as migrant workers and stateless persons or indigenous peoples. The EU delegation also supported the Malaysian Human Rights Commission as part of its COVID-19 response. Under the programme 'Protecting children affected by migration in Southeast, South, and Central Asia', the UN Children's Fund (UNICEF) Malaysia, in partnership with the EU, worked with the government and other stakeholders to protect such children and promote their rights, including through strengthened child protection services. In 2021, the EU project "Death Penalty – Advocacy for Reforms of Existing Law" affirmed EU's call to work towards the abolition of the death penalty. The EU continued to fund the EU-UN Spotlight Initiative "Safe and Fair", aimed at eliminating all forms of violence against women and girls.

**5. Multilateral context:** Malaysia was elected to the UN Human Rights Council for the 2022-2024 term. This could create a momentum for increased engagement with the EU and ratification of international conventions. In 2021, Malaysia made no progress on accession to the six international human rights conventions, which it has not yet ratified, namely the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Civil and Political Rights; the International Convention on the protection of the rights of all migrant workers and members of their families; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Convention for the Protection of All Persons from Enforced Disappearance.

Although it is 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), Malaysia did not withdraw its reservations

to these three Conventions, nor has it fully implemented the CEDAW and CRC Committees' recommendations.

## Maldives

**1. Overview of the human rights and democracy situation**: Since the Maldives' third democratic elections in November 2018, there was an improvement in the country's human rights record and democratic governance. However, a number of challenges persisted, some of which were exacerbated by the impact of the COVID-19 pandemic.

Former President and current Speaker of Parliament Mohamed Nasheed was the target of an assassination attempt on 6 May 2021 by suspected extremists. In the wake of this terrorist attack, the government held discussions to increase counter-terrorism coordination and strengthen legislation. The government also made amendments to the sections of the Anti-Terrorism Act that related to arrest without a warrant, search and seizure of private premises and remand of accused persons. The bill also outlined procedures and rules for returning Foreign Terrorist Fighters. The concern and debate that surrounded a proposed Hate Crime Bill demonstrated divisions in the society and the need for effective measures to address extremism to comply with international instruments.

The Maldives continued to make progress towards media freedoms, moving up seven ranks to position 72 in the Reporters Without Borders 2021 World Press Freedom Index. However, despite progress in the fight against impunity, the police had at times used physical violence against journalists covering demonstrations. Moreover, there were some concerns raised about the use of COVID-19 as a pretext to restrict freedom of expression or assembly. Online threats and intimidation against human rights defenders often also had a significant impact on civic space and freedom of expression. Freedom of religion or belief was not guaranteed.

Despite efforts to improve legislation and mechanisms to address gender-based violence and violence against children, there were concerning reports of incidents throughout the year. For instance, following multiple complaints and reports of abuse at a school, the Ministry of Education dismissed thirty employees. Civil society actors also expressed lack of confidence in the justice system for the victims of the former Tourism Minister, who was dismissed in July 2020 following serious allegations of sexual assault against staff.

In spite of efforts to strengthen independent institutions, the resignation of all the members of the Anti-Corruption Commission in December, amid scrutiny and a dismissal motion by the Parliament, highlighted that there was room to further improve and strengthen such oversight institutions.

**2. EU action - key focus areas**: The EU action in the Maldives focused on building resilient, inclusive and democratic society; protecting and empowering individuals notably through support to the rule of law, fair administration of justice, and support to transitional justice; promoting fundamental freedoms, media development and space for civil society and human rights defenders; promoting gender equality and women's rights; promoting human rights, transparency, accountability and environmental justice in business practices; and providing support to strengthening economic, social, cultural and labour rights

**3. EU bilateral political engagement:** Several high-level political dialogues took place throughout the year. The second Senior Officials Meeting took place in Brussels in September 2021, focusing on a broad range of topics, including governance, democracy, human rights, rule of law, security, and sectoral cooperation.

**4. EU financial engagement:** The EU, through its programmes, continued providing support to judicial reform and anti-corruption efforts.

**5. Multilateral context**: The Maldives continued to demonstrate its commitment to multilateralism. In June, Foreign Minister Abdulla Shahid was elected President of the 76th session of the UN General Assembly (UNGA). President Ibrahim Mohamed Solih and other senior officials participated in high-level meetings throughout the year, including at the 76th UNGA and the 26th Session of the Conference of the Parties (COP26).

## Mongolia

**1. Overview of the human rights and democracy situation**: While Mongolia made progress on its path towards democracy, human rights and rule of law since the 1990s, 2021 saw a number of persistent challenges.

According to a 2021 survey, the trust of the population in the independence of the judiciary system and in the Independent Agency Against Corruption was rather low. Judiciary reform remained a key priority. Only a limited number of OSCE recommendations were taken on board in the reform of the Law on Presidential elections (December 2020), but the 2021 Presidential Election was deemed compliant with OSCE commitments and other international standards by OSCE observers. A Law on Prevention, Combat and Mitigation of Social and Economic impacts of COVID-19 (the "COVID law") – which allowed passing laws under a simplified procedure – was extended to mid-2022.

Mongolian authorities strove to counter gender-based violence, gender inequality and discrimination based on sexual orientation. The government also worked on a revision of the Law on Child Protection and addressing the problem of trafficking in human beings. A new Labour Law entered into force on 1 January 2022, to address not only labour conditions in a strict sense, but also regulated non-discrimination and provided protection against harassment and violence at the workplace.

Worrying developments in 2021 included the introduction of a Law Prohibiting Foreign Grants to Civil Society Organisations. The draft Law on Associations and Foundations submitted to Parliament in November 2021 would imply a limitation on the civic space and independent NGO operations in Mongolia.

**2. EU action - key focus areas**: The EU continued to focus on the support of groups in vulnerable situations and the empowerment of civil society. The fight against child labour and other forms of exploitation of children continued to figure prominently among the EU's priorities. Other priorities included gender equality, non-discrimination, rule of law, as well as

building resilient, inclusive and democratic societies and the promotion of human rights and democracy.

**3. EU bilateral political engagement**: The last annual EU-Mongolia Human Rights Dialogue was held on 25 November 2020, followed on 3 December 2020 by the EU-Mongolia Joint Committee (both in virtual format). Due to the COVID pandemic, the meetings initially foreseen for 2021 will be scheduled in the spring of 2022. The EU engaged in a number of public diplomacy activities in 2021, such as the "16 days campaign against gender-based violence", the European Film festival, the National Human Rights Day and the EU Human Rights Award Ceremony.

**4. EU financial engagement**: In 2021, the EU launched three new projects related to human rights. Mongolia was also party to the EU-financed Business and Human Rights in Asia (B+HR) programme implemented by the UNDP. The EU also continued to support human rights and democracy through several ongoing projects, carried out with Member States or other partners. These projects focused on support to the empowerment of herders; the fight against child labour and trafficking for labour or sexual exploitation; support to civil society, including youth civic engagement and participation in local economy and mitigating the impact of COVID-19 with a rights-based approach.

In 2020, the EU launched its first budget support programme for 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 and ILO, focusing on transparency and oversight of the budget, and employment creation in the non-mining sectors for youth and for persons with disabilities, as well as compliance with international labour standards. This support programme was ongoing in 2021.

**5. Multilateral context**: During Mongolia's third Universal Periodic Review in November 2020, it received 190 recommendations out of which 170 were accepted and 20 were noted as of March 2021. The government developed a Plan of Action on the implementation of the accepted recommendations.

The UN Special Representative (UNSR) on violence against women, its causes and consequences, visited Mongolia in 2021. The UNSR's key findings concluded that Mongolia adopted a solid legal framework to address gender-based violence, but that the existing services for victims should take a gender sensitive approach. Existing measures against gender-based violence failed to support groups in vulnerable situations (such as victims of trafficking, LGBTI persons). The UNSR would present the final report in June 2022.

The UN Committee on Enforced Disappearances issued a report on Mongolia in May 2021. It recommended bringing the definition of "enforced disappearance" in line with the International Convention for the Protection of All Persons from Enforced Disappearance and for specific training to all law enforcement and security personnel.

## Myanmar

**1. Overview of the human rights and democracy situation:** Following the military coup on 1 February 2021, the human rights situation in Myanmar deteriorated across all fronts, dramatically accentuating a situation where the regime had already used COVID-19 restrictions to limit freedom of movement. By the end of the year, nearly 1,400 people were recorded killed, with over 100 killed in detention, more than 11,000 arrested with 8,300 remaining detained.

The Tatmadaw brought scorched earth tactics, used by the military in ethnic minority regions for decades, into the Bamar heartland, including in areas that had not seen conflict in decades. This led to a doubling of internally displaced persons (IDPs) to at least 700,000, who, along with refugees in Thai and Indian refugee camps, the Rohingya in Bangladesh, and asylum seekers further abroad, brought the number of Myanmar people displaced inside or outside the country due to the actions of the Tatmadaw to 1.79 million. The UN estimated that around 25 million people (of a population of 54 million) would be living in poverty during 2022, with the number of persons in need of humanitarian assistance rising from one million to 14.4 million during the year 2021, access to whom is being further restricted by the military.

New laws or amendments to old ones, restrictions on the internet and the crackdown on the media further curtailed freedom of expression and access to information, which was already being eroded by the civilian government prior to the coup. The Tatmadaw arrested over 100 journalists since 1 February 2021 and most media houses had to either shut down or relocate. The regime also targeted civil society organisations and human rights defenders. Many had to flee or saw their bank accounts frozen and offices raided. Restrictions on labour unions and rights organisations were expected to lead to the resumption of exploitative employment practices. The fact that more than 12 million children and youth did not attend school since the onset of the pandemic was another major concern.

However, the coup also united opposition and many ethnic minority groups as never before. While divisions and distrust remained, the Bamar majority never had a greater understanding than now of the previous abuses suffered by the ethnic minorities. As the conflict became more protracted, media and CSOs reported on human rights abuses by opposition forces to the junta, including the so-called People's Defence Forces and a number of Ethnic Armed Organisations. However, the opposition National Unity Government publicly recalled to armed groups the necessity to avoid harming civilians including children. It pledged to embed international human rights principles and standards across a range of human rights issues and end the impunity of those guilty of human rights violations and abuses. It also promised an end to the disenfranchisement of ethnic minority groups, in particular the Rohingya.

**2. EU action - key focus areas:** The EU's has focused on protection, resilience and accountability, but its implementation remained challenging in the current context of protracted conflict. Empowering and protecting individuals such as witnesses of atrocities, activists or journalists remained critical in the current situation with a focus on promoting fundamental freedoms and protecting civic and political space, including for the media. Although the task of building a resilient, inclusive and democratic society was severely challenged, the quickly deteriorating situation in Myanmar further underlined the importance of finding ways to reinforce labour rights and support the business and human rights agenda.

On accountability, the EU increased its financial support to the work of the Independent Investigative Mechanism for Myanmar which expanded its mandate.

**3. EU bilateral political engagement:** Given that all formal interaction with the military regime was put on hold, no human rights dialogue took place during the year, including the regular development cooperation and Everything But Arms monitoring missions. However, the EU delegation engaged in dialogue with numerous local and international CSOs in order to align support and better understand the challenges they face since the coup, in terms of IDP and humanitarian needs, including due to COVID-19. In 2021, the EU increased its restrictive measures on Myanmar in three rounds of targeted sanctions (on 22 March, 19 April and 21 June), expanding the list of individuals subjected to travel bans and asset freezes. At the year's end, the list totalled 43 individuals and six entities, mirroring restrictive measures imposed by other international partners.

**4. EU financial engagement:** The events of 1 February 2021 suspended the EU delegation's plans to strengthen the human rights and democracy activities vis-à-vis the government and via CSOs. Instead, all support channelled to the government was suspended and support to civil society and international non-governmental organisation partners was reconfigured. In doing so, the EU focused on safeguarding results achieved in the last few years and supporting local CSOs to operate and survive in the current difficult circumstances. As the year progressed, the EU adopted a 'back to basics approach' focused on supporting local communities and vulnerable populations and working through civil society and international organisations in Myanmar. This would have its limitations in terms of scope and absorption capacity given increased junta's restrictions on civil society. The EU supported the delivery of basic services, education, health, livelihood and social protection, and support democracy and human rights efforts.

**5. Multilateral context:** The EU is active on resolutions and statements at the UN General Assembly, the UN Human Rights Council and the UN Security Council. With one Member State seating on the Credentials Committee, the issue of UN recognition of the military regime was strategically postponed. The EU and its Member States consistently condemned the coup and called for a restoration of the elected civilian government and the release of all those arbitrarily detained or arrested in connection with the coup or its aftermath. The EU and Member States also proposed, co-sponsored and/or supported resolutions at the UNGA and HRC on human rights related aspects, Rohyngias and other ethnic minorities. The Universal Periodic Review (UPR) Working Group adopted the recommendations section of the draft report on Myanmar on 29 January 2021, from which Myanmar accepted 119 out of 354 recommendations at that time. Given that the issue of representation of Myanmar at the UN had not yet been solved, the UN HRC postponed the adoption of the UPR outcomes.

## Federal Democratic Republic of Nepal

**1. Overview of the human rights and democracy situation**: The dissolution of the House of Representatives in December 2020, which ended a period of relative stability in Nepalese politics, led in 2021 to a constitutional and institutional crisis involving all branches of power. The crisis ended with a peaceful alternation of power, but not without severely shaking public confidence in the institutions. The executive branch was criticised for a perceived selective

use of ordinances to its own benefit, trust in the judiciary suffered a blow after magistrates accused the Chief Justice of harming the reputation of the judiciary and tensions between the parties of the ruling coalition brought the legislative work of the parliament to a standstill.

2021 marked the 15th anniversary of the Comprehensive Peace Accord. All major political parties and leaders emphasised their attachment to the legacy of the Accord. However, the transitional justice process lacked effectiveness and the reform of the Law on Transitional Justice, as required by the Supreme Court decision from 2015, had not yet taken place.

In general, the 2015 Constitution and subsequent legislation guaranteed fundamental rights. However, regulations to enable the implementation of the legal framework was still lacking, and a de facto standstill in the adoption of new legislation meant that crucial reforms remained overdue, while implementing acts for legislation already adopted were still pending.

A strong and independent civil society to hold the institutions accountable was still lacking, and the authorities retained important oversight power over civil society organisations (CSOs). The administration extended its financial control over NGOs on grounds of the fight against money laundering and financing of terrorism. CSOs suffered from politicisation, a lack of effective coordination, weak financial base, limited capacity, and inadequate accountability and transparency. The law did not provide a limited list of objective grounds for dissolution, and stated that the assets of the associations were transferred to the government upon dissolution. There was no representation of CSOs in the Social Welfare Council overseeing them. The Council often delayed the approval of projects or asked to revise projects with a focus on human rights and democratisation.

The Constitution provides women with equal rights, including the right to property. However, the citizenship regime remained problematic: a Nepalese woman did not have the same rights as a Nepalese man to confer citizenship to her foreign husband or child. While various laws and policies aimed to eliminate violence against women, implementation remained weak. The pandemic and lockdown led to an increase in cases of domestic violence, the majority of incidents being unreported. The interim protection measure envisioned by the Domestic Violence (Offence and Punishment) Act had not yet become effective. Nonetheless, Nepal achieved substantial progress in terms of fighting rape, with a zero tolerance policy, tougher penalties and the 2020 criminalisation of unofficial arbitration settlements: so called “reconciliation”. The new law widened the definition of rape, increased the statute of limitation for sexual crimes from 35 days to one year, and increased the sentence for those involved in rape from seven years to life imprisonment, and marital rape from 3-6 months to 3-6 years imprisonment.

**2. EU action - key focus areas:** EU’s priorities were the protection and empowerment of individuals through a bilateral support programme in the areas of access to education and nutritional opportunities along with support to complementary actions of the CSOs; building resilient, inclusive and democratic societies through support to effective implementation of federalism, institution building through support to oversight bodies including the National Human Rights Commission, and support to expanding the civic space and promoting freedom of expression and independent media; the promotion of a global system for human rights and democracy through the support to CSOs and National human rights institutions to participate in the Universal Periodic Review (UPR) process and follow up actions of the UPR recommendations; and delivering by working together through the Team Europe Initiatives

for joint programming including human rights related projects, and effective participation in multilateral and thematic fora.

**3. EU bilateral political engagement**: In 2021, the EU delegation continued to play a significant role as co-chair of the International Development Partners Group, which included the Human rights Core Group, the Gender Equality and Social Inclusion (GESI) and Election working groups, as well as chairing the Human Rights Defenders Working Group. All these mechanisms provided fora for assessing the human rights situation, including transitional justice, and following up with relevant authorities as appropriate. Furthermore, the Finish and German Ambassadors acted as EU Gender Champions, focusing on the support for opportunities for women and girls. Regarding caste-based violence and discrimination, the EU together with Member States, continued supporting initiatives of civil society and national institutions and advocating in public fora. The EU held meetings and discussions with local partners including CSO members, human rights defenders, political representatives and think tanks. The 13th EU-Nepal Joint Commission on 21-23 November 2021 allowed the EU to politically engage with Nepal on democracy, good governance, human rights, women empowerment, social inclusion and social justice, non-discrimination, women's rights and rights of the child, as well as rule of law and transitional peace process. EU participation in various events organised by civil society, human rights defenders and think tanks expanded the scope of EU's human rights engagement with Nepal in 2021.

**4. EU financial engagement**: The EU and Member States supported a large number of projects contributing to the EU's human rights and democracy priorities. The EU notably funded projects in the area of improving access to Justice, support to human rights defenders, gender and social equality, freedom of expression and protection of journalists, political inclusion of women and youth and promotion of active citizenship. Moreover, the EU promoted through other projects social and economic rights and inclusion in the areas of education, nutrition, water and sanitation. The EU continued engaging with CSOs promoting a safe and enabling environment for CSOs.

**5. Multilateral context**: The EU and Member States engaged in the third UPR cycle for Nepal in 2021. Ongoing projects used existing resources to widen consultations, submit comprehensive thematic reports, disseminate the outcomes of the UPR process, and ensure its follow-up. The UN Special Rapporteur on Extreme Poverty and Human Rights paid an official visit to Nepal in November and December 2021 and conducted broader consultations with a number of communities and groups in Nepal.

## Pakistan

**1. Overview of the human rights and democracy situation:** The government of Pakistan undertook measures for improving gender equality, and made significant reforms in the area of the death penalty and the scope of criminal law setting shorter and more concrete deadlines for disposing of criminal cases. Pakistan did not carry out any executions for the second consecutive year in 2021. The Supreme Court of Pakistan passed a landmark judgment prohibiting the execution of mentally ill prisoners and protecting such persons involved or implicated in a relevant crime from capital punishment. Significantly, the Lahore High Court acquitted in June 2021 the death row blasphemy victims Shagufta and Shafaqat, who were

jailed in 2013. However, blasphemy allegations continued to lead to public violence and convictions resulting in death penalty. Although the government publicly committed to making progress on freedom of religion or belief, the situation largely remained unchanged and societal polarisation increased.

Although the Pakistan government did not put forward concrete policies to advance women's rights and gender equality in 2021, its political leadership appointed several women to important positions, including the first-ever female judge to join the Supreme Court and the commissioner of the National Commission on Human Rights (NCHR).

Thousands of cases of enforced disappearances were reported throughout the year. The Senate unanimously passed a Bill criminalizing torture and custodial deaths in July 2021. Overall, the trend with regard to the state of civil and political rights, as well as economic, social, cultural rights, the space for civil society and human rights defenders, remained negative. Media freedom further declined with ongoing attempts to introduce new laws and mechanisms to centralise control and stifle dissent. Several journalists suffered violent attacks. The labour inspection system remained weak throughout the country and the quality of provision of labour rights remained unchecked in provinces. Exacerbated by COVID-19, the parliament, which already faced difficulty in reaching quorum, met only the minimum required time for legislation during 2021. Consequently, the government continued to rely mostly on presidential ordinances.

**2. EU action - key focus areas:** The human rights public diplomacy activities of the EU consisted of public events and publications on social media and in the local press, generating widespread debate on human rights.

Freedom of religion or belief was a key priority for the EU in Pakistan in 2021. Multiple outreaches to religious minority leaders, to influential Muslim clerics and the government as well as continuous monitoring and advocacy on specific cases manifested this. The EU delegation hosted an Inter-faith and Intra-faith Harmony roundtable in Lahore and supported the International Interfaith Peace Conference encouraging the government to eliminate the propagation of hatred, discrimination and violence against religious minorities and to address impunity of such crimes. The EU head of delegation visited the main centre of the Ahmadiya Muslim community in Pakistan, which is subject to particularly harsh and wide-ranging discriminatory measures by the State and at distinct risk of attacks for professing their faith.

The EU carried out advocacy with key government representatives, opposition and key stakeholders on social media to highlight the risks and ineffectiveness of the death penalty and regarding the pending Anti-Torture Bill.

Through the ‘Promotion of Human Rights’ programme, the EU continued its support to the Ministry of Human Rights and contributed to enhancing the capacity of federal and provincial human rights institutions. The project successfully developed and launched Pakistan’s first Human Rights Information Resource Portal, an open central repository of cutting-edge human rights knowledge for students, academics, practitioners and the citizens at large. The EU also offered technical assistance to the main national statutory human rights bodies, namely, the National Commission on the Status of Women, the National Commission for Human Rights and the National Commission on the Rights of Child.

The EU delegation also organised a launch event for an online game highlighting systemic issues in the criminal justice system, in collaboration with one of its project partners. The game titled 'This Is (Not) A Game' focuses particularly on the struggles of women engaging with the judicial system and the difficulties they face in accessing justice.

**3. EU bilateral political engagement:** Two high-level consultations that took place in December 2021, the EU-Pakistan Political Dialogue and the Pakistan-EU Strategic Dialogue, providing opportunities to exchange on matters of common interest, including on human rights and democracy. Constructive meetings of the EU-Pakistan Joint Commission and its Sub-group on Democracy, Governance, Rule of Law and Human Rights in June 2021 assessed and encouraged progress in the key areas of human rights and democracy. The EU Special Representative for Human Rights, Eamon Gilmore, and the Minister of Human Rights, Dr Shireen Mazari, maintained ongoing contact throughout the year.

Pakistan was a beneficiary of the EU's Generalised Scheme of Preferences Plus (GSP+) preferential trade regime and undertook to effectively implement 27 international conventions covering human and labour rights, environmental protection and good governance. As part of the ongoing monitoring of the implementation of the commitments by Pakistani authorities, the Commission continued exchanges with the government which will feed into the assessment of Pakistan's compliance with its obligations and the 2022 GSP+ Report to the European Parliament and the Council.

**4. EU financial engagement:** Building on past interventions in the security sector and justice reform, the EU and the government of Pakistan launched a large effort in 2021 to strengthen rule of law in Khyber Pakhtunkhwa, its newly merged districts, and in Baluchistan, to ensure equal access to justice for all. The five-year programme would support federal and provincial level governments in strengthening policy frameworks and service delivery as well as increase legal literacy of citizens. The EU delegation also signed a three-year project with the government of Pakistan to support the capacity building of the federal parliament and provincial assemblies.

**5. Multilateral context:** Pakistan's re-election to the Human Rights Council (HRC) from 2021 until 2023 provided 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, and in this capacity cooperated constructively with the EU.

## Philippines

**1. Overview of the human rights and democracy situation:** Despite increasing constraints, civil society remained vocal and active. Yet, accountability for crimes or human rights violations related to the "war on drugs" remained a source of concern despite some limited positive developments, such as increased investigation of extrajudicial killings. Human rights defenders, including environmental defenders, journalists, union activists, clergy, and humanitarian workers, continued to be at high risk of harassment, threats and killings. Judges and lawyers were also at risk.

A mix of pandemic-related restrictions, fewer broadcasters and other government restrictions (including the Cybercrime Prevention Act) continued to hamper freedom of the press. The Philippines dropped two places –from the 136th to the 138th position on a list of 180 countries in the 2021 World Press Freedom Index. Disinformation, including malicious blacklisting of individuals or organisations critical of the government, ahead of the national elections due to take place in 2022, became a worrying phenomenon.

The 17th Congress did not pursue legislative efforts to reintroduce the death penalty, after the adoption on 2 March of a bill providing the death penalty for a new crime under the 2002 Comprehensive Dangerous Drugs Act.

The "security approach" to control the pandemic and respond to typhoon Rai negatively affected the full realisation of social, economic and political rights, including rights to privacy, welfare conditions in the workplace and access to education. The Commission on Human Rights, the independent constitutional office created under the 1987 Constitution with the primary function of investigating all forms of human rights violations involving civil and political rights in the Philippines, continued to perform its role as an independent watchdog.

**2. EU action - key focus areas:** The EU's human rights and democracy priorities in the Philippines included fighting impunity, promoting accountability and rule of law, including the support to an evidence-based approach to the fight against illegal drugs; strengthening the civic and democratic space; providing support for freedom of expression online and offline, access to information and combatting disinformation; promoting the rights of the child, and eliminating inequalities, fighting discrimination and empowering women and indigenous peoples.

In the area of protecting and empowering individuals, the EU publicly advocated for the protection of human rights defenders and freedom of the press, including issuing a statement following the Calabarzon raids of 7 March ("Bloody Sunday") in which the police and army killed nine activists. The EU delegation and EU Member States monitored the trial of Senator de Lima. The EU also supported the empowerment of women and girls, indigenous peoples and children. Many of these actions took place in Mindanao, where the EU continued to support the peace process. The EU actively engaged with the government both to prevent further restrictions on the civic space and to advocate against the reintroduction of the death penalty. In seeking to build resilient, inclusive and democratic societies, the EU continued to advocate for press freedom and closely followed developments restricting the actions of media workers as well as the abuse of cyber-libel legislation. The EU maintained regular contact with the 2021 Nobel Peace Prize laureate Maria Ressa throughout the ongoing legal proceedings against her. These include her appeal against her 2020 cyber libel conviction as well as criminal and administrative cases brought by the authorities.

In order to promote a global system for human rights and democracy, the EU continued to encourage the Philippines government to fulfil its commitments to core human rights conventions through the monitoring process of the Generalised Scheme of Preferences Plus (GSP+). With the aim of harnessing opportunities and addressing challenges relating to new technologies, the EU promoted the exchange of best practices on combatting disinformation,

which increased during the pandemic and ahead of the 2022 elections. The EU also continued to champion delivering by working together with its Member States, notably through efforts to encourage the resumption of in-person classroom education for children, while the appointment of the ambassador of one Member State as the EU's local "gender champion" played an important role in advancing work on gender issues.

**3. EU bilateral political engagement**: The first ever Sub-Committee on Good Governance, Rule of Law and Human Rights under the new EU-Philippines Partnership and Cooperation Agreement met on 5 February 2021. The meeting demonstrated the full engagement of both parties and resulted in a joint press release. Due to COVID-19 restrictions, the GSP+ monitoring process for 2020-21 had to be conducted in writing with an exchange of questionnaires, while a physical mission is planned for 2022.

**4. EU financial engagement:** EU financial engagement on human rights priorities included projects supporting justice reform and the Commission on Human Rights through the second phase of the Justice Sector Reform Programme 'Governance in Justice (GOJUST II)'; support to civil society 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. The EU would also support a three-year UN joint programme on human rights in the Philippines. The EU continued to support to the work of human rights defenders through diplomatic and financial means.

**5. Multilateral context**: In 2021, the Philippines ended its fifth term as a member of the UN Human Rights Council (HRC). In December 2021, the country accepted a visit of the Special Rapporteur on Freedom of Expression. As a follow-up to HRC resolution 45/33 (Technical cooperation and capacity building for the promotion and protection of human rights in the Philippines), the government and the UN signed on 22 July 2021 the first-ever national-level UN joint programme on human rights, addressing a number of human rights concerns.

During the 76th UN General Assembly, the Philippines shifted its vote from affirmative to abstention on the Syria resolution, while opposing other country resolutions, as it generally did also in the HRC. Furthermore, for the first time the Philippines systematically disassociated from references to the International Criminal Court in any resolutions.

In September, the Pre-Trial Chamber of the International Criminal Court authorised the Prosecutor to proceed with an investigation of alleged crimes against humanity committed in the Philippines in the context of the 'war on drugs'. However, the Prosecutor agreed to defer the investigation following a request by the government based on investigations into the alleged extrajudicial killings by the country's justice system.

## Singapore

**1. Overview of the human rights and democracy situation**: The government declared 2021 "the Year of Celebrating SG Women" and partnered with civil society, business and community groups to better understand the aspirations of Singaporean women. Building on the outcome of these conversations, the government would develop a White Paper to be presented in

parliament in 2022. Economic hardships caused by the pandemic strained inter-ethnic relations in the city-state, also contributing to xenophobic incidents. The government announced its determination to tackle the issue including through new legislation. To keep the spread of COVID-19 under control, Singapore made use of the TraceTogether application and token compulsory for contact tracing purposes, including for entering shopping malls, venues and restaurants. This further increased the level of surveillance in the country, raising concern about data governance and data privacy.

Singapore fell slightly in the World Press Freedom Index 2021, ranked 160th out of 180 countries surveyed, falling two places compared with 2020. Strict COVID-19 confinement measures continued to have a serious impact on the situation of migrant workers, particularly those living in workers' dormitories, although some easing of measures started in the latter half of the year.

In October 2021, the parliament adopted the Foreign Interference (Countermeasures) Act to strengthen the ability to prevent, detect and disrupt foreign interference in domestic politics conducted through either hostile information campaigns or the use of local proxies. The legislation had not yet entered into force in 2021.

The death penalty and corporal punishment, including judicial caning, remained in use in Singapore, although there had been no execution since 2020. The government continued to criminalise male homosexuality and transgender people must adhere to a strict multi-step gender recognition procedure.

**2. EU action - key focus areas**: The EU continued its advocacy for a moratorium on the death penalty, issuing a local statement prior to a scheduled execution (which was subsequently adjourned). Under the theme of building resilient, inclusive and democratic societies, the EU flew the rainbow flag at the EU residence on the International Day Against Homophobia, Transphobia and Biphobia. In the spirit of delivering by working together, on 20 November 2021, the EU Ambassador for Gender and Diversity, designated among the EU Member State ambassadors, spoke at the United Women Singapore Boys Empowered Community Summit: Man to Men. The Summit initiated the 16 Days of Activism against Gender-Based Violence campaign in Singapore. The EU also held briefings with civil society on women's rights and the draft Foreign Interference (Countermeasures) Bill. Under the theme of harnessing opportunities and addressing challenges of new technologies, in January 2021, the EU organised in virtual format its annual Human Rights Day seminar on the topic 'Human Rights in Cyberspace: Emerging Issues'. Moreover, in promoting a global system for human rights and democracy, further EU action focused on advancing 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 also all seek to protect and empower individuals and can help build resilient and inclusive societies.

**3. EU bilateral political engagement**: The EU met on regular basis with government and civil society representatives. As a follow-up to the EU-Singapore Senior Officials Meeting and in preparation of Singapore's Universal Periodic Review in May 2021, the Ministry of Foreign Affairs organised a briefing for the EU and its Member States on the human rights situation in

the country. Other line ministries and Singapore's representative to the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights also participated. In December 2021, the Ministry of Home Affairs held a virtual briefing on the Foreign Interference (Countermeasures) Act at the request of the EU and its Member States, as well as other international partners. The Trade and Sustainable Development Board (TSD Board) under the EU-Singapore Free Trade Agreement (EUSFTA) provided another avenue of engagement on labour rights and environmental rights with the Singaporean authorities and public stakeholders. Additionally, at the First EUSFTA Trade Committee in December 2021, both sides agreed to organise a technical meeting in 2022 to discuss the outstanding ratification of the three fundamental ILO Conventions and the general labour rights situation.

**4. EU financial engagement**: Financing of civil society organisations by foreign entities remained prohibited in Singapore. The EU delegation's activities consisted of monitoring and reporting of the situation, coordinating closely with Member States and international partners, as well as organising meetings with local civil society members and supporting discussions on human rights in Singapore.

**5. Multilateral context:** Singapore underwent its third Universal Periodic Review (UPR) before the UN Human Rights Council (HRC) in May 2021. It received a record 324 recommendations compared with 236 in 2016, of which it committed to support 210. In addition, the Committee on the Elimination of Racial Discrimination (CERD) reviewed Singapore's periodic report during its 105th session in November-December. Singapore submitted its Sixth Periodic Report under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in November 2021, covering the initiatives it introduced from 2016 to 2021. At the UN General Assembly, Singapore maintained its principled position against country-specific human rights resolutions.

## Sri Lanka

**1. Overview of the human rights and democracy situation:** The human rights situation in Sri Lanka continued to give rise to concerns, although the authorities expressed their willingness to engage with the international community on a number of issues. This became notably evident during the mission by the EU to monitor compliance with international human rights and labour rights conventions that Sri Lanka is bound to implement as a beneficiary of the EU's unilateral GSP+ trade preferences scheme.

The impact of the 20th amendment to the constitution of 2020, which expanded the scope of presidential and executive powers on the functioning of independent institutions such as the National Human Rights Commission of Sri Lanka, was of particular concern. The Global Alliance of National Human Rights Institutions recommended downgrading the status of the Sri Lankan Human Rights Commission in view of lacking compliance with the Paris Principles. Another matter of concern was the initiative to give to presidential taskforces extensive influence in various fields pertaining to civil administration, from health to archaeology. In November 2021, a controversial Buddhist monk was appointed to head the 'One country, One Law' taskforce.

