ANNUAL REPORT ON

HUMAN RIGHTS AND DEMOCRACY IN THE WORLD IN 2016

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Annual Report on **Human Rights and Democracy in the World** 2016

Foreword by Federica Mogherini,
High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission

The promotion and the protection of human rights and democracy require a constant engagement, day by day. Our world is facing opposing trends, some of them worrisome. On the one hand, we witness a return of authoritarian tendencies and a widespread attack against civil society. Conflicts, political instability, but also global phenomena such as migration, pose new challenges to human rights worldwide. The multilateral institutions established to protect rights and freedom – such as the International Criminal Court – are put into question more than ever before.

And yet, the picture is not all bleak. The number of girls with access to quality education is still too low, but it is the highest in human history. Last year, Colombia turned the page after a 50-year long conflict: it showed to the entire world that peace is always possible, although it may require time, courage and political leadership. In Nigeria, over one hundred girls kidnapped by Boko Harm were freed and went back to their homes: it was a glimmer of hope that all the kidnapped girls will eventually return to their families and finally take their lives back into their hands.

Progress is possible, and is happening. But the good trends will not prevail without our constant commitment. For this reason, the European Union has put human rights at the core of our external action. In June 2016, I launched a Global Strategy for the European Union's Foreign and Security Policy – Shared Vision, Common Action: A Stronger Europe – which sets out the EU's core interests and principles for engaging in the wider world. With the Strategy, all of the European Union – the institutions in Brussels together with Member States – have recommitted to working together for progress. We have made the Sustainable Development Goals our guiding light, and we have confirmed that only through multilateralism and international cooperation we can strengthen the cause of human rights worldwide.

This report is a testimony of what has been done in practice to implement the Global Strategy. It maps out a wide range of activities implemented by the EU in 2016, from informal bilateral meetings to large-scale financial aid. It shows that throughout the year the EU worked relentlessly – in Brussels, New York,

Geneva and thanks to our embassies across the world – to expand rights, protect human rights defenders, and make sure that all our global activities always include a strong human rights component. In this regards the role of the EU Special Representative for Human Rights, Stavros Lambrinidis, who travels the world for high level human rights dialogues and for keeping human rights high on the global agenda, has been essential.

This report shows that human rights are a living issue: our engagement can transform individual lives and give hope to entire communities. But for every positive story, there is one that still needs to be told. If you look at Syria, the European Union is working not only to bring humanitarian aid and relief to those affected by the war: we are also engaged to re-create and protect the space for civil society, and with Syrian women who are trying to make a difference in public life and to contribute to peace-building in their country.

In Spring 2018 we will gather a new international conference in Brussels on the future of Syria and the region: it will be yet another contribution to help the Syrians and go back to their lives. My hope is that in the next year's report we can start talking about good stories born out of the end of this tragedy.

Civil society organisations and human rights defenders in general, are a pillar of every well-functioning state, and key players to improve the situation of human rights across the globe. But civil society organisations are having hard times in many parts of the world. Unfortunately, there are not so many global powers who are ready stand on the side of civil society.

We, Europeans, will not follow a certain spirit of the times. We will continue to listen and to empower. We will continue to stand by human rights defenders, providing them with legal support or helping them escape a threat against their life. We will keep working with civil society, whether to support migrants or to rebuild a country. We believe civil society is an indispensable partner for our foreign policy.

And the European Union will continue to be an indispensable partner for strong, resilient and free societies – all around the world.

Federica Mogherini

1. Introduction

2016 was a challenging year for human rights and democracy, with a shrinking space for civil society and complex humanitarian and political crises emerging. A number of countries also announced their intention to leave the International Criminal Court. In this context, the European Union showed leadership and remained strongly committed to promote and protect human rights and democracy across the world.

In June 2016, the EU adopted the Global Strategy on Foreign and Security Policy, Shared Vision, Common Action: A Stronger Europe, which sets out the EU's core interests and principles for engaging in the wider world[1], and seeks to make Europe an even more united and influential actor on the global arena. The Global Strategy reaffirms an agenda for EU external action with human rights and democracy at its core; States and societies can only be resilient when democracy is strong and human rights are respected. The Strategy also calls for systematic mainstreaming of human rights and gender equality issues – a founding principle of the EU Action Plan Human Rights and Democracy (2015 – 2019)[2].

20 July 2016 marked the first anniversary of the adoption of the EU Action Plan, which establishes the EU's main policy on human rights in external action. The Action Plan addresses the protection of human rights and support to democracy in all aspects of the EU's external action, and is the EU's key implementing tool of the 2012 EU Strategic Framework for Human Rights and Democracy[3].

2016 was also the start of the second cycle of the Human Rights and Democracy Country Strategies. The strategies are of key importance in the implementation of human rights at country level. In 2016, all the strategies were updated to meet current challenges and take into account developments since the introduction of the Country Strategies in 2011.

This report gives a broad picture of the EU's human rights efforts towards third countries in 2016, and encompasses two parts: The first part is thematic, and pays particular attention to the human rights approach to conflicts and crises, main human rights challenges and human rights throughout EU external policies. The second part is geographical and covers EU actions in third countries, thus mapping in detail the human rights situation across the globe.

1. Council conclusions on the Global Strategy on the European Union's Foreign and Security Policy, 13202/16, 17 October 2016
2. Council conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019, 10897/15, 20 July 2015
3. EU Strategic Framework and Action Plan on Human Rights and Democracy, 11855/12, 25 June 2012

EU SPECIAL REPRESENTATIVE FOR HUMAN RIGHTS

The EU Special Representative (EUSR) for Human Rights, Stavros Lambrinidis, appointed in 2012, continued to work, under the authority of the HR/VP, to increase the effectiveness and visibility of human rights in EU foreign policy. His key emphasis in 2016 was on strengthening the EU's human rights engagement with strategic partners who have an important regional and multilateral presence. This included the EUSR chairing the EU Human Rights Dialogues with Mexico and South Africa and undertaking a second high level official visit to the U.S. There was also increased focus on the EU's neighbourhood, including the first visit by the EUSR to Belarus and active engagement and consistent follow-up to his previous visits to Azerbaijan and Egypt. 2016 saw continued strong engagement with selected countries in transition, including his fifth visit to Myanmar/Burma, a first ever EUSR high level human rights visit to Cuba, the launch of exploratory talks on human rights with Iran, meetings at high political level with Bahrain and first-time visits to Guatemala and Honduras. The EUSR continued to work towards increasing the profile of the EU's engagement with the UN and with regional human rights mechanisms to foster regional ownership and to address increasing challenges to the acceptance of the universality of human rights and to civil society space, including through strong and well-established engagement and cooperation with UN human rights bodies and mechanisms. The EUSR continued his long standing high level cooperation with the Council of Europe including a visit to address the CoE Committee of Ministers and he also continued efforts to deepen cooperation with OSCE/ODIHR, the Organization of American States and UNESCO.

Thematically, the EUSR continued to place strong emphasis on promoting civil society space and protecting human rights defenders, focused on reversing crack-downs and new restrictive laws on non-governmental organizations (NGOs) in certain countries as well as working for the release of those human rights defenders and political prisoners who have been imprisoned. A major focus of the EUSR was also to foster dialogue between civil society and government and highlight the importance of this to build stable societies.

In 2016, in the spirit of the Global Strategy on Foreign and Security Policy for the EU, the EUSR actively promoted the idea of "sustainable security" with all stakeholders. This concept, which underpins the efforts of the EUSR, underlines that security can only be sustainable in the long term if compliant with fundamental freedoms and rights and rule of law requirements.

Through numerous visits in 2016, speaking engagements at high level multilateral meetings, and meetings with hundreds of key stakeholders from governments, international organizations and civil society, the EUSR also sought to raise the EU's consistency, effectiveness and visibility as a preeminent world actor on human rights and to advocate for key EU priorities. These included the fight against torture, the abolition of the death penalty, economic, social and cultural rights, business and human rights, freedom of expression and association, freedom of religion or belief, women's and children's rights and promoting accountability for human rights violations.

To increase awareness, within the EU and internationally, of the EU's pivotal role in promoting and protecting human rights in the world, the EUSR, together with the HRVP, launched in June the #EU4HumanRights campaign, with the participation of all EU member states.

EU INSTRUMENTS

The EU has a broad range of policies, tools and external financing instruments at its disposal to promote and defend human rights. These include public diplo¬macy, such as EU statements and declarations, more discreet diplomacy tools including demarches[4] and political dialogues, but also human rights guidelines and human rights country strategies, regular human rights dialogues, and finan¬cial cooperation projects, including support for civil society. The EU strives to ensure the best interplay of these instruments, i.e. to use them most effectively and in conjunction with each other in order to achieve the best results. Human rights issues should not be confined to human rights dialogues, for instance, but are included in the agenda of other meetings, including political or other dialogues, for example visa liberalisation, and summits.

Human rights guidelines: The EU has adopted 11 sets of guidelines which set out priority areas for external action[5]. The guidelines are not legally binding, but because they have been adopted at ministerial level, they represent a strong political signal that they are priorities for the Union. The guidelines are updated regularly, and serve as a practical tool to guide EU actors around the world when implementing EU human rights priorities at local level.

Human Rights and Democracy Country Strategies: These strategies are prepared to a large extent at local level by EU Delegations and are based on an analysis of the human rights situation in a given country. They identify the top priorities for EU action on human rights and democracy, define long- and short-term key objectives, and set out concrete actions to achieve these objectives in a specific country. The strategies have been fully updated for 2016-2020, and now incorporate a focused democracy analysis. These strategies are an essential tool in ensuring policy consistency and in preparing high level visits and political dialogues.

Human rights dialogues: Over the years, human rights dialogues have been established with an increasing number of countries. Their objectives include: discussing questions of mutual interest and enhancing cooperation on human rights in multilateral fora such as the United Nations (UN); enabling the EU to share its concerns on human rights violations with partner countries; information-gathering; and endeavouring to improve the human rights situation in the partner country concerned. These dialogues are key instruments for the EU to engage bilaterally on human rights, including on specific themes such as torture and ill treatment, the death penalty, freedom of religion or belief, freedom of expression online and offline, disabilities, women's and children's rights, gender equality, fundamental rights and principles at work, and cooperation in multilateral fora.

4. A demarche is a type of diplomatic representation. It is a formal approach made to the representative of a third country or international organisation to persuade, inform or gather the formal views of a government on a specific issue. It can take written or oral form.
5. Guidelines to EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment - An up-date of the Guidelines (2012), EU Guidelines on the promotion and protection of freedom of religion or belief (2013), Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) (2013), EU Guidelines on Death Penalty: revised and updated version (2013), EU guidelines on human rights dialogues with third countries – Update (2008), EU Guidelines on Children and Armed Conflict (2008), Ensuring protection – European Union Guidelines on Human Rights Defenders (2008), EU guidelines on violence against women and girls and combating all forms of discrimination against them (2008), EU Guidelines on promoting compliance with International Humanitarian Law (IHL) (2009), EU Human Rights Guidelines on Freedom of Expression Online and Offline (2014), EU Guidelines for the Promotion and Protection of the Rights of the Child (2007)

Prior to human rights dialogues, consultations are carried out with civil society in Brussels and in the country hosting the dialogue. Debriefings on the outcomes of the dialogues are also held. Policy forums and dialogues are complemented by technical meetings with civil society organisations throughout the year, in which the EU shares information on activities and policies. Dedicated civil society seminars were also held back to back with a number of human rights dialogues.

In 2016, the EU held human rights dialogues and consultations with 42 partner countries and regional groupings. The human rights dialogue with Azerbaijan was resumed in 2016, with the previous one having taken place in 2014, and for the first time the EU held a human rights dialogue with Sri Lanka and an informal dialogue Bahrain. The EU and Mongolia agreed to hold their first human rights dialogue in 2017 in the context of their bilateral Partnership and Cooperation Agreement. The EU and Iran agreed to hold a dialogue on human rights, with the last meeting having been held in 2004. This was to start with an exchange of visits, and the first exploratory talks on human rights took place in 2016 as part of the bilateral high-level political dialogue. Discussions on human rights also continued with Cuba, with a view to establishing a human rights dialogue under the recently signed Political Dialogue and Cooperation Agreement.

European Instrument for Democracy and Human Rights: The European Instrument for Democracy and Human Rights (EIDHR) is one of the key external financing instruments used to promote and support democracy and human rights worldwide. Building on its key strength, which is the ability to operate without the need for host government consent, the EIDHR is able to focus on sensitive issues and innovative approaches, and to cooperate directly with isolated or marginalised civil society organisations. Compared with the 2007-2013 EIDHR, the 2014-2020 EIDHR has been adjusted to address new realities and is more strategic in its focus and procedurally easy to use.

The EIDHR budget has been increased, thereby enabling the EU to provide more support for the development of thriving civil societies and their specific role as key actors for positive change in support of human rights and democracy. This includes increasing the EU's capacity to react promptly to human rights emergencies, to undertake electoral observation missions, follow up their recommendations and improve democratic and electoral processes as well as more support for international and regional human rights protection mechanisms.

In 2016, financial agreements for a total amount of 82,01 M EUR were concluded through the Country Based Support Scheme in 101 countries over the world by the EU Delegations for the development of thriving civil societies in supporting to human rights and democratic reform, including to address trends of shrinking space for civil society; civil society actions ensuring the effective functioning of the ICC; gender equality; Indigenous Peoples; rights of persons belonging to minorities, people affected by caste based discrimination, LGBTI and other vulnerable groups; freedom of expression and freedom of religion or belief; death penalty and torture; CSOs preparing the ground for elections and to follow up EOM recommendations; protection of ESCR especially for groups particularly vulnerable to discrimination, such as the poor, women, children, Indigenous Peoples, migrants and the rights of persons belonging to minorities; trade unions.

A total of 27,94 M EUR was contracted as a result of the global call for proposals in support of EU priorities along the following: 5,11 M EUR for Human Rights Defenders (HRDs) local organisations working at grass roots level; 4,46 M EUR for monitoring and effective implementation of the relevant international core conventions in the EU Generalised Scheme of Preferences+ (GSP+) context; 6,55 M EUR for support to the fight against the death penalty; 6,61 M EUR to support migrants, including asylum seekers in third countries, internally displaced persons and stateless persons and 5,21 M EUR to support children associated with armed forces, groups and gangs and impacted by armed violence. EIDHR continued to provide swift assistance to human rights defenders at risk and also to reinforce their capacities to do their human rights work in the medium and longer term, under 2015 agreements setting up Protectdefenders (15 M EUR) and a small grants facility (3 M EUR), as well as activities aimed at addressing the shrinking space for civil society through the crisis facility (3,5 M EUR).

