

1. Keep in mind and Report on underlying and common principles of the Action Plan

<i>General commitment</i>	<i>Specific meaning and/or action</i>	<i>Outputs / triggers / expected results</i>
<p>1.a) Ensure the continuity of the efforts made to implement the EU Strategic Framework and its successive Action Plans</p>	<p>Pursue the efforts engaged to realise past commitments, including those not covered by the new Action Plan</p>	<ul style="list-style-type: none"> - set up a specific mechanism to ensure follow-up, such as a steering committee or focal point that can be seized by the civil society if needed and report annually on the results - devise new commitments in the next Action Plan to address the new challenges in that regard
<p>1.b) All points of the Action Plan should be implemented with the aim to uphold all the founding principles of the 2012 EU Strategic Framework on Human Rights and Democracy, namely :</p>	<ul style="list-style-type: none"> * an implementation driven by the principles of Universality and Indivisibility; * that addresses all aspects of the human rights cycle namely: Prevention–Protection–Promotion–Redress; * in genuine partnership with civil society * in all EU partners countries; * in order to achieve tangible results and to ensure human rights are realised for all; * designing an adequate strategy depending on achievements, difficulties and circumstances and by using all the tools and policies at its disposal. 	<p>In the thematic and country cases part of the annual report :</p> <ul style="list-style-type: none"> - publicly and annually document the results or progress achieved, for all points of the Action Plan and for all country partners, paying due attention to prevention, protection, promotion and redress commitment and addressing the challenges regarding the indivisibility and universality of human rights - publicly and annually document how the EU has made best use of the range of instruments at its disposal and made all policies converge to that end - publicly and annually document how the EU has adapted or expects to adapt its strategy to address a lack of results or new challenges if needed.

2. Use a strategic Methodology to implement the Action Plan and the priorities of the EU Strategic Framework

<i>General commitment</i>	<i>Specific meaning and/or action</i>	<i>Outputs / triggers / expected results</i>
<p>2.a) Ensure that all external activities and policies , including the external aspects of other EU policies (such as trade, CSDP, counterterrorism, financial assistance, development cooperation, migrations etc). are designed and implemented in order to respect and consolidate human rights</p>	<p>DESIGN & ADAPT: conduct systematic, transparent and participatory ex-ante impact assessments on human rights of the main EU activities, referring to the normative content of human rights. At the minimum, provide impact assessments for EU agreements, including sectorial ones, memorandum of understanding, operational cooperation agreements, regulations and activities of EU agencies. These impact assessments should aim (at least in part) to ensure that the EU respects its own human rights obligations, avoids activities that impede the realisation of human rights, facilitates human rights improvements. Develop Ex-post assessments that should serve to take stock of the achievements and propose areas for further improvements.</p> <p>IMPLEMENT & ENFORCE: improve the mechanisms that should serve the monitoring, enforcement, accountability, redress and remedies</p>	<p>Publish a systematic report on the human rights part of the impact assessments made, by pointing out how it has duly influenced the design of the policies & activities that have been assessed ;</p> <p>Consider a genuine panel of options for the implementation, enforcement and improvement of commitments such as:</p> <ul style="list-style-type: none"> * a permanent civil society & expert monitoring group that could be seized by affected populations and would be heard regularly by the institutions and organs in charge in order to remedy negative impacts, take stock of achievements and propose areas for improvements * a new complaints mechanism or way to improve the access to justice * a new model human rights clauses adapted to the specific challenges depending of the nature of the agreement at stake, etc. <p>Document the efforts deployed to implement the recommendations made by monitoring mechanisms (incl. ombudsman, court of auditors, etc.) and made in impact assessments, and duly justify when decide to not implement these recommendations</p>