In response to a lack of progress on accountability for war crimes, the UN was mandated in March 2021 to collect evidence of serious crimes for use in future prosecutions. UN resolution 46/1 strengthened the capacity of the UN High Commissioner for Human Rights to collect, consolidate, analyse and preserve evidence of international crimes committed in Sri Lanka and develop strategies for future accountability processes. The Sri Lankan government opposed the establishment of such a mechanism pledging that it would follow a credible, domestic process. In September 2021, President Rajapaksa reiterated at the UN General Assembly (UNGA) the need to foster greater accountability, restorative justice and meaningful reconciliation through domestic institutions.

Against the backdrop of calls for the repeal of the 1979 Prevention of Terrorism Act (PTA), the government contemplated proposal of reforms to the legislation and addressed several cases of persons detained under the PTA. Among known cases, poet Ahnaf Jazeem, Member of Parliament Rishad Bathiudeen, and former Governor Azath Salley were released on bail in December 2021, and human rights lawyer Hejaaz Hizbullah, who remained in detention throughout 2021 (he was released on bail in early 2022). In June 2021, the President pardoned 16 detainees under the PTA. Following wide criticism of regulations prohibiting the burial of COVID-19 victims, the government designated in February 2021 a site in the Eastern Province for the burial of Muslim COVID-19 victims. No incidents of anti-Muslims violence were reported in 2021, including after the lynching of a Sri Lankan in Pakistan in December 2021.

There had been mixed developments regarding the operations of civil society organisations (CSOs). The working environment for NGOs reportedly became increasingly difficult with heightened reporting requirements and surveillance. The planned reform to the legislation governing NGOs was expected to further impact the functioning of civil society In November 2021 the NGO Secretariat was transferred from the Ministry of Defence to the Ministry of Foreign Affairs, a move welcomed by CSOs.

In 2021, civil society reported about the monitoring of public gatherings and protests, and targeted surveillance of human rights defenders, journalists and lawyers. In July 2021, at the peak of the COVID-19 pandemic, protests by trade unions, students, and teachers against the militarisation of education through the Kotelawala National Defence University Bill led to their forced quarantine. Ten Tamils were arrested in May 2021 for conflict-related remembrance activities and remained detained under the PTA until November 2021.

The extended postponement of the long overdue provincial council elections remained a concern for Sri Lanka's democracy and reconciliation. The conduct of these elections was a precondition for the devolution of power and is a key component of a political solution.

**2. EU action - key focus areas:** EU action in Sri Lanka focused, in line with the EU Action Plan for Human Rights and Democracy 2020-2024, on building resilient, inclusive and democratic society, protecting and empowering individuals and promoting a global system for human rights and democracy. In particular, the EU continued supporting, including through dedicated programmes on justice and reconciliation, the rule of law and access to justice; promoting space for civil society, human rights defenders, and media; supporting the rights of persons belonging to minorities for an inclusive and peaceful society; promoting gender equality and women's rights, social and environmental rights in business, as well as labour rights.

**3. EU bilateral political engagement:** The EU Delegation to Sri Lanka and Member States held a number of meetings and dialogues throughout the year with the President, Prime Minister, the Foreign Minister and other representatives of the government on issues impacting long-term peace and stability in Sri Lanka, specific reforms and avenues for meaningful action on human rights. The EU-Sri Lanka Joint Commission as well as the EU-Sri Lanka Working Group on Rule of Law, Governance, and Human Rights met in January and September 2021 respectively. Several high-level meetings, including with the president, also took place during the GSP+ monitoring mission in September and October.

**4. EU financial engagement:** The EU has funded several projects promoting social cohesion, countering disinformation and hate speech, and providing support to the justice system focusing on groups in vulnerable situations, as well as women's rights and gender equality.

**5. Multilateral context:** During the interactive dialogue on the Sri Lanka report by the High Commissioner for Human Rights during the 46th session of the UN Human Rights Council, the EU issued a statement expressing *"regret that the Government of Sri Lanka no longer supports the comprehensive Human Rights Council process after 2015. We are concerned about a setback of the important gains made in recent years. It is key to preserve achievements like the Office of Missing Persons and the Office for Reparation, safeguard their independence and provide them with sufficient resources. We share the concern of the High Commissioner about the warning signs of a deteriorating human rights situation, mainly the erosion of democratic checks and balances and the rise of exclusionary rhetoric."* Sri Lanka showed willingness to cooperate with the UN Special Rapporteurs. The visit by the UN Special Rapporteur on Contemporary Forms of Slavery took place in 2021, whereas other visits would be planned once the COVID-19 situation allows.

## Thailand

**1. Overview of the human rights and democracy situation**: In 2021, enforcement of anti-COVID-19 measures as well as provisions under various criminal and security laws against anti-establishment protesters continued to negatively affect the democratic and civic space in Thailand. Media reported widely on harassment and physical attacks against activists including minors, human rights defenders and journalists, but law enforcement rarely investigated and punished such alleged acts. The government extended the state of emergency, in place since March 2020, throughout the year as Thailand battled a third and more deadly wave of COVID-19. Citing public health protection concerns, Thai authorities have strictly enforced the Emergency Decree and other security-related laws on opposition figures, causing restrictions on freedoms of expression, peaceful assembly, and the press. Thailand slightly improved its ranking, rising from the 140th to 137th position out of 180 countries in the 2021 World Press Freedom Index. Arrests and lèse-majesté prosecutions of citizens in connection with their participation in anti-establishment protests did not decrease despite growing international concern.

In November 2021, the Thai Constitutional Court ruled that calls by three protest leaders for the reform of the monarchy constituted an attempt to overthrow the constitutional monarchy. This led to concerns that more serious charges could be filed against opposition parliamentarians, activists who support the call for reform of the monarchy, and human rights

organisations providing support for those facing prosecution. In November 2021, the Prime Minister ordered an investigation into accusations, backed by a vice minister of his government, that the work of Amnesty International in Thailand undermined national security and the monarchy. The government took no concrete steps towards the abolition of the death penalty, with Thai courts continuing to issue death sentences, most recently in August 2021.

Although it pledged during its third Universal Periodic Review to address displaced persons with due respect for their rights and affirmed its commitment to relevant international obligations and humanitarian principles, Thailand forcibly returned three UNHCR-registered Cambodian refugees in November 2021. In addition to reportedly facing barriers in accessing healthcare services during lockdowns, LGBTI persons also faced discrimination while receiving COVID-19 treatment, with some transgender women reportedly sent to male field hospital wards as their national ID cards indicated they were male at birth. In November 2021, the Constitutional Court ruled that Section 1448 of the Civil and Commercial Code, stating that marriage is only between a man and woman, does not violate the constitutional guarantee of equal treatment. Violent incidents in the southern provinces increased for the first time since 2013. Thai authorities extended the state of emergency in the Deep South provinces, which has been in place there since 2004, until March 2022.

**2. EU action - key focus areas:** In the context of protecting and empowering individuals, the EU continued to make considerable efforts to advance public acceptance that human rights must be at the heart of government responses to COVID-19 as well as recovery efforts. The EU continued regular dialogue with interlocutors in the Royal Thai Government as well as with civil society, human rights defenders, and representatives of the business sector. Aiming to deliver by working together to reinforce the EU's message on democratic pluralism, EU missions actively coordinated the observation of trials with potentially negative consequences for civil and political rights. With the objective of building resilient, inclusive and democratic societies, the EU remained committed to working towards inclusive, participatory, and rights-based approaches to development, supporting the improvement of the legal framework to protect non-Thai persons as well as marginalised groups and individuals in vulnerable situations. In June 2021, the EU delegation conducted a month-long campaign to raise public awareness of ongoing discrimination against LGBTI persons and promote the adoption of new laws to address this. In November 2021, the EU delegation called on Thailand to uphold the fundamental rights of individuals in need of international protection and safeguard the principle of non-refoulement.

**3. EU bilateral political engagement**: COVID-19 restrictions continued to affect negatively the EU's human rights engagement. Starting in April 2021, the third wave of the COVID-19 outbreak forced the EU to adjust its human rights outreach and engagement, replacing in-person briefings and dialogues with online meetings. With the number of new COVID-19 cases dropping in November 2021, the EU delegation and EU missions were able to resume limited engagement with the authorities and the stakeholders. In the absence of many opportunities for high-level bilateral engagement, the EU and the Member States engaged the government in dialogue aimed at protecting and expanding the democratic space, in line with Foreign Affairs Council conclusions on Thailand of October 2019.

**4. EU financial engagement**: Support to promote human rights, fundamental freedoms, good governance and the rule of law remained key EU priorities. Two specific civil society organisation (CSO) projects contributing to the COVID-19 response focused on a more inclusive sustainable economic recovery process, promoting respect for human rights and ensuring space for civil society organisations to operate and deliver essential services during the pandemic. Projects initiated in previous years on promoting migrant workers' rights and labour rights, particularly for female migrant workers, continued. Under the regional 'Aid to Uprooted People' programme, the EU continued to support activities for encamped refugees to ensure their right to access basic services in areas such as health and education. Additionally, the EU funded the Office of the High Commissioner for Human Rights to build CSOs' capacity to document human rights violations and to explore appropriate interventions, including the provision of legal representation. In their implementation, the EU engaged government counterparts to uphold the rule of law, accountability and fundamental freedoms in line with Thailand's international human rights commitments.

**5. Multilateral context**: The EU led several outreach events in 2021 to raise critical human rights and democracy concerns with relevant Royal Thai government bodies. The EU, Member States and other like-minded partners made coordinated efforts to organise diplomatic briefings in the run-up to Thailand's third Universal Periodic Review, allowing CSOs to raise their concerns. Public and private diplomacy emphasised the need to ratify ILO Conventions 87 (Freedom of Association and Protection of the Right to Organise) and 98 (Right to Organise and Collective Bargaining). To uphold the fundamental rights of individuals in need of international protection and safeguard the principle of non-refoulement, EU Member States also recalled the UPR recommendation for Thailand to ratify the 1951 Refugee Convention and its 1967 Protocol.

## Timor-Leste

**1. Overview of the human rights and democracy situation:** 2021 was a tough year for Timor-Leste. The challenges created by the pandemic were further aggravated at the beginning of April 2021 when torrential floods hit the country. The government focused all efforts on addressing these two challenges in 2021, and adopted special measures, of which some had a high impact on fundamental freedoms and human rights. The country was under a state of emergency from March 2020 until the end of November 2021 and plunged into total isolation with the closure of land borders (with the exception of every second Wednesday) and the discontinuation of commercial aviation. The National Human Rights Institution reported sporadic cases of excessive use of police force in some cases of disobedience of sanitary measures. Children were deprived of proper education for most of the year. Many companies had to close, people lost their jobs and agricultural production was reduced. There was an increase in domestic violence against women and children – already a severe problem in Timor-Leste before COVID-19 – and an increase in mental health issues amongst LGBTI persons as demonstrated by surveys. Misinformation with regard to vaccination was widespread. While Timor-Leste could be considered a success story in terms of COVID-19 containment, the price in terms of human rights restrictions was significant.

After years of instability, 2021 was a year of greater normality in governance, with the majority in Parliament guaranteeing support to the coalition government composed of three parties

(Fretilin, PLP and KHUNTO). The year was marked by the resumption of the political-electoral debate in view of the presidential elections scheduled for March 2022. Several important pieces of legislation were adopted.

The year ended with a landmark court case on 21 December 2021 in which an 84-year old defrocked priest was sentenced to twelve years in prison for sexual abuse of children. It was a difficult case, which put the Timorese justice system to a challenging test. Timor-Leste also impressed by its thorough preparations for its third Universal Periodic Review, scheduled to take place in the Human Rights Council in January 2022.

**2. EU action - key focus areas:** Besides COVID-19 eradication and vaccination support, the EU focused its assistance in the area of human rights and democracy. On the protecting and empowering individuals priority, the EU action focused on pursuing human rights education through the strengthening of the Human Rights Centre established at the National University with the help of Global Campus and supporting gender equality and women empowerment mostly through the Spotlight Initiative, as well as rights of the child through assistance with improved nutrition.

Building resilient, inclusive and democratic societies was at the core of EU action. In response to an invitation by the Government of Timor-Leste, the EU decided to deploy an EU Election Observation Mission (EOM) to the presidential elections scheduled for 19 March 2022. The EU previously also deployed Election Observation Missions to Timor-Leste for the 2002, 2007, 2012, and 2017 elections. An Expert Mission was deployed in 2018 for early parliamentary elections. The deployment of an EU EOM for the 2022 presidential elections underscores the EU's continuous support for and partnership with Timor-Leste during an important stage in its further democratic consolidation. The EU EOM will prepare a report including a set of recommendations for future electoral processes, which will be presented and shared with stakeholders after the entire electoral process is finalised. On the same priority area, the EU supported the construction of a ‘state of the art’ press centre on the premises of the National Parliament. This support was complemented by the donation of telephone top up cards to 450 journalists to help pay for internet and communications during the difficult COVID-19 times where many representatives of the press struggled to keep their activities going.

**3. EU bilateral political engagement:** The sixth Political Dialogue meeting between the EU and Timor-Leste took place in January 2021 and through its comprehensive agenda covered political and economic developments on both sides, as well as human rights issues.

**4. EU financial engagement:** Timor-Leste was a least developed country that relied heavily on its oil and gas resources complemented by the financial and technical contributions provided by development partners. The EU had a long-standing partnership with Timor-Leste, based on the shared values of democracy, human rights, and the rule of law. EU priority areas focused on green and sustainable economic recovery and development, and good governance for sustainable development with the aim to support Timor-Leste in its efforts to diversify the economy and to accelerate regional economic integration, including preparations for possible ASEAN accession.

**5. Multilateral context:** Timor-Leste was a strong supporter of multilateralism and a rules-based international order. At the UN, it voted along the same lines as the EU, with the exception of some country resolutions. Timor-Leste decided in 2021 to go ahead with the long awaited ratification of the Convention for the Rights of People with Disabilities (CRPD). Timor-Leste joined the New York based Group of Friends for the Eradication of Gender-Based Violence chaired by the EU Delegation to the UN. Finally, Timor-Leste continued its collaboration with other young and fragile countries sharing and promoting lessons learnt and good practices regarding conflict prevention, peace building and reconciliation efforts.

## Vietnam

**1. Overview of the human rights and democracy situation:** Restrictions on political and civil rights in Vietnam continued in 2021, especially with regard to freedom of expression and freedom of association. Civil society space continued to shrink. The authorities continued to arrest and prosecute journalists, bloggers and human rights defenders on vague charges of crimes against national security or tax evasion and gave them long jail sentences in trials with little or no public access. There continued to be numerous allegations of unfair trails, including denial of legal representation; harsh physical and administrative conditions in prison, including prolonged incommunicado pre-trial detention; denial of adequate medical treatment; denial of family visits; and punitive transfers and solitary confinement.

Vietnam made efforts in combatting child labour and in promoting gender equality. It ratified seven of eight core ILO conventions and committed to ratification of the remaining Convention 87 (Freedom of Association and Protection of the Right to Organise) by 2023. It had not yet implemented the Labour Code 2019 with regard to workers' representative organisations. On 17 August 2021, Vietnam established its Domestic Advisory Group in line with the EU-Vietnam Free Trade Agreement. The death penalty remained a serious concern and continued to be applied although the authorities did not publish data on executions. The rights of religious minorities and the administration of land rights remained ongoing concerns. The Communist Party of Vietnam also continued to control all print, broadcast, online and electronic media, blocked access to politically independent websites, and forced social media companies to close accounts or remove content critical of the government. Vietnam was ranked 175th out of 180 countries in the 2021 World Press Freedom Index.

**2. EU action - key focus areas:** EU priorities focused on freedom of expression, including for human rights defenders; access to information; freedom of religion or belief; civil society and participative democracy; equal rights and respect for diversity (including gender-related issues, persons with disabilities and LGBTI persons; rights of the child and youth; the rule of law and fair administration of justice; abolition of the death penalty; compliance with international human rights law and effective implementation of human rights mechanisms.

In terms of action, the EU gave particular attention to protecting and empowering individuals. The EU delegation engaged actively in actions aimed to support human rights activists, consistently requesting the possibility to observe trials of human rights defenders and insisting on access for prisoners to legal aid, medical support and family visits. The EU issued two public statements on human rights cases of concern and arranged, together with EU Member States, various social media campaigns, activities and events to promote human rights, including on

the World Day Against the Death Penalty, International Human Rights Day and International Women's Day. EU Member States also contributed to various events on gender equality, rights of LGBTI persons and civil society participation, with the aim of helping to build a more resilient and inclusive society.

**3. EU bilateral political engagement:** The EU mainstreamed human rights in bilateral discussions at all levels with the government of Vietnam, including in meetings at the highest political level. The EU, in close coordination with Member States and like-minded countries, maintained regular exchanges on human rights with authorities and reiterated requests for full implementation of all international human rights obligations and for the release of all persons detained for exercising their freedom of expression, both online and offline. The EU-Vietnam Human Rights Dialogue and the EU-Vietnam Committee on Good Governance, Rule of Law and Human Rights, foreseen to take place in 2021, were postponed to early 2022 due to COVID-19. During 2021, the situation of human rights defenders remained a key area of concern for EU interlocutors, who raised this topic with Vietnam on multiple occasions.

**4. EU financial engagement:** Through the European Instrument for Democracy and Human Rights (EIDHR) and the thematic programme for Civil Society Organisations and Local Authorities (CSO-LA), the EU supported actions of civil society organisations in various human rights areas, including gender equality and the prevention of gender-based violence; rights of persons belonging to ethnic minorities (including land rights); rights of the child; business and human rights; civil society empowerment; human rights and the environment; promotion of information on human rights issues online; rights of migrants, returnees and informal workers; the response to COVID-19, as well as cultural rights. The EU Justice and Legal Empowerment Programme in Vietnam implemented activities to increase access to justice for the persons in the most vulnerable situations, develop indicators to measure implementation of HRC recommendations, and to assess the compatibility of the Vietnamese legal framework with the International Covenant on Civil and Political Rights (ICCPR). The EU Foreign Policy Instrument also provided support for various activities and dialogues, including a campaign against trafficking in human beings and a project on anti-corruption. The EU offered technical assistance to support the revision of the Labour Code and ratification and implementation of all core ILO Conventions as well as implementation of the accepted recommendations under the third cycle of the Universal Periodic Review (UPR).

**5. Multilateral context:** In terms of cooperation in multilateral fora, the EU has maintained a dialogue with Vietnam on international human rights issues, including in the context of the 76th UN General Assembly (UNGA). Vietnam announced its intention to seek election as a HRC member starting in 2023. Vietnam accepted 241 of the 271 recommendations proposed under the third cycle of the UPR. In autumn 2021, the Vietnamese Ministry of Foreign Affairs held consultations on the draft voluntary mid-term report on the implementation of the recommendations, announcing that Vietnam has started implementation of 199 of the 241 accepted recommendations. This number, however, does not reflect the deterioration of civil and political rights and the shrinking space for civil society and the report shows no significant restriction of the application of the death penalty. Vietnam accepted three out of four UPR recommendations on torture and other cruel, inhuman or degrading treatment, committed to reviewing all the recommendations of the Committee Against Torture, and to developing an action plan to implement the UN Convention Against Torture.

# Oceania

## Australia

**1. Overview of the human rights and democracy situation:** Australia continued to have a clearly positive and solid human rights record and engaged in advocating progress on human rights issues in the Asia-Pacific region and beyond. Australia presented the following main human right challenges, which were highlighted during its third cycle Universal Periodic Review (UPR) in 2021. i) The overall situation of Australia's indigenous population, which remained dramatically behind on many social indicators, such as education, health, and the prison population as a percentage of the overall population. On 5 August 2021, the Australian government released its 'Closing the Gap Implementation Plan' to improve the indigenous population's wellbeing and preserve Indigenous Australian Culture; (ii) the unresolved status and condition of migrants trying to enter Australia by sea (including refugees/asylum seekers). Although numbers have decreased in 2021, the legal framework did not change. In October 2021, the Federal government proposed a bill that would allow the unilateral cancellation of a visa without informing the person concerned why, or based on what evidence the visa was cancelled; (iii) the long periods of administrative detention, affecting illegal arrivals by sea but also foreigners who legally entered but are subject to expulsion orders; and (iv) the very low age of criminal responsibility (10 years).

COVID-19 legislation raised concerns of lack of transparency and adequate justification for some emergency measures. The Australian Human Rights Commission (AHRC) viewed this as resulting from an unclear division of responsibilities. AHRC and other NGOs criticised the legislative procedures as difficult to review, leading to decreased accountability. COVID-19 raised issues of detention centres as potential transmission hotspots and closed borders during the pandemic kept both international visitors and Australian citizens out of the country for months. Stranded Australians pleaded their case with the UN Human Rights Council (HRC), which in April 2021 urged the government to allow citizens' return.

**2. EU action - key focus areas:** Main EU actions focused on engaging with Australian officials on human rights issues through high level 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 Human Rights consultations and the EU-Australia-New Zealand trilateral dialogue on the Pacific.

Concretely, the EU together with Member States focused on protecting and empowering individuals, building resilient, inclusive and democratic societies, promoting a global system for human rights and democracy, on the impact of new technologies on human rights. For instance, the EU delegation regularly engaged with the AHRC (including by sponsoring the annual award ceremony) and with Australian human rights NGOs (e.g. Save the Children). In its trade policy, the EU continued engagement on FTA negotiations, including on mechanisms for protection of labour rights, and balanced representation of independent civil society organisations. The EU delegation supported the September 2021 EU-Australia informal consultation on the preparation for the autumn sessions of the UN human rights fora and also

supported the annual EU-Australia human rights consultations. The EU delegation also promoted human rights through the use of social media (e.g. promotion of the Human Rights Awards).

**3. EU bilateral political engagement:** The EU engaged with the Australian government, the country's human rights agencies and bodies, and NGOs to promote good human rights policies and support initiatives to promote the fight against racism, gender equality and other human rights actions. In the context of Australia's third UPR, the EU repeatedly exchanged views with the AHRC and the Australian NGO Coalition.

The EU supported and participated in international human rights-related days and events, especially via social media engagement, alone and in cooperation with EU Member States. The EU continued its long-standing partnership with the AHRC, including by hosting the annual Human Rights Awards and the 2021 Kep Enderby Memorial Lecture on promoting cultural diversity. The EU and several Member States joined the #orangetheworld initiative in solidarity with the victims of gender-based violence. Several public diplomacy activities were put in place to recognise this important issue and create awareness of the first anniversary of the EU Gender Action Plan III.

**4. EU financial engagement:** EU financial engagement included support to the AHRC for the Kep Enderby lecture, and the Human Rights Awards. It also included lighting the EU delegation in Orange on the International Day for the Elimination of Violence Against Women.

**5. Multilateral context:** In 2021, Australia remained a like-minded partner of the EU. It co-sponsored 25 of the 57 resolutions and delivered or joined 32 statements and interventions during the 76th UN General Assembly Third Committee, co-sponsored 43 of the 81 resolutions and co-sponsored (and co-led) one decision at the three sessions of the HRC. Finally, Australia co-sponsored the resolutions at HRC special sessions 29, 32 and 33.

Members of the UN reviewed Australia's human rights record for the third time in January 2021. On 8 July, the Australian government responded to the recommendations, confirming that it accepted 177 out of 344 recommendations, including on rights of indigenous Australians, climate change, women's rights, modern slavery and implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## Fiji

**1. Overview of the human rights and democracy situation**: Following the orderly 2018 General Election, Fiji continued to consolidate its democratic transition as a strong state with a fragile democracy. The Multinational Observer Group (MOG) found that the 2018 Election was well administered with conditions overall supporting Fijians to exercise their right to vote freely and that the outcome broadly represented the will of the voters. The report on the 2018 Election (publicly available) set out 21 recommendations to strengthen the electoral system and institutions, although many of these recommendations remain to be addressed leading to the 2022/2023 elections

A number of human rights challenges persist in the country: Widespread gender-based violence exacerbated by the COVID-19 pandemic, restrictions to freedom of expression, freedom of the press and freedom of assembly, as well as allegations of voter registration constraints, police brutality and deteriorating prison and detention centre conditions. Nevertheless, the government invested to improve facilities, operations and services of Fiji Corrections Services, investigated some cases of abuses reported to be committed by security forces officials and prosecuted officials who committed abuses elsewhere in the government.

Progress on women's rights was achieved over the past few years and the government remained committed to promote gender equality in line with the Beijing Declaration. Fiji's Constitution provided for gender equality. The percentage of women represented in the parliament increased to its highest ever rate, standing at 21.6% in February 2021. However, the rates of violence against women remain high, with gender-based violence being deeply rooted in traditional behavioural norms of a patriarchal society. Moreover, the social and economic consequences of the COVID-19 crisis led to an increase in gender–based, sexual and domestic violence. Quality of essential services remained limited and police protection reportedly inadequate to protect women at risk. Government and the media kept the issue at the centre of the national conversation around COVID-19. The government condemned violence against women and children and engaged in awareness-raising campaigns.

The Constitution provided for freedom of expression, freedom of the press, as well as the freedoms of peaceful assembly and association. However, these freedoms remained restricted by legislation on a wide range of grounds including to maintain national security, public order, public health, public morality, protect reputation, privacy and more recently COVID-19 containment measures. Indeed, some provisions of the Public Order Amendment Act and the Media and Industry Development Act remained of particular concern. Certain provisions of the 'Media Industry Development Act 2010' provided for fines and/or imprisonment for up to two years. This increased pressure on journalists, editors and media owners, triggering self-censorship and hindering full and transparent democratic debate. The 'Public Order Act' allowed the government to refuse applications for permits for any meetings or demonstrations deemed to harm peace, public safety and good order or to undermine the economy. It was not uncommon that authorities refused or were slow to issue permits to organise rallies. In many cases, the authorities used the COVID-19 rules to restrict public gatherings or protests. A nationwide night curfew had been in place since March 2020.

In November 2021, the head of Fiji's Electoral Commission (FEC) resigned less than twelve months from the next general election. Five days earlier, three political party leaders called for his removal, claiming that the head of FEC did not hold a current practising certificate as a lawyer. Meanwhile, opposition parties alleged that the September 2021 'Electoral Registration of Voters Amendment Act' introduced significant voter registration constraints forcing women to register themselves with a name on their birth certificate.

**2. EU action - key focus areas:** EU action continued to promote access to justice and respect for human rights including fostering gender equality, and supported CSOs. Through a budget support operation on rural livelihoods, the EU promoted fundamental values of human rights, democracy and the rule of law, as well as progress towards achieving the Sustainable Development Goals and encouraged an accountable and effective public administration. This

support also contributed to mitigate climate adaptation by promoting smart agriculture, food security and better livelihoods and building resilience in the country, which is vulnerable to climate change due to its geographic location.

Fiji also benefited from several initiatives promoting human rights, gender equality and addressing gender-based violence, supporting economic and social rights, climate change adaptation and mitigation and improving the management of natural resources. The EU was also committed to addressing the impact of the COVID-19 pandemic in Fiji, which went beyond purely health issues to include Fiji's economy and society as well.

**3. EU bilateral political engagement**: In 2021, the EU Delegation for the Pacific carried out a number of demarches and outreach activities related to the promotion of human rights. In October 2021, the EU organised the first EU-Pacific High-Level Climate Conference virtually in which the Prime Minister of Fiji participated. The EU delegation is committed to continue promoting actively climate change awareness and action through its interactions with all stakeholders in Fiji.

**4. EU financial engagement**: The implementation of the 'Access to Justice' programme focused on improving access to justice for the population, with particular emphasis on poor and marginalised people ended in December 2021. It contributed to enhancing the institutional capacity and service delivery of the Judicial Department and of the Legal Aid Commission (LAC) and supported Fiji's Human Rights and Anti-Discrimination Commission.

The 'Support to sustainable rural livelihoods' project signed in June 2020 contributed to poverty eradication, enhancing rural livelihoods, environmental and climate sustainability, and food and nutrition security for all Fijians. This action also promoted the right to participate in public affairs, as well as accountable and effective public administration.

Fiji also benefited from the regional programme 'Pacific Partnership to End Violence against Women and Girls' implemented by UN Women in collaboration with the Pacific Community and the Pacific Island Forum Secretariat, while also relying on long-standing partnerships that each organisation has with a wide range of stakeholders. In addition, the EU addressed protection of women's rights and prevention of violence through the 'Spotlight Initiative'. The EU also promoted gender equality in Fiji through the 'Pacific Regional Integration Support Programme (PRISE)' supporting trade and private sector development to improve access to an adequate standard of living and gender equality.

The EU supported the work of CSOs in Fiji. Five actions supported by the CSO-LA instrument will contribute to increasing the participation of CSOs in addressing climate change, both in terms of mitigation and adaptation. In 2021, the EU provided support to Medical Services Pacific to help addressing the health and psycho-social impacts of COVID-19 by improving vaccination coverage, increasing access to justice for survivors of sexual gender-based violence, empowering persons in vulnerable situation and increasing awareness on human rights. Funded by the EIDHR instrument, Fiji benefited from an initiative aimed at tackling trafficking in human beings, as well as the 'Strengthening Collaboration, Accountability, Law and Empowering Stakeholders (SCALES)' programme addressing issues in sexual and reproductive health and rights, gender equality, access to justice and social inclusion.

**5. Multilateral context**: Fiji acceded to all nine core UN Human Rights instruments. Fiji had not yet signed the Optional Protocol of the Convention against Torture and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. Formal accession to the inter-state communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance (CED Art.32) was pending. The Fiji Parliament ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Approval and ratification were pending for Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Work was ongoing to prepare its UPR mid-term review scheduled for 2022.

## The Federated States of Micronesia

**1. Overview of the human rights and democracy situation:** The Federated States of Micronesia's (FSM) ongoing domestic instability continued to threaten the country's unity. The referendum on independence was postponed for the third time, and is expected to be held in 2022. Congressional elections for the ten two-year seats were held in March 2021 with no significant reports of irregularities.

FSM's judiciaries were independent, and civil liberties were generally respected, although the justice system experienced logistical challenges due to the COVID-19 pandemic and domestic restrictions, leading to long delays. The State- and national-level trials of the two suspects in the 2019 murder of Yap State Attorney-General Rachelle Bergeron – a specialist human rights lawyer well known for combatting sex trafficking – had been hampered due to COVID-19 travel restrictions.

The law insured women equal rights in FSM, including with regard to property ownership and employment. FSM's National Constitution, as well as the four State constitutions all prohibited sexual discrimination. Despite this, socio-economic discrimination and violence against women continued to be the most prevalent human rights problems facing the country, with no national legislation criminalising sexual assault or spousal rape and domestic violence offenders usually receiving light sentences in the rare instances of prosecution. Cultural factors in the male-dominated society limited women's representation in government and politics. FSM marked a momentous milestone in December 2021, with Dr. Perpetua Sappa Konman being sworn in as the first woman ever to hold a seat in the FSM Congress. There were, however, women represented in middle and lower levels of government in the State and National jurisdictions. Female representation in State legislatures remained low.

FSM remained a source country for trafficking in human beings, including forced labour and sex trafficking. Each of FSM's four States had their own anti-human trafficking legislation. Cultural norms amongst FSM communities often led to an environment of protection or complacency towards trafficking in human beings and traffickers, which made investigations difficult. Despite the establishment of the Division of Anti-Human Trafficking in the Department of Justice, specialised judges still lacked. The COVID-19 pandemic continued to present challenges such as unemployment, poverty, interruptions to regular migration and

the disruption of family and social networks that presented a higher risk for trafficking in human beings and for victims of trafficking in FSM during the pandemic. Granting asylum or refugee status by the FSM government was not provided for under FSM national law; nor are those seeking asylum legally allowed to be absorbed or naturalised into FSM society.

There were no laws criminalising consensual same-sex sexual conduct between adults, and no known reports of violence, official or societal discrimination, or workplace discrimination against LGBTI persons. Nonetheless, culture stigmatised public acknowledgement or discussion of certain sexual matters including sexual orientation and gender identity.

The right to strike and collective bargaining were not legally recognised. Oversight of human rights issues in FSM remained disparate, both horizontally across departmental portfolios, and vertically between both State- and national-level institutions. An independent National Human Rights Institution in line with the Paris Principles had not yet been established, although a scoping study was completed in 2019. Climate change continued to present significant human rights concerns in FSM, particularly for women.

**2. EU action - key focus areas:** EU actions focused 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 civil society organisations in FSM society. It also covered domestic violence, sex discrimination and trafficking in human beings. Upholding and promoting citizens' protection and rights in these areas were in line with the EU's objective of protecting and empowering individuals as well as of building inclusive and democratic societies.

**3. EU bilateral political engagement:** Through policy dialogues and a number of different financial instruments, the EU continued to promote human rights, gender equality and the greater participation of women in decision-making. In 2021, 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. The last informal EU-FSM Political Dialogue was held in March 2017. The EU Delegation for the Pacific is committed to continue actively promoting climate change awareness through its interactions with FSM.