An amount of 19,20 M EUR was dedicated to activities in support of key actors of international and regional human rights protection mechanisms, such as the United Nations Office of the High Commissioner for Human Rights, activities of the UN Special Rapporteur on the situation of human rights defenders, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and their joint activities, the International Criminal Court, two projects targeting indigenous peoples rights (support to the Technical Secretariat of Indigenous representatives at UN Fora through the Indigenous Peoples' Centre for Documentation, Research and Information (DoCIP) and the improvement of indigenous peoples' access to justice and development through community-based monitoring with ILO), the respect of culture and freedoms using press cartoons as a media of universal expression, implemented by Cartooning for Peace and for technical assistance and capacity building programme to prevent detention of children and to protect children and other asylum-seekers in detention with the UN High Commissioner for Refugees.

Furthermore, an EIDHR-financed dedicated support programme combining training and technical assistance on the rights-based approach, encompassing all human rights, to EU development cooperation was launched in 2016 amounting 1,43 M EUR.

EU WORK AT MULTILATERAL LEVEL

In 2016, the EU remained a vocal advocate of the universal promotion and protection of human rights at multilateral level, working in particular through the Third Committee of the United Nations General Assembly (UNGA) and the United Nations Human Rights Council (HRC), but also specialised UN agencies such as the International Labour Organisation (ILO). In these contexts, the EU promoted its thematic and country priorities and collaborated with countries from all regions in the pursuit of its objectives. The EU also supported the mainstreaming of human rights across the work of the UN more broadly. The EU continued to use an annual strategic work plan, burden-sharing arrangements with the EU Member States and targeted outreach to make its participation in these fora more effective. The EU also cooperated closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Council of Europe (CoE) and the Organisation for Security and Co-operation in Europe (OSCE).

THE EU AT UN HUMAN RIGHTS FORA

EU-UN Partnership on Human Rights:

The EU is strongly committed to the UN human rights bodies and promotes a responsive, effective, and impactful UN human rights system. The EU supports the UN High Commissioner for Human Rights and his staff in their worldwide human rights work. It promotes full cooperation with the HRC Special Procedures, including by ensuring unhindered access to and contact with individuals and civil society for mandate holders. The EU is unwavering in its commitment to the UN treaty bodies and draws on their findings and recommendations in its country work. Similarly, the EU supports the Universal Periodic Review (UPR) and ILO standard supervisory mechanisms, and calls upon all countries to fully engage with these processes, including by ensuring follow-up to recommendations.

71st session of the UN General Assembly (UNGA), Third Committee:

At the Third Committee (Social, Humanitarian and Cultural Affairs) of the 71st session of the UNGA in October/November 2016, the EU achieved most of its priorities. The EU-led resolutions on Freedom of Religion or Belief, Rights of the Child (jointly with the group of Latin America and Caribbean countries – GRULAC), and on the Democratic People's Republic of Korea (DPRK) (jointly with Japan) were adopted without a vote. Meanwhile, initiatives supported by the EU, such as the resolutions on violations of human rights in Syria, Iran, and Crimea and the city of Sevastopol, sent strong signals from the international community to those guilty of human rights violations. Furthermore, the resolution on a moratorium on the death penalty garnered one additional vote of support as compared with the 69th Session of the UN General Assembly. The EU participated in most of the interactive dialogues with UN Special Procedures Mandate Holders, and EU Member States worked closely with the EU Delegation to the UN to support EU positions, including through burden-sharing on resolutions and statements. However, this session also witnessed attempts to undermine the human rights system per se, such as the tabling of a no-action motion on country resolutions, introducing sovereignty clause in the resolution on death penalty, questioning the ICC references and an initiative to challenge the mandate of a UN Special Procedure. Therefore, the EU needs to remain vigilant and to continue engage to actively support the work of the Third Committee.

United Nations Human Rights Council sessions in 2016:

The EU confirmed its strong commitment to human rights during the three regular sessions of the Human Rights Council (March, June, September 2016), as well as during two special sessions devoted to Syria and the situation in Aleppo (October 2016) and to South Sudan (December 2016). The EU's most important achievements last year included the adoption of an EU-led resolution on Burundi, which establishes a Commission of Inquiry to examine human rights violations committed in the country, as well as the successful adoption of resolutions on Syria, the Democratic Republic of Congo, Sudan and Yemen. In a similar vein, several important thematic resolutions were adopted by the HRC, including on indigenous peoples, maternal mortality, the safety of journalists, and terrorism. At the same time, however, the sessions were characterised by increasing confrontation and polarisation within the Human Rights Council.

2. The EU Human Rights Approach to Conflicts and Crises

INTEGRATING HUMAN RIGHTS IN CONFLICT PREVENTION, CRISIS MANAGEMENT AND TRANSITIONAL JUSTICE

Human rights abuses are part of the conflict and crisis dynamics in all the different contexts in which Common Security and Defence Policy (CSDP) missions and operations are currently active. It is therefore of key importance that human rights and gender policies are mainstreamed in the planning, implementation, conduct and evaluation of CSDP missions and operations. In May 2015, the Council of the European Union welcomed the idea of a baseline study on the integration of human rights and gender equality into CSDP. The study was concluded in November 2016 and identifies 21 baselines that will allow measuring progress and delivery over time[6].

In 2016 the Council also adopted a new Code of Conduct and Discipline for EU civilian crisis management missions[7]. This aims at ensuring that the highest standards of professionalism and conduct are effectively implemented, including a zero tolerance policy on sexual exploitation and abuse.

During 2016 the EU continued to engage in transitional justice processes around the world in countries as diverse as Colombia, Sri Lanka, the Central African Republic and Kosovo* in order to support victims, ensure perpetrators are held accountable, and promote peace and reconciliation.

Throughout the year, the EU focused on the implementation of its Policy Framework on Support to Transitional Justice[9]. This involved raising the issue in many political dialogues with partner countries, organising training sessions for EU and Member States' staff, and strengthening engagement on the topic through an EU institutions staff network and Member States' task force. The new Human Rights and Democracy Country Strategies (HRDCS) now contain a section dedicated to transitional justice.

In order to promote inter-regional dialogue on transitional justice with a view to improving cooperation between regional organisations, in September 2016 Belgium and the EU jointly organised a roundtable in Brussels on fostering collaboration between the EU and the African Union (AU) in the area of transitional justice.

6. Report on the Baseline Study on Integrating Human Rights and Gender into the European Union's Common Security and Defence Policy, Working document of the European External Action Service of 10/11/2016
7. Code of Conduct and Discipline for EU Civilian CSDP Missions, 12076/16, 9 September 2016*

* 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.

9. EU's support to transitional justice - Council conclusions, 13576/15, 16 November 2015

The event was particularly timely as the African Union is working to finalise its own transitional justice strategy. In December 2016, the Netherlands organised the first international donor meeting on transitional justice, which brought together the EU, Member States, the UN and other third-country donors.

The EU remained one of the largest financial contributors to transitional justice initiatives worldwide, providing financing to justice, truth-seeking initiatives, institutional reform and reparations programmes, including through support for civil society and victims' groups. The 2016 European Instrument for Democracy and Human Rights (EIDHR) global call contains a specific EUR 5 million lot dedicated to impunity and transitional justice. Beyond this, the EU funded a number of transitional justice initiatives in 2016 through a variety of financial instruments. To name a few examples, the Instrument contributing to Stability and Peace (IcSP)[10] continued its financial support for Sri Lanka's Peacebuilding Priority Plan (EUR 8.1 million) and for the Commission for International Justice and Accountability's work on conducting criminal investigations and preservation of evidence of potential war crimes in Syria (EUR 1.5 million). An EU-funded programme under the European Development Fund (EDF)[11] on justice sector reform in Guinea Conakry (EUR 20 million) includes a component which aims to support victims' organisations in their efforts to combat impunity and to participate in the process of national reconciliation. Finally, the European Neighbourhood Instrument (ENI)[12] funded a justice sector reform programme in Tunisia (EUR 15 million), which offers support to actors in the penal chain, as well as the establishment of a protection mechanism for victims and witnesses.

INTERNATIONAL CRIMINAL COURT (ICC)

The EU continued to work to ensure that perpetrators of genocide, war crimes and crimes against humanity are held accountable for their actions, and to achieve justice for the victims of those crimes. The Rome Statute is an essential and unique achievement in international criminal justice. The existence and functioning of the ICC remains an important guarantor of respect for international humanitarian and human rights law in all countries. In this context, the EU continued to support the ICC, by providing political support to the court in multilateral fora such as the UN Security Council and the HRC. The EU has provided financial assistance to the court and to civil society actors in support of the court.

The notifications of withdrawal from the Rome Statute by South Africa, Burundi and The Gambia raised serious concerns. On 21 October 2016 the High Representative issued a statement on behalf of the EU expressing regret at the withdrawals and reiterating support for the ICC. In the 15th Assembly of States Parties (ASP), the EU and its Member States issued a statement of concern at the decisions by South Africa, Burundi and The Gambia, inviting them to engage in a constructive and open dialogue. It is also regrettable that Russia decided to withdraw its signature from the ICC statute earlier this year.

10. Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace
11. Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, as first amended in Luxembourg on 25 June 2005
12. Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument

The EU's policy in support of the ICC and of the universality of the Rome Statute is based on a 2011 Council Decision[13] and a 2011 Action Plan[14] on its implementation, and they provide the

framework within which the EU has addressed recent developments. In the Global Strategy for the European Union's Foreign and Security Policy the High Representative explicitly reiterated the commitments of the EU to maintain this support. Through its Delegations, in Brussels and in the 15th ASP, the EU has reached out to authorities and stakeholders in the relevant countries and in the African Union to encourage African mobilisation in favour of the ICC and prevent withdrawals.

INTERNATIONAL HUMANITARIAN LAW (IHL)

Crises and armed conflicts continued to multiply in 2016, with dire humanitarian consequences. During the year, the number of forcibly displaced persons was unprecedented since World War Two, and the protection of civilians in conflicts remained a significant concern.

The EU held firm on the need to protect humanitarian workers and the lives and dignity of those they assist, which includes safe access for aid delivery in conflict situations. For example, the High Representative and the Commissioner for Humanitarian Aid and Crisis Management released a statement in October 2016 on increasing violence in West Aleppo[15]. This statement stressed that respect for humanitarian principles was vital to minimise risks and ensure protection of humanitarian workers.

The EU and its Member States remained major advocates for international humanitarian law (IHL), in particular the Geneva conventions, and as well as the principles of humanity, impartiality, neutrality and independence of humanitarian action. The EU continued to encourage the implementation of the EU Guidelines on IHL, which are an innovative tool to promote compliance with IHL by third states and non-state actors.

The World Humanitarian Summit, which took place in Istanbul on 23-24 May 2016, was an important opportunity for the international community to re-commit to IHL and fundamental humanitarian principles. The EU made strong commitments and is working on their systematic implementation.

The EU has also been actively supporting the process leading to UN Security Council (SC) Resolution 2286 (2016) and the subsequent follow-up, including the recommendations by the UN Secretary General. Measures to enhance the protection of medical and humanitarian personnel and hospitals are urgently needed.

13. Council Decision on the International Criminal Court and repealing Common Position 2003/444/CFSP, 2011/168/CFSP, 21 March 2011
14. Action Plan to follow-up on the decision on the International Criminal Court 12080/11 of 11 July 2011
15. Statement by High Representative/Vice-President Federica Mogherini and Commissioner for Humanitarian Aid and Crisis Management Christos Stylianides on increasing violence in West Aleppo, Brussels, 31 October 2016

However, a more systematic and regular dialogue is needed at international level to enhance compliance with IHL. The EU has remained a strong supporter of the Swiss/ International Committee of the Red Cross (ICRC) Initiative to establish a regular, voluntary meeting of states, which could cover national IHL implementation reports. The discussions facilitated by Switzerland and the ICRC continued to illustrate that existing compliance mechanisms are not sufficient.

MIGRATION

In 2016, protecting the rights of migrants and refugees was a key element of all EU external migration policy. As migration rates remained high, with 387,000 migrants entering Europe in the course of 2016[16], the EU aimed to build a strong migration management system – one which fully respects fundamental and human rights, both internally and externally, and which can function at times of normal and high migration rates.

Building on the commitments made in the European Agenda on Migration[17] and at the Valletta Summit in 2015, the EU took the landmark step in June 2016 of establishing a Partnership Framework[18], endorsed by the European Council. The Partnership Framework approach allows for deeper EU engagement with key third countries of origin and transit to better manage migration, with full respect for humanitarian and human rights obligations. Within the Partnership Framework approach, the EU has developed reinforced partnerships with five countries – Mali, Nigeria, Niger, Senegal and Ethiopia. The results so far have shown positive outcomes in terms of the human rights of migrants: in Niger, for example, EU support has promoted access to status determination procedures, reception conditions and assistance for asylum seekers and refugees through the Regional Development and Protection Programme (RDPP) for North Africa. In addition, the EU has supported Niger's national agency to fight against migrant smuggling and trafficking in human beings (Agence nationale de lutte contre la traite), through the European Development Fund and training provided by EUCAP Sahel Niger. In Nigeria, for instance, a project is ongoing, targeting vulnerable and displaced children and adolescents impacted by the conflict in Borno State. Moreover, an EU cooperation platform on migrant smuggling and trafficking in human beings to enhance coordination among all actors was launched in October 2016.

The EU and the Member States have dedicated significant efforts to protect the rights of migrants, asylum seekers and refugees at the European borders, and to break the business model of smugglers and traffickers, whilst also protecting the external borders. In 2015 and 2016, Operation Sophia and Frontex Operations Triton and Poseidon rescued over 400,000 people at sea. The European Union Naval Force Mediterranean (EUNAVFOR MED) Operation Sophia is being conducted in full compliance with international law, including the principle of non-refoulement. Advisers on human rights, refugee law and gender equality have been appointed to the operational headquarters and personnel received training on human rights and humanitarian law.

16. IOM, Migration flows Europe, http://migration.iom.int/europe/
17. Communication on a European Agenda on Migration, COM(2015) 240 final, 13 May 2015
18. Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration, COM(2016) 385 final, 20 June 2016

The training of the Libyan coast guard and navy includes essential modules, delivered together with international organisations, aiming to improve the capacity of Libyan navy and coastguard personnel in providing assistance to individuals rescued at sea, in full respect of human rights. The Operational Head Quarters of the EUNAVFORMED Operation Sophia has developed a training manual focussing specifically on treatment of migrants, stressing a gender-sensitive approach and identification of vulnerable migrants. There are also advisers on refugee law and gender equality in the Operation Sophia. In complementarity to the training provided under EUNAVFORMED Operation Sophia, training has also been provided under the Seahorse Mediterranean network programme to officers of the Libyan coast guard, including training on human rights and the principle of non-refoulement.

Human rights and fundamental freedoms are core elements in the capacity building and training programmes provided through CSDP missions and operations. The EEAS also built staff capacity in November 2016 by holding Human Rights Training for EU Delegations, Member State officials and others on the rights of refugees and migrants.