<p>2.b) complement the point 2.a) by ensuring the effective use and the best interplay of EU instruments and policies</p>	<p>knowing that all EU policies (migration, trade, financial aid, CSDP, etc.) offer a full range of instruments (dialogues, incentives, direct support and sanctions), that can be used to foster human rights and respond to violations.</p> <p>Best interplay of the instruments and policies supposes that the EU must:</p> <ul style="list-style-type: none"> *IDENTIFY the leverages at its disposal, taking into account all its current and potential activities, agreements and relations with the partner country *DEFINE the best mix of leverages among all its policies, the strategic and progressive approach to be used, considering past experience, current opportunities and constraints *USE direct support, incentives and rewards but react to lack of progress and new violations by diplomacy, statements, UN tools, and targeted fine-tuned sanctions when needed (postponement of international negotiations, redirection of the financial and technical support, postponement of high level visit, suspension of military cooperation, freezing of assets, refusal of visa, student exchanges, withdrawal of trade advantages, etc.). * ADAPT the policy mix depending on the results 	<p>To those ends and without prejudice to any other relevant action including the further development of working methods, envisage and attest of cases where a strategic interplay has intervened, such as:</p> <ul style="list-style-type: none"> * use of silent diplomacy when past experience has shown positive results but ensuring public statements when relevant (i.e. cases where credible assurance or preliminary steps have not been taken or impediment of the international standards are consumed ex: restrictive NGO laws, arbitrary detention, etc.) and react strongly if prior initiatives have failed. * follow up those cases in all dialogues, high level meetings, visits and dedicated demarches ensuring the message is upheld in delegations and embassies and reflected in EU positions and statements at the UN level *use of dialogues to secure concrete and time-bound commitments for progress on specific and identified priorities. Ensuring those responsible for the dialogues have a clear negotiation mandate regarding the leverages the EU could mobilise (ex: UN statements, initiatives and resolutions, incentives, a possible freeze on future advantages, etc.). Follow up of the commitments obtained and eventual new worrying developments in the subsequent high level meetings and reflect this follow up in the public statements made at the end of the meetings, ensuring comparable accuracy with the other discussions held on that occasion and the use of other leverages if no results are forthcoming.
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<p>2.c) to those ends (see 2.a & 2.b) enhance partnership with civil society, the involvement of HR experts and the coordination between EU institutions</p>	<ul style="list-style-type: none"> *Improve the partnership with civil society: by enhancing the transparency of the timetables and content of the negotiations; by engaging in an informative but also constructive dialogue; by reinforcing the expertise and setting HR focal points in the different DGs of the European Commission and in the WGs of the Council facilitating the dialogue with their institution; by providing technical and financial support in order to build the capacities of civil society including at the local level. *Set up advisory groups of human rights civil society and human rights UN & academics expert to organise conferences, provide studies and recommendations on specific issues, policies and countries cases. *Ensure a negotiation shift in the dialogues and relations with the partner countries by improving the coordination, dialogue and respective engagements between the institutions, DGs and services in the EU. 	<ul style="list-style-type: none"> *Report on the quality of the consultations held with civil society and the improvement of the constructive dialogue. *Provide with better documented studies and impact assessments that ensure their scientific quality. *Publish an annual report made by both the First Vice President of the European Commission and the HR/VP to document the concrete steps and results achieved under their respective responsibilities (inter institutional relations, rules of Law, EU charter on fundamental rights and consistency and coherence of external policies) regarding the implementation of the EU strategic framework and action plan for human rights and democracy.

<p>2.d) work by thematic and specific country pilot projects to address lack of results</p>	<p>Identify difficult cases or cases of double standards and apply the strategic methodology as defined in the present point 2 of the Action Plan.</p>	<p>Expand the 22 July 2013 Council conclusions experience (conclusion on the Comprehensive Framework for the European Union's policy and support to Myanmar/Burma) but by better defining the best interplay between the different instruments the EU has at its disposal, integrating human rights in all policies, making a comprehensive assessment of the results achieved in the different areas, adapting the strategy to the results achieved, etc.</p>
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3. Specific achievements to be sought in thematic issues

<i>General commitment</i>	<i>Specific meaning and/or action</i>	<i>Outputs / triggers / expected results</i>
3.a) Take concrete actions to address violations of Jus Cogens, of norms erga omnes and of most serious international crimes	<p>*Undertake concrete steps to enforce compliance with international law by the offender State, and refrain or suspend giving aid and assistance in maintaining a situation of illegality</p> <p>*Call for and make its best efforts to ensure that the most serious crimes are investigated and prosecuted and that the perpetrators, whatever their level, are held responsible;</p> <p>*Encourage the universal adherence to the ICC Rome statute and any other relevant international conventions</p> <p>*Work in order to reinforce the UN and international bodies and procedures to deal efficiently with those situations, fully cooperate and encourage full cooperation with them</p>	Identify countries where such violations and serious international crimes occur and report on the actions undertaken
3.b) ESCR and their indivisibility with civil and political rights	<p>*Develop a specific strategy in pilot projects to address land conflict issues. By then, take benefit of a typical opportunity to foster a comprehensive agenda on the indivisibility of human rights, namely ESCR (right to food, housing, access to education, health, water and decent standards of living, etc.) & CPR (right of expression, assembly, association, right to be protected from extrajudicial killings, enforced disappearance, arbitrary detention, right to privacy, etc.), and work, for example, to :</p> <ul style="list-style-type: none"> - protect human rights defenders - address the needs of the most vulnerable people (including the poor, peasants, women, indigenous people, victims of 	<p>Provide better understanding and strategy on the principle of indivisibility of human rights by the development of a specific strategy in pilot projects to address land conflict issues</p> <p>Report on the enhancing of the number of ratification of key ESCR conventions and protocols like OP-ICESCR and ILO 169, and under international law, and on the enhancing of the references made to the EU policies and activities in the states parties periodic reports to the committee on ESCR given the fact that states cannot release themselves from these</p>