**4. EU financial engagement:** The EU remained 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 worked closely with government and civil society actors, as well as other regional organisations and donor partners to this end. A contract was signed with Micronesia Conservation Trust to support increasing the participation of women and CSOs in the energy sector. FSM ratified the Convention on the Rights of Persons with Disabilities and completed consultations and reporting for the Convention on the Rights of the Child with support received through EU-funded projects. FSM worked on its new Disability Policy.

**5. Multilateral context:** FSM underwent its third Universal Periodic Review in January 2021, with the final outcomes and recommendations pending. Some positive steps was made since FSM's previous review in 2015, but there is still much room for further progress towards

greater protection and promotion of human rights in the country. FSM had an outstanding visit request by the Working Group on discrimination against women since 2015.

## Republic of Kiribati

**1. Overview of the human rights and democracy situation**: During 2021, 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 2021 in strengthening legal frameworks against gender-based violence, which continued to be of great concern, as it is deeply rooted in traditional behavioural norms.

Human rights violations includes violence against women such as spousal abuse, child abuse and sexual exploitation of children that remained serious challenges to tackle effectively in spite of the national legislation condemning it. Sexual and gender-based violence continued to be prevalent throughout Kiribati: 68% of women reported experiencing physical and/or sexual violence. There was a political will in Kiribati to eliminate violence against girls and women, with in the lead the Ministry for Women, Youth Sports and Social Affairs which introduced a draft Gender Equality and Women's Development Policy and a Family Peace Act. Women's participation in political life was relatively low. Following the 2020 election, only 4 of the 46 members of the national legislature are women, one more than in the previous period.

The COVID-19 pandemic, combined with pre-existing social norms, gender inequalities, restricted travel and social isolation measures produced serious negative socio-economic impacts in the region. The Constitution prohibited discrimination based on race or origin. However, only native people could own land. Gender discrimination was prohibited only when it pertained to employment. The law did not prohibit discrimination on the basis of disability, sexual orientation, gender identity or social status. Implementation of the Kiribati 'Gender Equality and Women's Development (GEWD Policy) 2019–2022' which aimed to ensure that the government provides equal opportunities, equal human rights and equal access to services to Kiribati citizens of all genders and ages was ongoing. Consensual sex between males remained criminalised, but there were no reports of prosecutions.

Violence against children (42% of the population) and child malnutrition remained serious concerns. Although children were legally protected from sexual exploitation since 2013, Kiribati remained a source country for girls subjected to sex trafficking. Prosecution of trafficking offenders remained an issue, as well as physical punishment of children. At the same time, over 70% of young offenders were re-directed from the official justice system into schools or community service. The Convention on the Rights of the Child was incorporated into national legislation through the 'Children, Young Persons and Family Welfare Act 2013', and the new 'Education Act' prohibits corporal punishment in schools.

Climate change remained Kiribati's existential challenge during 2021, with consequences on access to water, food and other basic services leading to serious migration issues.

The government introduced no changes in 2021 regarding the death penalty, which is not provided for any crime in Kiribati, despite the 2014 announcement that Kiribati would introduce the death penalty in the Penal Code.

The government of Kiribati had not yet established a National Human Rights' Institution in compliance with the Paris Principles, but human rights are gradually being mainstreamed into national legislation. A Human Rights Taskforce and a Human Rights Unit based at the Ministry of Justice provided human rights training, monitoring and coordination of the implementation of ratified human rights treaties.

**2. EU action - key focus areas**: Climate change adaptation, including in respect to fundamental rights and freedoms, was a priority in EU-Kiribati cooperation. EU priorities in Kiribati were water and sanitation as well as funding technical studies for the potential construction of a multi-purpose port on the island of Kiritimati to promote private sector development and creating economic opportunities for the population. In parallel, the EU provided budget support to the country through a State and Resilience Building Contract that contributed towards strengthening resilience in the COVID-19-period, from economic and social perspective, but also regarding climate change.

Regional programmes implemented in Kiribati focused mostly on environmental protection, waste management and climate change adaptation, but also on the eradication of domestic and gender-based violence, with Kiribati being a focus country under the 'Pacific Partnership to End Violence Against Women and Girls'.

**3. EU bilateral political engagement**: Following up from the first EU-Kiribati Political Dialogue held in 2018, human rights, good governance, democratic principles and the rule of law continued to be addressed in 2021. Human rights and gender equality were also promoted through policy dialogue and financial instruments. The EU remained committed to supporting government and non-state actor efforts to reduce gender-based violence. During 2021, the EU delegation reached out on many occasions to the Kiribati government via demarches to support the EU's human rights priorities and initiatives at the UN and other international fora.

**4. EU financial engagement**: Kiribati benefited from two regional initiatives promoting gender equality and the fight against gender-based violence. The first one was the 'Pacific Partnership to End Violence against Women and Girls' (PPEVAWG) implemented by UN Women in collaboration with the Pacific Community and the Pacific Island Forum Secretariat. Ministries of Education in Kiribati and other Pacific Islands revised curricula that incorporated social citizenship education (SCE) in mainstream subjects. As a result, over 31 thousand students in 137 schools across Kiribati would be exposed to the principles of human rights, gender equality, and EVAWG in support of new norms and behaviours. An SCE Policy Handbook for Schools had been developed for Kiribati and other Pacific Islands.

In Kiribati, 122 village activists and community leaders from 18 communities were trained to prevent violence against women and girls (VAWG) and advocating for behaviour change by reaching out to community members and supporting them to identify and understand different types of VAWG. Across Kiribati, access to services for survivors remained through adaption of National reporting and referral pathways for COVID-19. 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.

Under this joint EU-UN 'Spotlight Initiative', Kiribati was one of the target countries from the regional component. The EU also funded other Pacific Islands Forum Secretariat human rights-related initiatives.

**5. Multilateral context**: Kiribati worked on the follow up to the third Universal Periodic Review which took place in January 2020. Kiribati's capacity to implement international Human Rights Treaties remained constrained by financial considerations, as well as by the reporting burden.

## 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 2021. Nauru had not yet established a National Human Rights Institution. Nonetheless, a Working Group on Treaties was set up within the Ministry of Foreign Affairs to deal with human rights-related treaties and conventions and related reporting. Government capacity to ratify and implement international human rights treaties remained constrained by financial considerations, as well as the reporting burden. The efforts started in 2007 to amend certain parts of the Constitution which caused chronic political instability did not produce any reforms. Criminalisation of criticism towards the government remained an important concern. The outcome of the trial against the 'Nauru 19' at the end of 2019 continued to affect domestic reconciliation and stability. Corruption remained a serious challenge.

The COVID-19 pandemic, combined with pre-existing social norms, gender inequalities, restricted travel and social isolation measures produced serious negative socio-economic impacts. The Nauru regional Offshore Processing Centre, which held 107 people (81 refugees and 26 asylum seekers), had been given its eighth non-competitive contract extension in order to provide six months of "garrison and welfare services". The 81 refugees had their claim for protection formally recognised and they could not be returned to their home country, because they face a "well-founded fear of being persecuted".

Domestic violence, poverty and limited representation in Parliament (only two women out of 19 Members of Parliament), remained the most serious impediments for the progress in the area of women's rights in Nauru. Eliminating domestic violence is a national priority. The 'Nauru National Women's Policy' assisted in reflecting the gender performance indicators in the 'National Sustainable Development Strategies (NSDS) 2005-2025' and provided direction for the government, civil society and community representatives regarding Nauru's gender priorities. The government established a Directorate of Women's Affairs within the Department of Home Affairs, 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, 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.

As regards freedom of the press and media freedom, the government pledged to introduce necessary legal measures to ensure freedom of expression online and offline. Nonetheless, the government requirement for an AUD 8,000 non-refundable visa application fee for media personnel posed difficulties for foreign media to report in Nauru's domestic affairs. Some human rights groups saw this as a covert way of restricting access of foreign journalists. Moreover, the 'Crimes Act 2016' had introduced criminal charges for defamation, punishable with up to three years in prison. Several newspapers ceased activities in the past decade and in 2021, there were only government-operated media and information outlets.

Climate change became an important human rights issue in Nauru. Citizens might 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's key focus area in Nauru was 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**: In 2021, the EU continued to follow up from the last informal EU-Nauru Political Dialogue which took place in May 2018. The EU Delegation for the Pacific reached out numerous times to the Nauru government, via demarches, in order to foster support for the EU's human rights priorities and initiatives at the UN and other international fora. The EU delegation is committed to continue promoting actively climate change awareness and action through its interactions with Nauru.

**4. EU financial engagement**: Under the 11th EDF, the project 'Support to Energy Efficiency and Renewable Energy' assisted Nauru with grid rehabilitation and increasing renewable energy (solar) generation capacity. Furthermore, in partnership with New Zealand, a 1.1 MW solar plant was commissioned and constructed in November 2019, and EU funds were used to purchase all the solar panels for this solar plant. In addition, Nauru received funding from the regional project (ACSE Component II – Energy Catalytic) for the power sector project implemented by ADB, Australia and the EU. There were no EU programmes to support non-state actors in Nauru.

**5. Multilateral context**: Nauru completed its third Universal Periodic Review in February 2021. The government accepted to examine the 156 recommendations received. Nauru had due reports to the Committees of CAT and CRPD since 2013 and 2014, respectively. The State was in line with its reporting obligations as regards the CEDAW and CRC Committees. Nauru extended a standing invitation to the Special Procedures of the UN HRC, but had outstanding visit requests by the Working Groups on mercenaries and on arbitrary detention.

## New Zealand

**1. Overview of the human rights and democracy situation:** In 2021, New Zealand continued to rank highly on human rights and democracy. New Zealand also continued its active involvement in the promotion of human rights and democracy at the multilateral level.

Despite this, some problematic areas remained. Reduction of child poverty was a political priority. The government's 2021 Child Poverty Related Indicators (CPRI) Report showed improvements, though the COVID-19 impact was not yet fully reflected in the data. Regarding gender-based violence, sexual assaults increased in 2021. On social inclusion and anti-discrimination, the government began implementing the December 2020 recommendations by the Royal Commission of Inquiry into the March 2019 Christchurch terrorist attack and apologised for the 1970s expulsions ('dawn raids') that specifically targeted over-stayers from the Pacific Islands. Regarding the rights of LGBTI persons, the parliament passed legislation to prohibit 'conversion therapies'. The government also established a Ministry for Disabled People. Concerns also arose on vaccine equality, as vaccination rates for Māori populations lagged behind, and on COVID-19 border settings disrupting the lives of many migrant workers, including EU citizens. Moreover, in November 2021, the High Court found that the government had unlawfully suspended the processing of visa applications by Afghan citizens in August 2021. As regards democracy, New Zealand continued to face a rise in disinformation during 2021.

**2. EU action - key focus areas:** Given the overall very high level of human rights protection and democracy in New Zealand, the EU's main focus was on cooperating with New Zealand to uphold and protect human rights and democracy internationally. The EU has focused on sharing good practices, awareness raising and policy dialogue.

As regards protecting and empowering individuals, the EU delegation and Member States embassies participated on 25 November 2021 in the global 'Orange the World' campaign condemning violence against women and girls. One Member State co-hosted a webinar on gender equality as part of the Generation Equality Forum. The EU delegation and a number of embassies also marked the International Day Against Homophobia, Biphobia and Transphobia (IDAHOT) on 17 May 2021.

As regards building resilient, inclusive and democratic societies, and promoting a global system for human rights and democracy, the EU delegation organised a policy dialogue with New Zealand parliamentarians on tackling disinformation and on human rights sanctions regimes. One EU Member State hosted a documentary and debate on Human Rights Day to promote freedom of expression and media freedom, with a number of New Zealand journalists participating.

**3. EU bilateral political engagement:** In May 2021, the EU and New Zealand resumed their annual human rights consultations (after a six-year hiatus). These consultations focused on exchanging views on trends in the area of human rights and coordinating positions in multilateral fora. The EU delegation also engaged with New Zealand authorities on its new EU Global Human Rights Sanctions Regime.

**4. EU financial engagement:** There was no EU financial engagement in New Zealand.

**5. Multilateral context:** The EU and New Zealand exchanged views on draft resolutions ahead of the 76th session of the UN General Assembly Third Committee. Moreover, the EU and New Zealand held a high-level dialogue on multilateral issues (including human rights) for the first

time in October 2021. There was a high degree of convergence in relation to priorities for the promotion of human rights in international institutions. The EU and New Zealand also exchanged views on development assistance in the Pacific, including in the area of good governance, human rights and democracy. In March 2021, New Zealand issued a joint statement with Australia welcoming EU human rights sanctions in relation to Xinjiang.

## Palau

**1. Overview of the human rights and democracy situation:** Basic human rights were generally respected in Palau, with regular democratic elections, combined with an independent judiciary and media. Palau's government generally respected the human rights of its citizens. There were, however, human rights concerns, such as addressing gender-based violence and trafficking in human beings, including due care of victims of trafficking, migrants and asylum seekers. The COVID-19 pandemic and its socio-economic repercussions exacerbated many of the issues underlying these concerns, and required renewed and invigorated responses.

Despite having a close to equal status in public and private sector employment, education as well as in public participation, women have continued to be under-represented in higher levels of public life and the civil service. Only two women were elected to the legislature – one in the House of Delegates and one in the Senate – representing less than 7% of the combined 29 seats. Vice President Senior was the only woman amongst the eight-member Cabinet. Sexual harassment and rape, including spousal rape, remained illegal in Palau and punishable by fine, imprisonment or both. Domestic violence remained a criminal offence, but the country registered a level of reluctance for victims to involve law enforcement due to cultural and societal pressures. Palau was still yet to accede to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) after signing the Convention in 2011. Steps taken towards CEDAW ratification focused on awareness programmes and consultations with key stakeholders, including traditional women groups.

There were no laws addressing sexual orientation and gender identity. Whilst there had been some recent debate on same-sex marriage in Palau, the possibility of legalising or recognising same-sex marriages in Palau was not being actively pursued.

Palau's Penal Code included trafficking offences as well as child exploitation offences. The Ministry of Justice's Anti-Human Trafficking Office was active in investigating human trafficking offences, but it had been two consecutive years without convictions of traffickers. Palau's government adopted a national action plan, established a subcommittee of the human rights task force focusing on trafficking cases, and set up a hotline and shelter for victims, but remained without Standard Operating Procedures for identifying victims and referring them to services. Palau continued to lack effective legislation to prevent and punish trafficking in human beings despite acceding to the UN Trafficking in Persons Protocol in 2019. Trafficked persons in Palau – including children – were not adequately protected and, in some cases, even faced government prosecution. This was particularly important as the COVID-19 pandemic continued to present threats to the victims of trafficking in Palau.

Palau's national legislation did not provide for the granting of asylum or refugee status. In practice, there had 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. Children born in Palau to non-citizens inherited their parents' citizenship.

Climate change continued to stand as a major human rights issue in Palau. While the Office of the Ombudsman reviewed 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, was still in progress.

**2. EU action - key focus areas**: Persisting concerns in Palau around gender inequality and gender-based violence demanded greater attention. EU actions focused on supporting the ratification of or accession to the remaining core human rights instruments, promoting gender equality and women's rights, and supporting civil society organizations' engagement with the government of Palau on policy dialogue and governance.

**3. EU bilateral political engagement**: Human rights were discussed between President Whipps Jr. and the EU Head of Delegation, H.E. Sujiro Seam, during their first formal meeting in 2021. Through dialogues and a number of financial instruments, the EU continued to promote human rights, gender equality and the increased participation of women in decision-making.

During 2021, 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 were shared values and common challenges between the EU and Palau in the framework of the Sustainable Development Goals dialogue. The EU delegation is committed to continue actively promoting climate change awareness and environmental protection, for which Palau had been a vocal advocate.

**4. EU financial engagement**: The EU remained committed to supporting and raising awareness of civil society and non-state actors in Palau as a key component in the implementing of the regional roadmap for CSOs in the Pacific. The EU worked 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 financial allocation was set aside to support CSOs in Palau.

**5. Multilateral context**: Palau underwent its third UPR in May 2021. Recommendations from the most recent review were still pending, but considered recommendations from the second UPR such as tackling domestic violence and violence against women. Ratification of the remaining core instruments, and core progress on incorporating 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 was constrained by financial and resource capacity. Palau was up to date with its reporting to the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities Committees, and accepted the individual complaints procedure before the CRPD Committee.

## Independent State of Papua New Guinea

**1. Overview of the human rights and democracy situation:** The human rights situation in Papua New Guinea (PNG) continued to present a mixed picture. It remained affected by tribal conflicts, gender-based violence, and sorcery accusation related violence (SARV), weak institutional capacity and widespread corruption. There was still insufficient progress in assuring women's rights and the rights of the child, the rights of persons with disabilities and sexual minorities, improving law and order and assuring basic services (education, health, and sanitation) and environmental rights. The establishment of a National Human Rights Commission was still pending.

Nevertheless, a number of positive developments were reflected in the latest Universal Periodic Review (UPR) conducted in November 2021. Some progress had been noted on rights of persons with disabilities, increased access to education, and strategies on promoting sustainable development, although a lot remained to be done, particularly on the implementation side. The government also took some positive steps on gender equality and addressing the endemic gender-based violence. The fight against corruption gained some momentum after the adoption of the Independent Commission Against Corruption (ICAC) and the Whistle Blower Protection acts. The death penalty remained an issue.

**2. EU action - key focus areas:** On the 'protecting and empowering individuals' priority, the EU continued to support gender equality and non-discrimination through all its actions, in line with the Gender Action Plan III. The implementation of the EU-UN 'Spotlight Initiative' progressed throughout 2021 despite the COVID-19 challenges. To address SARV, under the European Instrument for Democracy and Human Rights (EIDHR), three projects were launched in the Sepik region, the Autonomous Region of Bougainville and the Highlands region. Gender aspects continued to be tackled by all remaining projects financed under the 11th EDF.

The EU continued to actively advocate for the abolishment of the death penalty through political demarches, public events and media statements, in synergy with EU Member States and other development partners.

Environment protection and human rights were also at the core of the EU action, particularly through the EU-STREIT project in East Sepik. Efforts focused on ensuring sustainable use of land resources and fishery, clean and renewable energy. In the framework of EU Climate Action, the EU delegation conducted policy dialogues with ministers in charge of environment, energy, mining, maritime affairs. Consultations were also held with various stakeholders, civil society and local community representatives.

On the 'building resilient, inclusive and democratic societies' priority area, the EU was the main development partner for PNG. Thus, efforts in promoting rule of law, anti-corruption, peace and stability received a boost by the launching of the 'EU-PNG Partnership for Good Governance', partially implemented through budget support modality. This included support for the implementation of the National Anti-Corruption Plan technical assistance to the Royal PNG Constabulary and support for the functioning of the ICAC Office. The EU further supported, in partnership with Transparency International, the organisation of the first National Integrity Summit and the drafting of National Integrity System Assessment Report.

On promotion of peace and stability, the EU continued the 'Bougainville Capacities for Peace' project, in partnership with Australia. Throughout PNG, 600 village court officials were trained on resolving conflicts and violence, child protection and victim protection. A pilot project on conflict prevention, peace building and crisis preparedness in the Highlands region started in January 2021 and a new regional project (Solomon Islands and PNG) on peace building and social cohesion was launched in December 2021.

Also on the priority area of 'building resilient, inclusive and democratic societies', in preparation of the 2022 general elections, the EU actively monitored the progress to ensure the integrity of electoral processes and the implementation by the PNG Electoral Commission of the 2017 EU Election Experts recommendations. Preparations are being made for an EU Elections Expert Mission in 2022.

**3. EU bilateral political engagement:** The PNG government remained open to engage with the EU across the whole spectrum of human rights topics, while weak implementation capacity remained a challenge. The EU continued to advocate for good governance, particularly through the implementation of the 'EU-PNG Partnership for Good Governance' programme, which addressed all human rights areas at institutional level. The EU Climate Adaptation Campaign tackled environment related human rights in cooperation with relevant government authorities. In addition, the EU continuously promoted human rights through an active public diplomacy campaign, mainly online, within the limits imposed by the COVID-19 pandemic.

**4. EU financial engagement:** The EU continued to support gender equality under the flagship EU-UN 'Spotlight Initiative'. Under the EIDHR, to address SARV, three projects were launched in 2021 in the Sepik region, the Autonomous Region of Bougainville and the Highlands region. The EU continued funding an anti-corruption campaign with Transparency International PNG. Under the Civil Society Organisations and Local Authorities (CSO-LA) instrument, the EU continued to finance the 'Bougainville Capacities for Peace' project. With financial support throughout PNG, 600 village court officials were trained on resolving conflicts and violence, on child protection and victim protection. Under the EU Instrument contributing to Stability and Peace, a pilot project on conflict prevention, peace building and crisis preparedness in the Highlands region started in January 2021. Another regional project (Solomon Islands and PNG) on peace building and social cohesion was signed in December 2021, to be implemented in 2022. Under the 2021 NDICI/Global Europe Human Rights and Democracy Programme, a commitment was made for two project actions focusing on gender equality through strengthened women empowerment, leadership and political participation.

**5. Multilateral context:** In the multilateral human rights system, PNG continued to have a rather reduced presence, mainly due to its limited institutional capacity, including the lack of a diplomatic mission in Geneva. Under the 'promoting a global system for human rights and democracy' priority area, the EU continued to encourage PNG to ratify remaining international 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 the Second Optional Protocol to the International Covenant on Civil and Political Rights. Although the EU demarches in the context of the 76th UN General Assembly

Third Committee were generally well received by the PNG authorities, the results were relatively limited due to the abovementioned institutional capacity issues.

In November 2021, PNG undertook its third UPR and received comments and recommendations from 15 EU Member States. PNG received recurrent recommendations, among others, on abolishing the death penalty, addressing gender-based violence and ratifying outstanding human rights instruments.

## Republic of Marshall Islands

**1. Overview of the human rights and democracy situation**: Regular democratic elections, combined with an independent judiciary and media, ensured that basic human rights are respected in the Republic of the Marshall Islands (RMI). RMI is viewed as a promoter of human rights in the Pacific region, especially as regards climate change and anti-nuclear testing.

Human rights concerns in RMI included particularly gender-based and domestic violence, child abuse, cases of trafficking in human beings, and the rights of prisoners and detainees — exacerbated by the COVID-19 pandemic and its socio-economic pressures. In the first half of 2021, RMI's High Court received almost the same number of domestic violence complaints as it received for the two-year period 2019-2020. Whilst the Nitelja (parliament) passed a number of related laws aimed at transposing the rights and commitments under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) into national law, some elements of RMI's national law contravened CEDAW (e.g., permitting evidence of sexual conduct with the accused in order to prove consent at trial).

Awareness of issues related to the rights of the child remained low in RMI, with cases of neglect and abuse still pervading. Corporal punishment was illegal in schools, but still permitted at home. There was no minimum age for employment for children. Only 80% of students who attended primary school reach eighth grade and only 70%-75% of those enter high school. School enrolment rates continued to decline in the Marshall Islands, with primary school enrolments down to just 75%. There were few services for the protection of children, and the Ministry of Internal Affairs' Human Rights Office was understaffed.

Despite RMI's Prohibition of Trafficking in Persons Act of 2017, trafficking in human beings and trafficking of children concerns continued to grow. The US trials of a former Arizona official who pleaded guilty to running a paid adoption human smuggling scheme from RMI to the US resulted in three separate prison sentences in 2021 — none of which were a result of RMI domestic law. In fact, the RMI government had not convicted any traffickers since 2011, and no victims of trafficking had been officially identified in three years. Whilst RMI law prohibited travel to the US for the purpose of adoption since 2003, the international case highlighted the issues in RMI to effectively comply with and enforce laws that would make trafficking in human beings illegal.

Concerns also existed in RMI over the respect for the integrity of persons in the prison system. Local judges described the treatment of and conditions for prisoners as 'degrading' in the country's deteriorating prisons, which are all reported to have poor ventilation, inadequate lighting and unsanitary conditions. There had been no specialised prison facilities in RMI for

female or juvenile prisoners, and there were cases of women being held with male prisoners until house arrests could be arranged due to resource constraints. The construction of a new Majuro prison – which included four cells for women and four cells for juveniles – was expected to help address these issues once completed.

**2. EU action - key focus areas**: Persisting human rights concerns in RMI around gender-based violence and trafficking in human beings demanded greater attention. EU actions focused on elimination and prevention of violence against women and girls and supporting civil society organisations' engagement with the government on policy dialogue and governance.

**3. EU bilateral political engagement**: During 2021, the EU Delegation for the Pacific continued working closely with RMI in promoting and upholding human rights. Through the political dialogue with the country and through different financial instruments, the EU promoted human rights, gender equality and the increased participation of women in decision-making. The EU delegation carried out demarches and outreach activities with RMI, to support EU human rights initiatives and priorities at the UN level, particularly in its role as a member of the HRC. The EU delegation would continue to promote climate change awareness through its interactions with RMI.

**4. EU financial engagement:** RMI benefited from two EU-funded regional initiatives promoting gender equality and the fight against gender-based violence: the Pacific Partnership to End Violence Against Women and Girls and the Spotlight Initiative. Under the Pacific Partnership, RMI's Ministry of Education endorsed revised curricula that incorporate social citizenship education in mainstream subjects. As a result, over 13,000 students in 111 schools across RMI and would be exposed to the principles of human rights, gender equality, and ending violence against women and girls in support of new norms and behaviours. Through the Spotlight initiative, work in RMI focused on sexual and reproductive health and rights for girls and young people, increasing access to menstrual products for women and stimulating entrepreneurship for locally made products via women-led businesses. The EU remained committed to supporting and raising awareness for civil society and non-state actors in RMI as a key component in implementing of the regional roadmap for CSOs in the Pacific. The EU worked closely with government and civil society actors, as well as other regional organisations and donor partners in RMI to this end.

**5. Multilateral context**: RMI took up membership of the UN Human Rights Council in 2020 for a three-year mandate and had been an active, vocal proponent of human rights throughout 2021. It presented a number of joint statements on behalf of Pacific island countries and other African, Caribbean and Pacific (ACP) countries to the HRC. RMI was particularly active and vocal participant in climate change negotiations, being a strong partner for the EU in climate action in international fora and actively advocating for climate change-related human rights issues through its role in the HRC.

Despite RMI being party to two core human rights treaties (on enforced disappearances and migrant workers), legal protections of human rights remained weak domestically due to poor incorporation of human rights treaties into domestic legislation. RMI's capacity to implement international human rights treaties was constrained by financial considerations and the reporting burden.

## Samoa

**1. Overview of the human rights and democracy situation**: The overall human rights situation in the Independent State of Samoa was stable. Samoa's government generally respected and enforced human rights provisions of the country's Constitution and legislative framework and was committed to continue improving human rights standards. However, there were some persisting human rights concerns that need to be addressed. The COVID-19 pandemic, combined with pre-existing social norms, gender inequalities, restricted travel and social isolation measures produced serious negative socio-economic impacts in the region.

A traditional system of governance continued to co-exist with democratic processes in Samoa, affecting the participation of women in politics and public decision-making. While there had been universal suffrage for all Samoan citizens aged 21 and over, still only chiefs of villages (matai) might contest the elections. The number of women holding matai title remained low. At the end of 2021, six women held a seat in the Samoan parliament; four elected in the elections and two Members of Parliament (MPs) added after the by-elections as the Office of the Electoral Commission (O.E.C.) activated the ten per cent constitutional requirement for women MPs. The election of Ms Fiamē Naomi Mata'afa as Samoa's first female Prime Minister on 9 April 2021, and the refusal of the incumbent Prime Minister Tuila'epa Sa'ilele Malielegaoi resulted in a serious political crisis. After almost four months of legal disputes, on 23 July 2021, the Court of Appeal ruled that Ms Mata'afa had won the election. On 26 July 2021, Tuila'epa conceded the election, ending the crisis.

Physical and sexual violence against women and girls, discrimination, and gender inequalities remained the most significant human rights abuses in Samoa. However, there was a political will in the country to advance national action to end domestic violence. The National Human Rights Institution (NHRI), which is the only 'a status' institution under the Paris principles in the Pacific Islands, identified domestic violence as a priority human rights concern. The Ministry of Women, Communities and Social Development was tasked to oversee service provision for women and girls who have been subject to violence. Male homosexuality remained illegal in Samoa. Social attitudes differed in respect of transgender community. Human rights of persons with disabilities were still not fully safeguarded in Samoa.

Violence against children, generally tolerated as a form of discipline, remained another human rights concern. The NHRI set out a list of recommendations towards elimination of family violence including, *inter alia*, establishment of a Family Violence Prevention Office, National Family Violence Prevention Strategy and Communications Strategy, Family Violence Prevention Council and Taskforce. A Family Violence Court and a Drug and Alcohol Court had been established to oversee cases regarding all forms of violence in Samoan families. The Family Safety Act 2013 substantially strengthened protection against family violence including, for example, through the creation of protection orders to protect victims of violence against further suffering. According to the NHRI, areas for further improvement included, in particular, 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.

The 'Constitution Amendment Bill 2020', the 'Land and Titles Bill 2020' and the 'Judicature Bill 2020' passed in December 2020 raised concerns among the Samoan Judiciary, legal community and media, particularly concerning their potential impact on the independence of the judiciary, and potential legal conflict in upholding individual rights.

Climate change became a serious human rights issue in Samoa, 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. Samoan civil society was active on the developmental agenda, gender equality, health, and environmental issues.

**2. EU action - key focus areas:** Through dialogue with the government and non-state actors such as civil society organisations (CSOs) in conjunction with various financial instruments, the EU has been promoting and advocating on human rights, gender equality and prevention of violence against women and girls, as well as strengthening the capacity of CSOs.

Samoa 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 impact of the COVID-19 pandemic in Samoa, which go beyond purely health issues, and include economic and societal concerns.

**3. EU bilateral political engagement**: Issues related to human rights and democracy were addressed during the third Enhanced EU-Samoa Political Dialogue under Article 8 of the Cotonou Agreement. The latest round was held in a virtual format on 29 November 2021, during which the EU and Samoa discussed, *inter alia*, priorities and developments in the area of human rights, and policies related to addressing gender equality and gender-based violence, and accession to international human rights instruments. The EU Delegation for the Pacific is committed to continue actively promoting climate change awareness and action through its interactions with Samoa. The EU and the Pacific held the first high-level Conference on Climate change in October 2021 in which the Prime Minister of Samoa participated.

**4. EU financial engagement**: The EU provided 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 rights and gender equality issues were addressed through the 11th EDF Civil Society Support Programmes to CSOs who were with communities, village councils, government institutions and the NHRI. The work included increasing public awareness on the Family Safety Act and Family Court Bill; educating communities, villages, village councils and government institutions on gender stereotyping, domestic or gender-based violence; awareness-raising and educational initiatives aiming to change the stereotyping of the role of women and the behaviours that legitimise violence against women; and economic empowerment of women and girls. In addition, protection of women's rights and prevention of violence were also addressed through the EU-UN Spotlight Initiative.

Samoa was 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 Zeeland governments and cost-sharing from UN Women. The action was

implemented in partnership with national governments, CSOs, local communities and other partners to promote gender equality and prevent violence against women and girls, and to increase access to quality response services for survivors. The activities under the programme supported, *inter alia*, working on violence prevention; linking Samoan partners to a regional Community of Practice that encourages knowledge sharing; and assisting gender-based violence survivors with better access to quality crisis response and social services, especially in remote and low-access locations around Samoa. As a result, Samoa improved support services to survivors based on developing multisector standard operating procedures (based on global standards). For the first time, service delivery coordination was being centralised with the standardisation of practices and processes across Fiji, Samoa and Tonga.

**5. Multilateral context**: Samoa accepted the individual complaints procedure under the CRC Committee, and acceded to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography. Samoa had reports due to the Committees of CCPR (since 2009), CED (since 2014), and CRPD (since 2019). Samoa extended a standing invitation to the special procedures of the UN Human Rights Council and had an outstanding visit request by the Special Rapporteur on Development.

With the recent ratifications, Samoa fully implemented most of the recommendations for ratification/accession it had supported during its second Universal Periodic Review (UPR) in May 2016. Samoa underwent its third UPR in November 2021, but the recommendations had not yet been published.

## Solomon Islands

**1. Overview of the human rights and democracy situation:** The Solomon Islands (SI) had not enacted a comprehensive human rights policy and had not established a Paris Principles-compliant National Human Rights Institution. Consequently, successful implementation of Acts and Conventions remained a challenge during 2021. Climate change became an increasingly important human rights issue.

Following violent riots in November 2021 and a slow return to normalcy, the security situation in the country remained fragile. In November 2021, initially peaceful protests by people who complained they were not being heard by the national government and calling for Prime Minister Sogavare's resignation, turned into three days of riots and looting rocked in the capital Honiara, resulting in three deaths and nearly 100 businesses destroyed. Police in full riot gear used tear gas and rubber bullets to disperse the protesters. Following PM Sogavare's request for regional assistance, Australian, Papua New Guinean and Fijian peacekeeping police officers and troops successfully assisted the Solomon Islands' government to restore law and order, stop destruction and protect lives. In December, PM Sogavare survived a motion of no confidence. Immediately after the vote, the Premier of Malaita Province Daniel Suidani made a public call for self-autonomy, seeking UN assistance in holding a referendum on self-determination by the end of January 2022.