Issues relating to the rights of refugees and migrants were frequently raised by the EU in human rights dialogues and other bilateral discussions with third countries in 2016. The New York Declaration was also adopted at the High-Level Summit on 19 September 2016 to address large movements of refugees and migrants. The EU actively supported the inclusion of commitments for refugees and migrants and will now work towards the adoption of the UN Global Compacts on Refugees and Migrants. It also actively supported the ILO establishing general principles and operational guidelines for fair recruitment and guiding principles on the access of refugees and other forcibly displaced persons to the labour market and prepared for the 2017 International Labour Conference addressing these matters.

In 2016, the EU continued to consistently address trafficking and smuggling in human beings in dialogues and relations, with countries of origin and transit and destination for victims of trafficking, including under the Partnership Framework and in the context of the Khartoum and Rabat processes; and made significant steps forward in the implementation the EU Action Plan against migrant smuggling[19] adopted in May 2015. As set out in the Plan, the Commission has also evaluated its legal framework against smuggling in human beings, and concluded that a reinforced exchange of knowledge and good practice between prosecutors, law enforcement and civil society could contribute to improving the current situation and avoid risks of criminalisation of genuine humanitarian assistance. To this aim, the Commission will continue to engage with relevant stakeholders and EU agencies, like the Fundamental Rights Agency (FRA) and Eurojust, to provide useful information on existing rules, their applicability and interplay with other legal frameworks at international and national level, as well as on tools that can support the activity of the judicial authorities.

In terms of detention of migrants, asylum seekers and refugees, the EU has cooperated closely with the United Nations High Commissioner for Refugees (UNHCR) 'Beyond Detention' campaign, and funded a EUR 1.2 million project in 2016 to support UNHCR in protecting child migrants in detention centres.

19. Communication on the EU Action Plan against migrant smuggling (2015 - 2020), COM(2015) 285 final, 25 May 2015

The EU provided significant financial assistance in 2016 to promote the rights of refugees and migrants. An additional EUR 500 million was added to the EU Trust Fund for Africa[20], now worth EUR 2.9 billion, which aims to foster stability and address the root causes of irregular migration and forced displacement in Africa. The Regional Development and Protection Programmes (RDPPs) in North Africa and the Horn of Africa assist third countries who are impacted by mixed migration flows and/or hosting large numbers of refugees to address protection and developmental needs of migrants, refugees and asylum seekers, the needs of

the migrant and refugee hosting communities, and to support the development of functioning national protection systems. In addition, the EU Regional Trust Fund in Response to the Syrian Crisis (Madad Fund)[21] addresses the longer-term resilience needs of Syrian refugees and internally displaced persons in neighbouring countries, as well as supporting host communities and administrations. This follows on from the new EU policy approach to forced displacement announced in April 2016, aiming to prevent forced displacement from becoming protracted and to end dependence on humanitarian assistance in existing displacement situations.

The EU is also supporting civil society organisation projects to protect migrants outside the European Union through the EIDHR. In 2016 the EU continued to implement projects which were selected under the 2015 global call for proposals in support of the human rights of migrants (EUR 6 million). Projects in this area were also selected under the call for proposals launched in 2016 under the 'Global Public Goods and Challenges' Thematic Programme on Migration and Asylum for the implementation of the Rome Programme (Rabat Process). As an example of a productive EU-civil society partnership, the EU is cooperating with the Red Cross to provide support to migrant domestic workers and victims of trafficking in human beings in 15 countries around the world under the Civil Society Action for Promoting Human Rights of Migrants (EUR 12.8 million).

COUNTER-TERRORISM

International terrorism continues to pose an extreme threat to European security and global peace. In 2016, Europe suffered major terrorist attacks resulting in the loss of many human lives and disruption to the daily life of European citizens and there were also several failed attempts.

Based on its 2005 counterterrorism (CT) strategy[22], the EU focuses on three main strands of action: a) ensuring the security of citizens, b) preventing radicalisation and safeguarding values, and c) cooperating with international partners.

The Global Strategy for the European Union's Foreign and Security Policy is very clear on security. But terrorism cannot be defeated with security measures alone. Preventive measures worldwide are needed to respond to radicalisation and recruitment in a holistic manner. In all circumstances, measures must uphold the rule of law and respect for human rights, international humanitarian law and international refugee law.

20. Commission decision on the establishment of a European Union Emergency Trust Fund for stability and ad dressing root causes of irregular migration and displaced persons in Africa, C(2015) 7293 final, 20 October 2015
21. Agreement establishing the European Union Regional Trust Fund in Response to the Syrian Crisis, 13 March 2016
22. Council of the European Union, 30 November 2005: The European Union Counter-Terrorism Strategy

The EU is working on new ways to tackle both the internal and the international dimension of the threat. New legislation has been passed at home to improve police and judicial cooperation. Work is also ongoing inside our communities, where radicalisation and recruitment are occurring. Abroad, the EU is focusing on capacity-building in the Middle East and North Africa, in Turkey and the Western Balkans, and in the Sahel and the Horn of Africa.

In 2016, the EU also continued to increase the funds allocated to partners working on new strategies to prevent violent extremism. It has invested more than EUR 150 million so far

with several aims: these include understanding this complex phenomenon, working with local communities, and building capacity. On the latter, the Malta Institute (International Institute for Justice and the Rule of Law) continued to train judges from Benin, Chad, Mali, Niger, Cameroon, Senegal and Burkina Faso on terrorism cases. A further aim is to stem the flow of foreign terrorist fighters and tackle their return.

Finally, the misuse of the internet and social media by terrorists is another problem which must be tackled, while upholding the fundamental rights of freedom of expression and freedom of information. In 2016 the EU continued to do so through the EU Internet Forum, launched in late 2015, which aims to reduce the accessibility of terrorist content online, and empower civil society partners to promote effective narratives to counteract terrorist content.

Moreover, the EU continued to hold CT dialogues with key countries across the globe. In 2016, 11 such dialogues took place (with Algeria, Canada, Egypt, Indonesia, Israel, Jordan, Lebanon, Pakistan, Qatar, Turkey and United Arab Emirates), during which the need to respect human rights was always raised. Cooperation with the USA is another fundamental component of the EU's CT strategy. The EU is also working closely with the UN and other organisations to build international consensus and promote international standards for fighting terrorism, in line with human rights standards.

3. Addressing the Main Human Rights and Democracy Challenges

PROMOTING A FREE SPACE FOR CIVIL SOCIETY AND SUPPORTING HUMAN RIGHTS DEFENDERS (HRDS)

Over the last decade, human rights organisations, pro-democracy actors and wider civil society movements have faced increased restrictions when trying to carry out their work. In 2016, while an increasing number of non-governmental organisations, social movements and individual activists have been detected, the shrinking space phenomenon has spread to around one hundred countries. Restrictions on civil society and repression of human rights defenders have taken multiple forms, ranging from administrative and judicial harassment to smear campaigns, travel bans, criminalisation, stigmatisation, arbitrary arrest and detention, extrajudicial executions, and blocking of access to funding, especially from external sources. Both state and non-state actors, including armed and fundamentalist groups, pose offline and online threats to freedoms for civil society. The fight against terrorism and anti-terrorism legislation in several instances has provided a pretext to manipulate, monitor and restrict online information and to implement censorship and surveillance.

In the Global Strategy for the European Union's Foreign and Security Policy the HR reaffirmed the conviction that societal resilience will be strengthened by deepening relations with civil society, and expressed strong commitment to speak out against the shrinking space for civil society. In 2016, the EU continued to firmly express concern at multiple levels, including during bilateral human rights dialogues and in multilateral fora, at unjustified restrictions on fundamental freedoms in partner countries.

As regards freedom of expression online and offline, in 2016 the EU expressed strong concerns about the continued increase in acts of intimidation, pressure and violence against journalists that took place across the world. In this context, the implementation of the 2014 EU Guidelines on Freedom of Expression online and offline remains a key priority.

The EU has raised freedom of expression at different levels of political dialogue, including in its human rights dialogues and consultations with partner countries. Numerous public statements and demarches have also been made to promote freedom of expression and to call for greater protection of journalists' rights and media freedom.

The EU continued to work to ensure that freedom of expression remains a prominent issue on the UN agenda, participating actively in all relevant multilateral fora and supporting the work of the Special Rapporteurs with related mandates from the UN and regional organisations.

In 2016 the EU supported the UN Human Rights Council in adopting a resolution on the safety of journalists[23], as well as the resolution on the promotion, protection and enjoyment of human rights on the internet[24], condemning 'measures to intentionally prevent or disrupt access or dissemination of information online'.

The EU has been actively engaged in debates on freedom of expression online within the Internet Corporation for Assigned Names and Numbers (ICANN), the Internet Governance Forum (IGF), the World Summit on the Information Society (WSIS) process, Freedom Online Coalition and in the framework of EU cyber dialogues with third countries, including South Korea, India, China, the USA and Japan.

The EU continued to promote its Guidelines on Freedom of Expression Online and Offline in all EU Delegations so that these can inform all future programming. A new Delegation support programme aims at assisting both the Delegations and media actors in third countries in applying the Guidelines effectively.

New projects in support of freedom of expression and the media have received overall funding of EUR 27 million. Freedom of expression and media components are also increasingly integrated into larger programmes in the field of democratic governance, notably in projects which have recently been designed on the topics of anti-corruption in Honduras, election support in Rwanda or the Central African Republic, and security in Somalia.

In addition, in 2016 some 200 journalists, bloggers, writers and artists were granted emergency support from the EIDHR Emergency Fund dedicated to human rights defenders under threat.

Throughout 2016 the EU continued to raise concerns over an increased number of unjustified restrictions on rights to freedom of peaceful assembly and association, including through its political dialogues with third countries and in international fora. Several public statements were issued in 2016 calling for respect for the right to demonstrate peacefully, for the right for any association, registered or unregistered, to seek and access funding and resources and for the effective implementation of core labour standards on freedom of association and the right to collective bargaining. The EU believes that partnership with civil society plays an indispensable role in empowering people to understand and claim their rights, and in scrutinising the actions of public authorities. The EIDHR has remained an extremely valuable instrument in this respect.

The European Union acknowledges the important role of National Human Rights Institutions (NHRIs) as human rights actors and development enablers, and is enhancing its support for NHRIs both in political and financial terms. When acting independently and with sufficient financial and human resources, NHRIs can build bridges between civil society, the population and the government on the one hand, and between the national authorities and regional/international human rights bodies on the other. They are key stakeholders and constitute a fundamental element of the international, regional and national human rights framework.

23. The resolution(A/HRC/33/L.6) is an initiative of Austria together with Brazil, France, Greece, Morocco, Qatar and Tunisia.
24. The resolution was presented by Sweden, Brazil, Nigeria, Tunisia, Turkey, USA and was supported by all EU MS.

EU political commitment is also coupled with financial support for NHRIs under the EIDHR. In 2015, a three-year targeted programme focusing on building the capacity of National Human Rights Institutions began, with an EU contribution of EUR 5 million. The aim of the programme is not only to support the capacity of NHRIs, but also to support their cooperation with regional and international networks. The programme focuses on four thematic areas: economic, social and cultural rights, business and human rights, human rights education, and strengthening of core NHRI mandates.

Additionally, the EU supported the NHRI resolution at the 33rd session of the Human Rights Council. This welcomed the valuable participation of independent NHRIs and their contributions to all relevant UN mechanisms and processes, in accordance with their respective mandates. It also encouraged NHRIs to continue to participate in the work of the HRC, including its universal periodic review mechanism, as well as engaging with the special procedures and treaty bodies.

During 2016, **human rights defenders** (HRDs) continued to face reprisals because of their legitimate work in every region of the world. The EU Delegations in third countries continued their efforts to further strengthen EU actions in support of HRDs. In line with the 2004 EU Guidelines on HRDs, EU officials took action in 2016 through, for example, condemnation of threats and attacks against HRDs, demarches and public statements, trial monitoring and prison visits. Moreover, the EU has systematically raised the cases of individual HRDs in human rights dialogues, subcommittee meetings and consultations with the authorities from third countries, with HRDs being on the agenda of 80% of EU human rights dialogues held in 2016.

On 10 December 2016, the EU and its Member States joined the United Nations in calling upon people to 'stand up for someone's rights' on the occasion of Human Rights Day. EU Delegations around the world marked the occasion with a variety of events, and a Declaration by HRVP Federica Mogherini drew attention to the importance of protecting HRDs.

During 2016, over 250 HRDs and their families received EU support through the EIDHR Emergency Fund for HRDs at risk. The direct grants have been used mainly to pay for legal fees, medical care, the installation of security equipment, emergency relocation, and a range of other practical actions.

In late 2016, implementation began on six global projects, with a total budget of EUR 5.5 million, which were selected under the 2015 EIDHR global call for proposals. These projects aim to provide support to HRD organisations working at grassroots level, and focus on the most difficult situations and remote areas.

FREEDOM OF RELIGION OR BELIEF

The fundamental right to freedom of religion or belief remains under threat in many parts of the world. The implementation of the EU Guidelines on Freedom of Religion or Belief (FoRB) remained a key priority for EU action in protecting and promoting FoRB during 2016.

The EU raised FoRB in its human rights dialogues and consultations with partner countries. Public statements and private demarches were made to promote FoRB, condemn violence against persons belonging to religious minorities, and call for non-discrimination on grounds of religion or belief.

The EU continues to work to ensure that FoRB retains a prominent place on the UN agenda, featuring a strong human rights approach. At HRC 31 (March 2016), the EU presented a resolution extending the mandate of the Special Rapporteur on Freedom of Religion or Belief for three years. The resolution was adopted by consensus. As in previous years, the EU Delegation in Geneva also hosted a side event with the UN Special Rapporteur on FoRB in the margins of HRC 31 in March 2016. In addition, the EU co-hosted a public lecture on the occasion of the 30th anniversary of the mandate of the UN Special Rapporteur on Freedom of Religion or Belief. The UNGA 71 (December 2016) resolution on FoRB, as well as maintaining the updates of previous years, explicitly highlights the importance of a comprehensive and inclusive community-based preventive approach – involving a wide set of actors, including civil society and religious communities – to fight against acts of terrorism.

The EU has increased its efforts to raise awareness of the EU Guidelines and FoRB-related issues among EU staff and Member State representatives by organising training sessions and workshops.

In 2016 implementation continued on projects across the world aiming to combat discrimination on grounds of religion and belief, selected under the EIDHR 2013 global call for proposals and its reserve list. This brings total EIDHR support for the promotion of FoRB in the 2007- 16 period to more than EUR 15 million. In 2016, the global EIDHR call also addressed the rights of persons belonging to religious minorities.

In May 2016, the President of the European Commission created the new function of EU Special Envoy for the Promotion of Freedom of Religion or Belief outside the EU. The current mandate-holder, Ján Figeľ, focused particular attention in the second half of 2016 on interreligious dialogue, with the Middle East as a priority region.

