

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

## 2020 COUNTRY UPDATES

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

A number of developments highlighted continued security challenges facing the country. These included: the stabbing of three foreigners in Hulhumale' in February by suspected jihadists; an arson attack on speedboats in a harbour in March which was claimed by ISIS; and the arrest of six suspected extremists following a counter-terrorism operation in November. The Maldives also detained the first local insurgent who returned from a foreign warzone, suspected of taking part in the Syrian conflict.

**2. EU action - key focus areas:** The EU continued to focus its action in the following priority areas: strengthen the respect for civil and political rights; reinforce the rule of law, independence of judiciary and the separation of powers; and promote the political representation and economic empowerment of women.

**3. EU bilateral political engagement:** Several high-level political dialogues took place throughout the year by EU and Member States officials. The first senior officials meeting took place in Malé in February, discussing, *inter alia*, governance, democracy, human rights, rule of law, security, and sectoral cooperation. The fifth annual EU-Maldives policy dialogue was held in November 2020 with the participation of 17 Heads of Missions at which all matters of concern were addressed. The EU and Member States issued a number of press releases - individual or jointly with the Maldives - throughout the year, focusing on the strategic priorities. The EU continued to work closely with civil society, having regular meetings with CSOs, human rights defenders, and media.

**4. EU financial engagement:** As an upper middle income country, the Maldives have graduated from EU's bilateral development assistance but has benefited from other financial instruments. The EU has allocated an EUR 3 million grant for the Maldives' COVID-19 response in the spring 2020.

**5. Multilateral context:** The Maldives continued to demonstrate its commitment to multilateralism through engagement with international and regional fora. President Ibrahim Mohamed Solih and Foreign Minister Abdulla Shahid were involved actively in high-level meetings throughout the year. A high-level delegation consisting of cabinet members and senior officials, including three Ministers and the Attorney General, took part in the third cycle of the Maldives' Universal Periodic Review in November. The Maldives announced its candidacy for the 76th UNGA Presidency (2021-2022), and Human Rights Council (2023-2025), and its intention to present a candidate for the position of Secretary General of the UN World Tourism Organization (2022-2025). Supreme Court Justice Aisha Shujune Muhammad was elected to the UN Subcommittee on the Prevention of Torture in October, further illustrating Maldives' renewed commitment to engage with international treaty bodies and human rights mechanisms.

## Mongolia

**1. Overview of the human rights and democracy situation:** Mongolia has made significant progress since it set out on the path to democracy, human rights and rule of law more than 30 years ago. In March 2020, the legislation on the National Human Rights Commission of Mongolia (NHRCM) entered into force, strengthening the Commission's independence. Some

challenges persist for civil society organisations, media and human rights defenders. Vulnerable groups and persons belonging to minorities often face discrimination and there are recurring issues on the rights of the child and child labour. Effective remedies for violations of human rights are limited, and a comprehensive anti-discrimination legislation is still lacking. Legislation that increased political control over the judiciary remained in place. A wave of arrests of political figures around the time of the elections in June was a cause of concern. While the death penalty no longer exists in Criminal Law, it is still referenced in the Constitution. Finally, as in many other countries, the COVID-19 pandemic presented a challenge to human rights in Mongolia, with the impact especially felt by the most vulnerable.

**2. EU action - key focus areas:** The EU continued to focus its action on support to groups in vulnerable situations and civil society empowerment. A specific focus, reflected in dialogue with the authorities as well as in support to projects, was the fight against child labour and other forms of exploitation of children. The EU also refocused some activities in order to tackle the immediate health and economic consequences of the COVID-19 pandemic.

**3. EU bilateral political engagement:** The annual EU-Mongolia Human Rights Dialogue was held on 25 November 2020 and it was followed on 3 December by the EU-Mongolia Joint Committee – both in a virtual format. The dialogue was the occasion for the parties to confirm their shared commitment to the principles of democracy, human rights and the rule of law. The EU expressed its continuing support for Mongolia's endeavours to promote human rights in the country. The two sides discussed potential areas for further cooperation, in particular the rights of women and girls and strengthening of the judiciary. The EU also raised issues of concern, namely that the death penalty is yet to be abolished completely in the Constitution, rights of the child, the fight against torture and the independence of the judiciary.