Physical and sexual violence against women and girls, laws criminalising consensual same-sex sexual conduct between adults (although the law was not enforced), child labour (including the commercial sexual exploitation of children), and endemic corruption remained the most significant human rights abuses in SI during 2021. The COVID-19 pandemic, combined with pre-existing social norms, gender inequalities, restricted travel and social isolation measures produced serious negative social and economic impacts in the region.

Although a number of initiatives have been launched by SI's traditional donors for more women to access violence support services, the number of rape cases continued to be alarming. According to data from the Ministry of Women, Youths, Children and Family Affairs, around 64% of women aged 15-49 who had been in a relationship reported experiencing physical and/or sexual violence by a partner. Although the 'National Population Policy 2017-2026' included a goal to improve access to sexual and reproductive health services for sexual violence survivors, this goal remained unfulfilled. Policies in place promoting gender equality, such as the 'National Youth Policy 2017-2030', the 'National Gender Equality and Women's Development Policy 2016-2020', and fighting against domestic violence, such as the 'Family Protection Act 2014 (FPA)' did not lead to much progress. There is currently no legislation to prohibit legally the corporal punishment of children.

SI remained 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. SI government, with donor support, made significant efforts to combat trafficking in human beings, through the implementation of the 'Solomon Islands National Action Plan Against Human Trafficking and People Smuggling' and specific projects, such as the EU-financed "Protecting the rights of women and children, particularly girls in migration affected communities in the Solomon Islands" project.

SI CSOs continued to express serious concerns about the government's attempts to restrict access to information and freedoms of expression and speech. They insisted that the government must develop a 'Right to information law' and fully fund its implementation.

**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's rights, and supporting CSOs engagement with SI government on policy dialogue and governance.

**3. EU bilateral political engagement:** The eighth EU-Solomon Islands Enhanced Political Dialogue was held on 13 October 2021, focusing on the political situation, the human rights situation, and sustainable and inclusive development in SI. The EU, together with other donors, meets regularly with the SI government and CSOs to discuss human rights issues, as well as corruption. During 2021, the EU Delegation for the Pacific reached out numerous times to the SI government via demarches, in order to support the EU's human rights priorities and initiatives at the UN and other international fora. The EU is committed to supporting government and non-state actor efforts to reduce gender-based violence. The EU delegation is committed to continue actively promoting climate change awareness and action through its interactions with SI.

**4. EU financial engagement:** Under the thematic budget lines of the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisation and Local Authorities in Development (CSO-LA), the EU approved three projects to improve gender equality, social accountability, public funds transparency and protecting the rights of women and children. Those actions are being implemented by CSOs and international organisations present in the country since 2018.

SI also benefited from two regional initiatives promoting gender equality and the fight against gender-based violence. This included 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 joint EU-UN Spotlight Initiative.

Regarding the fight against corruption, the EU delegation managed an ongoing budget support programme involving vigilant monitoring of government spending, in particular of the Constituency Development Funds.

**5. Multilateral context:** The government completed its third Universal Periodic Review (UPR) in May 2021. Since its second review in 2016, SI has enacted a number of national laws related to the protection of human rights, but had been slow in signing and ratifying international human rights treaties. SI's second cycle report to the International Covenant on Economic, Social and Cultural Rights Committee continued to be due since 2005. SI had extended a standing invitation to the Special Procedures of the UN Human Rights Council since 6 May 2011 and 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's Constitution continued to provide for the protection of certain fundamental rights and freedoms. Tonga did not have a National Human Rights Institution. The 2020 World Risk Index ranks Tonga as the world's second most vulnerable country to natural disasters, after Vanuatu. Climate change became 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.

The Constitution and its revisions did not specifically guarantee women's rights. While there was no discriminatory legislation concerning participation of women in politics, traditional systemic and cultural factors limited participation of women in political processes and local government. In November 2021, Tonga elected an all-male Parliament. In general, women remained excluded from planning and decision-making processes at all levels. However, the number of women employed as chief and deputy chief executive officers increased, as well as the number of women holding higher middle management positions. Women also faced challenges with regard to the full enjoyment of economic rights, particularly inheritance and land rights. Women were able to lease but not to own land, and inheritance of land title passed through male heirs. While the education level of women in Tonga was very high, this did not translate into the workforce and the way families viewed the role of women.

The level of domestic violence remained a critical human rights issue in Tonga. There had been a political will in the country to address the problem, and in the past years, the government published policy documents and acted to address the problem, such as the 'Family Protection Act 2013'. The socio-economic consequences of the COVID-19 pandemic led to increased levels of domestic violence. In 2021, Tonga recorded a 55% increase in cases of women seeking assistance from crisis centres. The process of Tonga's accession to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has stalled since the government announced its intention to ratify it in 2015. The government did not recognise the legal status of same-sex relationships in Tonga and consenting same-sex relationships between adults remain criminalised by the law, although there were no reports of the law being enforced.

The Constitution guaranteed freedom of the press and there were independent media outlets in Tonga. Over the past year, Tongan authorities considered restrictions on social media platforms, notably Facebook.

There is a de facto moratorium on the application of the death penalty since 1982.

**2. EU action - key focus areas:** Through budget support on energy, the EU promoted progress towards all 17 Sustainable Development Goals and encouraged an accountable and effective public administration. This support also contributed to mitigating climate change by promoting renewable energy and energy efficiency. With regard to the 'protecting and empowering individuals' priority area, EU action focused on promoting gender equality and prevention of violence against women and girls. EU action addressed as well economic rights, climate change adaptation and mitigation, and improving the management of natural resources. The EU was also committed to addressing the impact of COVID-19 in Tonga.

**3. EU bilateral political engagement:** EU bilateral engagement followed up on issues discussed in the first Enhanced High-Level Political Dialogue under Article 8 of the Cotonou Agreement in April 2017. Due to COVID-19 restrictions, EU representatives to Tonga based in Fiji were not able to travel to Tonga. The EU carried out demarches and outreach activities inviting Tonga to support the EU's human rights initiatives and priorities at the UN level. The EU Delegation for the Pacific is committed to continue to actively promoting climate change awareness and action through its interactions with Tonga. The EU also promoted policy dialogue with civil society and civil society participation in public affairs.

**4. EU financial engagement:** A programme to support the energy sector was being finalised and aimed at contributing to Tonga's sustainable and inclusive low carbon development. It would also improve the enabling environment and governance of the energy sector in Tonga and would promote the right to participate in public affairs and accountable and effective public administration.

Tonga benefited from the regional Pacific Partnership programme addressing root causes of gender inequality and violence against women in the Pacific. Tonga also received support from the EU-UN regional Spotlight Initiative Pacific, the Pacific Regional Integration Support Programme, which supported trade and private sector development, from the PACWASTE+

regional programme, which focused on improving economic, social, health and environmental benefits to the people of Tonga, as well as from the Pacific-EU Marine Partnership regional programmes promoting sustainable management and sound ocean governance.

The Health Support in Response of COVID-19 in the Pacific regional programme supported Tonga and other Pacific countries in addressing the challenges caused by the COVID-19 pandemic.

**5. Multilateral context:** Overall, the level of ratification of key human rights conventions remained very low. Tonga extended a standing invitation to the Special Procedures of the UN Human Rights Council.

## Tuvalu

**1. Overview of the human rights and democracy situation:** Although Tuvalu did not face serious governance issues, a frequent use of the parliamentary vote of no confidence remained a source of instability. In 2021, the parliament completed a constitutional review process launched in 2016. This aimed at accelerating structural transformations and modernise the Constitution, reflect international best practices and Tuvalu's commitment under international conventions, and address environmental issues. The overall process had not yet been completed by the parliament.

There had been no reports of systematic violation of human rights in Tuvalu in 2021. Human rights were widely respected in Tuvalu. The National Human Rights Institution Act 2017 created an independent rights body by giving the Ombudsman power to receive complaints and initiate inquiries into human rights issues, as well as to undertake activities to promote awareness of fundamental human rights. Tuvalu became 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, a few areas of concern remained, in particular regarding increased gender-based violence. Although Tuvalu's legislation did not prohibit discrimination based on gender or sexual orientation, consensual same-sex relations between men remained criminalised under the Penal Code, although there were no reports of law enforcement.

Gender-based violence remained a concern. Rooted in traditional behavioural norms of a patriarchal society, it often remained unreported. Tuvalu established a normative framework to address violence against women, and a domestic violence unit was established within the police. However, the social and economic consequences of the COVID-19 pandemic led to an increase in gender-based, sexual and domestic violence. According to UN Women, the percentage of 'Lifetime Physical and/or Sexual Intimate Partner Violence' in Tuvalu was at 37%. A number of Tuvalu NGOs promoted awareness on women's rights, gender equality and economic empowerment, sexual and reproductive health and rights. The government established a family protection fund to support victims of violence and arranged a system of psychological support. Tuvalu also adopted legislation prohibiting corporal punishment. However, women's rights and gender equality continued to require further improvement, including, *inter alia*, employment discrimination, land inheritance aspects or local governance arrangements. Women remained underrepresented in the parliament (only one female MP).

While there were no government restrictions on the freedom of the press and media freedom, there was a lack of media ownership diversity as Tuvalu had no private or independent media.

The Tuvalu Media Departments, under the Office of the Prime Minister, was the only media outlet in Tuvalu. Internet access was expanding, but limited due to communication facilities and high costs.

Tuvalu remained one of the most environmentally fragile countries in the Pacific. An adverse impact of climate change was affecting human rights such as the rights to life, development, food, health, housing, water and sanitation.

**2. EU action - key focus areas:** The EU continued to assist Tuvalu in tackling the 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 EU and Tuvalu build on the priorities agreed during the second High-Level Enhanced EU-Tuvalu Political Dialogue under Article 8 of the Cotonou Agreement. During 2021, the EU carried out demarches and outreach activities inviting Tuvalu to support human rights initiatives and priorities at the UN level. The EU was also committed to addressing the impacts of the COVID-19 pandemic in the country. The EU Delegation for the Pacific is committed to continue actively promoting 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 civil society organisations in the Pacific. One of the focal areas for EU assistance to Tuvalu was environmental protection.

Tuvalu became 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. A Handbook on positive behaviour management in schools was published in December 2020 and updated in 2021. Teachers were trained in applying positive measures to ensure a learning environment that enabled the full development of children. In 2021, a community Facilitators Training Manual was finalised and used by the community facilitators for outreach work in Tuvalu with women, men and youth leaders. The project also organised a Social Citizenship Education Workshop and awareness sessions on the violence against women and girls.

**5. Multilateral context:** There had been limited administrative capacity due to the small population, creating particular constraints with regard to reporting requirements under UN instruments. Tuvalu's report to the CEDAW Committee had been due since March 2019.

## Vanuatu

**1. Overview of the human rights and democracy situation**: During 2021, the overall human rights situation in Vanuatu was stable and there were no systematic human rights abuses. However, limited progress was made in strengthening legal the frameworks for the implementation of the human rights instruments to which the country remained a party. Enforcement mechanisms were often missing and implementation was therefore hampered, especially at outer lying remote islands. The limited technical, human and economic capacity within public institutions also contributed to this. A National Human Rights Institution (NHRI)

in accordance with the Paris Principles had not yet been established in Vanuatu, although country supported the Universal Periodic Review recommendation on NHRI establishment.

Despite holding regular democratic elections, Vanuatu suffered from a pattern of unstable coalition governments that did not complete their full terms. In mid-June 2021, Vanuatu was plunged into political chaos, following the Supreme Court's decision to uphold a ruling by the then-Speaker Gracia Shadrack that PM Bob Loughman, his deputy and several Members of Parliament (MPs) should vacate their seats. In October 2021, Mr Loughman and the MPs successfully appealed the ruling and secured their right to remain in Parliament. Corruption remained a serious concern, but the independent judiciary balanced the situation.

During 2021, societal discrimination and violence against women remained the most significant human rights concerns in Vanuatu. No women serve in Vanuatu's current 52-member Parliament. Attempts at constitutional reforms allowing for greater participation of women in politics had not been successful so far. An amendment to the Municipalities Act passed in 2013 resulted into an increase in the number of women within the Municipal Councils. The COVID-19 pandemic, combined with pre-existing social norms, gender inequalities, restricted travel and social isolation measures produced serious negative socio-economic impacts in the region.

In 2021, the International Organization for Migration (IOM) categorised Vanuatu, for the third consecutive time since 2019, as a country of destination for victims of trafficking. On 18 November 2021, with IOM's support, the Vanuatu government convened a first steering committee meeting on migrant protection and trafficking in human beings, which sought to enhance the government's ability to counter cases of trafficking in human beings.

Climate change also became a serious human rights issue in Vanuatu, as it threatens the effective enjoyment of a range of human rights including those to life, water and sanitation. Vanuatu created policies governing disaster displacement caused by climate change and considered an initiative to promote climate justice: the possibility of seeking an advisory opinion from the International Court of Justice.

**2. EU action - key focus areas:** Through the bilateral budget support operation on value chains, the EU promoted 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 civil society organisations (CSOs) was 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 also committed to address the impact of the COVID-19 pandemic.

**3. EU bilateral political engagement**: The sixth High-Level Enhanced EU-Vanuatu Political Dialogue was held on 21 April 2021. The parties discussed human rights matters including Vanuatu's political parties reform package, implementation of the third UPR (2019) recommendations to Vanuatu, ratification and accession to human rights instruments, establishment of a National Human Rights Institution, and policies related to gender equality and gender-based violence. During 2021, 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. The EU delegation remained committed to continue to promote actively climate change awareness and action through its interactions with Vanuatu.

**4. EU financial engagement**: Cooperation with CSOs through 'The Vanuatu Civil Society Organisations Support and Technical Cooperation Facility Programme', which aimed to enhance the institutional capacity of CSOs and supported their initiatives towards food security and economic empowerment of women, remained an EU priority. The project would also support communities in vulnerable situation in the hard hit islands of Pentecost and Tanna following COVID-19 and tropical cyclone Harold. Budget support would also contribute to equitable, broad-based, and sustainable economic growth, recovery, and resilience.

Vanuatu also benefited from two regional initiatives promoting gender equality and the fight against gender-based violence, including the 'Pacific Partnership to End Violence against Women and girls', and the EU-UN Spotlight Initiative. Vanuatu also benefited from the programmes the 'Strengthening Public Finance Management and Governance in the Pacific', the 'Pacific-European Union Marine Partnership', the 'Pacific-European Union Waste Management Programme' and the Health Support in response to COVID19 in the Pacific. Through the 'Intra-ACP GCCA+ Pacific Adaptation Climate Change and Resilience', Vanuatu received support for climate change negotiations, capacity building, and integrating climate change and disaster risk management into sub-national and community development plans.

**5. Multilateral context:** Vanuatu's cooperation with UN agencies was considered satisfactory. The country was in line with its reporting obligations as regards the Convention on the Rights of Persons with Disabilities (CRPC) and the Convention on the Rights of the Child (CRC) Committees, although it had reports due to the Committees of the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT) since 2010 and 2012, respectively. Vanuatu extended a standing invitation to the Special Procedures of the UN Human Rights Council and was responsive to visit requests by Special Rapporteurs.

# The Americas

## Belize

**1. Overview of the human rights and democracy situation**: Belize celebrated 40 years of nationhood in 2021, which coincided with the People's United Party's (PUP) first year in power.

It was a major year for Belize in terms of gender and democracy. Froyla Tzalam, a highly respected Mopan Maya community leader, anthropologist and gender advocate was sworn in as Belize's first Governor General (Head of State). At the regional level, Dr Carla Barnett, an experienced economist and former government minister, was appointed as Secretary General of the Caribbean Community (CARICOM). She is the first woman and Belizean to be elevated to the post.

Belize's murder rate increased in 2021. According to data from the Belize Police Department, 125 murders were reported in 2021, representing a 23 percent increase over 2020 (102 murders). Insight Crime ranked Belize as having the fifth highest homicide rate in Latin America and the Caribbean, with 29 murders per 100,000 inhabitants in 2021. At the same time, drug trafficking, trafficking in human beings, gang violence and high levels of violence against women and girls continue to command attention.

Transparency International's Corruption Perceptions Index did not rank Belize for the 12th consecutive year, due to an absence of data. However, media reports suggest that corruption is a major issue. Notably, the Commission of Inquiry into the sale of government assets between October 2019 and November 2020 held five public hearings. There were 22 witnesses, including former Prime Minister, Dean Barrow. The report has been forwarded to the Office of the Attorney General and Office of the Director of Public Prosecutions for action as deemed necessary.

The Government of Belize took steps to comply with the Caribbean Court of Justice's Consent Order of 2015, with a plan of agreed actions to recognise and protect the rights arising from the Maya customary land tenure system. The government continues to engage in agreed consultations to develop the appropriate legal mechanisms and abstain from measures that adversely affect Maya interests regarding land.

**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:

- the rights of indigenous peoples;
- women's rights and gender equality;
- abolition of the death penalty, among other areas.

Human rights and political dialogues, as well as financial assistance are the main routes of engagement.

**3. EU bilateral political engagement:** The Head of EU Delegation visited Belize twice. In February, she had introductory meetings with the Prime Minister and Minister of Foreign Affairs, Foreign Trade and Immigration. In September, the Head of EU Delegation attended Belize's Diplomatic Week, which coincided with the country's 40th anniversary of independence celebrations. The EU-Belize Article 8 Political Dialogue was also held in September and the EU Delegation carried out formal demarches on human rights and democracy issues throughout the year.

**4. EU financial engagement**: The EU has partnered with the Pan American Health Organization to implement the five-year Health Sector Support Programme. The EUR 10 million programme aims to build efficient and disaster resilience health facilities; optimise the organisational structure of health services and support digitalisation of health information systems.

Additionally, the EU-UN Spotlight Initiative, which was launched in August 2020, continues to work with the government, civil society organisations and other stakeholders to address family violence in a sustainable way. Spotlight has funding support of EUR 3 million.

Through the European Instrument for Democracy and Human Rights, the EU delegation continues to support the Sarstoon Temash Institute for Indigenous Management in promoting and protecting the economic, social and cultural rights of Mayan women in Belize.

**5. Multilateral context:** Belize underwent its last Universal Periodic Review in the framework of the UN Human Rights Council in November 2018. Out of 124 recommendations presented, Belize supported 100 and took note of 24. Recommendations covered, *inter alia*, abolishing the death penalty and setting up a human rights institute. The next UPR is expected in 2023.

## United States of America

**1. Overview of the human rights and democracy situation**: The beginning of 2021 was marked by a presidential transition that was marred by unprecedented efforts to prevent the certification of the 2020 presidential election results, including a violent attack on the U.S. Capitol.

On the international human rights front, the United States' reengagement with multilateral institutions, on the basis of a strong universal human rights agenda, marked a discernible policy shift. The Biden administration reengaged the U.S. in various international organisations including the United Nations Human Rights Council, also announcing its intention to run for a seat in 2022. The U.S. lifted sanctions on International Criminal Court officials, and held the first ever Summit for Democracy in a virtual format on 9-10 December 2021.

Domestically, there was some progress on certain human rights issues including the death penalty, with 2021 tying with 2020 for the lowest number of executions (11) and new capital punishment sentences (18). Virginia became the 23rd, and first southern, state to abolish the death penalty. 36 states have now either abolished the death penalty, issued a moratorium on executions, or have not carried out an execution in ten years. The Biden administration made efforts to provide greater security for migrants already in the U.S., advance racial equity and equality through the adopted American Rescue Plan and proposed Build Back Better legislation, and strengthen protections for the rights of LGBTI persons.

Challenges to human rights remained, however, including increased police killings that disproportionately impacted the black community, the expulsion of over 800,000 migrants and asylum seekers at the U.S. border due to pandemic related laws, and the continuing operation of the U.S. military base at Guantánamo Bay. Several states also implemented restrictions on voting rights, rights of LGBTI persons and access to abortion.

**2. EU action - key focus areas:** A number of activities were organised by the EU and Member States in line with the EU Action Plan on Human Rights and Democracy (2020-2024). Given the Biden administration's prioritisation of multilateralism and human rights, the EU has focused on building networks and facilitating EU-U.S. contacts, promoting collaboration on areas of agreement and exchanging best practices while also raising concerns about areas of disagreement.

While the COVID-19 pandemic put on hold many of the in-person activities traditionally organised in support of the abolition of the death penalty, the EU remains one of the most engaged international actors (alongside like-minded states such as Mexico and Switzerland) on this topic in the United States, with the active support of EU Member States' embassies

and consulates across the country. The EU, 25 Member States, and 9 like-minded countries delivered an EU demarche to the Department of Justice on 11 January 2021, expressing concern over five federal executions carried out during the presidential transition period. The EU submitted three written interventions to governors on individual cases.

The EU delegation and Member States' diplomatic missions hosted various events and meetings in support of the rights of LGBTI persons. On the occasion of Pride Month/Capital Pride in June 2021, the EU delegation held a panel on rights of LGBTI persons with the Capital Pride Alliance and the U.S. State Department.

Additionally, the EU delegation was active in the efforts to address human rights challenges that migrants and asylum seekers face. The EU delegation helped organise the first U.S.-EU Platform Dialogue on Migration and Asylum on 29 November 2021 with participation by officials from the EU, U.S. State Department, and Department of Homeland Security. The Director General of Migration and Home Affairs Monique Pariat participated in a virtual closed event on transatlantic perspectives on the benefits of well-managed migration at the Migration Policy Institute.

The EU delegation and Member States also promoted various human rights issues through different events during 2021, such as transatlantic cooperation on human rights, the situation in Cuba, Venezuela and Belarus, the Holocaust, climate and displacement, electoral systems.

The EU also continued its outreach to the African-American and Latino communities focusing on the rights of persons belonging to minorities and race relations. The EU organised a number of briefings for Member States' embassies on human rights issues with civil society representatives, including with the Death Penalty Information Center on the use of the death penalty in the U.S., and with civil society organisations as part of preparations for the Summit for Democracy.

**3. EU bilateral political engagement:** The EU maintained an open dialogue with the U.S. government on a wide range of human rights issues such as the death penalty, criminal justice reform, racial justice, and the rights of migrants and asylum seekers. The EU delegation facilitated contacts, including video telephone calls throughout the year, between the Biden administration and EU high-level officials including EU Special Representative for Human Rights Eamon Gilmore. The Head of EU Delegation Stavros Lambrinidis also maintained contacts with the administration on human rights issues, including meetings with Uzra Zeya, Undersecretary for Civilian Security, Democracy, and Human Rights at the U.S. Department of State and Shanthi Kalathi, the National Security Council's Coordinator for Democracy and Human Rights. Additional meetings were organised on the occasion of visits by EEAS Deputy Secretary General Konig and Managing Director Glynn. Human rights challenges, specifically in the area of migration, were also the subject of discussions between Commissioner for Home Affairs Ylva Johansson and Department of Homeland Security Secretary Alejandro Mayorkas.

The EU delegation also facilitated a number of briefings between EU Member State embassies and representatives of the U.S. Administration, including on U.S. reengagement with and priorities for the UN Human Rights Council, EU priorities at the UN Commission on the Status of Women, the Biden administration's policy plans to address the root causes of migration, and briefings ahead of the virtual Summit for Democracy in December. The Head of EU Delegation also hosted an EU Heads of Mission meeting with the Secretary for Homeland Security Alejandro Mayorkas as guest speaker.

**4. EU financial engagement:** The EU delegation promoted the abolition of the death penalty, democratisation, and greater human rights protection by supporting a World and Europe Day Against the Death Penalty event with the French Embassy, and organising a policy discussion on transatlantic cooperation on human rights. In helping to sponsor the Capital Pride Alliance event and a light display on the delegation building in celebration of Pride month, the EU reaffirmed the EU's strong support for the rights of LGBTI persons.

**5. Multilateral context:** The Biden administration recommitted the United States to multilateralism as a key dimension of its foreign policy.

The U.S. re-joined multiple international organisations and instruments including the UN Human Rights Council and was elected to hold a seat on the Council in 2022. President Biden organised the virtual Summit for Democracy, in which over 100 countries attended and pledged commitments to improving democracy at home and abroad. The President of the European Commission, Ursula von der Leyen, was invited by President Biden to co-chair one of the two interactive leaders' sessions during the summit (the other was chaired by President Biden). The Biden administration targeted selected human rights abusers around the world through restrictive measures and other instruments such as the signing into law of the Uyghur Forced Labor Prevention Act, at the end of the year.

The EU engaged regularly with the U.S. State Department ahead of major events in multilateral fora including the UNGA Third Committee and the UN Human Rights Council sessions.

## Canada

**1. Overview of the human rights and democracy situation:** Canada continues to enjoy a strong global reputation as a defender of human rights at home and abroad, but continues to struggle with a number of longstanding human rights issues, mostly related to the rights and treatment of indigenous peoples. The discovery of the remains of indigenous children in mass graves on the sites of former residential schools highlighted the suffering and discrimination inflicted on Indigenous Peoples in Canada in recent history with impacts still felt to this day. The federal government continued to push forward with its reconciliation efforts. In 2021, the government notably passed the United Nations Declaration on the Rights of the Indigenous Peoples (UNDRIP) Act, Canada's first substantive step towards ensuring that federal laws reflect the standards set out in UNDRIP. Prime Minister Trudeau also included the issue of reconciliation in the marching order to all his cabinet ministers.

Other important human rights issues include: Canada's House of Commons unanimous vote to ban LGBT conversion therapy, as well as the public debate over the sale of Canadian-made military technology to countries with a record of human rights violations. In 2021, Canada notably cancelled the export permits for drone technology that was sold to Turkey, and reportedly used by Azerbaijan in its 2020 war with Armenia.

**2. EU action – key focus areas:** A number of activities were organised by the EU delegation and Member States in Canada, in line with the EU Action Plan on Human Rights and Democracy (2020-2024). In the spring of 2021, EU activities centred on the continued promotion of meaningful collaboration and exchanges of best practices between the EU and Canada on human rights issues around the world.

- Protecting and empowering individuals

Gender equality and the empowerment of women are shared priorities for the EU and Canada, promoted through a number of activities, as well as through the mainstreaming into regular bilateral dialogues. The Head of EU Delegation, who chairs the group of Women Heads of Diplomatic Missions in Ottawa, along with the Heads of Missions of Denmark, Greece, Hungary and other non-EU states, participated in a panel discussion on women in diplomacy and the empowerment of women.

The EU delegation together with EU Member States supported the rights of LGBTI persons by advocating through numerous social media posts international days and events such as IDAHOT and Pride Week. In the run up to the International Human Rights Day, the Dutch Embassy also organised the visit of the *"Amsterdam Rainbowdress*" with activities involving the local LGBTI community. This event saw the participation of Canadian ministers and other officials and gained a lot of media exposure.

- Building resilient, inclusive and democratic societies

The German Embassy has continued its support to a project of a Canadian NGO that addresses the impact of COVID-19 and climate change on the right to housing. The project aims at advancing the right to housing legislation in Latin America and Sub-Saharan Africa, researching the intersection of climate change and the right to housing.

Inspired by the success of the two previous editions and in order to support the implementation of the UNFCCC gender action plan adopted at COP25, France and Canada have committed to working on the organisation of a new capacity building workshop for women climate and biodiversity negotiators (in their renewed climate and environment partnership

- Promoting a global system for human rights and democracy

During 2021, the EU deepened its coordination with Canada and other like-minded countries on sanctions against serious human rights violations – in Belarus, in China's Xinjiang Province, and in Myanmar.

The EU delegation and EU Member States conveyed advocacy messages on their online platforms throughout the year on issues ranging from arbitrary detention, to the treatment of Uyghurs, the situation in Hong Kong, the death penalty, and human rights violations in Belarus and Myanmar.

The HR/VP on behalf of the European Union endorsed Canada's *Declaration Against Arbitrary Detention in State-to-State Relations* launched on 15 February 2021. The Head of EU Delegation and the EU Member States diplomats also joined Foreign Affairs Minister Garneau in a march marking the 1,000th day of Michael Kovrig and Michael Spavor's arbitrary detention by China.

- New technologies: harnessing opportunities and addressing challenges

During the EU-Canada Summit in June 2021, EU and Canadian leaders committed to deepening digital cooperation through the EU-Canada Digital Dialogue and the Global Partnership on Artificial Intelligence (GPAI). Still under this pillar, the Netherlands financially supported the organisation of the second annual Artificial Intelligence and Human Rights Forum organised by the Montreal Institute for Genocide and Human Rights Studies, Concordia University, which also included the participation of the Dutch Ambassador and two speakers.

France and Canada, founding members of the GPAI, continued their work for the development of responsible artificial intelligence that respects human rights at the GPAI summit held in Paris on 11 November.

- Delivering by working together

The EU policy priorities in Canada also foresee a strong cooperation between the EU and its Member States and Canada on human rights issues around the world. To promote these efforts, the EU delegation organised a training for EEAS and Global Affairs Canada officials on the use of open source intelligence in the context of sanctions. The EU delegation also facilitated bilateral cooperation with specific focus on EU and Canadian human rights sanctions regimes.

**3. EU bilateral political engagement:** The last human rights dialogue foreseen under the Strategic Partnership Agreement took place in June 2020. Human rights issues were nevertheless discussed during regular geographic dialogues, and at the highest political levels throughout the year, including during several phone calls at the ministerial level (devoted to the situation in Afghanistan, Myanmar, Ethiopia, Venezuela and Belarus, as well as to human rights violations by Russia and China). Moreover, during the EU-Canada Summit in June 2021, leaders agreed to continue their efforts to defend human rights and support multilateral institutions. EU Member States representatives also raise consistently human rights issues in their respective high-level meetings with their Canadian counterparts.

**4. Multilateral context:** The EU delegation, together with EU Member States, delivered a demarche to Global Affairs Canada in support of EU priorities at the 76th session of the UN General Assembly Third Committee. The exchange confirmed the strongly likeminded approach by Canada and the EU on the agenda of the UNGA Third Committee. A few Member States used the opportunity to highlight their priorities, notably the German resolutions on 'The human rights to safe drinking water and sanitation,' and the 'National Human Rights Institutions,' and Austria's resolution on 'effective promotion of the declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities.'

Canadian interlocutors indicated that priorities include the Iran resolution and the resolution on the rights of the indigenous peoples; worries about pushbacks on human rights defenders and the Pakistan-led resolution on disinformation. Canada also highlighted the importance of engaging non-traditional partners in the UN context.

In 2021, Canada took over the hosting of the International Donors' Conference in Solidarity with Venezuelan Refugees and Migrants, building up on the efforts of the EU and Spain, which co-hosted the conference in 2020.

## The Bahamas

**1. Overview of the human rights and democracy situation**: The Bahamas maintained its stature as a stable democracy with a record of accomplishment of inclusive and transparent elections. The centre-left Progressive Liberal Party (PLP) defeated the centre-right Free National Movement (FNM) in the general election on 16 September. The PLP secured 32 out of 39 seats, thereby continuing the tradition of one-term governments in The Bahamas. The Commonwealth, Organization of American States (OAS) and the Caribbean Community (CARICOM) all fielded observer groups. They all assessed the election as being free and fair and commended the electorate for exercising their franchise despite the challenges posed by the third wave of the coronavirus pandemic.

Prior to demitting office, the FNM-administration fulfilled two pledges to improve public administration and good governance. The Public Procurement Act was activated, which has

created a mechanism to digitise and streamline procurement activities within and across government bodies and to make core processes more transparent. The Freedom of Information Commissioner and a Deputy Commissioner were appointed, which will help to operationalise the Freedom of Information Act and in turn, improve public access to government documents. Furthermore, The Bahamas scored 63/100 on the Transparency International Corruption Perceptions Index for 2020, down from 64/100 in 2019, making it the second best placed Caribbean country behind Barbados. Nevertheless, media reports continue to suggest that corruption is an ongoing problem in the country.

Crime was a major issue in 2021 as the police recorded 119 murders, a 75 percent increase over the 68 murders reported in 2020 (the Bahamian homicide rate went from 17.2 murders/100 000 inhabitants in 2020 to 29.8 in 2021, a critical level). Notably, the killing of a four-year-old girl in November, as well as incidents of domestic violence captured attention in the public domain and prompted calls for more sustained action to address family violence.

The treatment of Haitian migrants remains an area of concern, within the context of the ongoing political instability following the Haitian President's assassination and earthquake in July and August of 2021. A revised Nationality, Immigration and Asylum Bill, which was drafted in 2018 to replace the Nationality Act and the Immigration Act, is yet to be passed into law. The proposed law is intended to address the long-standing problem of statelessness and the rights of Bahamians to pass on their citizenship.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020 – 2024, the EU closely monitors human rights issues, with keen focus on undocumented migrants, women's rights and gender equality.

**3. EU bilateral political engagement:** The Head of EU Delegation, Ambassador Marianne Van Steen, presented her credentials to the Minister of Foreign Affairs and Governor General in February and July, respectively. Demarches were carried out to seek support for EU priorities at the 46th session of the UN Human Rights Council, among others.

**4. EU financial engagement:** The Bahamas continues to benefit from a series of regional projects, some of which related to human rights such as on access to health and energy following the 2019 Dorian hurricane.

**5. Multilateral context:** The most recent Universal Periodic Review within the framework of the UN Human Rights Council was held in January 2018. The country's next review is due in January 2023.