The EU supports initiatives in the field of intercultural and inter-religious dialogue in a spirit of openness, engagement and mutual understanding, including within the framework of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the UN Alliance of Civilisations, the Anna Lindh Foundation, and the Istanbul process.

SUPPORT FOR DEMOCRACY AND ELECTIONS

While democracy comes in many forms, its basic aim is to allow citizens to exercise all human rights, be they political and civil, or cultural, economic and social. In addition to electoral observation, the EU has been providing democracy support programs all over the world to strengthen democratic institutions as well as citizens' participation in policy formulation.

During 2016, the EU continued to support electoral processes across the world by deploying Election Observation Missions (EOMs) and Election Expert Missions (EEMs), as well as by providing technical and financial assistance to election management bodies and domestic observers, or to civil society organisations engaged in election observation. EOMs systematically and rigorously apply high standards of integrity and independence, in line with the Declaration of Principles for International Election Observation (DoP). The EU cooperates closely with all international observer groups committed to the faithful implementation of the DoP. EU EOMs are independent missions, led by a Chief Observer who is usually a Member of

the European Parliament. These EOMs require strong coordination between EU institutions, as well as with EU Member States, international partners and civil society organisations (CSOs). The EU also works to ensure full complementarity between election observation, election assistance and political interactions with beneficiary countries.

In 2016, EOMs were conducted in Peru, Gabon, Jordan, Ghana, Zambia, Uganda and Haiti[25], in accordance with international standards. In addition, EEMs were conducted in Niger, Benin, Comoros, Chad, Somalia, Central African Republic, Morocco, Haiti and Burkina Faso. Finally, electoral follow-up missions were deployed to Kenya, Madagascar and Pakistan.

In 2016, the EU focused on the follow-up to EOM recommendations, in line with the guiding principle of increasing coherence between EU policies and in the use of EU instruments. A series of informal consultations was launched with experts from EU Member States, international partners, European CSOs, EU Chief Observers and other interested Members of the European Parliament. Discussions centred on initiatives which have supported the implementation of recommendations from EU EOMs/EEMs and the Organization for Security and Co-operation in Europe (OSCE) / OSCE Office for Democratic Institutions and Human Rights (ODIHR)[26] electoral missions. The aim was to map out and consolidate 'best practices' in line with the EU Action Plan on Human Rights and Democracy 2015-2019. These consultations were also an opportunity to explore how EU institutions and Member States can coordinate more effectively on EOM/EEM follow-up, including in multilateral and international fora such as the UN system, the OSCE, the Council of Europe, Organization of American States (OAS) and African Union (AU). At EU level, EOM recommendations are now raised consistently in political dialogues with partner countries, and contribute to shaping EU election assistance.

In 2016, the EU also continued its pilot work in 12 countries to help improve the consistency of its democracy support policy. EU Delegations in pilot countries identified democracy-related priorities, and have since begun to develop Democracy Action Plans, reinforcing the link between the analysis of the political context in which the EU provides its assistance and the design of programmes in support of democratic transition. A major output of the pilot exercise is that democracy now features more prominently in the Human Rights and Democracy Country Strategies.

This pilot exercise has also demonstrated the need for the EU to increase its focus on interactions between state institutions and citizens, supporting legislatures, strengthening the link between political parties and citizens, and enhancing decentralisation reforms and local democracy. In 2016 the EU continued to support parliaments as key components of democratic political systems. The European Parliament offered assistance to the parliaments of a number of partner countries, in the form of study visits and peer-to-peer exchanges between parliamentarians on topics such as relations between the legislature and the executive, the budget cycle, the work of the committees, or relations between political groups.

25. The EOM in Haiti was closed down before completion of the election process because of concerns about the annulment of the first round of the Presidential election.
26. OSCE Office for Democratic Institutions and Human Rights

The Ukrainian week in the European Parliament in March 2016, which was attended by over 60 Ukrainian parliamentarians, strengthened the partnership between the European Parliament and the Verkhovna Rada.

The EU has also worked to reinforce the accountability of public institutions towards citizens and to fight corruption. Important rule of law programmes were approved in 2016, particularly in support of security sector reforms and good governance. The EU has financed anti-corruption organisations and institutions in order to strengthen their mandates. Anti-corruption is also one of the areas identified in the EU priorities for cooperation with the Council of Europe in 2015-2017, with projects ongoing in Eastern Partnership countries and Central Asia on legal independence and professionalism, and accountability in the justice system[27].

Empowering civil society has also remained a priority for the EU. Civil society has been an indispensable partner in the EU pilot exercise on democracy support, and an increased role for civil society is a crucial part of the implementation of the revised European Neighbourhood Policy (ENP)[28]. At the Eastern Partnership Civil Society Forum in November 2016, a fellowship programme was announced to promote leadership and professionalism amongst civil society activists.

The EU continued to cooperate with the European Endowment for Democracy (EED), which operates independently from the EU, but complements EU instruments. It focuses on transition processes and supports actors who cannot be reached through other means, in the European neighbourhood and beyond. The EU has granted EUR 12 million for 2015-2018 under the ENI to fund EED operational costs.

Good governance and the rule of law are among the universal values that guide the EU's internal and external action, and these values are also at the heart of the 2030 Agenda for Sustainable Development. In 2016 the EU began work on the new European Consensus for Development[29], which will further strengthen the link between good governance, accountable democratic institutions and sustainable development.

THE DEATH PENALTY

Working for global abolition of the death penalty remains at the very heart of EU's human rights priorities. Throughout 2016, the EU continued to voice its strong opposition to the death penalty and used all diplomatic tools at its disposal to advance the cause of worldwide abolition. The issue of capital punishment was consistently raised with retentionist countries and featured on the agendas of political dialogues or dedicated human rights dialogues.

27. European Union and the Council of Europe's Partnership Co-operation Framework in the Eastern Partnership Countries for 2015-2017
28. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Review of the European Neighbourhood Policy, JOIN(2015) 50 final, 18 November 2015
29. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Proposal for a new European Consensus on Development Our World, our Dignity, our Future, COM(2016) 740 final, 22 November 2016

More than 140 countries have now abolished the death penalty by law or by practice, which represents more than two thirds of all countries worldwide. 2016 saw some further positive developments: three countries abolished the death penalty completely (Nauru, Guinea and Mongolia), whilst the US saw its lowest number of executions since 1991, with 20 people executed compared with 28 in 2015. The triennial World Congress for the Abolition of the Death Penalty took place in Oslo, with more than a thousand participants from around the world. The EU demonstrated support for this important event both through its financial assistance and its active participation. The EU Special Representative (SR) for Human Rights, Stavros Lambrinidis, made strong arguments for universal abolition alongside other high-level representatives from EU Member States at the event.

However, 2016 was also marked by calls for the reintroduction of the death penalty from some national leaders, notably with reference to the fight against terrorism, organised crime, or drugs. Some countries also broke their longstanding moratoria. The EU voiced its opposition to such statements, seeking a dialogue to highlight alternative and more efficient measures to control crime.

Based on the minimum standards defined by international law and the EU guidelines on the death penalty, the EU issued a number of public statements deploring the use of the death penalty, and called on countries to consider a moratorium. This was notably the case for Belarus, Indonesia, Iran, Japan, Malaysia, Pakistan, Saudi Arabia, Singapore, and the USA, with additional statements being issued and demarches carried out in many other countries. The EU has put considerable emphasis on the violation of these minimum standards, stressing the inadmissibility of the use of death penalty for minors, for persons with intellectual disabilities, and for crimes which are not among the 'most serious', such as drug offences. In relation to the Special Session of the General Assembly (UNGASS 2016), the EU stressed its strong opposition to the death penalty on several occasions.

The EU continued to raise its opposition to the death penalty in all relevant multilateral fora, in particular at the UN, the OSCE and the Council of Europe. The EU actively promoted the adoption of the UNGA 71 Resolution on a moratorium on the use of the death penalty, which was passed with the same high number of countries in support as in 2014. New elements in the resolution include, for example, the recognition of the role of national human rights institutions, an emphasis on the need to treat persons facing the death penalty with humanity and dignity, clemency and pardon procedures, and the need for transparency. The EU SR for Human Rights further raised the profile of the EU's work against the death penalty when speaking at the UNGA high-level event organised in New York in September focusing on the Death Penalty and the Victims.

To mark the European Day against the Death Penalty and the World Day against the Death Penalty on 10 October 2016, the EU and the Council of Europe issued a joint statement reaffirming their opposition to the use of capital punishment in all circumstances, and their commitment to the abolition of the death penalty worldwide. Numerous EU Delegations marked this significant date by organising debates, theatre productions and film screenings, publishing op-eds, and conducting other public awareness activities.

The EU actively engaged with the Belarusian authorities on this issue and acted to raise public awareness. Belarus is the only country in Europe that still applies the death penalty. During

the year, the authorities agreed to open up a public debate on the death penalty, and in March and December 2016, conferences were organised jointly by the Belarusian Ministry of Foreign Affairs and international partners in Minsk. The EU participated actively in both conferences, with the EU SR on Human Rights speaking at the March conference and discussing the death penalty thoroughly in bilateral discussions with authorities.

Under the 2015 EIDHR Global Call for proposals, six projects were selected and contracted to support CSOs active in the fight against death penalty worldwide for a total amount of EUR 6.5 million (EU contribution only). These projects are now being implemented in a variety of countries, including Indonesia, the USA, Cameroon, DRC, Malaysia, Egypt, Somalia and Tunisia, and will contribute to training for the judiciary, public awareness-raising, improved monitoring, advocacy efforts, and stimulating a broader dialogue on the death penalty, including in relation to counterterrorism and the fight against drugs.

TORTURE AND OTHER ILL-TREATMENT

In line with the EU Action Plan on Human Rights and Democracy (Action 13) and the Guidelines on EU Policy towards Third Countries on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the EU further intensified its work against torture and ill-treatment around the world in 2016.

The 2016 annual EU-NGO Forum on Human Rights was dedicated to the theme: 'United against all forms of torture – applying a cross-cutting perspective to prevent, prohibit, and redress torture globally'. The Forum was well attended by key experts from around the globe, and provided an opportunity for thorough and engaged discussions and experience-sharing. The Forum specifically highlighted the importance of providing redress for victims; the role of torture as a push factor for migration; the specific needs of vulnerable groups, including children and indigenous people; and particular considerations relating to women. Overall, the Forum stressed the importance of speaking up and raising awareness about torture and ill-treatment wherever it occurs, and the costs of torture for society as a whole. The need to fight torture in the context of counter-terrorism and security policy was also recognised.

The High Representative also participated in the EU-NGO Forum to emphasise the importance of this topic for the EU, and issued a statement on the International Day in Support of Victims of Torture, 26 June. Here, she highlighted the important role civil society is playing in fighting torture, as well as the responsibility of states to abide by their legal obligations and commitments. Through political will and joint global work, she expressed the belief that torture can be prevented and eventually eradicated. Several EU Delegations also organised specific events on this occasion to raise awareness of the importance of combatting torture.

The Special Representative for Human Rights contributed to the fight against torture during his visits around the world, raising the issue publicly as well as in bilateral conversations with other leaders. He participated in two high-level events in Geneva in connection with the Human Rights Council, addressing the prevention of torture in police custody and redress for victims of torture respectively. The latter was organised together with South Africa as a concrete deliverable of the 2015 Human Rights Dialogue with the country, in cooperation with Denmark and the UN Special Fund for Victims of Torture.

In its Human Rights Dialogues, the EU continued to systematically raise torture and ill-treatment, in particular urging countries to ratify and fully implement the Convention against Torture and its Optional Protocol; fully align their legislation with the Convention; comply with recommendations from national and international monitoring mechanisms; and ensure that all reports of torture or ill-treatment are properly and impartially investigated and prosecuted, and victims afforded redress. When relevant, the EU also addressed issues of enforced disappearances and secret detention. During these dialogues the EU offered concrete assistance to countries in their efforts to eradicate torture and ill-treatment depending on their needs, including financial support. One example was a visit to Brussels, Strasbourg and Berlin organised for the National Preventive Mechanism of Brazil. The visit was an opportunity to strengthen relations and build capacity through exchanges of experience on how best to prevent torture.

The EU continued to promote judiciary reform in several countries, aiming to secure an independent justice sector, access to justice and improved prison conditions both through political dialogue and financial support. Assistance was provided for the training of police and all other staff involved in the penal system, which covered human rights as well as detection and reporting of alleged torture, including proper use of the Istanbul Protocol.

Projects financed under the EIDHR are also promoting capacity building and the exchange of best practices in torture prevention. For instance, the project 'Global Holistic Approach to the Fight Against Impunity for Torture' has designed a useful database for the registration and recording of torture cases in rehabilitation centres in countries all over the world. A further project encourages states which have never previously submitted reports to the UN Committee Against Torture to do so, by publishing studies on impunity, submitting alternative reports, discussing and advocating. Through its Programmatic Cooperation Framework with the Council of Europe[30], the EU is providing support and capacity building to penal systems in enlargement and neighbourhood countries in particular. The EIDHR 2016 call for proposals included a lot of EUR 13.5 million to support the fight against torture and other cruel, inhuman or degrading treatment or punishment. This lot also addresses the inclusion of considerations relevant to torture prevention and victim rehabilitation in anti-terrorist actions and international crises, as well as gender-based violence and sexual torture. This EIDHR call takes into account the recommendations from the Court of Auditors' 2015 Special Report on 'EU support for the fight against torture and the abolition of the death penalty'[31], which was generally positive.

ANTI-DISCRIMINATION

Gender equality

In 2016, the EU pursued its gender equality and women, peace and security agenda in its human rights dialogues with most third countries, while EU Delegations across the world carried out specific activities to promote and protect women's and girls' rights. These included awareness-raising campaigns and advocacy events organised by EU Delegations, policy dialogues with partner countries, public advocacy activities, and funding projects and programmes.

30. European Union and the Council of Europe's Partnership Co-operation Framework in the Eastern Partnership Countries for 2015-2017
31. The European Court of Auditors' Special Report No 09/2015 on "EU support for the fight against torture and the abolition of the death penalty"

The latter helped prevent gender-based violence, increase women's participation in social and political life, and promote women's economic empowerment. The EU has been a fully committed partner in global action to end violence against women and girls, and the EU institutions and EU Delegations once again joined the UN-led 16 Days of Activism against Gender-Based Violence campaign from 25 November to 10 December 2016. The EU and its Member States welcomed that the tripartite experts meeting on violence against women and men in the world of work succeeded to agree on a set of conclusions to provide guidance to the standard-setting process that will start at the 2018 International Labour Conference.