	<p>discriminations)</p> <ul style="list-style-type: none"> - reinforce the judicial and other recourse and remedies mechanisms - address the impacts of corporate activities and policies supposed to foster economic development. <p>Monitor the EU's development programming and budget spending related to private sector development and apply VGGT (FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security) and other relevant initiatives</p> <p>*Enhance the international protection and enforcement of ESCR, notably by promoting broader ratification of the optional protocol to the international covenant of economic, social and cultural rights (OP-ICESCR) and the ILO convention n° 169 on indigenous people. Promote the introduction, in the states parties periodic reports to the committee on ESCR, the efforts made at the EU policy level to respect the covenant</p>	<p>obligations simply by delegating powers relevant to their implementation to the EU, and given the fact that it was one of the concluding recommendations made at the 2013 EU NGO forum wich should lead to concrete follow up</p>
<p>3.c) Improve the human rights records of trade and investments activities and policies as well as of businesses</p>	<ul style="list-style-type: none"> *Improve the SIA and ensure effective implementation of the relevant guidelines *Identify the HR challenges raised by ISDS and provide adequate answers *Enhance the human rights safeguards in investment and trade policies, including by adopting a new model for the human rights clauses to be introduced in trade and investment agreements *Analyse existing policies and identify the legal flaws to achieve corporate accountability, human rights due diligence access to information and policy coherence. Ensure victims 	<ul style="list-style-type: none"> *SIA are in line with the 2011 Guiding Principles on Human Rights Impact Assessments of Trade and Investment Agreement (O. de Schutter, UN SR on the right to food) endorsed by the HRC, and this requirement put in the mandate of negotiation of those agreement if needed. *Trade and investment human rights clauses are more protective and efficient to ensure respect of the EU Charter on fundamental rights and international human rights treaties

	<p>of corporate abuse can access justice, including in the EU; enhance the efficiency of the mechanism to ensure the coproration are not involed in human rights violations; reinforce the rules for zones in conflict</p> <p>*Consider running a pilot study that illustrates specific HR difficulties and assessing HR impacts under the forthcoming GSP mid-term review in 2015</p>	<p>*Report on cases where populations have found remedies for corporate abuses and document success stories of the implementation of the UN guiding principles</p>
<p>3.d) adopt a human rights based approach in migration policies</p>	<p>*Revise the migration policies and measures that result in restrictions to the right of people to leave a country in which they suffer HR violations;</p> <p>*Set up a mechanism that could deal with incidents and individual complaints related to breaches of fundamental rights alleged to have occurred in the course of Frontex’s work, and broadly enhance the monitoring and redress mechanism in order to make Frontex accountable for breaches of human rights</p> <p>*Fight against infringement to the non-refoulement principle and address concerns regarding respect for human rights in the countries of readmission and provide more adequate safeguard mechanisms and clauses</p>	<p>Attest of the human treatment of migrants and asylum seekers and attest of improvements of migration policies producing reports and document observing those improvement and made by relevant independent monitoring bodies like the UN Special rapporteur on the human rights of migrants</p>
<p>3.e) Rights based approach of development</p>	<p>Further develop and monitor the human rights based approach of development</p>	<p>*Ensure transparency, information and public assessment of the implementation of the RBA to development EU toolbox, including possible blending facilities</p> <p>*Pursue efforts to give substance to the UN process to develop a human rights-based development approach</p>
<p>3.f) Entrench human rights in counter-terrorism activities</p>	<p>* Issue and publish EU guidelines on the promotion and protection of human rights while countering terrorism and report on implementation</p>	<p>Report on the progress achieved since the adoption of the new Action Plan compared to the previous situation</p>

	<ul style="list-style-type: none"> * Enhance transparency of the time-frame and content of all forms of counter-terrorism dialogues with third countries and report on the way they raise human rights issues 	
<p>3.g) provide for a genuine partnership with civil society, including at the local level</p>	<ul style="list-style-type: none"> *Enhance the sustainability and flexibility of financial support to civil society, including by providing core funding to NGOs, by facilitating cascading financing and ensuring the building and reinforcement of capacities when needed *Pursue efforts regarding shelter initiatives and the fight against restrictive laws or laws that criminalise human rights activities *Enhance the protection of human rights defenders in all fora, including at the UN level. Provide political and public support by inviting, visiting and meeting them and by resisting requests made by partner countries to exclude specific individuals or NGOs from those forms of demarches *Develop the most progressive forms of human rights dialogues, like those preceded by a civil society forum feeding the human rights dialogue with concrete recommendations, or with civil society representative attendance. Develop new forms of trilateral appeased discussions between the EU, the partner country's authorities and local civil society *Ensure better follow-up and encouragement to the implementation of the recommendations of OEMs and enhance transparency, participation, and accountability in the public policies' development and implementation process *systematically work for the release of all prisoners jailed for the use of their legitimate right of expression, association and assembly or for their HRD activities 	<p>Actively participate at the democratic roots and promote the development of a vibrant, diverse participative and independent civil society including in the more repressive contexts; facilitate local and international contacts and exchanges; Attest of efforts made regarding the release of prisoners detained for exercising human rights and produce annually a list of released prisoners</p>

<p>3.e) Achieve greater policy coherence, notably between internal/external policy</p>	<p>in addition to the previous commitments, work on the elaboration of an internal EU strategic framework that may enhance the respect by its institutions and organ of the democracy principles, human rights and the rule of law in the EU legal order, as well as the perenisation of the EU as founded those rights rules and principle, taking the EU Charter of fundamental rights as referent</p>	<p>Better use should be made of existing tools and mechanisms to respond to HR abuse within the EU. This includes infringement procedures which must be made more publicly available, and further used to address violations of the EU's Charter on fundamental rights.</p>
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