## Barbados and the Organisation of Eastern Caribbean States countries (Antigua and Barbuda, Commonwealth of Dominica, Grenada, St. Kitts and Nevis, St. Lucia and St. Vincent and the Grenadines)

**1. Overview of the human rights and democracy situation**: Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, St. Lucia and St. Vincent and the Grenadines are multiparty parliamentary democracies upholding civil liberties and fundamental freedoms. They operate under the rule of law with strong democratic institutions. In the administration

of justice, backlog of cases remains a concern prevalent across the Eastern Caribbean. All seven countries still have the death penalty on the books. Other crosscutting human rights challenges pertain mainly but not exclusively to the rights of LGBTI persons, domestic and gender-based violence and child abuse. As a side effect of the COVID-19 pandemic, these challenges have been exacerbated throughout 2021.

In the recent general elections in Barbados on 19 January, Prime Minister Mia Mottley's Barbados Labour Party (BLP) won all 30 seats, for the second time in a row. Incumbent PM Mottley had called the snap election saying it would help promote unity as the government battled the coronavirus pandemic, which has heavily affected the tourism-focused economy. Elections took place less than two months after Barbados' formal transition to a Parliamentary Republic, and the election of Dame Sandra Mason as the country's first president, who replaced the Queen as a Head of State. In the general elections in Saint Lucia on 26 July 2021, the opposition Saint Lucia Labour Party (SLP) won 13 out of 17 seats, and Philip J. Pierre was elected Prime Minister. All elections took place in an orderly manner, without incidents or obstructions to free expression of political views.

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

- *Protecting and empowering individuals:* the focus was on domestic and gender-based violence, child abuse and the rights of LGBTI persons.

Incidences of gender-based and domestic violence – including male victims and violence between same-sex partners, both categories often overlooked due to social stigma – remain a recurrent phenomenon in the Eastern Caribbean. Cases are not always reported due to various reasons, including community pressure, shame and fear of reprisal.

Child abuse remains a challenge in the forms of sexual abuse, neglect/ abandonment, verbal abuse, corporal punishment, and family dysfunction. As a common trend in the region, the procedures of reporting to the authorities are often too complicated and not victim-centric. Antigua and Barbuda as well as Grenada have outlawed corporal punishment on a child for any offence. In all countries except for Grenada, corporal punishment as a disciplinary tool in schools remains legal, although not commonly applied.

Consensual same-sex relations are illegal in the region with punishment ranging from 10 years to life imprisonment under the outdated so-called "buggery" and "indecency" laws. Although legislation is not strictly enforced, its impact is significant because it continues to fuel episodes of hate speech and crosscutting discrimination against LGBTI persons who engage in consensual sex. The civil society umbrella group Eastern Caribbean Alliance for Diversity and Equality (ECADE) launched litigation against these laws in five countries in the sub-region. Although the first case was filed in 2019, there has not been a verdict in any of the countries. It is worth noting that any ruling in favour of decriminalisation of same-sex relationships in one of these countries could have a ripple effect in the rest of the region, since Caribbean states share judicial instances.

- *Building resilient, inclusive and democratic societies:* Dominica is home to the largest indigenous population, the Kalinago, in the Eastern Caribbean. With a community of approximately 3500 persons, their rights are protected by law and they actively participate in decision-making on issues which directly affect them. Despite improvements, the Kalinago people experience some societal discrimination that creates economic hurdles. The EU supports the Government of Dominica through a budget support programme (approx. EUR 20

million) to relocate housing stock in the Kalinago territory from vulnerable areas to safer ones, and to build back better within the communities after they were severely affected by Hurricane Maria in 2017.

- *Promoting a global system for human rights and democracy:* all seven countries retain the death penalty in their laws. While the last execution took place in St. Kitts and Nevis in 2008, there has not been any political initiative or national discussion towards abolishing the death penalty in 2021. All seven countries voted against the resolution to establish a moratorium on the use of the death penalty in the Third Committee of the UN General Assembly (UNGA) in November 2020.

- *Delivering by working together:* On 17 May 2021, the EU delegation displayed a rainbow flag on the outside terrace of the delegation's building for the first time ever and lit the building in rainbow colours on the occasion of the International Day against Homophobia, Transphobia and Biphobia (IDAHOT).

The EU delegation participated in the worldwide awareness campaign related to the 16 Days of Activism against Gender-Based Violence by lighting the delegation's building in orange and by displaying its priorities and activities in the fight against gender-based violence. The EU delegation's press releases and public campaigns on regional human rights events are distributed regularly to the media. In addition, the EU and Member States use social media to disseminate human rights priorities and concerns.

**3. EU bilateral political engagement:** Human rights matters are regularly discussed in meetings with national authorities, civil society organisations, as well as the media in all countries. Currently there is no longer a resident EU Member State in Barbados and the 27 Member States cover the region remotely, apart from France, which has an embassy based in St. Lucia; Germany, The Netherlands and Spain cover the Eastern Caribbean from Trinidad and Tobago. Formal political dialogues were customarily held in the context of CARIFORUM. The last political dialogue with CARIFORUM was held in November 2018.

**4. EU financial engagement**: To combat discrimination, the EU approved a project ('Caribbean LGBTI+ Initiative for Promoting Solidarity Outcomes – CALIPSO') of the LGBTI+ sub-regional umbrella Eastern Caribbean Alliance for Diversity and Equality (ECADE), aimed at building a stronger civil society protecting the rights of LGBTI persons in all seven countries.

Another project funded by the EU is the DECIDES project of the Interarts Foundation and has a mainly youth-centred agenda, to build the capacity of CSOs and advocate with public authorities for changes of legislation and policies regarding the rights of LGBTI persons. The project contains a smaller component on child abuse, aimed at increasing young people's awareness of child abuse and its consequences, improving their knowledge of services for abused children, as well as at enhancing capacities of teachers and staff within youth clubs and other relevant organisations to better recognise and report abuse and offer effective counselling.

The Livity Project of the University of the West Indies ('Supporting Eastern Caribbean CSOs for Social Change') supported by the EU is aimed at inclusion in a broader sense, fighting the marginalisation, discrimination and exclusion of persons with disabilities, LGBTI persons, youth and older persons in national and regional decision-making processes in all seven countries.

To support a change of approach to the use of the death penalty, the EU continued to support the London-based ethical law firm Simons Muirhead and Burton LLP's Death Penalty Project ('Building a platform for abolition: Strengthening the anti-death penalty movement in Barbados and the Eastern Caribbean').

The EU supports the joint EU-UN Spotlight Initiative, which aims at preventing and responding to gender-based violence both through a country programme in Grenada and a regional programme across the Eastern Caribbean. In Grenada, funding is provided to further strengthen the support and services available to victims and survivors, as well as to improve prevention activities and awareness-raising campaigns. In 2021, the regional component of the initiative launched the Caribbean Observatory on Sexual Reproductive Health and Rights, which works to improve coverage and access to both sexual and reproductive health and gender-based violence services.

To support judicial reform in the region, the EU is working on a major EU assistance programme of EUR 14 million ('Support to the effective administration of Criminal Justice Systems in the Caribbean'), focusing on reducing case backlogs in nine Caribbean countries (including Antigua and Barbuda, Barbados, Dominica, St. Kitts and Nevis, and St. Lucia).

**5. Multilateral context:** The EU delegation carried out formal demarches on human rights issues in the context of the UN General Assembly Third Committee. Member states are involved in the demarches whenever and wherever possible. Member states also conveyed human rights related messages in bilateral context. Joint approaches are agreed at the meetings of EU Heads of Mission.

During 2021, Antigua and Barbuda, St. Vincent and the Grenadines, St. Kitts and Nevis, and St. Lucia underwent their third cycle of the UN Human Rights Council Universal Periodic Review.

From January 2020 to December 2021, St. Vincent and the Grenadines served as a non-permanent member of the UN Security Council. It was the smallest nation ever to secure a seat.

## Republic of Costa Rica

**1. Overview of the human rights and democracy situation**: Costa Rica has a long democratic tradition and represents a heaven in Central America in terms of political stability and a strong human rights record. Yet migration, gender-based violence and the rights of indigenous peoples continue to be challenges, some of which have been negatively impacted by the COVID-19 pandemic: the economic crisis has increased unemployment (currently standing at 14,4%) and poverty (23%), affecting informal workers and increasing inequality.

In 2021, which was an election year in Nicaragua, a record number of 52 000 Nicaraguans asked for asylum in Costa Rica, which is already host to among the largest number of migrants in Latin America and whose presence has exacerbated the sanitary crisis caused by COVID-19.

Gender discrimination remains an issue of concern, with the pandemic causing an increase in domestic violence and making women more economically vulnerable. Sexual assaults against women appear to have intensified in 2021, especially in tourist areas. Abortion remains illegal and the legislation is unlikely to change in the short term.

Violence against indigenous and afro-descendant communities remains a central human-rights issue in the country with no progress made in 2021. In December 2021, the UN Special Rapporteur on the rights of indigenous peoples, while visiting Costa Rica, expressed concern on the matter. Human rights defenders have also criticised the lack of support from judicial and police authorities in defending the rights of indigenous people and their failure to prosecute threats and violence against indigenous leaders.

**2. EU action - key focus areas:** In 2021, the EU advocated for the protection of the international human rights standards and for upholding the rights of groups in vulnerable situations (such as LGBTI persons, women and girls, migrants and refugees). The EU and UN agencies are major donors advancing the integration of migrants and refugees in the country.

**3. EU bilateral political engagement:** During the EU-Costa Rica Political Dialogue in November 2021, both parties underlined their commitment to continue defending and strengthening effective and solidary multilateralism. Cooperation in the area of promotion, protection and reinforcement of human rights in distinctive international fora was discussed. Social rights have become a new focus for the outgoing Government, as the pandemic has caused economic hardship and high unemployment levels. The role of EU programmes, such as EUROsociAL+, is crucial in this respect.

In 2021, the EU delegation worked at a political and diplomatic level to establish regular communication channels with exiled Nicaraguans in the country as well as with representatives from the indigenous communities, and tried to reinforce collaboration with local authorities to deal with gender-based violence in the country. In the field of gender equality, the EU has elaborated an implementation strategy for Costa Rica based on the Gender Action Plan III – 2021-2025. Gender-specific programmes were launched in 2021, aiming, *inter alia*, at supporting the National Institute of Women INAMU in the elaboration of its national policies and supporting the judicial power of Costa Rica in addressing violence against women. In 2021, the EU Delegation gave its annual Gender Equality Award to the Foundation Soy Niña for its work on girls' rights. The Award has become an important reference in the country in the field of human rights, the award ceremony enjoying political support from the Vice President, the Ministry of Women's Affairs and the diplomatic community.

**4. EU financial engagement:** In 2021, the EU continued to implement several cooperation projects with a strong human rights component.

Through the Instrument contributing to Stability and Peace (IcSP), the EU signed a contract with UNHCR to support Nicaraguan refugees for an amount of EUR 1.3 million. At the same time, through the Development and Cooperation Instrument for Latin America (DCI-LA), the EU signed a contract with the Spanish Cooperation Agency AECID to mitigate the effects of the COVID-19 crisis and to address the regional impact of the Venezuelan crisis for an amount of EUR 2.5 million. The EU also contributed to financing a MIEUX programme to assist migrant populations in Costa Rica.

The EU delegation also initiated a new contract called 'Shelter City Costa Rica', focusing on the temporary relocation of human rights defenders from Central America to Costa Rica to strengthen their security capabilities, providing a safe recovery space and (if possible) their return to their countries of origin.

Faced with difficulties to maintain pupils in formal education due to the pandemic, the Proeduca programme has been of vital importance. The capacities of institutional stakeholders and the educational community were strengthened, evidenced by the fact that exclusion decreased in 80% of the educational centres belonging to the project (88/110), while a student registration and early warning system was developed at national level.

Finally, Costa Rica participates in regional programmes to tackle gender inequality such as the Latin America Regional Spotlight Programme, aimed at preventing, responding to and eliminating violence against women and girls, as well as Centroamérica Diversa, a regional programme executed with the support of the national LBGTIQ+ network (Mulabi), 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, democracy and international law. Within different UN bodies, the country supported the fight against statelessness and the expansion of human rights concepts toward environmental well-being. Costa Rica has remained a vocal critic and like-minded partner of the EU concerning Venezuela and Nicaragua. It holds an active role within the Lima Group; it rejected the results of the November 2021 Nicaraguan presidential elections and sent an observation mission to monitor the November 2021 Venezuelan regional elections.

Within the UN context, Costa Rica sponsored several initiatives aimed at reinforcing the protection of human rights: the creation of a Permanent Forum of Peoples of African Descent within the UN won unanimous approval by the UN General Assembly in August 2021 and the first International Day dedicated to people of African Descent was celebrated on 31 August. During COP-26, Costa Rica promoted a regional declaration on marine ecosystem protection with Panama, Colombia and Ecuador. It also played a key role in the High Ambition Coalition for Nature and People and the 'Beyond Oil and Gas Alliance'.

In November 2021, Costa Rica achieved a diplomatic triumph with the election of Nancy Hernandez Lopez as a judge of the Inter-American Court of Human Rights. In December 2021, Costa Rican Vice President Epsy Campbell was elected by the UN General Assembly as one of the ten members of the Permanent Forum of People of African Descent.

## Republic of Cuba

**1. Overview of the human rights and democracy situation:** The human rights situation in Cuba deteriorated over the past year. Facing major economic challenges, Cuba launched a number of economic and financial reform measures, including unifying its two domestic currencies and multiple exchange rates on 1 January 2021, with a potentially far-reaching social impact, in particular on increasing inequality. There was some progress with the transposition into law of key civil and due process rights introduced by the new Cuban constitution in 2019. A new progressive Family Law was proposed and a new Penal Code project was drafted, with some advances in terms of procedural rights, but also criminalising NGO funding from abroad. Moreover, the Bill allowing citizens to claim their Constitutional rights has been postponed yet again.

Freedom of expression, association and assembly continued to be subject to important restrictions in 2021, with reports of numerous arbitrary arrests and short-term detentions.

In July, thousands of citizens took to the streets in unprecedented spontaneous demonstrations that observers described as mostly pacific, protesting against the scarcity of basic goods, food, medicine and restrictions of rights. The demonstrations were repressed and hundreds of people, including minors, were detained in the following weeks. They are awaiting trial or have been tried, receiving heavy prison sentences perceived as disproportionate.

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. Press freedom remained a reason for concern, with Cuba ranking among the ten 'least free' countries in the world. Multiple sources reported threats of prosecution under charges of 'contempt' and 'propagation of epidemic' being used to restrict citizen reporting on social media. A number of journalists and bloggers were fined. The authorities also control the coverage by foreign reporters by granting accreditation selectively or withdrawing it from those regarded as too "negative" about the government.

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 number of news websites are not accessible in Cuba. Recent legislation on telecommunications and cybersecurity has been criticised because its sweeping provisions could be used to unduly restrict freedom of expression and media freedom online.

Political activists, human rights defenders and independent journalists continued to face short-term detentions, internet cuts, restrictions on domestic and foreign travel, in addition to frequent measures preventing them from leaving their homes, which de facto amounted to arbitrary house arrest.

Organised political opposition remains illegal. A number of activists resorted to hunger strikes to protest against their treatment by the authorities. The emerging and increasingly diversified civil society has become more vocal about its demands, often mobilising around specific issues and calling for "real and inclusive" dialogue with the authorities. A group of artists and activists joined forces on the social-media platform 'Archipielago' and called for demonstrations on 15 November 2021. Authorities outlawed the protests, with the Attorney General Office warning of criminal prosecution for any participant. A heavy security apparatus was deployed to discourage and prevent citizens from participating.

Cuba's traditionally positive track record of social and economic rights has continued to erode, as universal health coverage and education have been undermined by financial shortages, economic inefficiencies and the economic crisis resulting from the COVID-19 pandemic. The US embargo was further tightened under the Trump Administration and has been maintained by President Biden. The embargo and its extraterritorial application have a crippling effect on Cuba's economic development and its emerging self-employed sector, also limiting the country's ability to source medicine and medical equipment to tackle the COVID-19 epidemic.

Cuba has adopted epidemiological measures that were relatively successful in containing the spread of the infection and ensuring low mortality rates. Cuba's biotech sector developed its own vaccines; the island's vaccination rates top global indicators.

Cuba maintained its policy focus on non-discrimination, gender equality, protection of the rights of the child, as well as the rights of persons with disabilities. The problem of gender violence is recognised in the 2019 Constitution. The National Programme for the

Advancement of Women was published in March 2021. The new Family Code legalising same-sex marriage was preliminarily approved by the National Assembly and will be submitted to referendum in 2022.

**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 the following priorities:

- Empowering human rights defenders;
- Monitoring and follow-up on cases of violation of freedom of expression and media freedom;
- Support to civil society and freedom of association and peaceful assembly;
- Promotion of equal opportunities;
- Support for the promotion of economic, social, cultural and labour rights;
- Support to rule of law and good governance;
- Support for the abolition of death penalty.

**3. EU bilateral political engagement:** The EU and Cuba hold an annual Policy Dialogue on human rights in the framework of the EU-Cuba Political Dialogue and Cooperation Agreement. The last human rights dialogue was held on 26 February 2021 and was co-chaired by EU Special Representative for Human Rights. It covered topics related to the impact of COVID-19 on human rights, gender equality, freedom of peaceful assembly and of association, the fight against racism, racial discrimination, xenophobia, and other types of intolerance; academic and artistic freedom.

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 and prevention of gender-based violence. 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.

In 2021, the EU continued to implement the Gender Action Plan for Cuba in order to strengthen the dialogue and cooperation on gender equality and women's empowerment. The EU also drafted a Roadmap for engagement with civil society in Cuba.

**4. EU financial engagement:** A number of EU projects were implemented in 2021, 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, care of older persons and persons with intellectual disabilities and access to preventive and curative health services in the context of the COVID-19 pandemic.

Culture was an important cross-cutting issue within EU cooperation in Cuba, with an ongoing portfolio of EUR 23 million and 10 projects that continue to promote culture as a vector for economic development and social inclusion. Other social projects (about EUR 3 million) concentrated on the needs and rights of older persons and persons with disabilities. Specific projects to tackle the COVID-19 pandemic totalled nearly EUR 10 million. Promotion of gender equality was mainstreamed into EU cooperation projects, two of which focused on the impact of gender on care-work and gender-based violence.

**5. Multilateral context:** Cuba was re-elected to the UN Human Rights Council for the 2021-2023 term, where it is traditionally an active player. EU and Cuban positions are often at loggerheads, but Cuba has been supportive on the rights of the child and in the fight against discrimination based on sexual orientation and gender identity. 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 (in 2009, 2013, and 2018) with the next one 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 with regular and free elections. President Abinader enjoys high approval ratings due to his skilful management of the COVID-19 crisis, a strong economic rebound and an ambitious reform agenda. The measures taken to fight corruption and impunity have slightly improved the country's Transparency International Corruption ranking, but at 30/100 it still ranks below the regional average of 46/100.

The government has launched a Police reform process to address public concern over violence and human rights abuses by law-enforcement officers.

The government won EU plaudits for outlawing child marriages, which should help to decrease the rate of child and teenage pregnancy that is among the highest in the world.

The Constitution upholds the principles of non-discrimination and equality before the law. Yet challenges remain to protect women, LGBTI persons, persons with disabilities, and persons of Afro-Caribbean descent. The approval of the Law on Equality and Non-Discrimination is still pending in Congress. Even though the law stipulates gender quotas, political participation by women remains low. There is also room for improvement on sexual and reproductive health and rights. As for violence against women, the Dominican Republic is second in the region with 2.4 femicides per 100,000 women. The government is taking steps to improve the situation by allocating resources to protect victims against gender violence and to improve assistance.

The quality of the educational system remains below the average in Latin American and Caribbean countries, which has been exacerbated by the effects of the pandemic.

On migration, the government has implemented a Normalization Plan to facilitate the regularisation of Venezuelan migrants, but that of Haitian migrants still encounters obstacles. Migrants, especially Haitians, appear to have less access to basic services such as health care or education.

**2. EU action - key focus areas:** EU activities in Dominican Republic focused on the rights of women and children, including the elimination of child marriage and chronic violence. The EU worked towards the elimination of all forms of violence against LGBTI persons, as well as the elimination of all forms of discrimination. Other areas of cooperation included migrants' rights, strengthening of civil society and capacity building for human rights defenders.

**3. EU political engagement:** In close contact with local authorities, like-minded partners and human rights defenders, the EU continued to monitor and promote human rights and provided continuous support through its projects and political advocacy. The EU regularly meets with civil society organisations, especially on the fight against corruption and impunity, migration and nationality issues, as well as on gender equality, women empowerment, prevention of violence, rights of the child and rights of LGBTI persons. Dialogues are often held within the framework of budget support programmes and technical support. On human rights issues, the EU works together with Member States, like-minded partners and local authorities to raise outreach and visibility.

**4. EU financial engagement:** Given the high prevalence of gender-based violence, the EU donated EUR 5 million to support the government's efforts to reduce gender-based violence and inequality, based on the National Development Strategy 2030.

Under the European Instrument for Democracy and Human Rights, the EU has supported the following projects:

- Promoting rights, strengthening capacities and creating integration opportunities for former female detainees: EUR 390,000;
- Prevention of arbitrary detention and/or deportation of migrants and their descendants: EUR 380,000;
- Promotion, protection, and application of institutional guarantees for vulnerable groups: EUR 400,000;
- Strengthening of CSOs working with rights of people with disabilities: EUR 230,000;
- Creating a network of defenders of women's and youth rights: EUR 380,000;
- Implementing human rights based approach in the cacao production: EUR 892,000;
- Protection of the rights of Haitian migrants and the stateless population: EUR 1million.

**5. Multilateral Context:** Dominicans have no access to the Inter-American Court of Human Rights (IAHCR) because the Dominican Constitutional Court rejected the IAHCR jurisdiction in 2014. Although the relationship between the Dominican Republic and the Organization of American States has improved significantly in recent years, IAHCR jurisdiction continues to be rejected.

The Dominican Republic has been voting more often in line with EU human rights priorities in the past few years. Finally, it should be noted that the Dominican Republic is campaigning for a seat in the UN Human Rights Council in 2024-2026.

## El Salvador

**1. Overview of the human rights and democracy situation:** El Salvador is facing two main challenges: insecurity and pressure on the rule of law.

The year 2021 was marked by a progressive concentration of powers in the hands of the Executive and by the weakening of checks and balances. President Bukele's party obtained a

two-thirds majority in Congress after democratic elections in February. The day of its taking function, the new Congress quickly dismissed the Attorney General and magistrates of the constitutional chamber of the Supreme Court. The anti-corruption commission (CICIES), a campaign promise of the President, was dismantled at the time it was starting to deliver results. A few weeks later, a law regulating the judiciary forced into retirement nearly 200 judges. The newly appointed Constitutional Chamber paved the way for the President to stand for re-election despite its explicit prohibition in the Constitution. This concentration of power took place as a new draft Constitution was prepared by the Vice-President.

Press freedom and freedom of expression are well established in El Salvador with the existence of investigative and critical media outlets. Nevertheless, harassment of journalists, by portraying them as political opponents, is frequent on social media and is on the rise. The Salvadoran Association of Journalists (APES) received 209 complaints in 2021 representing a 65% increase from 2020 and a 130% increase from 2019. Evidence was found that Pegasus spyware had been implanted on a number of journalists and activists' digital devices. The government denies involvement. Critical civil society organisations have reported targeted harassment by tax or labour authorities and are working in an increasingly hostile environment. In November, a draft Foreign Agents Law was rushed through the parliamentary committee for external relations without consultation. However, the law has not been discussed by the plenary.

A total of five protests took place in the streets of San Salvador since September 2021. A relatively small number of protesters criticised various non-related topics: the introduction of Bitcoin as a legal tender; the lack of political action on enforced disappearances; concerns about the rule of law and freedom of expression. Demonstrations took place peacefully without police presence. Nevertheless, roadblocks on the access ways to the capital may have had a deterrent effect.

Transitional justice remains a pending issue in a country where the trauma of the civil war that caused 75,000 casualties is still strongly felt. Former administrations in the past decades never seriously committed or managed to establish a legal framework to end impunity for crimes committed during the civil war. Currently, a draft law is being formulated in Congress. Emblematic cases like the massacre of El Mozote remain stalled despite engagement by the authorities to address them.

In 2021, El Salvador saw the lowest number of homicides in decades with 1,140 cases (20.8 for 100,000 inhabitants), a 15% drop since 2020 and a 50% drop compared to 2019. Youth are particularly affected by violence representing 53.13% of homicides. The reported number of femicides has declined (97 in 2021, from 130 in 2020 and 230 in 2019). However, the rising number of enforced disappearances is increasingly worrying, with twice as many unsolved cases in 2021 compared to 2020 (488 in 2021 vs. 200 in 2020). Extortion, rape and robbery have also increased in 2021 amid the pandemic.

The COVID-19 pandemic has deeply affected children, who experienced precarious schooling conditions and numerous dropouts. An increasing number of children witnessed or were victim of domestic violence. Adolescent pregnancies slightly decreased in 2021, (9889 until September 2021, 199 less than for the same period in 2020).

Abortion remains criminalised in El Salvador in all circumstances.

Reproductive rights saw progress at the end of 2021 with the liberation of five women imprisoned for murder after suffering obstetric emergencies. However, another five women are standing trial on similar charges and seven remain imprisoned. The Inter-American Commission on Human Rights has found El Salvador responsible for the death in prison of a Salvadoran woman by the name of Manuela.

Poverty continuously decreased until 2019 but increased in 2020 and 2021 due to the pandemic (+ 23.3% since 2019). Structural imbalances in the distribution of wealth between rural and urban areas remain strong. The government increased the minimum wage by 20% and daily working hours were reduced for employees of private security companies.

El Salvador's location in the Central American Dry Corridor renders it particularly vulnerable to climate change. The right to a healthy environmental is increasingly under threat. A quarter of the rural population lacks access to running water.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the key focus areas are:

- building a resilient, inclusive and democratic society: including support to civil society, support to independent media, the promotion of access to information and countering disinformation;

- promoting a global system for human rights and democracy: including improving accountability and transparency, promotion of good governance and strengthening of democratic institutions;

- protecting and empowering individuals: including empowerment of human rights and environmental defenders, advocacy for non-discrimination, gender equality and women's rights.

**3. EU bilateral political engagement:** The EU has successfully engaged with stakeholders – including civil society organisations – on key policy areas such as elections, human rights, gender equality, sexual and reproductive health and rights. It has stressed the responsibility of the authorities to uphold and safeguard human rights, separation of powers, freedom of expression, and the fight against corruption and impunity. An EU Election Follow-up Mission (EFM) was deployed in October to assess the state of implementation of the recommendations issued by the EU Election Observation Missions in 2018 and 2019 and to help improve the electoral framework ahead of the 2024 elections. The EFM maintained the priority recommendations, including the need for improved supervision over political financing, depoliticisation of electoral staff, enforcement and bolstering of campaign and media rules.

**4. EU financial engagement:** The EU is currently reformulating its strategy as regards budget support programmes. A total of 19 projects were ongoing in 2021, seven of which were funded by the European Instrument for Democracy and Human Rights for EUR 3.2 million, and 13 under the Civil Society Organisations and Local Authorities Programme for EUR 8.7 million. The second implementation phase of the EU-UN Spotlight Initiative on violence against women has started.

**5. Multilateral context:** El Salvador was elected co-chair of the Bureau of the 54th and 55th Commission on Population and Development and co-chair of the Working Group on the Revitalisation of the Work of the UN General Assembly. The country co-sponsored the Resolution on the Decade of Healthy Ageing 2021-2023.

To date, El Salvador has not signed the Escazú agreement, a regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean. The country made steps towards the wider fight against climate change.

## Guatemala

**1. Overview of the human rights and democracy situation:** Guatemala is a democracy and holds regular scheduled elections, but pressure on the rule of law and on the independence of the judiciary branch are cause for concern. The controversial appointment of new magistrates to the Constitutional Court in April 2021 and the dismissal by the General Prosecutor of Francisco Sandoval, the Head of the Special Prosecutor´s Office Against Impunity (FECI) in July 2021, brought matters to a climax.

Guatemala faces considerable and structural human rights challenges related to poverty, inequality, discrimination, impunity and insecurity. In particular, challenges persist for the adequate protection of the rights of migrants; human rights defenders; women and girls; and LGBTI persons. Gender-based violence is a perennial problem.

Despite Guatemala's relative macroeconomic stability, access to basic social rights such as water and sanitation, food, health, education and decent work remains very unequal for some segments of the population.

Human rights defenders continue to be at high risk. The Unit for the Protection of Human Rights Defenders (UDEFEGUA) reported 839 attacks against human rights defenders and indigenous communities in 2021. Defenders particularly at risk are defenders of indigenous peoples' rights, women human rights defenders and defenders of land rights. Journalists, judges and lawyers working to uncover corruption are frequently exposed to threats and persecution.

In June 2021, the amendments to the Law on Non-Governmental Organisations entered into force. Although the Constitutional Court suspended some of the provisions in the law, international and civil society organisations have expressed serious concerns over possible limitations for NGOs to operate in the country.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU continued focusing on the following six priorities:

- Fostering a comprehensive agenda to promote inclusive economic, social and cultural rights;
- Supporting the rule of law, access to justice, inclusive and effective administration of justice;
- Enhancing the protection mechanisms for human rights defenders;
- Strengthening the implementation of legal frameworks to prevent and sanction all forms of violence against women and gender-based violence;
- Strengthening the mechanisms of child protection against all forms of violence;

- Promoting full implementation of international conventions and ratification of pending conventions to reinforce the equity and development of groups in vulnerable situations.

**3. EU bilateral political engagement:** The EU maintains a periodic dialogue with the Human Rights Ombudsman´s Office, the Presidential Commission for Peace and Human Rights and the Human Rights Directorate of the Ministry of Foreign Affairs. Regular contacts were maintained to foster mechanisms for the protection of human rights defenders and to discuss implementation of the National Action Plan on Business and Human Rights.

The Filter Group (led by the EU Delegation and composed of EU Member States, Canada, Switzerland, United Kingdom, United States of America, the OHCHR and UNHCR country offices) has supported the work of human rights defenders. Its activities include periodic meetings with defenders, justice operators and institutions in charge of the protection of human rights defenders.

In addition, the EU provided technical assistance in support of the bilateral dialogue in the framework of the Social Development Cabinet chaired by the Vice-President.

**4. EU financial engagement:** The EU continued its bilateral programmes supporting economic, social and cultural rights and civil society organisations.

The programme 'Supporting decent employment in Guatemala' for EUR 15 million gained momentum in 2021. The Ministry of Economy signed a services contract for EUR 2.7 million with the Technical and Vocational Training Institute (INTECAP). As a result, 9,210 vocational education and training scholarships were awarded, targeting young people and women in particular, with an emphasis on people living in rural areas, indigenous peoples and persons with disabilities. Moreover, the EU awarded three grants with the aim to promote the creation of decent employment opportunities, particularly for young people, women and vulnerable groups by fostering entrepreneurship and innovation in micro, small and medium sized enterprises.

Three EU programmes aimed at combatting chronic malnutrition, focussed their support to mitigate the midterm impact of both the COVID-19 pandemic and the tropical storms ETA and IOTA. Within the project 'Supporting the primary health system to fight chronic malnutrition', the EU assisted the implementation of the COVID-19 Vaccination Media Campaign led by the Ministry of Health. The Campaign aimed at increasing the awareness on the importance of vaccination, especially in rural areas. The campaign is available in indigenous languages according to the needs in each region of the country.

The project 'Prevention of violence against women, children and youth (PREVI)' has a threefold approach: building capacity within the justice system, prevention and monitoring, as well as combatting impunity of violence against women, children and youth. The project's main results include the revision of eight public policies on violence prevention at department level; the creation or strengthening of eight municipal commissions on prevention of violence; and the close monitoring of the implementation of prevention measures. Twenty specialised courts received support through the programme at various levels.

**5. Multilateral context:** The EU supports financially the Office of the United Nations High Commissioner for Human Rights in Guatemala to foster dialogue and concrete actions for effective implementation of the UN Guiding Principles on Business and Human Rights.

The EU and its Member States delivered demarches and outreach in view of Guatemala's commitment to support a number of human rights resolutions ahead of the 76th Session of the UN General Assembly and for ambitious action against climate change in the framework of the relevant multilateral conferences held during 2021, such as the COP26.

## 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 remain fragile and suffered a major crisis in 2020, following the March general election 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 largely peaceful transition of power.

Guyana's overall human rights track record is broadly positive, but with some significant problems. Persistent human rights challenges in 2021 continued to include women's rights, gender-based and domestic violence (including femicide), child abuse and corporal punishment, homophobia, socio-economic marginalisation and discrimination against indigenous peoples, and trafficking in human beings. Despite some positive developments, a large proportion of the public remains opposed to the rights of LGBTI persons, given the influence of conservative religious lobbies. Social rights are also challenged by poverty, inequality and insecurity.

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 backlog 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 households and rural and indigenous communities was particularly severe. Digitisation of education presented a challenge for families without access to the internet and/or to information and communications technology equipment.