The planned public diplomacy activities, such as a conference on the rights of the child and the annual EU Human Rights Award were postponed in light of the restrictions on organising large-scale public events during the pandemic. The Head of Delegation delivered video messages to mark Human Rights Day, World Children's Day and the International Day for the Elimination of Violence against Women. These are available on the delegation's social media channels and website.

**4. EU financial engagement:** In 2020, the EU launched its first budget support programme in Mongolia to boost employment and improve transparency in public finances, with an upfront disbursement aiming to address the social and economic consequences of COVID-19. Included in the grant is a technical assistance project with UNDP, FAO, ILO and UNIDO, focusing on transparency and oversight of the budget as well as employment creation in the non-mining sectors for youth and for persons with disabilities. In 2020, three new projects were launched with the overall aim to empower CSOs, strengthen labour rights and safeguard the rights of the child. The EU also continued to support human rights and democracy through several ongoing projects, carried out with Member States or other partners. The focus included: support to the empowerment of herders; the fight against child labour and trafficking for labour or sexual exploitation; training for journalists on forced labour and fair recruiting; and support to civil society, including youth civic engagement and participation in local economy.

**5. Multilateral context:** Mongolia's third Universal Periodic Review took place in November 2020. Mongolia received 190 recommendations out of which 20 were noted, while the remaining 170 will be examined. Mongolia underlined its commitment to the Universal Periodic Review process, affirming measures, among others, to promote gender equality,

combat gender-based violence and enhance the National Human Rights Institution (NHRI). The recommendations that Mongolia noted focused on: the ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol; the ratification of the 1954 Convention relating to the Status of Stateless Persons and the Convention on the reduction of statelessness; the rights of LGBTI persons; the abolition of the death penalty; and the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## Myanmar

**1. Overview of the human rights and democracy situation:** The general election was held on 8 November 2020, which proceeded in an orderly, credible and transparent manner. Despite the pandemic, turnout was estimated at above 70%. Disenfranchisement and cancellation of voting took place in some areas due to conflict reduced participation, especially of ethnic minorities. The National League for Democracy achieved a convincing victory although Myanmar's democratic transition continued to be hampered by Constitutional provisions reserving 25% of Parliament's seats for the military. The military contested the results of the election, leading ultimately to a coup against the legitimate civilian government less than three months after the election.

Myanmar slipped to 139th place on the 2020 World Press Freedom Index, down one spot from 2019. Some 584 people were serving sentences or awaiting trial for politically motivated cases as of October 2020 and intimidation and threats of violence against journalists, human rights defenders and political activists continued unabated according to NGOs. COVID-19 presented new opportunities to stifle critique. The internet remained shut down in several townships in Rakhine State due to security concerns, hampering effective preventive actions related to COVID-19 and limiting electoral campaigning. Clashes between the Tatmadaw and some ethnic armed organisations escalated, notably in Rakhine State, with reports of human rights abuses committed by both sides, including killing of civilians, arbitrary arrests, use of civilians (including children) as human shields and torture. New population displacements occurred in northern Shan, Chin and Rakhine States. However, clashes between the Arakan Army and the Tatmadaw ceased in November and the two sides began talking about holding elections in those townships in Rakhine State where they had been cancelled. As regards accountability, Myanmar's Independent Commission of Enquiry (ICoE) to investigate the events in August-September 2017 in Rakhine submitted its final report to the President in January 2020. The President transmitted the Report to the Attorney General and the Tatmadaw for relevant proceedings on the basis of its findings. Its work was hampered by a restrictive mandate and by its failure to interview any victims in Bangladesh. However, even with these limitations, the ICoE went further than any previous domestic investigation relating to Rakhine State and found that 'some members' of Myanmar's security forces committed abuses. Although it found no evidence of genocidal intent nor cases of sexual violence, the President instructed the Attorney General and the military to act on the report. So far, no indictments have been announced.

**2. EU action - key focus areas:** The EU continued to promote protection and empowering individuals with priority action focused on non-discrimination and fundamental freedoms, and