The EU has also been working in the UN context, including with the HRC and the Commission on the Status of Women (CSW), and with other multilateral partners, such as ILO, OSCE, CoE, AU, OAS, North Atlantic treaty Organization (NATO) and Association of Southeast Asian Nations (ASEAN), to ensure that gender equality, women's empowerment, and the human rights of all women and girls remain at the heart of the global agenda. The EU has provided active support to the Syrian Women's Advisory Board of the UN Special Envoy for Syria to help integrate a strong gender perspective into the peace talks. Work has also been ongoing to implement the 2015 UN Plan of Action to Prevent Violent Extremism, which contains a section dedicated to empowering women as a pre-condition for effective prevention of violent extremism. The EU has been engaged in tackling the root causes of violence and extremism through a range of small-scale, tailor-made projects with civil society and local communities, with EU-financed initiatives across the Horn of Africa, Pakistan and the Middle East and North-Africa (MENA) region including specific gender-oriented actions.

The EU has actively followed up on the commitments it made during the 2015 High-level Review of UN Security Council Resolution 1325 on Women, Peace and Security. The EEAS, including EU Delegations, CSDP missions and operations, and EU Special Representatives, has continued to implement concrete actions to promote women's participation and leadership in peace and security processes; to end sexual and gender-based violence in conflict and post-conflict situations; to further integrate the gender dimension into countering emerging threats, including terrorism and violent extremism; and to strengthen cooperative frameworks, both internally and externally. The Brussels Conference on Afghanistan in October 2016 was a significant milestone, and included a high-level side event entitled 'Empowered Women, Prosperous Afghanistan'. This followed close cooperation between the EU and Afghan partners on the development of their National Action Plan on Women, Peace and Security, with the EU being among the first donors to support its implementation across the country.

The EU also stepped up its accountability on Women, Peace and Security, with the finalisation in October 2016 of a process of adapting and broadening the way in which the implementation of EU commitments is measured. Work is underway on an EU implementation report against a renewed set of comprehensive progress indicators.

The EEAS Principal Advisor on Gender/UNSCR 1325 (PAG) has promoted better internal/external coordination across work on gender equality, women's empowerment, and women, peace and security. In light of the EU's envisaged accession to the Council of Europe Istanbul Convention, the EEAS Principal Advisor has been advocating in various fora for states to benefit from this framework on combatting violence against women and girls and domestic violence.

The EU remains committed to the promotion, protection and fulfilment of all human rights and the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context[32]. Having that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The EU further stresses the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

In 2016, the EU continued to implement the 2013 policy "Gender in Humanitarian Assistance: Different Needs, Adapted Assistance"[33], which recognises gender as a quality criterion that helps to ensure that EU's humanitarian assistance reaches the most vulnerable and responds effectively to the specific needs of women, girls, boys, men and elderly women and men. In 2016, the EU continued the implementation of its commitments on policy dissemination and funding under the Call to Action on Protection from Gender-Based Violence in Emergencies, a global humanitarian initiative of which the EU has been part since 2013. In 2016, it is estimated that the EU allocated over EUR 27 million in humanitarian aid to prevent and respond to gender-based violence, reaching 3.4 million women, men, boys and girls.

Children

The EU seeks to promote and protect children's rights throughout the world, and to ensure respect for the principle of the best interests of the child in all policies affecting children. In light of the adoption of the 2030 Agenda on Sustainable Development[34] and the commitment to 'leave no one behind', the EU is strengthening efforts to ensure that the most marginalised children are reached.

The Guidelines on the Promotion and Protection of the Rights of the Child[35] provide comprehensive guidance to officials of EU institutions and EU Member States on means of working effectively towards the promotion and protection of the rights of the child in partner countries, and on the steps that the EU will take to achieve its objectives. The EU promotes a systems-strengthening approach to ensure that all the measures, structures and actors are in place to guarantee that no child is left behind.

32. All references to sexual and reproductive health and rights should be read in conjunction with the new European Consensus on Development (para 34).
33. Commission Staff Working Document, Gender in Humanitarian Aid: Different Needs, Adapted Assistance, SWD(2013) 290 final, 22 July 2013
34. Transforming our world: the 2030 Agenda for Sustainable Development, Resolution adopted by the General Assembly on 25 September 2015 (UNGA A/RES/70/1).
35. EU Guidelines for the Promotion and Protection of the Rights of the Child (2007)

It takes into account further developments in EU human rights policy, such as the implementation of a rights-based approach to development cooperation[36] (2014), and the emphasis on further mainstreaming human rights, as underlined in the European Commission proposal for a new European Consensus on Development[37].

Currently, 1 in 4 asylum applicants in Europe is a child. The EU welcomed commitments made in the New York Declaration on Refugees and Migrants[38], including ensuring that all refugee and migrant children are receiving education within a few months of arrival, preventing and responding to sexual and gender-based violence, and working towards ending the practice of detaining children for the purposes of determining their migration status.

The specific needs and vulnerabilities of children on the move, particularly related to their right to education and protection, were also highlighted in the Communication 'Lives in Dignity: from Aid–dependence to Self-reliance, Forced Displacement and Development' of April 2016[39]. In addition, the Staff Working Document entitled "Humanitarian Protection: Improving protection outcomes to reduce risks for people in humanitarian crises" of May 2016, outlines the definition and objectives of the EU's humanitarian protection work, including child protection[40].

Between 2012 and 2016, the EU's humanitarian funding for Education in Emergencies has helped nearly 4 million crisis-affected children around the world to access education and training. In 2016, 4% of the EU's humanitarian budget, EUR 64 million, was dedicated to education in emergencies. The EU has also strongly advocated for children's right to education at international fora and organised an international Education in Emergencies Forum in November 2016.

At multilateral level, the EU tables two resolutions on the rights of the child every year at the UN with the Group of Latin American Countries (GRULAC). The EU led on both the March 2016 UN Human Rights Council resolution on Information and Communications Technology and Child Sexual Exploitation, and on the UN General Assembly 3rd Committee resolution on Migrant Children.

The EU remained fully committed to the protection of children from all forms of violence. In October 2016, the EU Council Working Party on Human Rights (COHOM) discussed in a special session the rights of the child in EU external policies. This focused on strengthening child protection systems, child participation, preventing the institutionalisation of children and developing alternative care solutions, and protecting children from harmful practices.

36. The Commission developed a tool-box to guide staff in implementing a rights-based approach, Commission Staff Working Document Tool-Box A Rights-Based Approach, Encom passing all Human Rights for EU Development Cooperation (SWD(2014) 152 final) (9489/14, 5 May 2014).
37. Proposal for a new European Consensus on Development: Our World, our Dignity, our Future, COM(2016) 740 final, 22 November 2016.
38. New York Declaration for Refugees and Migrants, A/71/L.1*, 13 September 2016
39. Communication 'Lives in Dignity: from Aid–dependence to Self-reliance, Forced Displacement and Development', COM(2016) 234 final, April 2016
40. Staff Working Document, Humanitarian Protection: Improving protection outcomes to reduce risks for people in humanitarian crises, SWD(2016) 183 final, 23 May 2016

In 2016, the Council adopted conclusions on Child Labour[41], recalling the EU's strong commitment to ending child labour and encouraging participation in the IV Global Conference on Child Labour to be held in Argentina in November 2017.

The EU continued its support for the 'Children, Not Soldiers' campaign, jointly initiated in 2014 by the UN Special Representative of the Secretary-General for Children and Armed Conflict and United Nations Children's Fund (UNICEF), which aimed at ending the recruitment and use of children by government armed forces in conflict by 2016. Despite the escalation in conflict and increased security challenges in some of the eight campaign countries in 2015, the campaign has so far resulted in the release of thousands of former child soldiers. All eight countries have now successfully signed Action Plans with the UN to end and prevent the recruitment and use of children. Under the EIDHR, the Commission supported six projects worth EUR 5 million in 2016 for children associated with armed forces, groups and gangs, and impacted by armed violence. Projects are taking place in Colombia, DRC, Palestinian Territories, Sudan and Lebanon.

Elderly

The EU is keenly aware of the difficulties faced by older persons, and of the need to do more to ensure that their human rights are fully respected. In early 2016, the EU contributed to the report of the UN Independent Expert on the enjoyment of all human rights by older persons, Rosa Kornfeld-Matte, and also supported the extension of her mandate in a Human Rights Council resolution in September. In the 7th session of the Open-Ended Working Group on Ageing in held in New York in December 2016, the EU contributed actively to the open discussion and exchange of best practices, opposing discrimination against older persons. The EU also supported the decision to allow National Human Rights Institutions to participate in the work of the Open-Ended Working Group. This decision was taken by consensus, with the result that National Human Rights Institutions with an A-status can now participate fully, albeit without the right to vote.

Lesbian, gay, bisexual, transgender and intersex persons (LGBTI)

2016 saw continued steady progress towards decriminalisation of same-sex relationships, with Nauru and the Seychelles repealing laws that criminalise homosexuality, and the Supreme Court of Belize overturning the country's anti-sodomy law. Historic gender identity laws were also approved in many parts of the world. For the first time, LGBT issues were included on the official agenda of the World Economic Forum in Davos, in recognition of the important links between LGBTI inclusion and economic development.

However, violence and discrimination remained a daily reality for many LGBTI persons, and the terrible attack at a gay nightclub in Orlando, Florida, shocked the world. Meanwhile, 73 countries still criminalise same-sex relationships, and there are 13 states where homosexual acts are punishable by death. Unequal access to healthcare, education and other sectors is still widespread. The EU has continued to work proactively with third countries to eliminate violence and discrimination against LGBTI persons, and carried out discreet diplomacy in response to specific cases of violence or discrimination.

41. Council conclusions on Child Labour, 10244/16, 20 June 2016

On 17 May 2016, the High Representative of the Union for Foreign Affairs and Security Policy, issued a statement to mark the International Day against Homophobia, Transphobia and Biphobia, paying homage to the courageous efforts of advocates to promote the enjoyment of all hu¬man rights by LGBTI persons. Several EU Delegations around the world commemorated the day by flying the rainbow flag, issuing press releases or organising events to raise awareness about the human rights of LGBTI persons, while many others supported local Pride celebrations and engaged with civil society to end discrimination based on sexual orientation and gender identity (SOGI). The EU also developed guidance and face-to-face training on ensuring the human rights of LGBTI persons for its staff to enhance communication and proactive handling of LGBTI issues with third countries.

In 2016, the EU supported 19 EIDHR projects aimed at improving the visibility and acceptance of LGBTI organisations, and enhancing their dialogue with authorities to change laws; combatting homophobia; protecting LGBTI persons from violence; and providing training, information and legal support to LGBTI persons and non-governmental organisations. There was a focus on regional projects dedicated to building the capacity of local civil society and community-based organisations, and to creating networks. The 2013-2014 Global Resources Report for Philanthropic and Government Support to LGBTI Communities (published in June 2016) mentioned the EU as the third largest government and multilateral funder of LGBTI issues by total amount.

The EU continued to be active in multilateral efforts to tackle violence and discrimination against LGBTI persons by engagement with the relevant special procedures, including the new Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. As a member of the UN LGBT Core Group, the EU was involved in organising the high-level #Path2Equality ministerial meeting held during the 71st UN General Assembly. EU SR for Human Rights attended the event, which brought together global leaders to discuss progress towards advancing the human rights of LGBTI persons. In January 2016, LGBTI issues were also identified as one of the EU priorities for cooperation with the Council of Europe in 2015-2017.

Persons with disabilities

2016 marked the 10th anniversary of the Convention on the Rights of Persons with Disabilities (CRPD), to which the EU is a party. 168 countries have now ratified the Convention. The EU held a number of public events and conferences to celebrate the anniversary, and also participated in events organised by other partners, such as a side event at the 31st session of the Human Rights Council on aligning the 2030 Agenda with the rights of persons with disabilities in February 2016.

At the same session of the Human Rights Council, the annual debate on the rights of persons with disabilities focused on the rights of persons with disabilities in situations of risk and humanitarian emergencies. During the annual conference of parties to the CRPD in June, the EU argued for the need to reduce barriers to social inclusion and equality by addressing accessibility issues in the labour market. The EU also made interventions concerning poverty and accessibility, and organised several side events with civil society organisations including disabled people's organisations.

In line with Council Conclusions on the World Humanitarian Summit of 12 May 2016[42], the EU also signed up to the Charter on Inclusion of Persons with Disabilities in Humanitarian Action. The Charter affirms a collective will to place persons with disabilities at the centre of humanitarian responses.

The EU took part in the 16th Informal ASEM Seminar on the Human Rights of Persons with Disabilities, held in Beijing on 8-11 November 2016. This was an opportunity to discuss mainstreaming in relation to the human rights of persons with disabilities with a wide range of stakeholders, including persons with disabilities themselves.

In 2016, the EU and the Office of the High Commissioner for Human Rights (OHCHR) launched the implementation of a joint four-year project entitled 'Bridging the Gap I: Human Rights indicators for the CRPD in support of a disability-inclusive 2030 Agenda for Sustainable Development'. The project will provide crucial tools and guidance for framing the implementation, monitoring and reporting of the CRPD in the context of the Sustainable Development Goals (SDGs). In December 2016, the EU signed a new grant contract entitled 'Bridging the Gap II: Inclusive policies and services for equal rights of persons with disabilities', which will be implemented by EU Member State agencies from Austria, Italy and Spain, in partnership with the European Disability Forum and the International Disability and Development Consortium. This project will increase the technical capacity of development partners to include persons with disabilities in mainstream development cooperation, ensuring that work towards achieving the SDGs is consistent with the CRPD. It will also enhance the capacity of five partner governments in low and middle income countries to develop and implement disability-inclusive policies and services.

In addition, in 2015-2016, the EU funded over 80 projects focusing on the promotion of rights and social inclusion of persons with disabilities in partner countries, with a budget of over EUR 56 million.

Rights of indigenous peoples and of persons belonging to minorities

Regrettably, the events of 2016 provided ample proof of the continuing need for the EU to promote the rights of indigenous peoples in the context of environment, climate and land tenure. During 2016, the EU issued statements and demarches calling for justice following the killings of indigenous human rights defenders, as well as providing urgent assistance to indigenous human rights defenders whose safety was threatened.

The EU also continued to receive reports of violations of indigenous peoples' rights, owing to land grabbing in the context of extractive industries and other business- and development-related activities. EU Delegations help verify such reports and develop appropriate responses.

Through the EIDHR, the EU renewed its support the Indigenous Peoples' Center for Documentation, Research and Information (DoCip), a foundation acting as the Technical Secretariat of the Indigenous Peoples representatives for the UN organs, bodies and sessions in relation with Human Rights.

42. Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the World Humanitarian Summit, 8850/16, 12 May 2016

The project aims at facilitating the full and effective representation of Indigenous Peoples to the UN Human Rights system, and stronger synergies with and amongst Indigenous Peoples' organisations. Moreover, for the very first time, a European component was added to the activities, in response to the European Parliament's request for supporting interaction between Indigenous Peoples representatives and the European institutions.