Guyana is a pioneer in indigenous peoples' rights. However, some allege that legal loopholes place indigenous peoples at a disadvantage when it comes to land rights and mining encumbrances. Poor infrastructure also affects education and primary healthcare. Economic poverty and the struggling village economies negatively affect indigenous people's livelihoods.

While death penalty remains in the penal code, there is a de facto moratorium since 1997. No death sentences were handed down since then, but there are still 11 prisoners on death row.

Guyana has ratified most, but not all of the main international human rights treaties. The exceptions are the Optional protocol of the Convention Against Torture, the Convention Against Enforced Disappearances and the Protocol on the Death Penalty.

**2. EU action – key focus areas:** The EU prioritises its action in the areas of women's rights and the rights of the child, including domestic violence; the fight against homophobia; good governance; electoral reform; conditions in detentions centres; death penalty; 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. The first-ever fully-fledged EU Election Observation Mission (EOM) was deployed in the general elections in 2020. 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, 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 EU EOM has provided Guyana with 26 recommendations to improve future electoral processes. The EU is committed to continue to take active part in the electoral reform process and an Election Follow-up Mission is foreseen.

In December 2021, the EU Delegation delivered its annual Human Rights award to Nafeeza Rodrigues for her community work with many non-governmental organisations to help in the fight against gender-based violence.

**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 in October 2020. In 2021, the EU delegation actively participated in several field missions, co-organised and participated in numerous events, and acted to raise visibility of the Spotlight Initiative, in both traditional media, and social networks.

The rights of the child are central to EU thematic funding in Guyana. There are currently three ongoing grant contracts implemented by the NGO ChildLink, addressing the protection of the rights of the child under the European Instrument for Democracy and Human Rights, and the CSO-LA programme. The EU delegation also participated in in several high-profile events with civil society organisations, the Ministry of Human Services and Social Security, and other stakeholders. In addition, the EU delegation focused on supporting CSOs' work on other important challenges including Amerindian rights, through support to the Amerindian Peoples Association, and other critical areas.

**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 implement another round of constitutional reform and to strengthen 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 was supposed to commence in 2021 and examine all areas of the Constitution including human rights, but has not yet started.

The electoral reform was launched in 2021, and the EU has been actively engaging with the authorities and international partners to promote a meaningful consultation process.

## Haiti

**1. Overview of the human rights and democracy situation:** The amplification of the political crisis after the assassination of President Moïse in July has had a considerable negative impact on the human rights situation. Arbitrary detentions and poor prison conditions persist. Insecurity fuelled by armed gangs hit the most vulnerable in the Port-au-Prince metropolitan area particularly hard, endangering both their lives and livelihood. The State continues to fail in the most basic missions of protecting the population from direct physical harm, of ensuring

basic rights to life, health, food and freedom of movement and of safeguarding basic economic activity. The earthquake of August 2021 made a bad situation even worse.

**2. EU action – key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Haiti on the following areas: i) protecting and empowering individuals; ii) building resilient, inclusive and democratic societies; iii) promoting a global system for human rights and democracy; iv) new technologies: harnessing opportunities and addressing challenges and v) delivering by working together.

**3. EU bilateral political engagement:** The worsened politico-institutional instability did not allow for a formal political dialogue with the Haitian authorities. The EU delegation managed to maintain its bilateral relations with the representatives of the Executive until the assassination of President Moïse, but the ensuing politico-institutional crisis and delay in the formation of a government hindered a structured dialogue with institutional interlocutors empowered to engage the country on human rights issues.

An envisaged field mission by the EU Special Representative for Human Rights could not materialize due to political instability and the security unrest. The EU delegation nevertheless maintained regular contacts with the various components of Haitian civil society, fostering discussions on the possible options to end the crisis.

The security sector group, chaired by the United Nations Development Programme (UNDP), hosted a few meetings at the end of the year focused on support to the National Police of Haiti. The justice sector group, also chaired by UNDP, met virtually to assess the situation on donor projects in this area.

A dialogue with donors and civil society was set up in view of Haiti's Universal Periodic Review (UPR). This process makes it possible to collect the comments of various civil society organisations on the UPR report, prepared on a cyclical basis by the Haitian State, concerning various recommendations made by the members of the UN Human Rights Council on a number of human rights-related topics.

**4. EU financial engagement:** The EU human rights and democracy engagement provides Haiti with an envelope of EUR 4.25 million in the 2021-2025 period. This amount will help to achieve objectives in: i) promotion of the right to physical integrity in connection with the respect and promotion of socio-economic rights and ii) fight against impunity and access to justice. In particular, among the topics considered are the right to physical integrity of populations in difficult neighborhoods of the metropolitan area of Port au Prince, their socio-economic rights as well as the fight against impunity and access to justice.

Most of the EU actions have been hampered or have been temporarily suspended due to the aggravated state of insecurity (notably in the capital) and to the measures against COVID-19.

The expected implementation of the four projects for the defence of the rights of persons deprived of liberty had to be revised due to the limitations of access to penitentiary centers in order to prevent COVID-19, in particular those of Saint Marc and Mirebalais. The training and psychosocial support activities for detainees planned as part of this project were postponed to the following year due to the lack of virtual spaces necessary to carry out these activities remotely.

The call for proposals on citizen participation in electoral processes in Haiti, despite the uncertainty about the elections, was concluded. Activities will begin in early 2022.

The EU also supports six projects to address gender-based violence implemented by national and international NGOs.

The regional Multi-Country Border Security project between the Dominican Republic, Jamaica and Haiti, implemented in cooperation with the International Organization for Migration (IOM), aims to address trafficking in human beings between the three countries.

**5. Multilateral context:** Haiti's human rights situation was assessed for the third time during the Universal Periodic Review held by the UN Human Rights Council's Working Group. Haiti's Minister of Justice and Public Security Berto Dorcé presented the national report, after which Member States took the floor to make recommendations to the government, such as: the fight against violence and discrimination based on gender identity and sexual orientation; protection of children from violence, exploitation and modern slavery; prevention of the recruitment of children in armed criminal gangs; promotion of transparency and fight against impunity; reduction of the pre-trial detention period; ratification of the Convention against Torture. In June 2022, Haiti will be subject to another round of recommendations, including from non-state stakeholders such as civil society organisations.

## Honduras

**1. Overview of the human rights and democracy situation:** General elections, observed by an EU Election Observation Mission, were held on 28 November 2021. Election day was largely calm and peaceful despite a run-up campaign period marred by high levels of political violence and tense polarisation.

Citizen insecurity, in particular gang-related violence, and lack of opportunities continue to drive migration. According to the Violence Observatory of the National Autonomous University of Honduras (UNAH), the homicide rate in 2021 reached 40 per 100,000 inhabitants, an increase compared to 2020. Corruption and impunity remain widespread. Honduras ranked the 23rd country with the highest perception of corruption in the world and over 90% of the crimes committed against human rights defenders estimated to go unpunished.

Poverty and inequality levels remain high and have been impacted by the serious social and economic repercussions of the COVID-19 pandemic and hurricanes ETA and IOTA that hit the country in 2020. According to the UNAH, poverty increased by 10% and extreme poverty by 15%. Groups in vulnerable situations were specifically subject to violence and discrimination in the context of the COVID-19 pandemic. Studies by the Association for a Fairer Society (ASJ) estimated that around 2 million children and youth were excluded from the education system due to the pandemic, equivalent to 39.7 percent of the school-age population. Gender-based violence remains a deeply rooted issue and the number of reported femicides increased to 342 in 2021 compared to 278 in 2020.

Honduras continued to be one of the most dangerous countries in the world for journalists and human rights defenders, ranking 151th out of 180 countries in the World Press Freedom Index. Indigenous peoples and environmental rights defenders also face continuous threats.

In October, the National Assembly approved new reforms to Honduras' Criminal Code. Civil society organisations and the Office of the UN High Commissioner for Human Rights expressed concern about some of the modifications, including the increase in penalties for those found guilty of usurpation.

**2. EU action - key focus areas**: The EU's work in support of human rights and democracy in Honduras focuses on the following areas:

- strengthening the rule of law and democracy;
- promotion and protection of the rights of women and girls, LGBTI persons, indigenous peoples and minority groups such as the Afro-Honduran population;
- protection of human rights defenders;
- protection of economic, social, cultural and environmental rights, in particular for the persons in the most vulnerable situations.

**3. EU bilateral political engagement**: The EU continued to promote human rights protection and addressing risks for human rights defenders by maintaining a regular dialogue with national authorities. The EU likewise maintained regular engagement with civil society organisations, in the capital Tegucigalpa and throughout the country. In terms of public diplomacy, the EU delegation participated in important events such as the International Day Against Homophobia, Biphobia and Transphobia and the International Day for the Elimination of Violence Against Women.

The EU has observed trials and met with representatives of emblematic cases of human rights violations such as those of Berta Caceres, the Guapinol defenders and the Garifuna communities. On social media, the EU and Member States regularly react on the human rights situation in Honduras and cases of particular concern. On the International Human Rights Day, the EU and Member States awarded the first EUROPA Award on Human Rights in Honduras to the LGBTIQ+ organisation Red Lésbica Cattrachas.

**4. EU financial engagement**: The EU implemented 17 programmes and projects in Honduras for approximately EUR 34.3 million:

- The 'ProDerechos' programme (EUR 8 million), launched in 2020, continued;
- 'ProdeHonduras' (EUR 1 million) supported human rights and CSOs to improve their technical capacities and to establish a strategic dialogue with the State;
- The EU supported capacity building of political parties to become more transparent and inclusive in respect of democratic values through 'ProDemos' (EUR 1.6 million), and strengthening of transparency and inclusion of underrepresented groups in the electoral process through 'PACE-H' implemented by the UN Development Programme (EUR 2.2 million);
- Through 'HondurACTion' (EUR 3.7 million), the EU supported the participation of civil society in the fight against corruption, efforts to improve transparency, safeguard freedom of expression and promote independent media;
- The EU-UN Spotlight Initiative to combat violence against women and girls (EUR 14.3 million);
- Start of the bi-national project 'Promoting governance from civil society for the prevention, restitution of rights, and prohibition of torture and mistreatment of women, youth and the LGBTI population in El Salvador and Honduras' (EUR 1.5 million);
- Implementation continued of the project 'Protection, Dialogue and Human Rights in the South of Honduras' (EUR 750,000) aimed at strengthening the technical and legal capacity of local organisations to defend their territories and common goods;

- Within the framework of the project 'Promoting peaceful coexistence in the COVID-19 response for migrants, refugees and other vulnerable populations in Central America and the Caribbean' (EUR 3.1 million), the EU, the International Organization for Migration and the UN High Commissioner for Refugees proposed actions to promote integration and peaceful coexistence by improving the health response, community engagement and the protection environment of affected communities.

**5. Multilateral context**: In March, the Inter-American Court of Human Rights found the State of Honduras accountable for the 2009 murder and failure to prosecute those responsible of Vicky Hernandez, a transgender activist. The case set the basis for new international human rights standards for the protection of LGBTI persons in Latin America and the Caribbean as it was the first time when the regional court held a State accountable for the death of a trans individual.

In October, Honduras was elected as one of the 47 members of the UN Human Rights Council, to serve a three-year term as of January 2022. Honduras was elected together with Argentina and Paraguay, as a part of the Latin American and Caribbean region that is entitled to eight seats in the Council.

In December, the EU facilitated participation of three human rights defenders from Honduras in the 2021 EU-NGO Forum on Human Rights. Participation ensured territorial representation and international recognition taking into account the general context of stigmatisation that human rights defenders suffer in their work.

The UN Working Group on Arbitrary Detention and the UN Special Rapporteur on Human Rights Defenders on several occasions called for the immediate release of the Guapinol defenders after more than two-years of pre-trial detention and an impartial investigation.

## Republic of Argentina

**1. Overview of the human rights and democracy situation**: The human rights situation in Argentina remained overall positive in 2021 and the country continues to be one of the most advanced in Latin America in terms of human rights and democracy. All main human rights legislation is in place and in some cases, such as the anti-discrimination laws (including concerning LGBTI persons), is very advanced. Political rights and the freedom of expression and association are guaranteed and generally respected; the press is largely free although to some extent concentrated in big media groups, and highly polarised; civil society and human rights organisations are active and vocal in expressing their concerns.

The holding of credible, transparent and inclusive midterm elections on 14 November 2021, preceded by party primaries, confirmed the healthy state of the Argentine democracy.

Gender issues remained high on the political agenda: Argentina advanced by 11 points according to ATENEA Index 2021 on gender parity. In 2021, the Senate signed into law the Labour Inclusion Bill for the Trans, transvestite and transgender population; and the President signed an Executive Order allowing non-binary people to avoid defining themselves as male or female in public documents.

There is a growing environmentalist awareness, as well as a relatively new yet promising movement led by youth and adolescents for climate change activism. Know-how about internet regulation and awareness of the risks in this transitional phase are still limited. Civil

society and civil society organisations are active and vocal in expressing their concerns; the EU and its Member States organised numerous consultations and events with them throughout 2021.

The COVID-19 pandemic´s negative effects, coupled with the economic crisis Argentina has experienced since 2018, continued in 2021 to impact negatively on the implementation of social policies and increased poverty levels.

**2. EU action - key focus areas:** The EU human rights and democracy policy priorities until 2024 focus on:

- democratic governance and institutional strengthening;
- gender equality and the fight against gender-based violence;
- the rights of the child;
- building a more equal society free of any type of discrimination against persons belonging to minorities or groups in vulnerable situations;
- the right to live in a healthy and sustainable environment;
- the impact of new technologies/ digitalisation on human rights, including media freedom.

**3. EU bilateral political engagement:** The EU continued its broad political contacts, meetings and initiatives with both State and non-state actors engaged with human rights issues. The EU delegation, in particular, coordinates its actions in building post-pandemic resilient societies and encouraging the inclusion and participation of civil society in public policies, with EU Member States through the Team Europe approach.

The EU delegation and Member States' embassies have maintained regular contacts with civil society organisations holding consultations and participating in their events. EU representatives were guest speakers in several public events and seminars, like the EU-funded CERALC project on corporate business responsibility in human rights, the virtual presentation of 'Journalism in pandemic. Disinformation, lawfare and freedom of expression in Argentina 2021' book, and the opening of the EUROsociAL webinar on 'Parity Democracy and Public Policy', among others.

The EU was also active in organising visits and public events closely linked to issues like human rights and civil society engagement, including the working visit with Political Counsellors of EU Member States' embassies to different locations in the densely populated southern suburban area of the province of Buenos Aires (Quilmes, Lomas de Zamora and Lanús), and the launch of the '*Paremos la Pelota*/Stop the ball' communication campaign, focused on prevention of gender-based violence as part of the 16 Days of Activism. The EU delegation organised a four-days working EU seminar on 'Civil society and its commitment to sustainable development: experiences and synergies', with the participation of EU supported projects.

**4. EU financial engagement:** A new Roadmap for engagement with civil society was adopted along with the new strategy after a long process of consultation and engagement with numerous actors including hundreds of NGOs, international organisations and EU Member States' embassies.

The support for the association of civil society organisations *Sociedad Civil en Red* amounted to EUR 1.1 million. The project continued to strengthen democratic governance in Argentina through the increased engagement and participation of civil society in the design and implementation of public policies.

The Spotlight Initiative for prevention of gender-based violence benefited from nearly EUR 5.5 million for its activities in Argentina.

Eleven new projects were selected in 2021 under two Calls for proposals on human rights and civil society organisations, which saw an unprecedented level of interest for the amount to approximately EUR 6 million.

**5. Multilateral context:** The EU delegation and Member States' embassies conducted joint demarches ahead of each of the three regular UN Human Rights Council (HRC) sessions in 2021, as well as ahead of the special session on Ethiopia in December. Argentina was a member of the HRC between 2019-2021, and has renewed its membership for 2022-2024, with its representative becoming the chair for 2022. Argentine authorities were also demarched prior to the vote of the resolutions in UN General Assembly Third Committee. Those demarches served to confirm that in the HRC, Argentine positions are overall aligned with the EU's, with some exceptions however, in particular when China or Russia are concerned, countries whose human rights situations Argentina prefers not to criticise. Argentina in any case does not co-sponsor country-specific resolutions.

As a result of the cooperation of France and Germany with Argentina on issues of transparency and reliability of information, Argentina joined the 'Partnership for Information and Democracy', one of the initiatives of the 'Alliance for Multilateralism', in May 2021. Argentina is actively involved in the 2021 Generation Equality Forum (GEF) agenda, initiated by UN Women. Argentina is a co-champion state with France within the GEF Action Coalition on 'Bodily Autonomy and Sexual and Reproductive Health and Rights (SRHR)'. On the 10th anniversary of the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance in December 2020, Argentina and France launched a new campaign of action to promote its universal ratification with joint demarches in May/June 2021 by French and Argentine embassies in 68 states. Another priority topic of Argentina are the rights of older persons. In September 2021, Argentina, Brazil and Slovenia ran the first-ever substantive HRC resolution on the rights of older persons that stressed the need to address ageism and age-based discrimination. Argentina took part at the fourth International Safe Schools Conference held in Abuja on 25-27 October organised by Nigeria with the support of Norway, Argentina and Spain.

## Plurinational State of Bolivia

**1. Overview of the human rights and democracy situation**: MAS (Movimiento al Socialismo) won successfully organised national elections with an absolute majority on 18 October 2020, but the country remained polarised. Under the umbrella of the Vice-Presidency, the United Nations, with the support of several other members of the international community including the EU, initiated a reencounter process to facilitate dialogue.

In March however, former interim President Jeanine Añez and members of her government were arrested in the context of the events following the failed 2019 elections and trials are foreseen for the first months of 2022. The EU publically recalled the importance to resolve accusations within the framework of transparent justice and without political pressure, respecting the independence of powers.

Various international bodies have pointed out the need for judicial reform and independence. Criminal justice faces a long-standing crisis in Bolivia, and key concerns are extensive use of pre-trial detentions and prison overpopulation. Bolivia has ratified the main international and regional treaties, and national legislation is generally aligned with international standards. Nevertheless, violence against women and children, due process, pre-trial detention, the rights of persons in detention, child labour, freedom of expression, and impunity for human rights violations continue to be central issues.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-24, in 2021, the EU focused on: promoting the rule of law, support and protection of human rights defenders, the rights of indigenous peoples and elimination of violence against women and girls.

The EU also promoted democracy strengthening in line with the recommendations of the EU Electoral Expert Missions deployed in 2019 and 2020.

The 'EU Roadmap for Engagement with Civil Society' for 2019-2022 with an extension to 2024 under preparation, was implemented through dialogues with civil society organisations, to identify the challenges faced by CSOs when promoting human rights and democracy.

**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. Within the Generalised Scheme of Preferences (GSP+) monitoring, human rights and democratic values were stressed, including justice independence and non-discrimination with a focus on violence against women and children, child labour and the fight against corruption.

The EU was closely involved in policy dialogue with the government concerning bilateral cooperation within the framework of the donor coordination groups on human rights and democracy and the EU Roadmap for Engagement with Civil Society.

**4. EU financial engagement:** Dedicated EU funding instruments and Member States' initiatives supported technical cooperation across five policy priorities: i) rule of law/ access to justice, ii) promotion, protection and elimination of violence against women and girls, as well as economic empowerment, protection and promotion of the rights LGBTI persons, iii) strengthening of the link between environmental challenges and human rights, iv) freedom of expression and v) the rights of indigenous peoples. The EU Multiannual Indicative Programme for 2021-2027, approved in December, includes a priority area on governance and human rights with focus on promoting the rule of law, governance, human rights and gender equality.

The EU supported the Bolivian justice system through a EUR 3 million programme, implemented by Spain/AECID and the UN Office on Drugs and Crime. The EU accompanied government support with two CSO projects to support civil society on policy monitoring and advocacy on justice issues worth approximately EUR 2.4 million. On governance, the EU continued to support the Electoral Court through a EUR 2 million project implemented by the United Nations Development Programme. Together with Spain, the EU also financed an NGO national observation mission during the 2021 sub-national elections through a project implemented by International IDEA.

The EU supported the Vice-Ministry for Equal Opportunities in the fight against gender-based violence by contributing to implementing the public policy '*Para una Vida Digna de las Mujeres*' (For Women's Decent Life) and reinforcing the national inter-institutional mechanism. Furthermore, the EU supported two NGO projects on promoting women's participation in political parties and combatting political violence worth EUR 1 million and one regional project promoting the rights of LGBTI groups in Bolivia, Peru, Ecuador and Colombia worth EUR 1 million.

The EU continued financing a EUR 1 million project on protecting and promoting human rights defenders in the areas of indigenous and environmental rights, the rights of LGBTI persons and freedom of expression. Furthermore, a regional business and human rights project started in 2021 to promote human rights and environmental protection in the mining sector, implemented in Bolivia, Peru and Ecuador and worth EUR 1.5 million. Similarly, the EU promoted environmental rights by supporting youth groups in urban and indigenous contexts through CSO funding. The EU also started a project to extend the right to comprehensive health for indigenous peoples, implemented by two local NGOs.

**5. Multilateral context:** Presenting their findings in August, the Interdisciplinary Group of Independent Experts, established via an agreement between the Bolivian Government and the Inter-American Commission on Human Rights, confirmed serious human rights violations committed under State responsibility in the last quarter of 2019.

The Committee against Torture conducted a review on Bolivia in November, pointing out the urgent need to reform the justice system. The lack of independence and autonomy of the Judiciary and Public Prosecutor's office, impunity and necessary changes to the Penal Code were some of the central concerns presented.

## Federative Republic of Brazil

**1. Overview of the human rights and democracy situation:** Brazil is a consolidated democracy with well-functioning institutions, and effective checks and balances upholding respect for the rule of law. Following the general and presidential elections in October 2018, Brazil held municipal elections in November 2020. In 2021, perspectives for the general and presidential elections in October-November 2022 started permeating the domestic political dynamics and debate.

Although Brazil has ratified almost all major international Human Rights Conventions, significant challenges and room for 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 rights defenders, environmental rights defenders and journalists, particularly women; violence and discrimination against women and LGBTI communities; discrimination/exclusion of Afro-Brazilians descendants and the challenging implementation of the rights of indigenous peoples. The Ministry for Family, Women and Human Rights currently seeks to address these challenges.

With the COVID-19 pandemic, socio-economic inequalities and vulnerabilities have worsened, mostly affecting marginalised urban populations and groups in vulnerable situations such as women, children, LGBTI persons, migrants, indigenous peoples, persons in detention and the

workers who are most exposed to the pandemic. The situation of human rights defenders was also affected. A congressional inquiry was set up to investigate the administration's handling of the pandemic.

**2. EU action - key focus areas:** Based on the 2007 Strategic Partnership, the EU and Brazil have continued constructive and wide-ranging dialogue and cooperation on human rights at both bilateral and multilateral level, on issues such as the death penalty, fighting racism, the rights of the child and country resolutions promoting a global system for human rights and democracy.

The EU's policy priorities for Brazil include: i) rule of law and good governance; ii) freedom of association; iii) freedom of expression; iv) non-discrimination, including gender equality; v) supporting human rights defenders; vi) business and human rights; and vii) the impact of new technologies on human rights.

Following the adoption of the EU Gender Action Plan III, work in Brazil focussed on preparing a Country-Level Implementation Action Plan and a country gender analysis. Both policy documents were based on broad consultations with the EU Member States, civil society and human rights organisations present in the country.

The EU continued to implement the updated 2020-2025 EU Roadmap for engagement with civil society adopted in August 2020.

**3. EU bilateral political engagement:** In 2021, human rights and democracy featured at the highest level in the EU's bilateral relations with Brazil.

Human rights issues were addressed during the visits to Brazil by HR/VP Borrell in November 2021 and by the EU Special Representative for Human Rights Eamon Gilmore in November – December. Both visits were crucial to reaffirm the importance of reengaging as strategic partners, and enhancing cooperation in areas of mutual interest including human rights. EUSR Gilmore co-chaired the 10th EU-Brazil Human Rights Dialogue held on 1 December in Brasilia, which addressed non-discrimination, freedom of association and expression, the rights of persons belonging to minorities, human rights defenders, gender equality, business and human rights and cooperation in international fora. An EU-Brazil CSO seminar was held on 22-23 November and delivered a series of recommendations for the Human Rights Dialogue.

EU-Brazil cooperation on human rights has also continued positively, adapting to the challenges stemming from the COVID-19 pandemic through enhanced political dialogue at federal and State level, and by means of specific EU-funded projects, virtual meetings with CSOs, as well as through specific awareness-raising activities and public campaigns. The EU delegation dedicated the 2021-2022 edition of the EU Human Rights Prize in Brazil, launched in December 2021, to the theme 'Together for the promotion of gender equality in Brazil', which intends to recognise and give visibility to grass-root organisations promoting human rights at local level. The selection and award process will be completed in May 2022.

**4. EU financial engagement:** There are currently 33 ongoing bilateral cooperation projects worth more than EUR 41 million covering six areas: i) rule of law and good governance – 6 projects; ii) freedom of association - 13 projects on strengthening the capacity of civil society organisations; iii) gender equality - 5 projects; iv) human rights defenders (including the rights of indigenous peoples) - 6 projects v) business and human rights – 2 projects and vi) new

technologies and human rights – 1 project. Brazil is also participating in the EU-funded regional programmes such as EUROsociAL+ (on social policies towards minors and youth, gender equality and the rights of persons with disabilities), EL PAcCTO (on penitentiary, justice and police components) and EUROFRONT (on integrated boarder management and trafficking in human beings and smuggling of migrants).

The EU has also supported Brazil's efforts to welcome Venezuelan refugees and migrants since the onset of the current crisis. Brazil has benefited from two regional projects (with a total value of EUR 3.7 million for Brazil only) that have contributed to strengthening the protection of migrants and their peaceful integration in host communities. A call for proposals will be launched in 2022 to select new actions to support CSOs working on media, conflict prevention and peacebuilding (EUR 1.25 million).

In 2021, activities included the organisation of a conference to share best practices on employability and inclusion in the labour market for LGBTI persons and the launch of a new cycle of dialogues with human rights defenders in selected States across the country. New projects have been approved for implementation in 2022, namely an exchange of best practices with the National Human Rights Commission on international standards for human rights institutions and an EU-Brazil exchange on artificial intelligence applied to e-Justice with the National Council of Justice. Brazil participates also in regional projects, e.g. on Women and economic empowerment, fair trade and corporate social responsibility/business and human rights.

**5. Multilateral context**: Brazil is a member of the UN Human Rights Council (HRC) for the period 2020-2022 and has been absent from the Council only twice in 13 years. It has also expressed its intention to bid again for membership in 2024-2025. In 2021, Brazil was elected for the 11th time as non-permanent member of the UN Security Council for the 2022-2023 period. The cooperation with Brazil in relevant UN Human Rights fora remained overall constructive. Brazil is a member of GRULAC and cooperates well with the EU, although positions are not always aligned. Brazil plays an active role on a number of issues, including on the rights of the child, fight against corruption, business and human rights, health (including mental health), privacy, and technical assistance. In 2021, Brazil continued to oppose reference to sexual and reproductive rights in international fora.

Since 2019, Brazil has also shifted its position in Geneva on some thematic resolutions presented by Venezuela and Cuba. At the 48th session of the HRC, Brazil was a challenging partner on the EU-led initiative on climate change. On country-specific resolutions, Brazil continued to support EU-led resolutions on Belarus and Afghanistan. On the other hand, Brazil abstained on the resolution on Syria, and opposed a WHO resolution to provide health support to Palestinians, including COVID-19 vaccines.

Brazil has extended a standing invitation to all UN Special Procedures since December 2001. The last visit was by the Independent Expert (Ireland) on the enjoyment of human rights by persons with albinism from October 2019 to November 2020. The visit from the Special Rapporteur on human rights defenders has been postponed due to the pandemic. Two more visits are scheduled for the near future: by the Special Rapporteur on racism and the Special Rapporteur on freedom of assembly. A number of requests remain pending, including the Special Rapporteur on health (since 2017, with no further notice), the Special Rapporteur on

slavery (since 2018) and the Special Rapporteur on extreme poverty (with a reminder sent in 2020).

Brazil had its third Universal Periodic Review in May 2017. Out of 258 recommendations received, Brazil accepted 254 and noted only four. Its next review will take place in May 2022.

In May 2021, Brazil ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. In November 2021, a Brazilian judge was elected to the Inter-America Court for Human Rights.

In June 2021, the UN High Commissioner for Human Rights highlighted police violence in Brazil in a landmark report to the UN Human Rights Council, urging countries to take steps toward eradicating systemic racism against people of African descent and to hold police accountable for abuses.

In September, the UN Committee on Enforced Disappearances asked Brazil to ensure justice for enforced disappearances during the military dictatorship and to prosecute all cases, including current ones, before civilian courts.

Throughout 2021, the High Commissioner, several UN rapporteurs, and the Inter-American Commission on Human Rights denounced illegal encroachment into indigenous territories as well as attacks against indigenous peoples.

## Republic of Chile

**1. Overview of the human rights and democracy situation:** Chile is a close partner of the EU in the field of human rights both at bilateral and multilateral level. The country reached OECD high-income status in 2018 and a 'very high' ranking in the 2020 Human Development Index (43rd out of 189 countries). However, the social uprising in October 2019 and the COVID-19 pandemic revealed important human rights challenges that continued to feature high on the agenda in 2021. Among them were ensuring follow-up to the recommendation of national and international bodies about the human rights violations reported in the context of the police response to the social protests, as well as addressing the challenge of inequality, which has been exacerbated by the effects of the pandemic. Progress on the former by the State and judicial authorities has been evaluated as slow by the autonomous human rights bodies. At the same time, the Ministry of Justice worked in 2021 on the elaboration of the second National Human Rights Plan to be implemented from 2022 to 2025.

Regarding women's rights, despite notable progress on women's participation in political processes, estimates are that the pandemic has set back women's labour force participation by 10 years and has seen an increase in violence against women. Regarding the rights of LGBTI persons, the most important progress has been the approval of the Marriage Equality Bill. The migration crisis in the north has been an increasing source of concern with a high number of migrants and refugees crossing the border illegally in dire conditions and putting the capacity of the regional and local authorities under strain.

In 2021, Chile also saw the beginning of a historic constitutional process with a diverse and gender equal Constitutional Convention, which aims to submit the text of a new Constitution for approval in the following year. A number of elections took place, which despite a high level

of polarisation, were organised in a peaceful manner and sent a signal about the strength of Chile's institutions.

In the Araucanía region, 2021 brought a spiral of violence, including the loss of life of civilians and agents of the State, the burning of churches, homes, public facilities and private property (especially property associated to the foresting industry). There are increasing concerns about the role of narco-traffickers in the violence and of the emergence of more nationalist Mapuche groups that do not eschew the use of violence.

**2. EU action - key focus areas:** In 2021, the EU together with EU Member States and following consultations with relevant actors in the government, autonomous State institutions, relevant CSOs and the OHCHR, developed human rights and democracy policy priorities until 2024 focusing on: i) strengthening the institutional framework of human rights, rule of law and accountability; ii) supporting the rights of groups in vulnerable situations, including women and girls, children and adolescents, indigenous peoples, LGBTI persons, migrants, and human rights defenders; iii) economic, social, cultural rights; iv) business and human rights; v) strengthening access to information and the fight against disinformation and corruption.

**3. EU bilateral political engagement:** In 2021, the EU remained actively engaged with all stakeholders in Chile, including the government, civil society and academia. The EU maintained a fluid dialogue with the Human Rights Directorate at the Ministry of Foreign Affairs, including by carrying out formal demarches to exchange on priorities in the context of relevant UN sessions. Human rights were also discussed during the 12th EU-Chile Association Committee in September 2021.

In the context of the debate on a new constitution, the EU worked closely with the regional programme EUROsociAL+, as well as with Member States on the establishment of the 'Chile-European Union Forum'. This forum facilitated exchanges with European experts on legal and institutional EU models that support democracy and human rights. The EU also implemented two cooperation projects with civil society to support citizen's access to information and participation in the constitutional process.

**4. EU financial engagement:** A highlight in 2021 was the EU contribution to Chile´s constitutional process, through numerous initiatives, including collaboration with the Chilean Congress on a series of 'Chile-EU Dialogues' and with Chilean universities on a series of debates promoting the participation of youth in the constitutional process. The EU also contributed to the 'Biobio' radio programme aimed to share experiences between Chile and EU Member States. All actions benefitted from substantial contributions of EUROsociAL+. The EU delegation also initiated the INTER PARES programme promoting an exchange between EU Member States' parliaments, the Chilean congress and commissions of the constitutional assembly.

In addition to the work carried out by EUROsociAL+ on the constitutional process, the programme continued supporting Chile through further activities related to its action lines on democratic governance, social policies, and gender equality.

Under the CSO-LA thematic line, the EU oversaw seven active projects in 2021, with a total combined budget of EUR 3.79 million. These projects spanned a range of thematic areas, including two projects on the response to COVID-19 and recovery (with Comunidad de Organizaciones Solidarias, Fundación SUperación de la Pobreza), two projects on democracy and participation in relation to Chile´s constitutional process (with Ahora Nos Toca Participar,

Fundación Ciudadanía Inteligente), two projects on gender equality (with Instituto de la Mujer, Comunidad Mujer/Corporación Humanas), and one project on climate change (with the regional government of BioBio). Four of these projects have since ended, with three remaining active in 2022.

Under the Human Rights and Democracy thematic line, one project remained active in 2021 until its closure in June, with a total budget of EUR 270,000. The project, implemented by the Observatorio Ciudadano aimed to promote the rights of Indigenous Peoples in Chile in relation to the constitutional process and the National Action Plan on Business and Human Rights.

**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 in 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 have generally been aligned with the EU's. Chile has ratified all core UN Human Rights Conventions and the majority of the protocols thereto and the country issued a Standing Invitation for all UN Special Procedures in May 2009. Chile will present its candidacy to the UN Human Rights Council for 2023-2025.

## Republic of Colombia

**1. Overview of the human rights and democracy situation:** The year 2021 in Colombia was marked by countrywide civil protests and national strikes, continuing a trend from 2019 that brought massive protests driven by a multitude of grievances. These have been exacerbated by the COVID-19 pandemic due to growing social and economic inequality. Monetary poverty reached 42.5% in 2021 and extreme monetary poverty reached 15.1%. The infiltration of parts of the protests by violent individuals and groups and the excessive use of force by the police created a serious human rights problem that received extensive national and international attention. The OHCHR's report registered 44 civilian casualties. Official figures count 1,147 injured civilians, as well as 1,477 injured and 2 casualties among police officers.

In parallel, the armed conflict has taken on a new dynamic, from being a national conflict to several local turf wars over illegal economies between illegal armed groups. The ELN guerrilla, the former paramilitary Gulf Clan and over twenty different groups of 'FARC-dissidents' comprise in total 13,000 people, half of whom are fighters and half are support structures. This results in a continued dangerous situation for many local communities, in particular for social leaders and human rights and environmental defenders. The OHCHR registered 82 massacres (simultaneous killing of three or more civilians) between January and September 2021. Murders of human rights defenders reached 145 according to the Ombudsman's Office, with communal and indigenous leaders being the most affected. The UN Verification Mission registered 44 murdered ex-combatants during 2021 and highlighted that this is one of the gravest threats to the peace process. According to OCHA, forced displacement affected 72,388 people during 2021, and 57,700 people suffered from forced confinement.

Venezuelan migration reached 1,842,390 registered migrants in Colombia by August 2021. The Colombian response to the migration crisis has been widely recognised as an international example of promoting dignity and human rights for migrants and refugees. However, the humanitarian and human rights situation for migrants is still worrying. Moreover, there are worrying figures regarding homicides and sexual violence. According to the National Police, Colombia reached 26.8 homicides per 100,000 people by 2021, representing an increase of

8.2% from 2019. Furthermore, in 2021, 19,863 victims of sexual violence were registered in Colombia, with girls aged 12-17 being the most victimised (8,100), followed by girls aged 6-11 (4,209 victims).

**2. EU action – key focus areas:** In 2021, the EU's human rights and democracy priorities focused on seven areas:

- Prevention and protection from violence against social leaders, environmental leaders, human rights defenders and unionists;
- Gender equality: participation and empowerment of women;
- Guarantee of the rights of LGBTI persons;
- Guarantee of the rights of indigenous and afro-descendant people and other parts of the population in vulnerable situations;
- Guarantee of the rights of migrants;
- Human rights in the context of peacebuilding and conflict prevention;
- Democratic and human rights empowerment for sustainable development.

**3. EU bilateral political engagement:** The comprehensive implementation of the 2016 Peace Agreement is a central part of the EU's bilateral engagement with Colombia in democracy and human rights. The EUSR for Human Rights Eamon Gilmore, also EU Special Envoy for the Peace Process in Colombia, visited the country in June and in November 2021 to address the human rights situation after the massive protests and the fifth anniversary of the Peace Agreement, holding meetings with both State authorities and civil society. 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 EUSR voiced constant support to the transitional Justice in meetings with government representatives and public statements.

The EU maintains and deepens engagement with key national authorities related to democracy and human rights. Several EU and Member States' embassies preparatory meetings with authorities, Colombian CSOs, European NGOs and multilateral institutions were organised ahead of the 13th EU-Colombia Human Rights Dialogue, planned for the end of 2021 but postponed to early 2022 because of the pandemic restrictions.

The EU celebrated the second anniversary of the joint European campaign #Defendamoslavida that continued to be EU's core and strategic branding for joint commitment in support of the threatened human rights defenders and organisations, which defend human rights. 17 EU Member States' embassies, plus Norway and Switzerland, are part of the campaign with a total of over 45 leaders and organisations. The campaign is well known among civil society, human rights defenders and the government and is well relayed by media. 10 public or virtual activities carried out with ambassadors and human rights defenders, corresponding to almost one activity per month, including three capacity-building activities for human rights defenders in three different regions of the country.

In October, on the invitation of the Colombian election authorities, the EU sent an Exploratory Electoral Mission to establish whether a full Election Observation Mission (EOM) would be useful, advisable and feasible for the coming 2022 elections (Congress elections are planned in March and presidential elections in May with a possible second round in June). Given the positive assessment, HR/VP Borrell decided to send an EU EOM to Colombia. For the first time, the elections to Congress will include 16 Peace Constituencies created by the Peace

Agreement for victims of the conflict. The EU embassies are supporting efforts to protect the candidates and communities in the peace constituencies since many of these areas are still suffering serious violence from illegal armed groups, these efforts are coordinated with the UN, the Organization of American States (OAS) and relevant local and national authorities.

**4. EU financial engagement:** The EU supports human rights in Colombia with a wide range of instruments, including via the country programme and the EU Peace Fund. Since 2021, the Ombudsperson's Office and the OHCHR in Colombia have been implementing a EUR 1.6 million project to support the Colombian Early Alert System against human rights violations and promote collective protection among vulnerable communities and organisations. In 2021, the EU completed a EUR 2 million project with the Special Investigation Unit of the Attorney General's Office. This unit was created by the Peace Agreement to dismantle criminal networks and fight impunity in crimes against human rights defenders and ex-combatants.

In January, the EU Trust Fund for Peace in Colombia announced a new project with the Government's National Land Agency, seeking to make land available to small producers and formalise their property rights. In June, the EU Trust Fund expanded its investment with EUR 5 million aimed at strengthening the social and economic reincorporation of ex-combatants. In September, the EU formalised a EUR 20 million programme to the Ministries of Environment and Agriculture to support their rural and sustainable development goals and in November the EU announced a EUR 20 million programme to the Ministry of Commerce on inclusive and sustainable economic and business development.

The Colombian Amazonian region is prioritised by the projects of the EU Trust Fund for Peace and by the EU Budget Support to the Ministries of Agriculture and of Environment, directly helping formalisation of land property and sustainable productive projects for rural communities. A European Instrument for Democracy and Human Rights (EIDHR) project focusing on indigenous peoples was carried out, providing biosecurity equipment to indigenous guards in the north of Cauca and the Middle Atrato (Colombian Pacific Coast) and technical support to improve their territorial control and increase their autonomy.

In February 2021, the EU launched, together with the Korea Fund (KPK), a EUR 13.5 million project that seeks to promote job integration opportunities through culture and facilitate access to affordable housing for Venezuelan migrants and the host population, complementing funds from the Inter-American Development Bank. A new EUR 8 million budget support to the Ministry of Commerce was announced to promote the integration of the refugee and migrant population from Venezuela and support host communities. Furthermore, in September 2021, the EU allocated EUR 500,000 for emergency humanitarian aid to refugees and migrants trapped at the border crossing between Colombia and Panama.

As a part of a EUR 780,000 project for comprehensive attention to victims of domestic violence during and after the COVID-19 lockdown, a 'Capacity Strengthening Manual' was published. The project was carried out with local NGO Sisma Mujer, the Presidential Advisor for Equity for Women and the team of 'Line 155', a public channel that offers attention to women denouncing gender-based violence. With EU support, the Colombian local NGO MOE launched a 'Protocol for the prevention and care of violence against women in politics in Colombia' in October.

**5. Multilateral context:** The EU maintains close partnerships with the international community in Colombia, including the UN Verification Mission, the OHCHR, the OAS Support Mission to the Peace Agreement and the guarantor countries. Both the Inter-American

Commission for Human Rights and the OHCHR presented reports and recommendations regarding the human rights violations related to the response to massive protests during the year. Secretary General Pedraza of the Andean Community visited Colombia in March to address the promotion of equity policies in the Andean Community. A draft Decision was presented promoting the empowerment of women in the social representation bodies of the Andean Community. In October, the Prosecutor of the International Criminal Court, Karim Khan, visited Colombia and concluded the preliminary examination of the Situation in Colombia (open since 2004) with a first of its kind Cooperation Agreement with the government. The agreement establishes new commitments on the support to domestic prosecutorial and judicial entities, in particular the Special Jurisdiction for Peace. The quarterly reports of the UN Verification Mission, presented by the UNSG to the UN Security Council, continued to guide the peace and human rights discussion between the government, the international community and CSOs. The UNSG's visit to Colombia gave important support to the peace process on the fifth anniversary of the Peace Agreement.

## Republic of Ecuador

**1. Overview of the human rights and democracy situation:** Ecuador has one of the most progressive Constitutions (2008) in the region, explicitly recognising gender equality, collective rights and indigenous justice, and even providing for enforceable ecosystem rights. While the relevant human rights legislation is largely in place and continues to be developed, it is often not duly implemented.

In 2021, human rights continued to be affected by the COVID-19 outbreak, with decrease in enjoyment of social and economic rights and increase in gender-based violence, often in the family environment. The hardship disproportionately affects the groups in vulnerable situations, such as women and children, indigenous peoples and Ecuadorians of African descent, LGBTI persons, persons with disabilities, migrants and refugees. Insufficient access to technological devices and internet connection meant that in particular children from low-income families, often also belonging to minorities, from rural areas or Amazon, had limited possibilities to enjoy the right to education, or their education standards significantly decreased and there was increased risk of school dropout.

Gender-based violence continues to be a deep-rooted problem in Ecuador. In 2021, despite the government's efforts to eradicate it, gender violence registered its highest level in the context of the pandemic. In September 2021, the National System for the Eradication of Gender Violence was activated with participation of 22 State institutions, implemented with the assistance of the Spotlight Initiative with the financial support of the EU.

In 2021, the situation in Ecuador's penitentiary system became the most pressing human rights issue. Three massive violent riots took place within the prison system in February, October and November 2021, resulting in the death of over 300 prisoners, mostly due to inter-gang violent power struggle and incapacity of prison authorities to control the situation.

The government undertook important commitments regarding the registration and regularisation of the considerable migrant population, Venezuelan and other. The intention is to register all migrants (issuing a temporary residence document that would allow them to work) and organise a three-stage regularisation process that will reduce the vulnerability of migrants, including to trafficking in human beings.

During the presidential and general elections in 2021, a number of issues became apparent in their preparatory phase, including internal disputes within the institutions and allegations of corruption and undue political influence on the electoral authorities. Nevertheless, the elections were credible, inclusive and transparent, including a transmission and real time publication of results, which permitted to dispel allegations of fraud. The EU deployed a reinforced EU Electoral Expert Mission for the 2021 Presidential and General elections. The mission produced a report and elaborated a set of electoral recommendations.

In 2021, Ecuador continued the preparation of the National Action Plan on Business and Human Rights, with particular relevance to supporting policies that would ensure responsible conduct of companies, including towards communities where business operations take place, and in terms of labour rights.

**2. EU action - key focus areas:** The EU human rights and democracy priorities for the country include:

- Human rights defenders, including environmental defenders;
- Gender equality and women's rights;
- Non-discrimination on any grounds;
- Fighting impunity, improving quality and access to justice;
- Support independent media, access to information and fight against disinformation;
- Business and human rights;
- Integrity of electoral processes;
- Civil society oversight and accountability functions.

**3. EU bilateral political engagement:** In 2021, the second annual human rights dialogue between EU and Ecuador took place. The EU delegation also holds an annual meeting with human rights´ defenders, as well as regular meetings with the human rights institutions, human rights defenders and civil society organisations throughout the year.

The EU and the Member States address the EU priorities through a number of bilateral, thematic and regional projects, as well as through sustained communication and public diplomacy efforts.

The EU roadmap for engagement with civil society was adopted in 2014 and is updated every year. The roadmap and the work done by the EU and civil society in Ecuador is exemplary.

The EU supports the elaboration of the action plan through the Responsible Business Conduct in Latin America and the Caribbean (RBCLAC) project.

**4. EU financial engagement:** In 2021, the EU continued to manage three human rights projects that focused on protection of indigenous peoples, protection of persons in voluntary isolation, forced disappearance and extrajudicial execution (EUR 1 million) and two new actions with focus on human rights defenders ( for a total of EUR 850,000). A project financed by the Emergency Fund for Human Right Defenders/EIDHR Facility to support threatened human right defenders and indigenous and afro communities heavily affected by the COVID-19 (EUR 530,000) is ongoing.

Through CSO-LA thematic budget line, eight new projects contracted in December 2020 (EUR 5 million) have started implementation. All projects focus on water protection and biodiversity conservation and have a rights-based approach, a gender key indicator, and women at centre

of the action. There are 19 ongoing 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 rules-based international order. In 2021 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. Nevertheless, Ecuador has often aligned itself to the so-called "Like-Minded Group" for statements in the UN Human Rights Council and is therefore seen as relatively far away from EU positions.

Ecuador leads discussions within the United Nations on the possible development of an international agreement (legally binding instrument) on business and human rights. In 2021, a third revised draft was presented and discussed at the seventh session of the inter-governmental working group.

In January 2021, Ecuador ratified the ILO Convention 190 concerning the elimination of violence and harassment in the world of work.

## 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 have increased since the start of the COVID-19 pandemic. In particular, domestic violence against women and girls, including sexual abuse, is on the rise. Teenage and child pregnancy ranks as one of the highest in the region. Other challenges include corruption, organised crime, pressure on independent journalism, as well as lack of protection of vulnerable groups, such as children, indigenous communities, landless farmers, persons with disabilities, and LGBTI persons. The weak functioning of the justice system, including overcrowding and violence in prisons, and the excessive use of pre-trial detention continue to be of concern. The run-up to the municipal elections saw a significant increase in political violence compared with previous elections, including worrying indications of growing actions from narco groups.

With the COVID-19 pandemic, poverty and social inequality increased further, particularly in groups in vulnerable situations. The schools operating in virtual format affected mostly the students in poorer situations who did not have an internet connection or even a device to connect.

Some positive developments in 2021 included landmark Supreme Court sentences against members of a corrupt clan linked to ruling party members, and the conviction of a Catholic priest for sexual harassment against a young girl, as well as of nine members of the military for sexual harassment and child pornography. The Congress passed a bill that declared femicide as a national emergency, but the government still lacks resources to tackle the situation.

There was also some progress regarding the restitution of land or economic assistance by the government to indigenous communities, following a sentence of the Inter-American Court for Human Rights. However, a controversial law that increases the punishment for the illegal

occupation of lands was promulgated. The law was harshly criticised as it does not imply an actual solution to the land access problem and only benefits a few privileged wealthy landowners, including some who illegally inherited thousands of hectares under the Stroessner's dictatorship. The government presented a National Indigenous Peoples Plan, which aims to fulfil all the country's obligations to the rights of indigenous peoples.

**2. EU action - key focus areas:** In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focussed its efforts in Paraguay on: i) consolidating democracy, including through improving electoral processes; ii) transparency and fight against corruption; iii) promoting and protecting vulnerable groups (children, indigenous people and persons with disabilities), gender equality and prevention of discrimination.

Other EU priorities included promoting institutionalisation of human rights, judicial reform, fighting corruption and organised crime, and further enhancing transparency.

**3. EU bilateral political engagement:** In 2021, the EU continued to maintain contacts with all relevant stakeholders, including the government, human rights institutions and civil society organisations. It used its regular political dialogue with the government to communicate the importance it attaches to human rights and democracy, and human rights and democracy figured prominently on the agenda of the 12th EU-Paraguay Joint Cooperation Committee held in November. The EU called for the implementation of the recommendations of the 2018 EU Electoral Observation Mission, in particular regarding the representation of women in elected positions, the accompaniment of electoral processes by civil society, and the facilitation of the exercise of the right to vote for disadvantaged groups. The EU also stressed that much remained to be done on the rights of indigenous peoples, women's rights, gender discrimination and violence.

**4. EU financial engagement:** During 2021, the EU and its Member States continued to devote financial and non-financial means to support the EU human rights and democracy priorities.

Via an ongoing programme with International IDEA, the EU supported consolidating democracy, including through improved electoral processes. 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.

In 2021, the regional 'EL PAcCTO' programme remained highly relevant to Paraguay, that is considered as one of the most active partner countries, notably in the fight against organised crime, trafficking in human beings and money laundering. COPOLAD III (strengthening of drug policies in Latin America) was launched in February 2021. The program developed a 'road map' for the coming months, aimed at promoting dialogue between Latin America and the Caribbean and the EU, reinforcing the technical capacity of the National Observatories on Drugs and supporting the region in reducing the demand and supply of drugs. EUROFRONT organised a number of webinars in the first semester of 2021 on European integrated border management and smuggling at the Triple border (including the presentation of a Platform for the geo-referencing of illicit activities).

Within the framework of the European Instrument for Democracy and Human Rights (EIDHR), the project 'Right to identity through access to official documentation of indigenous people in Paraguay' was launched in March 2021, aiming to increase the political participation and access to public policies of the indigenous population. This project is being implemented in

cooperation with the Superior Court of Electoral Justice and the Paraguayan Indigenous Institute INDI and is linked to one of the EU Election Observation Mission recommendations from 2018. At the end of the project, there will be a census and the provision of official identity cards for nearly 38,000 indigenous peoples belonging to 19 ethnic groups.

Two other EIDHR projects implemented in 2021 focussed on supporting and strengthening civil society organisations, democracy activists and human rights defenders working on human rights and democracy in Paraguay, as well as on promoting territorial and environmental rights, and systems of prior and informed consultation and consent for indigenous peoples.

**5. Multilateral context:** Paraguay has ratified all core international and regional human rights conventions. The country went through its third Universal Periodic Review in May 2021. Recommendations made included the adoption of the legislation against all forms of discrimination, better protection of the rights of indigenous peoples, the protection of human rights defenders and journalists, combatting and punishing domestic violence against women, girls and adolescents, especially in times of COVID, and the prevention of girls' pregnancies. In the judicial area, it was recommended to combat corruption and impunity, and the lack of independence of the judicial system was raised. Many states congratulated the country for the computer system SIMORE (System for Monitoring of Recommendations), created to compile international recommendations (including those of the UPR) for which all local institutions are accountable, and for the legislation passed in the last period to advance human rights, among others, Law 5777 'On comprehensive protection of women against all forms of violence'.

Paraguay became a member of the UN Human Rights Council for the period 2022-2024.

## Republic of Peru

**1. Overview of the human rights and democracy situation**: The negative impact of the COVID-19 pandemic continued to affect all Peruvians, especially the poorest, with a tremendous human and social toll: more than 200,000 people died due to the pandemic; high rates of unemployment and hunger in both rural and urban areas and significant increase of gender-based violence. The country is now starting to recover slowly thanks to a successful vaccination process (in December 2021, more than 75% of Peruvians were vaccinated).

While the health tragedy was occurring, the country had also to pass through one of the most polarised electoral processes in its history. The process was observed by an EU Mission of Electoral Experts which concluded that it had been carried out in an adequate and transparent manner. Nonetheless, the electoral organisations endured unfounded attacks of fraud.

Despite the odds, Peru was able to move rather peacefully towards a new administration. However, the tensions between the Executive and the Legislature remain and generate risks of democratic instability.

The situation of human rights defenders, especially Amazonian indigenous people, is a source of concern. In 2021, five defenders were killed by organised crime (drug trafficking, illegal logging or mining, among others) that threatens their territories. These cases and others that occurred before remain largely unpunished. The government has made efforts to provide legislative protection to human rights defenders and protection mechanisms were created.

However, the underlying causes of violence against them, namely the advance of organised crime, also needs to be addressed.

According to official figures, in 2021, gender-based violence increased by 130%. 132 femicides were committed, 5,500 women and girls have been reported missing, 40% of women stopped using contraceptives because they could not access sexual and reproductive health care, cases of maternal death increased by 55% compared to 2019; and the number of girls under 10 years of age who became mothers tripled compared to 2019. Paradoxically, the same year, women lead the most important public institutions (Prime Minister, Attorney General, Supreme Court…) and the number of women elected to Congress has been the highest in the country's history.

**2. EU action - key focus areas:** The human rights and democracy policy priorities for Peru until 2024 include: i) democratic stability; ii) human rights defenders (particularly environmental defenders); iii) preventing gender violence and discrimination against women and LGBTI persons; iv) economic and social rights, particularly of the indigenous population and migrants; v) press freedom and the impact of new technologies.

**3. EU bilateral political engagement:** In April and June 2021, the EU sent an Election Expert Mission (EEM) to observe the legislative and presidential elections. A full-fledged Election Observation Mission could not be deployed due to the COVID pandemic. The EU EEM's conclusions on the fairness and transparency of the 2021 General Elections were highly expected and pivotal for the acceptance of the results. The EEM recommendations were well received by all political stakeholders and contributed to guarantee a peaceful transference of power.

HR/VP Borrell visited Peru in November. It was an important opportunity to give visibility to the EU's commitment to Peru. During his meetings (including one with civil society), the HR/VP reiterated the EU's interest to strengthen democracy in Peru.

The EU delegation organised and chaired the annual structured dialogue with civil society in December, and held several meetings with human rights defenders and government officials to address the deteriorating situation of environmental defenders.

**4. EU financial engagement:** The EU currently allocates a total of EUR 4.65 million to the protection of human rights in Peru via national and regional projects. The key focus includes the protection of human right defenders (EUR 1.9 million, six projects), the fight against trafficking in human beings (EUR 360,000) and the fight against corruption (EUR 360,000). A project is also being 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). Another project (EUR 400,000) is currently implemented to support the *Coordinadora Nacional de Derechos Humanos*, a national platform of 80 human rights organisations. In the field of democracy support, two projects aim to facilitate dialogue between authorities, society and academy and to monitor the election campaigns including disinformation and the use of social media.

At regional level, Peru is also participating 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 'Adelante con la diversidad sexual' project which seeks to guarantee security and access to justice and participation of LGBTI persons (EUR 1.9 million). Two regional projects (Peru –

Colombia) focus on promoting justice and support victims of torture and extrajudicial killings (EUR 2 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.

The EU is implementing a budget support programme (EUR 14 million) for health sector reform implementation, in particular to promote universal access to quality health services for the general population, migrants and refugees. Peru is also participating in several regional projects (ECHO, Crisis Response / LRRD, Mieux, Erasmus) aimed at building resilience, addressing the needs and promoting the integration of the Venezuelan population in Peru.

**5. Multilateral context:** Peru was elected member of the UN Economic and Social Council (2022 – 2024). As a like-minded country, as well as a confirmed defender of multilateralism, Peru often aligns with EU positions in multilateral fora. In the framework of the upcoming Universal Periodic Review (UPR) of Peru in 2022, the EU, together with the UN and the UPR Peru Collective, supported several meetings aimed to prepare civil society's contributions to the process, as well as to disseminate its previous recommendations and promote their implementation.

For the International Human Rights Day, the EU and the UN Human Rights Office in Peru paid a visit to Ayacucho, where most of the human rights violations took place during the period of internal violence (1980-2000). The main objective of the visit was to highlight the importance of places of memory as reparation for past human rights violations and to acknowledge the contribution of National Association of Relatives of Kidnapped, Detained and Disappeared of Peru to the human rights movement in Peru.

## The Oriental Republic of Uruguay

**1. Overview of the human rights and democracy situation:** The overall human rights situation in Uruguay remains positive and stable. Uruguay is reportedly the most democratic and transparent country in the region, with a legal framework ensuring effective protection of human rights and robust implementation of democratic principles. Human rights defenders, whether from international bodies or from civil society, enjoy good legal and political environment to operate. The CSO environment is well organised; nevertheless, a relevant constraint for these organisations is access to financing.

One of the most persistent human rights challenges for Uruguay is the high rate of domestic violence against women and gender inequalities in public institutions and private companies. Other deficiencies remain in the living conditions in detention centres, and the reintegration of prisoners, the rights of the child, discrimination against Afro-descendants, the LGBTI persons and migrants. In addition, efforts are required to preserve safe drinking water and to monitor land issues, the impact of climate change, environmental degradation and loss of biodiversity. The COVID-19 pandemic has deepened structural inequalities, especially affecting vulnerable sectors.

**2. EU action - key focus areas:** The human rights and democracy priorities for Uruguay include:

- Gender equality and women's rights: to combat all forms of sexual and gender-based violence against women and girls, to promote gender equality and combat discrimination and to increase women's economic empowerment and political participation;
- Rights of the child: to promote the protection of children from all forms of violence, abuse and neglect;
- The situation of persons deprived of liberty: to raise awareness about their poor living conditions and to encourage their economic and social reinsertion. To strengthen the capacity of CSOs working with persons deprived of liberty;
- Environmental degradation and loss of biodiversity: to promote the protection, access and use of natural resources, to support communities affected by environment and climate change and monitoring by NGOs. To promote citizens' awareness of environment and climate change issues, their participation and access to environmental justice.

**3. EU bilateral political engagement:** During 2021, the EU Delegation and the EU Member States represented in Uruguay engaged with and consulted CSO representatives, Government, and UN organisations to prepare the Team Europe 'Country Roadmap of EU engagement with Civil Society', as well as on the pre-programming exercise of cooperation funds for the 2021-2027 period, among others. The new roadmap contains stronger focus on the role of civil society in the areas of EU strategic interest like the Green Deal, digital transformation, and human rights.

The Head of EU Delegation accompanied by EU Member States' Ambassadors presented the EU priorities for Uruguay at a conference gathering CSOs, government, international organisations and media representatives; in the closure of this event, the winner of the fourth edition of the EU Human Rights Award in Uruguay was announced.

Successful activities to raise awareness on gender equality and women's rights were: i) Europe Day publication 'The EU and Uruguay: together for gender equality', ii) The initiative of the Stock Exchange 'Ring the Bell for Gender Equality', 3) The prize giving ceremony 'Talent has no gender'.

**4. EU financial engagement:** The EU is financing the following projects in Uruguay:

- "Uruguay mira la trata" (EUR 450,000) studies trafficking in human beings;
- "Cooperación con equidad" (EUR 400,000) empowers the political participation and the socio-economic rights of women working in the cooperative sector;
- "Horizonte de libertades" (EUR 530,000) contributes to the social, economic, cultural and political integration of discriminated LGBTI persons, persons living with HIV+ and adolescents deprived from liberty;
- "Más Conocimiento, Más Participación, Más Derechos" (EUR 520,000) promotes the full exercise of children's and adolescents' rights;
- "Win-Win: gender equality is a good business" (EUR 1 million) promotes gender equality in the private sector. So far, more than 110 Uruguayan enterprises committed to implement women empowerment principles;

- "Fortalecer, Participar, Incidir" (EUR 400,000) strengthening the capacities of CSOs, networks and coalitions to formulate, execute and monitor public policies with a human rights approach;

- "InsPYraMe" (EUR 450,000) promoting economic rights of women/youth by fostering the creation/strengthening of SME in the framework of the future EU-Mercosur Association Agreement.

The focus of the European Instrument for Democracy and Human Rights (EIDHR) in 2021 was gender-based violence with three projects approved for a total of EUR 1.2 million: i) "Autonomías colectivas contra la violencia de género" with a focus on support to victims; ii) "Enfrentamos las desigualdades y violencias" with focus on prevention. iii) "Por una convivencia en paz" - multidimensional support to victims, education, vocational training, social support.

Two new CSOs projects were awarded in 2021 for a total of EUR 1 million: "Nada crece a la Sombra" on socio-economic reintegration of women deprived from liberty and "Strengthen the role of the cooperative system" on promoting employment and income generation, fostering sustainable production and consumption to face 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. Uruguay is a UN founding member and is one of the largest per capita contributors of forces globally to UN peacekeeping missions. 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 and has set up a voluntary dialogue with stakeholders due to meet on a yearly basis. It was member of the UN Human Rights Council for the period 2019-2021.

Uruguay is also a staunch supporter of the Inter-American Human Rights system. The Uruguayan lawyer Ricardo Pérez Manrique was elected President of the Inter-American Court of Human Rights (2022-2023).

## Republic of Venezuela

**1. Overview of the human rights and democracy situation:** Venezuela continues suffering an acute multifaceted crisis that severely hinders its human rights and democracy situation. The complex humanitarian emergency that is ongoing since, at least, 2016, has led around 6 million Venezuelans to flee their country and this number is expected to continue growing throughout 2022. The distribution of humanitarian assistance by domestic NGOs and international agencies has partially helped to alleviate the population's suffering, but the needs are far from covered. As reported by the UN High Commissioner for Human Rights, as well as national and international civil society organisations, millions of Venezuelans are unable to access basic healthcare and adequate nutrition.

Despite some positive signs, including the appointment of a most balanced National Electoral Council and the presence of an EU Electoral Observation Mission for the 21 November regional elections for the first time in more than 15 years, the political crisis continues eroding the country's institutional fabric. The crackdown on political dissent and independent civil society, the lack of effective mechanisms to hold accountable perpetrators of human rights violations,

the corruption networks or the abuses committed against opposition candidates running for office, are just some of the impediments that hinder the restoration of the democratic order in Venezuela and the respect of human rights and fundamental freedoms. The NGO Foro Penal reported an overall of 44 arbitrary detentions on political grounds during 2021 bringing the total number up to 244 arbitrary detentions by the end of that year. The OHCHR continue receiving allegations of killings of indigenous peoples and threats to indigenous leaders in particular in mining areas and areas controlled by non-state armed groups.

Civil and political rights are often undermined by censorship, the lack of independent media covering political and economic news in TV and radio, or the fear of repression by security forces. The crimes committed by law enforcement and military officers go unpunished most of the time, and when they do, only low-ranked officers are held responsible for the crimes.

**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:

- Promoting fundamental freedoms and strengthening civic and political space;
- Reinforcing economic, social, cultural and labour rights;
- Promoting transparent, inclusive, accountable, participatory, and representative decision-making;
- Supporting independent and pluralistic media, access to information and the fight against disinformation;
- Enhancing democratic, accountable and transparent institutions.

**3. EU bilateral political engagement:** The EU has not spared its efforts to contribute to a peaceful and democratic solution to the Venezuelan crisis, including through the EU-sponsored International Contact Group on Venezuela. In this context and in response to an invitation from the National Electoral Council of Venezuela, HR/VP Borrell decided to deploy an EU Electoral Observation Mission (EOM) to the regional and local elections of 21 November. The EU stands ready to engage with the Venezuelan authorities for a properly follow-up to the EU EOM's recommendations as contained in its final report.

On 14 November 2021, the Council extended the validity of the targeted restrictive measures on 55 Venezuelan officials responsible for serious human rights violations and/or undermining democracy and the rule of law in the country.

In Venezuela, the EU and its Member States actively engage in public diplomacy to promote the EU's democratic and human rights values, prioritising the support to independent civil society and relevant stakeholders.

**4. EU financial engagement:** In 2021, more than half of EU's projects were dedicated to activities contributing to human rights and democracy. Seven ongoing projects focused on strengthening civic and political space, covering issues such as: capacity building of women's organisations to participate in public policies, building resilience of civil society to carry out their human rights work, through strengthening their self-protection capabilities, supporting initiatives of human rights organisations and women human rights defenders, human rights education among young people, and monitoring the levels of violence throughout the country by building a network of national violence observatories. At the end of 2021, the EU approved a new project with a consortium of Venezuelan and European CSOs, for a package of support to human rights defenders in Venezuela. The project will provide a comprehensive package of

actions of monitoring the work environment for human rights defenders, capacity building and urgent assistance, legal and psychological support.

The EU delegation managed six projects covering economic and social rights. These interventions, implemented by Venezuelan CSOs, UN agencies and the International Federation of Red Cross and Red Crescent Societies (IFRC), provided nutrition and food security for vulnerable populations, water and sanitation, and built community resilience. The projects implemented by Venezuelan CSOs strengthened health services and provided C19 protective equipment to medical staff throughout the country. One project has also set up a mechanism of alternative monitoring of the epidemiological situation and access to medicines of the population, in the context of absence of reliable information from official sources. At the end of 2021, the EU approved three projects to support rehabilitation of basic services (including water and sanitation) and economic empowerment of vulnerable populations, on the basis of community level participation.

Two projects support media freedom and fight against disinformation. One project focuses on comprehensive support to improve 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. The second project, implemented by a Venezuelan CSO, focuses on a mechanism to combat disinformation combining online fact checking tools and various educational resources for different audiences on how to identify disinformation.

For the second year in a row, the EU has been the main donor to the OHCHR work in Venezuela since the office established a presence in the country in September 2019. EU support has focused mainly on the OHCHR's work with civil society and human rights defenders.

**5. Multilateral context:** Efforts by the multilateral human rights fora have been remarkable. Since the establishment of an OHCHR permanence presence in Caracas, High Commissioner Bachelet has regularly provided updates on the technical cooperation with the authorities (under item 2 of the HRC agenda), and on the human rights situation (under item 4 of the HRC agenda) every 3 months. Once per year, the OHCHR presents a comprehensive report on these two items. Furthermore, the UN Fact-Finding Mission on Venezuela also updates the Council on a regular basis and presents an annual report on the human rights situation in the country.