On 17 October 2016, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy published a joint staff working document entitled 'Implementing EU External Policy on Indigenous Peoples'[43]. The document gives a state of play of the implementation of the commitments in the EU Action Plan on Human Rights and Democracy 2015-2019 which relates directly to indigenous issues, in line with the UN Declara¬tion on the Rights of Indigenous Peoples and the Outcome Document of the World Conference on Indigenous Peoples held in New York in 2014 (SWD (2016) 340 final). It concludes that an adequate EU policy framework on indigenous peoples' rights is in place and is being successfully applied. However, the paper also presents a number of considerations for enhancing the EU's impact and effectiveness, and applying the policy framework more consistently in EU relations with partner countries.

At the UN, the EU contributes actively to the mechanisms specific to indigenous issues and to resolutions on the rights of indigenous peoples at the Human Rights Council and Third Committee of the UN General Assembly (UNGA). Most importantly, in 2016 the EU contributed to the successful review of the mandate of the Human Rights Council's Expert Mechanism on the Rights of Indigenous Peoples. The EU is also involved in the consultations conducted under the auspices of the UNGA President on enabling indigenous peoples' representatives and institutions to participate in meetings of relevant UN bodies on issues affecting them.

Persons belonging to minorities are affected disproportionately by the increased levels of insecurity, intolerance and forced displacement in many parts of the world. As many countries do not have mechanisms in place to protect the rights of persons belonging to minorities, they are very often left without a voice and frequently find themselves criminalised for legitimate social protests. In light of this precarious situation, the EU increased its focus on the rights of persons belonging to minorities in its human rights dialogues with partner countries and regional organisations in 2016. These dialogues also covered issues related to persons affected by caste-based discrimination, and paid particular attention to the most vulnerable people within minority groups, such as women, children and persons with disabilities. An important lesson learned from the 2016 dialogues is that the 2030 Agenda and the Sustainable Development Goals offer a strong platform for addressing inequalities, and thereby complement discussions on upholding the human rights of persons belonging to minorities.

Throughout 2016 the EU has continued to engage with international mandate holders on minority issues, such as the Special Representative on Roma Issues of the Secretary General of the Council of Europe, the UN Special Rapporteur on Minority Issues, and the OSCE High Commissioner on National Minorities (HCNM). The EU has consistently advocated unhindered access for the HCNM to geographical areas of high tension.

43. Joint Staff Working Document, Implementing EU External Policy on Indigenous Peoples, SWD(2016) 340 final, 17 October 2016

The 9th session of the UN Forum on Minority Issues took place in November 2016, focusing on minorities in situations of humanitarian crises. Based on its commitments to the World Humanitarian Summit in 2015, the EU was well placed to contribute to the discussions held at the Forum.

Racism, racial discrimination, xenophobia and related intolerance

The EU engages with partner countries, in multilateral fora and with civil society on strategies to combat racism, racial discrimination, and xenophobia and related intolerance. In its human rights dialogues, the EU emphasises the importance of the universal ratification and implementation of the International Convention for the Elimination of Racial Discrimination. At the UN, the EU is dedicated to the implementation of the Durban Declaration and Plan of Action, as well as to the Programme of Activities for the UN Decade for People of African Descent. In its participation in the UN mechanisms dedicated to the elimination of racial discrimination, the EU promotes a consensual approach, focusing on the obligations of states to ensure the protection of human rights for all without discrimination. Moreover, the EU takes every opportunity, including in interactive dialogues with the relevant HRC mandate holders, to speak out against racism, racial discrimination, xenophobia and related intolerance worldwide.

BUSINESS AND HUMAN RIGHTS

In light of continued reports of violations of civil, political, economic, social and cultural rights resulting from corporate behaviour, the EU supported the activities of human rights defenders and promoted respect for human rights by businesses. This issue was raised during human rights dialogues with a number of third countries, particularly in Latin America and Asia. The EUSR for Human Rights raised business and human rights in his discussions with strategic partners, including South Africa and Brazil, and with the African Union.

The EU continued to promote the Guiding Principles on Business and Human Rights (UNGPs), endorsed unanimously in 2011 at UN level, as the best policy tool to address these issues comprehensively. By the end of 2016, eight EU Member States had adopted National Action Plans on Business and Human Rights, and most others had completed or advanced significantly with National Action Plans on Corporate Social Responsibility or on Business and Human Rights. Further on, Council Conclusions on Business and Human Rights and on Responsible Global Value Chains were adopted in 2016. The EU and its Member States played an important role in the adoption by the International Labour Organisation of Conclusions and of an Action Plan on Decent Work in Global Supply Chains.

In its November 2016 Communication on a Sustainable European Future[44], the Commission committed to intensifying its work on Responsible Business Conduct, focusing on concrete actions based on the principles and policy approach identified in the Commission's 2011 EU Corporate Social Responsibility Strategy[45].

44. Communication, Next steps for a sustainable European future European action for sustainability, COM(2016) 739 final, 22 November 2016
45. Communication, A renewed EU strategy 2011-14 for Corporate Social Responsibility, COM/2011/0681 final, 25 October 2011

As regards technical support, in 2016 the Commission published an EIDHR call for proposals on the implementation of the UNGPs. Technical support to develop National Action Plans was provided under the Partnership Instrument (PI)[46] to countries in Latin America such as Brazil, Costa Rica, Mexico, Panama and Peru. There were also preparations for a broader follow-up PI action on Responsible Business Conduct in Latin America and the Caribbean. Furthermore, the EU funded technical support for the African Union (AU) for the development of an AU framework on promoting responsible business conduct in Africa.

Within the multilateral framework, the Inter-Governmental Working Group (IGWG) for the preparation of an international legally binding instrument on Business and Human Rights met for the second time at the Human Rights Council in October 2016. The EU was an active participant and welcomed the fact that the IGWG would not only focus on transnational corporations, but on all kinds of enterprises.

46 Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries

4. Human Rights throughout EU External Policies

TRADE

Trade policy can support the advancement of and respect for human rights in third countries in conjunction with other EU external policies, in particular development cooperation. The 2015 Communication 'Trade for all – Towards a more responsible trade and investment policy' offers EU assistance to allow developing countries, particularly vulnerable and Least Developed Countries, to integrate into the global trading system and to maximise the benefits from international trade[47]. This involves various policy instruments, including the EU's Aid for Trade[48], the unilateral trade preferences scheme and provisions in bilateral and regional trade agreements. Human rights considerations, including fundamental principles and rights at work, are integrated into unilateral preferences, EU export controls policy and EU bilateral free trade agreements.

The current Generalised Scheme of Preferences (GSP) Regulation has been in force since 1 January 2014 and continues to provide the world's most generous unilateral trade preferences to support economic development in developing countries. Fourteen countries have been granted particularly advantageous trade preferences (GSP+) under the new scheme, on condition that they ratify and effectively implement 27 international conventions, including core human and labour rights conventions. In 2016, five countries concluded Free Trade Agreements with the EU and therefore left the GSP+ scheme, and one new country, Sri Lanka, applied for GSP+ status. In 2016 the Commission published the first biennial report on the GSP+ monitoring cycle[49], with the second to follow in 2018.

The EIDHR instrument includes dedicated support of EUR 5 million to empower civil society actors to contribute to the monitoring and effective im¬plementation of the 27 relevant conventions ratified by GSP+ beneficiary countries.

In 2016, the EU also continued work on the Bangladesh Compact together with the Bangladeshi government, ILO, USA and Canada to improve core labour standards and safety in the textile industry.
The European Commission conducts Impact Assessments (IAs) before the launch of trade negotiations or the introduction of new or revised regulations governing EU trade policy.

47. Communication, 'Trade for all — towards a more responsible trade and investment policy', COM(2015) 497 final, 14 October 2015
48. EU Strategy on Aid for Trade: Enhancing EU support for trade-related needs in developing countries, 14470/07, 29 October 2007
49. Joint Staff Working Document, 'The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') covering the period 2014 – 2015, SWD(2016)8, 28 January 2016

It also carries out Sustainability Impact Assessments (SIAs) in parallel with trade negotiations. The EU is committed to assessing human rights in both IAs and SIAs. A special guidance tool[50] was developed in 2015 for assessing human rights in trade actions, and this guidance was put to use in all assessments carried out in 2016. This includes SIAs for the EU-China and EU-Burma/Myanmar Investment Agreements, and the EU-Turkey IA for modernisation of the Customs Union, as well as ongoing IAs for negotiations of FTAs with New Zealand, Australia and Chile.

Free trade agreements entered into after 2009 are linked to the human rights provisions set out in the respective political framework agreements between the parties. If there is no political framework agreement in force between the parties, an essential elements clause and suspension possibilities in case of human rights abuse are entered into the free trade agreement.

As regards EU export controls, Regulation (EC) No 1236/2005 on trade in goods which could be used for capital punishment or torture has been revised, and the new amendments entered into force on 16 December 2016[51]. The Commission also adopted an update of Council Regulation 428/2009 in 2016 set¬ting out a Community regime for the control of exports, transfer, brokering and transit of dual-use items. This regime now includes examining controls on surveillance technology to mitigate the potential risks associated with the uncontrolled export of information and com¬munications technology (ICT) products that could be used for human rights violations.

The European Commission promotes private fair and ethical trade schemes, and considers that they can be beneficial to strengthen sustainable development principles, including respect for human rights. While there is no intention to rank or regulate such schemes, the Commission carried out work in 2016 to on improve the flow of information to ensure that consumers understand the criteria underlying each scheme, are able to make informed decisions, and quickly identify false claims.

At multilateral level, the EU supports the Arms Trade Treaty (ATT), which aims at enhancing responsibility and transparency in the arms trade and which entered into force at the end of 2014. The Treaty requires inter alia that the risk of arms being used to commit or facilitate serious violations of human rights or international humanitarian law, including acts of gender-based violence, be assessed in arms export decisions. Arms exports are also prohibited if they could be used to commit genocide, crimes against humanity, grave breaches of the Geneva Convention, attacks directed against civilians, or other war crimes as defined by relevant international conventions.

In this context, the EU continued to promote the Treaty's ratification by all UN Member States in 2016. In addition to these diplomatic efforts, the EU-funded ATT implementation support programme has so far provided technical assistance to 17 countries, assisting them in strengthening their national systems in line with the requirements of the Treaty.

50. Guidelines on the analysis of human rights impacts in impact assessments for trade-related policy initiatives (2015)
51. Regulation (EU) 2016/2134 of the European Parliament and of the Council of 23 November 2016 amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment

DEVELOPMENT COOPERATION

The EU is committed to integrating human rights, whether civil and political, or economic, social and cultural, into development cooperation. The objective is not only to 'do no harm' by avoiding unintended negative impacts of development activities for the final beneficiaries, but also to 'do maximum good' by contributing in a concrete and direct way to the realisation of their human rights, considered both as a means and a goal of development cooperation. In 2014 a Commission Staff Working Document[52] was published and subsequently the Council adopted conclusions on 'a rights-based approach, encompassing all human rights for EU development cooperation'[53]. This provided tools and concrete guidance on the rights-based approach (RBA) to development, which the EU is now implementing across all development programmes. January 2016 saw the launch of a dedicated support programme for the RBA, which combined training and technical assistance to build in-house capacity on the RBA. This programme is mainly for staff in EU Delegations, but Member States, partner countries implementing the European Development Fund, and local CSOs are also able to benefit from this training. In addition, sectorial guidance was developed for EU external cooperation actions addressing Terrorism, Organised Crime and Cybersecurity. In late 2016, the EU hosted a meeting with Member States and UN agencies to share experience and best practices on a rights-based approach to implementing the SDGs, which led to an agreement to develop a more regular and substantive exchange on RBA methodology between the EU, Member States and the OHCHR.

52. Commission Staff Working Document Tool-box A rights-based approach encompassing all human rights for development cooperation, SWD (2014) 152 final, 30 April 2014..
53. Council conclusions on a rights-based approach to development cooperation, encompassing all human rights, 19 May 2014

I. Candidate countries and potential candidates

The values on which the EU is founded as set out in Article 2 of the Treaty on European Union are reflected in the accession criteria. These essential conditions which all candidate countries must satisfy to become a member state notably include: the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. The current enlargement agenda covers the countries of the Western Balkans and Turkey[54]. The progress made by those countries towards meeting those criteria is covered in depth in the European Commission's 2016 enlargement package. The Commission applied its recalibrated reporting methodology, introduced in 2015, to new areas in the annual reports on enlargement countries. The assessments reflect the progress made over the past year and the state of play with regard to countries' level of preparedness to take on the obligations of membership. The reports also took stock of measures taken to address recommendations issued in 2015 and provided further guidance on priorities for reform in each country.

The EU continued to implement its enlargement policy according to the 'fundamentals first' principle. The Commission continued to focus its efforts on the rule of law, including security, fundamental rights, democratic institutions and public administration reform, as well as on economic development and competitiveness. These remain crucial for meeting the Copenhagen membership criteria and are essential cross-cutting issues that, if properly addressed, allow candidate countries to take on the obligations of membership. This approach has delivered results on the ground and the reform processes are moving forward overall, albeit at different speeds. Given the complex nature of the necessary reforms, it is a long-term process and shortcomings persist in a number of key areas.

The 2016 Communication on EU enlargement policy notes that **fundamental rights** continue to be largely enshrined in the legislation of the enlargement countries. In the Western Balkans, shortcomings remain in practice, but the situation is broadly stable. In Turkey, there has been backsliding in this area and practical implementation often shows significant shortcomings. Following the attempted coup of 15 July 2016 in Turkey, selective and arbitrary application of the law, especially of the provisions on national security and the fight against terrorism, is having a negative effect on freedom of expression. Criminal cases against journalists, human rights defenders and members of parliament are of serious concern. Freedom of expression and the media remains a particular concern in most enlargement countries, albeit to different degrees.

Discrimination and hostility towards vulnerable groups, including on grounds of sexual orientation or gender identity, remains a serious concern.

54. 2016 Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016

Further work is required to ensure equality between women and men, including tackling domestic and gender-based violence, and ensuring equal opportunities for women, notably on the labour market. The rights of the child, including the development of child protection systems and effective policies to support persons with disabilities, need to be strengthened. The difficult situation of the Roma remains broadly unchanged and Roma, particularly in the Western Balkans, continue to be the victims of discrimination and social exclusion. Effective protection of personal data, as well as robust systems to ensure procedural rights, are still not fully established in many enlargement countries.

The proper functioning of **democratic institutions** remains a key challenge in a number of countries. The central role played by national parliaments in terms of safeguarding democracy needs to be embedded in the political culture. Parliamentary scrutiny is often undermined by insufficient government reporting, weak parliamentary committee structures and the excessive use of urgent parliamentary procedures. While the conduct of elections as such is broadly without major incidents, important deficiencies, including with respect to election management and political interference in media reporting, have an impact on the integrity of the overall pre-electoral and electoral process. Elections often continue to be seen as an opportunity to gain political control of the broader administration, including independent institutions.

The Commission continues to support reform efforts in the fundamental fields of democracy and fundamental rights, including through its financial assistance and capacity-building measures. Candidate countries also take part in relevant working groups of the Commission such as the education (ET 2020 WG) on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, which promotes exchanges of good practices on non-discrimination, gender equality and human rights education.