Following an in loco visit in November, the ICC's Prosecutor Karim Khan announced that a formal investigation would be opened on alleged crimes against humanity committed by Venezuelan authorities in the framework of anti-government protests.

## Jamaica

**1. Overview of the human rights and democracy situation**: In addition to COVID-19, crime posed a major challenge for the government and people of Jamaica in 2021. In its annual Homicide Round-Up, InSight Crime reports that Jamaica had the highest homicide rate in the Latin America and Caribbean region at 49.4 per 100,000 people in 2021 (and thus one of the highest in the world).

To combat the problem, in November, the government imposed States of Public Emergency (SOEs), which allowed for the deployment of the army alongside the police, in seven police divisions with high murder rates. This was done despite the parliamentary opposition's argument and a Supreme Court ruling that their use as a crime-fighting tool is unconstitutional

(the government has appealed the Supreme Court ruling). However, the SOEs ended after two weeks as the opposition senators did not support the resolution seeking an extension when it was brought before Parliament. Prime Minister Andrew Holness subsequently announced that there would be a comprehensive review of Jamaica's Constitution, beginning in 2022, to rectify gaps in the law exposed by the COVID-19 pandemic and the crime situation.

In the meantime, the government continued to utilise another special security measure called Zones of Special Operations (ZOSOs) to address rampant violence. In addition to the immediate crime containment component, the ZOSOs promote community development through social intervention initiatives in communities where the operation exists. At the end of 2021, there were five such ZOSOs in operation.

Jamaica placed 70th out of 180 countries in the 2021 Transparency International corruption ranking, with a score of 44 in its corruption perception index (CPI). There are encouraging signs that the government and the society are serious about addressing the problem. The Major Organised Crime Agency (MOCA) became an independent body in April 2021. Its primary focus is tackling corruption in the public sector and bringing high-value criminal targets to justice. In addition, key stakeholders, including civil society organisations and the media, continue to put corruption issues on the public agenda and promote transparency and accountability.

Jamaica ranked 7th on the 2021 World Press Freedom Index, leading Reporters Without Borders to conclude that Jamaica generally enjoys widespread respect for freedom of information and continues to rank among the safest countries in the world for journalists.

Jamaica is taking important steps to address gender inequality and end gender-based violence. The government has been placing increased focus on increasing the number of women members of parliament. Women comprise 38% of appointees to the Senate and 29% of the House of Representatives.

On the legislative front, the country recorded a number of important positive developments such as the passing of the new National Identification and Registration Act 2021 in October. The intent of the new Bill is to provide a single digital identification for each citizen and improve the ease of doing business. Parliament also approved the Disabilities Regulations in October 2021. Further, the lawmakers passed the Sexual Harassment Bill.

The question of Maroon political and legal status was put back on the public agenda in 2021 when a when a group of Maroons chased armed police officers from their settlement, with their leader claiming sovereignty from the Jamaican State. The matter generated much discussion but the longstanding questions remain largely unresolved.

**2. EU action – key focus areas:** The EU is a major partner of Jamaica. During the year, the EU support focused on priority areas, such as:

- strengthening democratic institutions;
- protecting and empowering individuals, (especially those considered most vulnerable);
- promoting gender equality and fighting gender-based violence;
- non- discrimination;
- ensuring access to justice.

**3. EU bilateral political engagement:** The yearly EU-Jamaica political dialogue provides an opportunity to review the human rights situation at a high level; however, due to COVID-19 restrictions, the 2021 dialogue did not take place. Yet, human rights concerns were raised in

meetings with relevant members of the government, public officials and in the media (issues like ending capital punishment, and gender-based violence).

**4. EU financial engagement:** EU financial engagement on human rights included support to address gender-based violence, contribute to health system strengthening, improve vaccine equity, citizen security, undertake justice reform, build climate resilience, as well as support to civil society.

Under the EU-UN Spotlight Initiative, Jamaica benefits from a EUR 8 million envelope, with a focus on family violence, which mostly affects women and girls, including the opening of an additional shelter for victims of family violence and the Domestic Violence I-care centres across the island to improve the ability of the police to respond to gender-based violence.

To promote economic well-being and enhance people's quality of life, support was also provided to the government under the Poverty Reduction Programme to develop two tools needed to optimise social development initiatives in poor and violence-prone communities. The Caribbean Policy Research Institute, with EU support, conducted several pieces of research on key and sometimes controversial social issues with implications for human rights. This has helped to promote evidence-based dialogue and public debate.

The government received a contribution of EUR 10.2 million in grant funds to support its health systems strengthening programme. The funds will support construction and upgrading of primary healthcare facilities in select rural communities. This will bolster the country's capacity to address the issue of non-communicable diseases.

The Support to Citizen Security budget support programme, worth EUR 20 million, is contributing to the sector governance reform focusing on inter-ministerial coordination, sex-disaggregated data collection and monitoring and evidence based decision-making to improve service delivery and prevent crime and violence in the most vulnerable communities.

The Justice Reform Programme valued at EUR 24 million, which commenced in 2016, ended its support components in 2021.The programme supported the activation of the Justice Reform Implementation Plan 2015-2020. It helped improve the quality of service delivery and access to the justice sector, as well as the treatment of children in the criminal justice system.

Under the Justice Security Accountability and Transparency Project that ended in May 2021, 19 courthouses comprising 78 courtrooms were outfitted with high tech video link and digital audio recording equipment to improve efficiency and reduce case backlog. In addition, the customised electronic case management system provided under the project will replace the largely paper-based system and facilitate the digitisation of court records. The improvements to court infrastructure and increased use of technology are helping to reduce inefficiencies and ensure that more people, especially the most vulnerable, can claim their right to justice.

The EU continued to provide funding to active civil society organisations to strengthen their capacity to hold the government accountable, such as the National Integrity Action (NIA) and the Jamaica Accountability Meter Portal (JAMP). Under the European Instrument for Democracy and Human Rights (EIDHR), support was provided to advance the rights of groups in vulnerable situations, including persons in detention and LGBTI persons. In addition, through the Link-UP programme, Fight for Peace (Jamaica) received support to strengthen the capacity of youth leaders and organisations to advocate on human rights issues affecting young women and men in communities where states of emergency exist to fight crime.

**5. Multilateral context:** Jamaica's voting patterns in international fora are often aligned with the EU and/or its Member States on the protection and promotion of human rights, the rule of law, and democracy.

The UN Human Rights Council adopted Jamaica's Universal Periodic Review (UPR) outcomes on 17 March 2021. Jamaica accepted 120 and noted 50 of the 170 recommendations that it received during the UPR process in November 2020. During the discussions, delegations commended Jamaica for the high number of accepted recommendations while encouraging Jamaica to abolish the death penalty, tackle impunity to abuse by police and security forces, especially in the context of COVID-19. Some speakers mentioned the need for a more consolidated national response to violence against children, improved gender identity protection, and called attention to homophobic laws that negatively affect Jamaica's LGBTI persons. In its presentation, Jamaica reported progress in the areas of gender equality, including the 2016 Gender Equality Seal Programme, and an increased focus on improving the number of women in leadership positions.

## Mexico

**1. Overview of the human rights and democracy situation:** Despite some progress such as on gender parity in government structures and the Congress, on the rights of LGBTI persons, or on the decriminalisation of abortion, Mexico continues to face enormous human-rights challenges, exacerbated by the pandemic and characterised by a fragile security situation. The most significant threat remains organised crime, including in some places its influence on official structures at the municipal and State level. Municipal police forces remain vulnerable to threats, corruption and co-option by organised crime groups, and a failure to strengthen the justice system maintains impunity at very high levels. The ever-stronger reliance on the Armed Forces (increasingly entrusted with non-security tasks) has not substantially improved security and raises concerns as to the civilian oversight of the security system. The fight against corruption has focused on a number of judicial investigations of cases from past administrations rather than on institutional strengthening, and Mexico is not making progress in this area according to the latest Transparency International index.

Women and girls, as well as children and teenagers are particularly exposed to human rights violations. The rising numbers of femicides, assassinations of journalists and human rights defenders require decisive action to crack down on those responsible for these crimes and prevent new cases. Attacks against journalists are a challenge to freedom of expression. In this context, many journalists complain that they receive more criticism than support from authorities. The visit of the United Nations Committee on Enforced Disappearances (CED), due since 2013, was a highly welcome development. Its report, scheduled for release in April 2022, should serve as a roadmap for the administration to address the issue with the international community's support.

Sharp increases in migration flows from Central America, due to large secondary movements of Haitian migrants from South America, tested further Mexico's capacities, with over 130,000 asylum applications in 2021 (three times higher than in 2020). While Mexico's policy remains generally welcoming towards migrants, frontline organisations such as the Commission for the Attention of Refugees (COMAR) lack sufficient financial and human resources and are still heavily dependent on international financial support. Non-admission or deportations by or from the US, including in the framework of COVID-related Title 42 measures and the

resumption of the 'Stay in Mexico' policy (that obliges the return of migrants to Mexico while they await their asylum procedure in the US) added pressure on Mexican authorities' ability to manage the precarious situation at the Northern border. It also led to more deportations to Central American countries, not always in line with international protection standards.

**2. EU action - key focus areas:** Beside cooperation with Mexican authorities, the EU engaged with civil society organisations (CSOs), including with groupings of families of victims of enforced disappearances, as well as with international actors like the OHCHR and UNHCR (Mexico) or the Inter-American Commission for Human Rights. Ad hoc meetings were held following media revelations of past widespread use of the digital surveillance tool Pegasus in Mexico and on local human rights concerns in Chiapas, Guerrero and Chihuahua. The EU was in regular contact with journalists and human rights defenders (HRDs) offering in particular support through EU emergency grants to those who are threatened. The EU and OHCHR worked on joint initiatives such as a communication campaign on HRDs with the Ministry of Interior and the Presidency. The Head of EU Delegation conducted various trips across Mexican States where human rights issues were discussed. In addition, a visit of EU Heads of Mission to Chiapas in November 2021 addressed many human rights issues relevant to that State.

The EU conducted social media campaigns on the International Day for Victims of Enforced Disappearances (30 August) and on the International Human Rights Day (10 December), when EU Member State Ambassadors met with five environmental HRDs from different states (Yucatán, Morelos, Oaxaca, Puebla, State of Mexico). A virtual EU-Mexico Think Tank Dialogue on 'Protecting and Promoting Human Rights in the age of new technologies' in October analysed technological threats to human rights and identified common key challenges in public policy and regulation. During 2021, the EU and Member States issued 10 local statements condemning assassinations of journalists and HRDs, as well as a statement on the identification of the remains of one of the 43 missing students in the 2014 Ayotzinapa case. During 2021, four joint (EU and Member States) articles were published in Mexican newspapers that covered gender equality, freedom of expression, migration and refugees.

**3. EU bilateral political engagement:**

*EU-Mexico-CSO Trilogue (2 June):* The agenda followed the recommendations by civil society organisations from the human rights dialogue held in 2020: rule of law, protection of HRDs, violence and discrimination against women and LGBTI persons, rights of persons belonging to groups in vulnerable situations (migrants, children and indigenous people), business and human rights. The meeting reviewed implementation of the CSO recommendations.

*EU-Mexico High-Level Dialogue on Justice and Security (11 May).* The EU side highlighted the importance of preserving the role of independent institutions, the independence and impartiality of the judiciary, the fight against corruption, monitoring the militarisation of public security, protecting journalists and HRDs, addressing the high levels of impunity and promoting civil society's work to preserve a strong and vibrant democracy.

*Visit by a delegation of five Members of the European Parliament from three political groups (EPP, S&D, Renew) on 28 - 30 October.* The visit reaffirmed the EU's commitment to work with Mexican authorities to protect human rights and discuss these challenges with all stakeholders. Human rights issues and migration were discussed in meetings with CSOs and UN agencies (UNHCR, IOM, UNICEF), while EU support in providing shelter to women victims of abuse and violence was highlighted by a visit to an EU-financed project.

*EU-Mexico High-Level Political Dialogue (9 November).* The meeting confirmed the strategic ties based on the adherence to the rule of law and human rights. Both sides recalled the Leaders' Declaration of the G20 Summit in Rome and reaffirmed their commitment to multilateralism to face global challenges such as the COVID-19 pandemic and climate change.

*Visit of the EU Heads of Mission to the State of Chiapas (11 - 13 November).* Meetings and visits focused in particular on the human rights situation and the management of migration flows at Mexico's southern borders. EU concerns, questions and cooperation were discussed in meetings with CSOs, federal and local authorities, including the governor, and were also raised during a press conference.

**4. EU financial engagement:** The EU continued to lend widespread support to Mexican authorities and CSOs on human rights issues. The EU keeps supporting the Federal Mechanism for Protection of Human Rights Defenders. On migration, the EU works with the National Institute for Migration, COMAR, UNHCR, ILO, UNICEF and CSOs to offer accommodation to migrants, protect the vulnerable, provide training to officials and contribute to labour and social inclusion (for more than 15,000 refugees and their families to date). Within the framework of the EU-funded regional programme 'Europe Latin America Technical Assistance Programme against Transnational Organised Crime' (EL PAcCTO), a meeting of the LYNX Network on trafficking in human beings involving EU and Latin American partners took place in October. Work started with the Ministry of Interior under the EUROSOCIAL project to fight sexual exploitation and trafficking of children.

The EU-UN Spotlight Initiative to address violence against women and girls, which has been implemented in Mexico (with Chihuahua, Guerrero and Mexico State as pilots) since May 2019, will start its second phase. Meanwhile, EUROSOCIAL supports activities on women's rights in Sinaloa and Yucatán. The EU supports the Ministry of Interior in designing a programme for the professionalisation and internal control of the career and work of public prosecutors, as well as the training of judges to incorporate a gender dimension.

In addition to the 14 ongoing European Instrument for Democracy and Human Rights projects, the EU funded four more projects in 2021. Three are focused on disappearances, one of which aims to establish and extend the methodology of the Human Identification Centre in Coahuila to the states of Jalisco and Sonora, and a fourth one on the protection of human rights defenders in particular from digital threats.

**5. Multilateral context:** A strong advocate of multilateralism, Mexico has had a dense agenda in 2021 as a member of the UN Security Council (2021-2022), the UN Human Rights Council (2021-2023), ECOSOC (2021-2023) and G20, as well as through its participation in COP 15 (Biodiversity) and COP 26 (Climate change). Mexico co-hosted the Generation Equality Forum, also stressing its focus on a feminist foreign policy.

Mexico advocated for international solidarity and global equitable access to medicines, vaccines and medical equipment in many fora (including UNSC, UNGA, WHO, G20, HRC) and for universal recognition of all vaccines approved for use by the World Health Organization. During its leadership of CELAC, Mexico adopted a regional stance on securing access to vaccines in light of difficulties faced by many countries in the region to procure them. Mexico's membership of the UN Security Council in 2021-2022 was an opportunity to highlight topics such as gender inequality, trafficking of small arms and fight against corruption and poverty.

## Nicaragua

**1. Overview of the human rights and democracy situation:** Nicaragua's human rights and democracy situation deteriorated sharply in the run-up to the presidential and parliamentary elections on 7 November 2021, and continued throughout the end of the reporting year. The polls were widely seen as illegitimate[16].

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 continued. The three pieces of restrictive legislation adopted in 2020 on foreign agents, cybercrimes and people's sovereignty were used to incarcerate over 50 political opponents, journalists and civil society activists – many more had to flee the country. Almost 60 CSOs have been forced to cease their activities, or have had their legal entities cancelled and their assets and accounts seized by the government. Several media houses were occupied by police and seized, over 50 journalists fled into exile.

Nicaragua's justice system has mutated into an arm of repression at the whim of President Ortega: an amendment to the Code of Criminal Procedure of February 2021 has allowed prosecutors to request detentions for up to 90 days without charge, and has since been applied by the courts in most of the cases against dissidents. The charges filed by the Attorney General's Office against most of the detainees lacked basic due process guarantees, such as failing to identify specific acts by the defendants to support charges (*inter alia*, "conspiracy to undermine national integrity") in at least 14 cases.

The prison conditions in the notorious *El Chipote* detention centre, where the 36 principal figures among the 170 political prisoners are locked up, are harsh, with inmates being detained in isolation, being denied proper medical care, blankets, hygiene products and food, being interrogated constantly, left without legal assistance etc. A number of prisoners are elderly, with several suffering from medical conditions for which they do not receive proper care. Prisoners are emaciated. Visits by family members are few and far between and take place in humiliating conditions.

Violence against indigenous peoples and the state's failure to respect, protect and enforce their rights, in particular to comply with its legal obligation to protect the legal ownership of the lands by the indigenous communities, continued with reports about massacres in January, March, May and August resulting in at least 20 deaths in 2021. Deforestation, particularly in these areas, continued unabated to make way for Nicaragua's growing meat industry, displacing indigenous peoples violently while also jeopardising biodiversity and undermining resilience against climate change.

Women continue to face systemic discrimination and aggressions. As many as one in four women are raped and 83% of sexual violence cases are against girls and adolescents under 18 years old, and 33% against girls under 12 years old. Gender-based violence and femicides continued unabated: 71 femicides were registered by CSOs in 2021, the same number as in 2020 but with a rise in frustrated femicides from 115 to 140.

[16] https://www.consilium.europa.eu/en/press/press-releases/2021/11/08/nicaragua-declaration-by-the-high-representative-on-behalf-of-the-european-union/

The COVID-19 pandemic has added another target of government repression: health workers who advocated transparency against the systematic misinformation by the government.

Food insecurity affects some 26% of households. Poverty is estimated to have increased from 13.5 % in 2019 to 14.6 % in 2021[17]. As a result of repression and economic crisis, migration from Nicaragua to the US increased 16-fold in 2021 compared to 2020 (over 50,000), while exiles in Costa Rica also increased sharply.

**2. EU action - key focus areas:** 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*: supporting 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 rollback 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 (engagement of the EU Special Representative for Human Rights Eamon Gilmore, EU statements, local outreach and dialogue as well as sanctions) with targeted programmes of support.

**4. EU financial engagement:** In 2021, the EU approved three new projects designed to address human rights priorities in the country, namely the fight against gender-based violence and support to indigenous peoples for a total amount of EUR 1.6 million. Projects approved in 2020 continued implementation with some delays caused by the COVID-19 pandemic, as well as the impact of the increased repression against civil society organisations.

**5. Multilateral context:** 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. The current human rights situation in Nicaragua is widely addressed in the multilateral fora such as the Organization for American States and the Inter-American Commission on Human Rights[18], and the UN Human Rights Council (HRC). Since 2019, the High Commissioner has been regularly updating the HRC on the human rights situation in Nicaragua, where the EU raised the human rights situation in Nicaragua in its general debate statements in March, June and September 2021.

The resolutions on Nicaragua enjoyed the full support of the 27 EU Member States and the EU remained supportive of continuing the OHCHR's monitoring mandate also in the future. On 3 June 2021, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, called on the Government of Nicaragua to put an end to increasing attacks by its security forces against human rights defenders, and to stop detaining them arbitrarily.

[17] https://www.worldbank.org/en/country/nicaragua/overview#1
https://www.statista.com/statistics/983083/income-distribution-gini-coefficient-nicaragua/

[18] https://www.oas.org/en/iachr/reports/pdfs/2021_Nicaragua-EN.pdf

## Republic of Panama

**1. Overview of the human rights and democracy situation**: Panama attaches great importance to meeting its human rights obligations and shows cooperative attitude in fulfilling its human rights commitments towards international monitoring mechanisms. The promotion and protection of human rights is a central priority within the political system of Panama, giving a constitutional rank to international standards aimed at promoting and protecting human rights.

Nevertheless, with respect to democracy and the rule of law, Panama ranked globally 71st across 139 countries in 2021[19]. Panamanian democratic institutions are in need of further reinforcement to combat corruption, improve transparency and avoid impunity. Strengthening public order and security are also a precondition for the realisation of rights and freedoms. One of the major human rights challenges is the situation of irregular migrants under the custody of the Panamanian State in the provinces of Chiriquí and Darién. Panama is experiencing high migration pressure coming from its Southern border with more than 130,000 persons irregularly crossing the Darien Gap in 2021, mainly Haitian, Cuban and Venezuelan nationals on their way to North America. The country is making remarkable efforts to respect the human rights of migrants, providing them with humanitarian assistance including access to healthcare and nutrition.

Other areas of attention for Panama are the discrimination of LGBTI persons, especially during the COVID-19 pandemic; gender-based violence; the rights of prisoners and persons deprived of their liberty; and the dire situation of children in shelters for minors ('*albergues*'), which is also due to an insufficient legal framework to protect their human rights. The work on a better child protection has been called for and some legislative proposals were being addressed in the National Assembly of Panama. In addition, the COVID-19 pandemic has been detrimental to human rights and democratic values, having a negative impact on the freedom of assembly and freedom of expression, freedom of the press, and endangering the transparency of government decisions.

**2. EU action - key focus areas:** The EU's priorities for human rights action in Panama for until 2024 include:

- Continuing cooperation with the Panamanian State to promote and protect human rights by building an inclusive and resilient democratic society;
- Empowering civil society in promoting human rights, supporting vulnerable groups, including LGBTI persons, migrants, refugees and persons belonging to minorities, especially indigenous and afro-descendants groups;
- Focusing on digital inclusion/connectivity and capacity-building for persons in vulnerable situations;
- Taking action in combatting all forms of sexual and gender-based violence, including the promotion of gender equality and women's rights, and combatting discrimination;
- Cooperating to reinforce the institutional capacities of State bodies, with a particular focus on the Judiciary, to combat corruption and increase transparency.

[19] World Justice Project (WJP) Rule of Law Index: https://worldjusticeproject.org/rule-of-law-index/country/Panama.

**3. EU bilateral political engagement:** EU-Panama relations are grounded in the commitment to promote, protect and respect human rights and fundamental freedoms by generating spaces for coordination between government actors and non-governmental organisations. Both the EU-Central America Political Dialogue and Cooperation Agreement and the EU-Central America Association Agreement are founded on the respect for democratic principles, human rights and the rule of law.

The EU Delegation to Panama has been actively communicating, raising awareness and promoting human rights and democracy through several public campaigns and events, e.g. the co-sponsorship of the Bannabafest International Human Rights Film Festival aiming to raise awareness of the correlation between human rights and the environment. Similar action was undertaken in the context of the International Women's Day and the International Day for the Elimination of Violence against Women, in coordination with EU Member States, the Panamanian authorities and local human-rights advocates from civil society.

**4. EU financial engagement:** The EU will pursue its priorities focusing European Instrument for Democracy and Human Rights (EIDHR) resources on three key intervention areas with a strong cross-cutting impact on the majority of political and operational priorities. These include i) enhancing the protection of human rights in the process of digital transformation; ii) strengthening civil society in the fight against impunity and in fostering accountable and transparent governance; and ii) parliamentary strengthening through the EU's pilot project INTER PARES – "Parliaments in Partnership".

**5. Multilateral context:** During 2021, Panama made its voice heard in the UN General Assembly Third Committee (on social, humanitarian and cultural issues) in promoting human rights and remained a reliable partner for the EU in promoting freedom of religion or belief, the rights of the child and condemning gender-based violence against women and girls. However, the Inter-American Commission on Human Rights (IACHR) expressed concern after receiving reports of acts of violence and discrimination suffered by trans- and gender-diverse people in Panama based on their gender, in the context of the containment measures in place during the COVID-19 pandemic. The IACHR called on Panama to take immediate action to respect and guarantee the human rights of transgender and gender-diverse people within a framework of equality and non-discrimination. The Ombudsman of Panama has classified these acts as human rights violations, notably of the right to non-discrimination and the prohibition of arbitrary detentions.

In early 2021, Panama also committed to examining and implementing some of the recommendations received during the UN Universal Periodic Review held in November 2020.

## 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 rights are generally respected and credible, transparent and inclusive elections were held in 2020. The CARICOM election observation mission concluded that Suriname's electoral system is essentially sound.

Suriname has abolished the death penalty and is relatively advanced on the protection of the rights of LGBTI persons. There is no legal prohibition of same-sex relations. However, elements of discrimination remain, such as the lack of 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 was ranked 19th on the World Press Freedom Index in 2021. Reporters Without Borders noted that, with few attacks on journalists and a varied media landscape, Suriname gets positive 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. In addition, some isolated but serious incidents took place in 2021, including allegations of brutal treatment by some members of the Vice-President's close-protection team.

The new government has declared a firm commitment to improve the human rights situation in the country and some progress has already been achieved. On 16 November 2021, Suriname became part of the United Nations Convention against Torture (UNCAT). On 18 November, Suriname joined the United Nations Convention against Corruption. Suriname has taken steps towards amending the Military Penal Code to abolish the death penalty. On 21 April 2021, the Council of Ministers approved the Bill amending the Military Penal Code, which is now submitted to the State Council and will then be tabled in Parliament.

It has been noted by the international community that the Government lacks the resources to effectively combat trafficking in human beings, especially in hard-to-reach forested areas. As a result, the full scope of trafficking in human beings occurring in Suriname is unknown, with most cases believed to be going unreported or un-investigated. Initiatives to promote gender equality and women's empowerment and to combat domestic violence generally have remained at the level of policy formulation and the establishment of coordination structures between ministries and agencies, but have failed to be properly implemented.

**2. EU action – key focus areas:** The EU prioritises its action in Suriname in the following areas:

- women's rights and the rights of the child, including domestic violence;
- social and economic rights of indigenous communities;
- good governance;
- conditions in detentions centres;
- strengthening 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 December 2021, the EU-Suriname Political Dialogue in the framework of Article 8 of the ACP-EU Cotonou Partnership Agreement took place in Paramaribo. All EU human rights priorities were discussed with the Surinamese side during the meeting. The EU highlighted in particular the issue of gender-based violence, the situation of children, excessive police violence, conditions in prisons and detention centres, non-discrimination of LGBTI persons, and equal treatment of tribal and maroon people, and asked about concrete measures taken.

The EU Delegation to Suriname's human rights award was delivered to civil society activist Renate Wouden for her community work to promote the rights of the elderly in December, at a well-attended ceremony with high visibility and impact.

**4. EU financial engagement:** In order to underpin the EU support to strengthen the rights of the child, the EU signed in 2021 the project 'Change Nickerie', implemented by the Bureau voor de Dienstverlening aan NGO´s (EUR 155,000). This project addresses an integrated prevention and support system for victims of violence, particularly children and women. The project is in line with government priorities, and is designed in collaboration with the Bureau of Gender Affairs.

To attenuate the negative factors influencing the LGBTI community, the EU launched the project 'The Stand with Us', implemented by Projekta (EUR 400,000). The project establishes broad support for the rights of LGBTI persons in Suriname, by creating and strengthening the building blocks for an inclusive society.

In order to empower indigenous and tribal communities, the EU started the project 'Local Actors for Change in the Hinterland' (LACH), implemented by Conservation International, (EUR 800,000). The project strengthens local hinterland civil society organisations to mitigate climate change through effective, community-managed forests by developing a sustainable forest and environmental management programme.

The EU continued the implementation of the Trio and Wayana Indigenous Community Empowerment project, implemented by Conservation International (EUR 300,000). The main objective of this project is to socially and economically empower the Trio and Wayana indigenous communities.

**5. Multilateral context:** Suriname is party to most UN and Organization of American States human rights treaties, without any significant reservations. Suriname accepts the right of individuals within its jurisdiction to present complaints to the United Nations Human Rights Committee, as laid down in the First Optional Protocol to the International Covenant on Civil and Political Rights, without reservations.

Suriname recognises the original jurisdiction of the Caribbean Court of Justice for the interpretation of the Revised Treaty of Chaguaramas and the jurisdiction of the Inter-American Court on Human rights. Suriname has ratified the Rome Statute of the International Criminal Court, but its national legislation has not been brought in line with the Rome Statute yet.

Although Suriname has generally shown willingness to implement the international and regional human rights framework (UN, Inter-American Human Rights System), it has not yet ratified all relevant conventions. Pending or ongoing signatures and ratifications include: signature and ratification of the International Labour Organisation Convention Concerning Minimum Age for Admission to Employment; signature of the UN General Assembly Statement on Human Rights, Sexual Orientation and Gender Identity; signature of the Convention on the Prevention and Punishment of the Crime of Genocide; ratification of the Second Optional Protocol to the International Convention on Civil and Political Rights.

Suriname has to bring its legislation in line with its obligations under the Convention on the elimination of all forms of discrimination against women, as well as with the Rome Statute of the International Criminal Court.

## 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 among the highest in Latin America and the Caribbean[20]. The political landscape has been dominated by the COVID-19 pandemic and its implications for the short and medium-term socio-economic challenges and long-term implications for the current economic model. The country's vaccination programme take-up is progressing slowly and will most probably continue to underperform until end 2022, which is a poor performance for a high income island economy and one that poses major risks for the country overall. Its human rights record is considered good in most respects. In particular, progress has been made to tackle gender-based violence and child abuse, but the issue of the death penalty, protection of the rights of LGBTI persons and the rights of persons in detention have remained static. Further, the ratification of several international treaties and conventions, for example regarding migrants and refugees and persons with disabilities, is stagnating.

**2. EU action – key focus areas:** The EU continued to focus on its human rights and democracy country priorities for 2021-2024. The EU delegation and Member States have identified seven policy priorities: i) the abolition of death penalty; ii) gender equality and women's rights; iii) the rights of the child; iv) the rights of LGBTI persons; v) the rights of migrants and refugees; vi) the rights of persons in detention; and vii) the anti-corruption architecture.

The rights of migrants and refugees and the anti-corruption architecture have been identified as new priorities.

**3. EU bilateral political engagement:** The EU delegation, independently and together with EU Member States present in the country, engaged with key government stakeholders through the delivery of demarches encouraging Trinidad and Tobago to vote on several human rights related resolutions at the 76th UN General Assembly Third Committee, as well as on the moratorium on the use for the death penalty.

Although circumstances due to the pandemic and the 'state of emergency' in the country that had been in force for six months made it difficult to plan and organise events, EU's priorities were still addressed through public diplomacy and targeted campaigns. The EU delegation and Member States, together with likeminded countries, organised an online discussion on death penalty on the occasion of the World Day against the Death Penalty, as well as events as part of the "16 Days of Activism", including a joint op-ed with EU Heads of Missions on the occasion of International Human Rights Day. The EU and the UN continued with the implementation of the Spotlight Initiative; the Head of EU Delegation was a keynote speaker at the annual 'Women's Conference' organised by a prominent local financial institution.

**4. EU financial engagement:** Since implementation started in May 2020, the Spotlight Initiative has led to revisions and adoption of relevant policies and legislation; institutional strengthening of judicial officers; the establishment of coordination mechanisms to support survivors; prevention activities including training of teachers, community leaders, business sector and youth, as well as community advocacy focusing on adolescent girls; training of

[20] EIU 2020 Democracy Index

police officers; the establishment of national clinical guidelines for the health sector and a bilingual hotline.

With respect to data, the domestic violence registry and the health information management system were upgraded, as well as evidence-based communication products. Finally, women's organisations received grants to implement their prevention and service delivery projects.

Two projects funded by the European Instrument for Democracy and Human Rights were successfully completed:

- A 'Sexual Culture of Justice: Strengthening LGBTIQ and GBV Partnerships, Capacity and Efficacy to Promote and Protect Rights in Trinidad and Tobago' project (EUR 150,000), which produced new local/regional analysis and solutions for ways to approach and mitigate gender-based violence and discrimination against LGBTI persons.
- The objectives of the 'Prisoner Pre-release and Resettlement Programme' (EUR 85,000) was to reintegrate pre-release participants back into society and reduce the likelihood of their reoffending. At the end of this action, 90% of pre-release participants that the organisation has interacted with, have not reoffended as programmes offered (in agriculture, barbering, etc.), led to employment and/or small business development for participants.

Two other projects are ongoing, namely:

- The 'Response to Recovery – COVID-19: Reducing Vulnerability: Enhancing Resilience for Migrant Population' project has resulted in the mainstreaming of support to migrants in vulnerable situation dealing with COVID-19; and
- The project 'Addressing Human Rights Abuses of Remand Prisoners with Special Emphasis on Domestic Violence Murder Cases' commenced litigation case against the State, which involves a constitutional strategy that addresses the human rights abuses of remand prisoners.

**5. Multilateral context:** Trinidad and Tobago's human rights record was examined by the UN Human Rights Council's Universal Periodic Review in November 2021.

Trinidad and Tobago's voting pattern in the UN system is generally similar to that of EU Member States, except for country-specific resolutions for which it traditionally abstains.

During the 76th UN General Assembly Third Committee, the country voted in favour of e.g. resolutions on the Promotion of a democratic and equitable international order; Right to food; Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the COVID-19 pandemic; and Human rights and cultural diversity. Trinidad and Tobago abstained on country-specific resolutions, e.g. on the Situation of Human Rights in the Islamic Republic of Iran; the Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine; and the Situation of human rights in the Syrian Arab Republic. However, it supported the resolution on the right of the Palestinian people to self-determination. Trinidad and Tobago voted against the moratorium on the use of the death penalty.



Electronically signed on 30/03/2022 09:00 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121