More information available here.

Republic of Albania

There are four key ongoing projects under the Instrument for Pre-accession Assistance (**IPA**)[55] that focus on enhancing the effectiveness of the Albanian system of human rights protection and anti-discrimination (IPA 2013, EUR 1.5 million), on economic and social empowerment for Roma and Egyptians (IPA 2014, EUR 4 million), on alternative dispute resolution, aiming at providing citizens with alternative ways of resolving disputes (IPA 2012, EUR 750 000), and on the penitentiary system (IPA 2013, EUR 1 million).

Under IPA's Civil Society Facility, seven projects (totalling approximately EUR 1.2 million) relate to the protection of human rights and aim at fostering social inclusion for persons belonging to minorities, particularly Roma and Egyptians, monitoring respect for fundamental rights in detention centres, supporting access to justice for vulnerable groups, and promoting restorative justice and victim offender mediation for juveniles.

55. Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)

There are two ongoing projects funded under the European Instrument for Democracy and Human Rights (**EIDHR**) (EUR 1.2 million in total) targeting child protection in Albania and the empowerment of women in the mountainous regions in the north of the country. These projects provide for a large number of sub-grantees in order to increase the outreach of actions.

More information available here.

Bosnia and Herzegovina

In 2016, financial assistance under the Instrument for Pre-accession Assistance (**IPA**) focused on children and adults with disabilities by supporting the transformation of institutions for social protection and strengthening models of community-based social care for children without parental care (EUR 1.3 million) as well as the empowerment of civil society organisations to monitor and advocate for child rights and to promote inclusive and innovative services (EUR 5.8 million Western Balkans and Turkey regional project). The implementation of a EUR 2.5 million project targeting the socio-economic inclusion of the Roma population is ongoing with the provision of 140 housing units and integrated socio-economic measures, together with significant engagement in the process of the revision of the Roma action plan 2017-2020 for employment, housing and health. Support for the Ministry of Human Rights and Refugees was also provided in connection with the preparation of amendments to the Bosnia and Herzegovina anti-discrimination law and related strategy.

Twelve ongoing projects funded under the **EIDHR** were implemented in 2016 (EUR 2.7 million). These projects focus in particular on the protection of minorities including Roma, in general, and Roma children, in particular, the protection of LGBTI persons, the rights of persons with disabilities and the promotion of students' participation in democratic reforms, the empowerment and participation of young people and the socio-economic empowerment of marginalised groups. Five additional grants were awarded at the end of 2016 for an overall amount of EUR 1.7 million, addressing gender-based violence, mapping human rights in the media, the right to education for all, Roma integration measures and the prevention of domestic violence against women in rural areas.

More information available here.

The former Yugoslav Republic of Macedonia

In 2016, the EU continued to focus political dialogue and assistance through the Instrument for Pre-accession Assistance (**IPA**) on improving respect for fundamental rights in the country. 67 projects with civil society organisations, amounting to over EUR 10.3 million, support inter alia freedom of expression and of the media and investigative journalism, as well as participatory democracy. Some projects also aim to counteract discrimination in all its forms, improve the protection of the rights of Roma, persons with disabilities and children and youth in vulnerable positions, decrease the gender gap and improve equality. Under the EU/CoE Horizontal Facility for the Western Balkans and Turkey and the JUFREX regional programmes, projects worth EUR 7 million have been launched to address discrimination and improve the protection of vulnerable groups and freedom of expression and strengthen judicial capacities to safeguard human rights and combat ill-treatment and impunity. Key institutions, such as the Ombudsman, the Ministry of Justice, the Public Prosecution Office, the Directorate for

Personal Data Protection, the Judicial Council, the Council of Public Prosecutors, the Directorate for Execution of Sanctions, the Academy for Judges and Public Prosecutors and the Ministry of Labour and Social Policy, have also benefited from significant IPA support (over EUR 18 million) which, along with building up their operational capacities, also aims at safeguarding human rights and enforcing international conventions and related legislation in the country.

Under the EIDHR scheme, the EU Delegation in Skopje implemented 19 projects worth EUR 2 million in total in 2016. The projects addressed issues ranging from freedom of expression to improved access to justice, the promotion of the rights of women, youth and children, protection of and respect for diversity, non-discrimination, the social inclusion of Roma, enhancing interreligious dialogue and religious pluralism, and initiatives for promoting the EU's role in the democratisation processes and development.

More information available here.

Kosovo*

In 2016, the EU Community Stabilisation Programme phase III, part of **IPA** 2014 implemented by IOM, has so far implemented 124 projects (98 individual family businesses and 26 community development projects) creating and/or securing over 280 jobs and indirectly affecting around 30 000 inhabitants in the disadvantaged minority areas. The twinning project on fighting homophobia and transphobia completed its operations in 2016. The Civil Society Facility supported two coalitions: ERAC (Equal Rights for All Coalition) for the promotion and protection of the fundamental rights of vulnerable and marginalised groups (EUR 900 000) and KEEN (Kosovo Education and Employment Network) to promote the employability of vulnerable groups in Kosovo* and their inclusiveness in both the education sector and the labour market (EUR 900 000). Under the same instrument, three operating grants focus on the protection and promotion of the rights of persons with disabilities, LGBTI persons and the Roma, Ashkali and Egyptian communities. The regional EU/CoE Horizontal Facility for the Western Balkans and Turkey started operating with components on prison reform, the introduction of CEPEJ tools for the judiciary and education (anti-discrimination and anti-corruption).

During the year, eight **EIDHR** projects amounting to a total of EUR 1.7 million were successfully contracted. One project will be supporting the Ombudsman, two focuses on political participation among women; two support the rights of the child and three actions focus on anti-discrimination. In addition, three EIDHR projects (worth approximately EUR 600 000) continued to be implemented in the areas of court monitoring, social housing and personal data protection.

More information available here.

* 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.

Montenegro

In 2016, three **IPA** projects (worth approximately EUR 2.5 million) were implemented in the area of human rights, including sustainable solutions for the internally displaced Roma population, gender equality, support for the Ombudsman's office, the Ministry of Human and Minority Rights and the Ministry of Justice (Prison Administration) on the application of human rights standards. As regards new commitments, EUR 1 million was allocated to the promotion and protection of the human rights of Roma, Egyptians and other vulnerable groups in 2016. In the framework of the IPA Human Resources Development Operational Programme nine grant projects totalling EUR 0.75 million were selected for providing trainings and employment opportunities to people with disabilities and to the Roma and Egyptian Population. In addition, within the IPA Civil Society Facility, seven projects relating to anti-discrimination policies and human rights (social inclusion of children and youth with disabilities, consumer and patient rights, rights of mental health patients, social entrepreneurship) were implemented in 2016 to a value of around EUR 1 million.

The implementation of six projects under the **EIDHR** (Country-Based Support Scheme) with a total value of EUR 700 000 continued in 2016. These covered the human rights of LGBTI persons, the political participation of Roma (establishment of the first trade union composed of Roma workers), consumer protection and patients' rights, increasing trust in elections, combating gender-based violence, and the regional EIDHR project of EUR 570 000 on the prevention of ill-treatment in prisons and fighting impunity.

More information is available here.

Republic of Serbia

In 2016, the EU continued to implement a number of projects under the IPA programme to support anti-discrimination policies and to improve the situation of vulnerable people, including Roma, refugees and internally displaced persons. In 2016, in the field of Roma inclusion, there were four projects ongoing, with a total value of EUR 11.4 million. In October 2015, the twinning project 'Support for the advancement of human rights and zero tolerance for discrimination' was launched. It will last 20 months with a total value of EUR 1.2 million. In the context of the Civil Society Facility, 10 grants were awarded to civil society organisations with an overall value of EUR 3.5 million. Support in the form of long-term grants, which include capacity building for grassroots organisations, will increase the effectiveness of the Serbian civil society organisations (CSOs) in undertaking initiatives focused on the rule of law, regional cooperation and civil society participation in the process of negotiations in Serbia and policy monitoring.

19 projects funded under the **EIDHR** for an overall amount of EUR 2 million were implemented in 2016. These projects focus notably on the protection of minorities, the human rights of LGBTI persons, gender equality, children's rights, the rights of asylum seekers and the rights of persons with disabilities. In addition a new call for proposals was published under the EIDHR budget for 2016 and 2017, with a total value of EUR 1.75 million.

More information is available here.

Republic of Turkey

Reform and capacity-building needs under the rule of law and fundamental rights were identified as major priorities in the country strategy paper 2014-2020 (**IPA** II assistance) for Turkey. They remained a high priority in 2016, in a particularly sensitive context, not least in the aftermath of the July 2016 coup attempt. From the perspective of implementation, very large budgets have already been mobilised for Turkey in 2015 and 2016 for migration, asylum and border management as a consequence of the migration crisis and the implementation of the Visa Liberalisation Roadmap[57], while assistance relating to the refugee crisis will continue to be mobilised through the facility for refugees in Turkey. Political and institutional uncertainties experienced by some key beneficiaries after the coup attempt are also being taken into consideration.

Under the **IPA**, several projects in the implementation phase can be highlighted for their human rights orientation, such as capacity-building projects with relevant human rights institutions (such as the National Human Rights Institute, the Ombudsman and the parliament), projects relating to freedom of expression, and projects focusing on women's rights, anti-discrimination and social inclusion. In the context of the overall deterioration of human rights in the past year, in particular following the coup attempt, the IPA 2016 national programme includes a EUR 5 million action designed to strengthen respect for fundamental rights and freedoms for all individuals without discrimination in line with the European Convention on Human Rights (ECHR) in the areas of gender equality and Roma in Turkey. The 2016 home affairs action will provide support for Turkey in implementing related requirements and contribute to the efforts to host refugees from the conflict in Syria (EUR 92.05 million EU contribution). In addition, through the facility for refugees, EUR 2.2 billion has been allocated in 2016 to projects supporting refugees and host communities, with full respect for international human rights standards.

EIDHR projects in Turkey focus on the most critical human rights issues for the country, including freedom of expression and an independent media, improved access to justice, combating torture and impunity, protection of and respect for cultural diversity, vulnerable groups and the rights of persons belonging to minorities, human rights education and training programmes, and enhancing political representation and participation in society, particularly for under-represented groups (including women, LGBTI persons, Roma and youth). In December 2016 22 projects were implemented under the Turkey Programme and 23 new grants were signed for a value of EUR 5 million. The new projects cover several critical human rights areas: human rights defenders, the human rights of LGBTI persons, women's rights and countering violence against women, minorities. The EIDHR is also expected to play a role in the response to the Syrian crisis, working with civil society organisations on the rights of refugees, asylum seekers, internally displaced persons and migrants in general. To this end, the financial envelope included a sum of EUR 2 million to support the rights of refugees, asylum seekers and migrants. Priorities in this area are consistent with, and complementary to, the work conducted under the IPA, the Instrument contributing to Stability and Peace (IcSP), and other important instruments such as the EU Trust Fund.

More information is available here

57. European Commission, Roadmap towards the visa-free regime with Turkey, 16 December 2013

Multi-beneficiary assistance

Under the **IPA** multi-beneficiary assistance, areas such as the promotion of human rights, the protection of minorities, anti-discrimination and protection-sensitive migration management are funded through a total envelope of EUR 32.1 million.

Democracy and the promotion of human rights are addressed in particular through the EU/CoE Horizontal Facility for the Western Balkans and Turkey for a total amount of EUR 25 million (EUR 20 million EU contribution). Moreover, the Council of Europe implemented an EU-funded programme for the protection and promotion of the rights of persons belonging to minorities for a total value of EUR 3.6 million. A contribution of EUR 8 million was also dedicated to enhancing the human rights focus of migration management in the Western Balkans, under the ongoing contracts implemented by IOM and Frontex in partnership with the United Nations High Commissioner for Refugees (UNHCR) and European Asylum Support Office (EASO).

In addition, the EU continued its support for the International Criminal Tribunal for the former Yugoslavia (ICTY) via various contracts amounting to a total of EUR 500 000). The aim of this work is to communicate to those affected by the conflict not only the findings of the ICTY trials, but also the important concepts which underpin the Tribunal's work. These include the concept of individual criminal responsibility, the rule of law and respect for human rights. These principles are amongst the core tenets shared by all members of the European Union.

Furthermore, within the framework of the Civil Society Facility for the Western Balkans and Turkey, the European Commission is channelling substantive financial assistance towards supporting the development of civil society. Around 3.5% of the entire IPA is tentatively earmarked for civil society and the media for the period 2014-2020. In 2016, around 50 regional networks involving more than 250 CSOs from the Western Balkans and Turkey were supported financially via the facility (approximately EUR 25 million in total). These were in the vast majority watchdog and advocacy initiatives in a wide range of sectors supporting the policy reforms and accession process (promoting women's rights and preventing gender-based violence, protecting the human rights of LGBTI persons and persons with disabilities, ensuring good governance, monitoring public financial management and public administration reform). In addition, the facility is supporting a number of regional programmes implemented by international organisations (e.g. UNICEF, the UNESCO, and the Council of Europe on freedom of expression) for a total value of EUR 9.5 million.

II. EEA/EFTA COUNTRIES - NON EU WESTERN EUROPEAN COUNTRIES

(Switzerland, Norway, Iceland, Liechtenstein, the Holy See, Andorra, Monaco and San Marino)

The EU shares similar human rights standards with **Switzerland, Norway, Iceland, Liechtenstein, the Holy See, Andorra, Monaco and San Marino**. Therefore the EU's human rights strategy is focused primarily on cooperating with these partners and maintaining a close dialogue on human rights matters in international organisations (UN, Council of Europe, OSCE, etc.). For Norway and Switzerland, cooperation also takes place in specific countries across the world, and in connection with the implementation of development aid and human rights programmes. In non-EU Western European countries, human rights are also included in the EU's public diplomacy and information activities, with the aim of stressing the EU's leading role worldwide in championing the global human rights agenda. Possible EU concerns relating to human rights in non-EU Western European countries are mainly addressed in the context of the Universal Periodic Review (UPR) in the Human Rights Council.

Switzerland plays an active role in the UN Human Rights Council, and has been elected as a member for the period 2016-2018. The EU and Switzerland have very similar views. Switzerland has played and is continuing to play an active role as a mediator in certain conflicts around the world.

Norway established a National Human Rights Institution on 1 July 2015. One of its first recommendations was for Norway to take steps to reduce the number of prisoners held in solitary confinement. Norway is at the forefront of the Women, Peace and Security Agenda, and a strong partner of United Nations Security Council Resolution (UNSCR) 1325. The Norwegian Child Welfare Service ('Barnevernet') has been subject to some criticism from abroad, including from certain EU Member States, for removing children from immigrant parents allegedly on grounds of physical punishment. The entry into force of the 1996 Hague Convention on 1 July 2016 should strengthen cooperation with other countries in cross-border parental disputes and child welfare cases.

Iceland has a comprehensive system for safeguarding fundamental rights and freedoms. It has a high level of cooperation with international organisations on human rights issues. In September 2016 Iceland ratified the UN Convention on the Rights of Persons with Disabilities. Iceland furthermore adopted a new gender equality action plan for 2016-19.

EU guidelines on the promotion and protection of freedom of religion or belief are relevant as a basis for collaboration with the Holy See, given the deep concerns about the growing persecution of Christians in various parts of the world.

Swiss Confederation

The EU's human rights strategy in Switzerland is focused primarily on cooperation and on maintaining a close dialogue on human rights matters in international organisations (UN, CoE, OSCE, etc.) and in specific countries across the world. Switzerland plays an active role in the UN Human Rights Council, and has been elected as a member for the period 2016-2018.

Human rights are included in the EU's public diplomacy and information activities in Switzerland, to stress the leading role which the EU plays worldwide in championing the global human rights agenda.

Regarding the European Convention on Human Rights (ECHR), despite some disagreement in Switzerland with individual rulings of the European Court of Human Rights, there is a general recognition that its rulings have positively influenced the case-law of the Swiss Federal Court concerning human rights and the charter of fundamental rights of the constitution. Nevertheless, a proposed popular initiative from the political right aims to establish the superiority of the Swiss constitution over international law, including the ECHR, in order to safeguard fundamental and human rights autonomously and, according to the initiators, respect the will of the Swiss people. Taking a somewhat softer approach, in December the upper chamber of the Swiss federal assembly discussed a motion already supported by the lower chamber to task the Swiss Federal Council with working at all relevant levels, and in particular in the Council of Europe, towards increasing compliance with and enforcement of the principle of subsidiarity, and ensuring that the European Court of Human Rights takes national legal systems into account more systematically in its case- law.

Kingdom of Norway

As the EU and Norway share similar human rights standards, the EU's human rights strategy is focused primarily on cooperating and maintaining a close dialogue with Norway on human rights matters in international organisations (UN, Council of Europe, OSCE, etc.) and in specific countries across the world. In Norway, human rights are included in the EU's public diplomacy and information activities, to stress the EU's leading role worldwide.

More generally, Norwegian human rights support is based on the International Bill of Human Rights, the many conventions and other instruments to promote and protect specific human rights – such as with regard to racial discrimination, torture, and the rights of women, children and persons with disabilities – and the notion of human rights promotion as specified in the preamble to the Universal Declaration of Human Rights. This support is maintained by various means, including development cooperation. While there is no current plan of action on human rights as a whole, there are plans for specific areas, including trafficking in human beings, children's rights and women's rights. Human rights remain key as the Norwegian government increases its focus on thematic areas where Norway is considered to have particular strengths. Priority areas for Norwegian development cooperation in support of human rights include supporting human rights defenders; the rule of law; combating torture and the death penalty; freedom of speech and a free media; corporate social responsibility; human rights dialogues with selected countries; and promotion of the rights of women, children, persons with disabilities, indigenous peoples and lesbian, gay, bisexual and transgender (LGBT) people.

Iceland

Iceland has a comprehensive system for safeguarding fundamental rights and freedoms. It has a high level of cooperation with international organisations on human rights issues. In terms of specific initiatives, Iceland has actively endorsed UN and other international initiatives to promote the role of men in gender equality. At regional level, Iceland has contributed to the work of the Arctic Council on these subjects.

Human rights issues are included in the EU's public diplomacy and outreach activities in Iceland, to emphasise the EU's leading role worldwide.

Holy See

There are quite frequent and useful contacts with the Holy See in the context of multilateral fora on a range of human rights issues, including in the UN General Assembly, the UN Human Rights Council, the OSCE and the Council of Europe. The Holy See is concerned about the growing persecution of Christians in various parts of the world, and the EU guidelines on the promotion and protection of freedom of religion or belief are increasingly relevant as a basis for collaboration.

Principality of Andorra, Principality of Liechtenstein, Principality of Monaco, Republic of San Marino

As the EU and Andorra, Liechtenstein, Monaco and San Marino share similar human rights standards, the EU's human rights strategy is focused primarily on coordinating with them on human rights matters in international organisations (UN, Council of Europe, OSCE, etc.). The EU also takes part in the Universal Periodic Review (UPR) of the human rights situation in those countries within the framework of the UN Human Rights Council.

III. EUROPEAN NEIGHBOURHOOD POLICY

Republic of Armenia

In 2016 the overall human rights situation in the country improved somewhat, but discrimination and limitations on fundamental freedoms remain widespread and progress is slow. The increased formal involvement of civil society in the electoral reform process, the fight against corruption, environmental issues and torture prevention is welcome, as is the important role of the Human Rights Defender under the new Constitution.

The EU priorities in Armenia include the updating and implementation of the national human rights action plan, the adoption of a comprehensive anti-discrimination law and a law on domestic violence, a definition of torture in line with international standards, and the fight against corruption.

There are various problems especially in the fields of gender, violence against women, domestic abuse, violence against children and discrimination against LGBTI persons. Prevention and sanctioning of hate speech is not sufficiently addressed by the legal system. Accusations of corruption are frequent but rarely lead to sanctions.

Other human rights problems include police impunity and acceptance of evidence obtained via under duress. The independence of the judiciary is not guaranteed and Armenia lacks a labour inspectorate to address issues concerning fundamental labour rights, including issues surrounding child labour, and to ensure effective enforcement of related legislation. While some improvements have been made, the need to improve detention conditions remains, including in psychiatric institutions.

Armenia passed a new electoral law in 2016, based on an unprecedented political agreement on the new Electoral Code between the ruling coalition and three opposition parties, endorsed partly by civil society. The EU, Germany, UK and US are co-funding the improvements on the electoral framework to prevent fraud and to support the implementation of the political agreement ahead of the April 2017 parliamentary elections.

Laws were passed in December 2016 on the Human Rights Defender (Ombudsman) in line with the new constitution, and on public organisations (civil society) that provide for social entrepreneurship and the right to appeal to the courts on environmental issues.

The EU continued to engage in human rights and democracy discussions with Armenia in various settings, including the Cooperation Council (January) and the Cooperation Committee (December). The annual human rights dialogue and the Subcommittee on Justice, Freedom and Security, held in March in Yerevan, saw open discussions on a range of issues, including

but not limited to freedom of association, freedom of expression, freedom of religion or belief, the prevention of torture and ill-treatment and women's rights. Human rights and fundamental labour rights issues are also raised in the context of the GSP+ monitoring (Report on the Generalised Scheme of Preferences during the period 2014-2015). The EU continued to mainstream human rights in its policies in Armenia and encouraged stakeholders to draft and adopt the new national human rights action plan.

There were no internationally recognised political prisoners or detainees, although various groups claim that certain prisoners are being held on political grounds. By the end of 2016, 17 of the 770 people detained during the two weeks of protests surrounding the forceful occupation of the Erebuni police station by an armed group remain behind bars. Some opposition activists are held in long-term detention solely on the basis of the testimony of police officers. Investigations into reported violations and the excessive use of force by the police are yielding few results.

The EU has voiced its concerns, through statements and speeches as well as via the regular EU-Armenia political dialogue meetings and ad hoc official encounters, to encourage the government to ensure full respect for human rights. A 'non-paper' on the fight against corruption has been submitted to the Prime Minister, and the National Assembly has adopted legal amendments concerning criminalisation of illicit enrichment, high-ranking officials and CSO representation in the Anti-Corruption Council.

The EU supported preparatory expert discussions on a future anti-discrimination law.

The EU Delegation to Armenia was closely involved in supporting public debates and the government-CSOs' dialogue on the fight against domestic/gender-based violence and promotion of gender equality. It also helped to facilitate the drafting of the law on the fight against domestic violence. Due to the politicisation of the draft law, it had not been finalised by the end of 2016.

In addition, the EU, in close coordination with EU Member States and like-minded partners, conducted several formal and informal outreach initiatives in respect of the national authorities in several human rights-related judiciary cases.

In 2016, the EU continued to provide financial support for projects funded through the European Neighbourhood Instrument (ENI) and the EIDHR as well as through EU Member State funds. In cooperation with the ILO, the EU is funding a project to strengthen the capacity of public administrations to implement the ILO core labour conventions as part of the GSP+ obligation,

The most significant funding was the EUR 12 million contribution to the projects 'Support for Human Rights Protection in Armenia', which is to be implemented from 2016 to 2019. The funding also includes EU support for electoral reform. Concrete deliverables have been identified, e.g. on the adoption of legislation.

29 projects funded for an overall amount of EUR 20 million focused on reinforcing the capacity of civil society to defend human rights, supporting the fight against gender-based violence and the promotion of women's empowerment, promoting the rights of the child (community-

based services for children with disabilities), improving detention conditions, supporting the integration of refugees, and overall awareness-raising on human rights through various activities.

Republic of Azerbaijan

Even though 2016 saw certain improvements in the human rights situation as compared to the highly precarious situation in 2015, serious challenges still remain. Freedom of expression and assembly are a particular matter of concern. The very cumbersome NGO legislation and the difficulties facing foreign donors in connection with the provision of grants make civil society in Azerbaijan very vulnerable. A series of amendments to the constitution were approved by referendum on 26 September. Most of the amendments on human rights articles were assessed as generally positive by the Venice Commission except for the amendment concerning deprivation of citizenship. However, the Venice Commission expressed serious concerns about the institutional reform and the new powers accorded to the president.

Azerbaijan's respect for its commitments as a member of the Council of Europe remains a challenge, including the implementation of the rulings of the European Court of Human Rights, and as a partner to most UN human rights conventions. It is also necessary to facilitate a positive environment for CSOs to carry out their activities (including access to foreign funding) and to support human rights defenders and their families when needed. Freedom of expression and assembly is heavily restricted and criticism of the government is severely sanctioned: harsh sentences have been handed out to political activists, including allegedly on the basis of confessions under duress. The recent constitutional reform allows deprivation of citizenship under certain circumstances. The media are under strict government control. The government has taken steps to address corruption and improve transparency, which remain matters of serious concern. Azerbaijan ranks 120 out of 169 in the Transparency International Corruption Perception Index. Other human rights problems include lengthy pre-trial detention, failure to provide due process of law and substandard detention conditions.

Before the constitutional referendum, political opposition parties were unable to register to officially take part in the campaign. Many members of opposition parties and activists were detained in the weeks leading up to the referendum. Several were charged in relation to their involvement in the Gulen movement. Following arrests of protesters on 11 and 17 September, the organisers decided to cancel the last rally planned for 24 September The referendum on the constitution took place in a peaceful and orderly manner (official turnout 69.7%).

Among more positive developments, 2016 saw the pardoning of 147 prisoners on the occasion of Novruz (March), including 14 prominent human rights defenders. Subsequently the journalist Khadiya Ismaylova and the human rights lawyer Intigam Aliyev were also released on probation. The Yunus couple were allowed to travel abroad for medical reasons. On 21 October the president signed a decree on simplification of registration as a foreign donor to issue grants in Azerbaijan. The Azerbaijani authorities also approved an exemption for the EU to register as a donor for programmes covered by financing agreements.

The EU continued to engage in discussions on human rights and democracy with Azerbaijan in various settings, including during the meeting of the subcommittee on justice, freedom, security, human rights and democracy held in October in Baku. The EU Delegation closely

monitors the human rights situation and has frequently raised its main concerns with the authorities and other stakeholders. It also monitors and follows up on several individual cases of special interest and concern, meets with lawyers and family members of imprisoned activists, provides briefings on the situation for delegations visiting Azerbaijan, and meets with the Ombudsman. The EU has voiced its concerns, through statements, speeches, formal and informal steps to encourage the government to ensure full respect for human rights. Human rights concerns are regularly raised at all levels, for example by the HRVP during her visit to Baku in February 2016.

EU support to three human rights projects were decided in 2016: one supporting the development of the judicial system and improving the services provided by the agencies that implement Criminal Court orders in Azerbaijan – technical assistance (service contract) implemented by Particip, EUR 1,4 million; 2) further support for the penitentiary system – implemented by the Council of Europe (Delegation agreement – joint management), EUR 500 000; 3) enhancement of national capacities to combat trafficking in human beings in Azerbaijan (ENCT) – implemented by International Organization for Migration (IOM) (Delegation agreement – joint management), EUR 700 000.

Other EU founded projects whose implementation began in 2016 include: civil society dialogue, implemented by the CoE, EUR 300 000; and support for strengthening the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan – twinning project with Germany, EUR 1 360 000.

Since 2007 the EU has awarded 74 grants with a total value of approximately EUR 19 million to support civil society activities in Azerbaijan, making the EU the largest foreign donor to civil society in the country. This consists of funds channelled to civil society organisations (CSOs) through the EIDHR, the Non-State Actors and Local Authorities thematic programme, and other thematic programmes under the Development Cooperation Instrument (DCI) (notably migration and asylum and investing in people) as well as the Civil Society Facility under the ENPI. Twinning projects have been very successful in Azerbaijan. Since 2007, 43 twinning projects have been initiated in the country (25 completed, nine ongoing and nine under preparation), which represents one of the highest rates in the region.

Azerbaijan is a party to most UN human rights conventions, and has issued a standing invitation to UN special monitoring mechanisms. In 2016 it received visits from the Special Rapporteur on human rights defenders and the Working Group on Arbitrary Detention. In relation to the Council of Europe, Azerbaijan does not always respect the ECHR's rulings. In relation to the case of imprisoned opposition politician Ilgar Mammedov, the Azeri authorities have not implemented the judgment of the European Court of Human Rights of October 2014 which called for his immediate release. The Council of Europe's Committee of Ministers has expressed its determination to ensure the implementation of the judgment by actively considering using all the means at the disposal of the Organisation. It has yet to ratify the Istanbul Convention on preventing and combating violence against women and domestic violence, as well as Protocol 13 to the ECHR, abolishing the death penalty in all circumstances.

Azerbaijan remained a full member of the Extractive Industry Transparency Initiative (EITI). Such membership is important for oil and gas exports from Azerbaijan. Due to the restrictions in legislation for grant registration, Azerbaijan's membership of the EITI initiative

was downgraded in 2015 pending corrective actions linked to civil society participation in the process. In October 2016, the EITI Board decided to extend until March 2017 the time available to Azerbaijan to implement corrective actions. This includes simplifying grant registration procedures and abolishing the obligation for registration of donors.

One of the main human rights challenges is the restrictive environment for CSOs to carry out activities. The simplification of grants registration is a priority. Challenges also remain in connection with freedom of expression and assembly, the rule of law and the independence of the judiciary.

Republic of Belarus

While there were no substantial improvements in the field of human rights in Belarus in 2016, for the first time the government adopted a national human rights action plan which aims at implementing the UPR recommendations accepted by Belarus. Restrictive laws impacting on fundamental freedoms have not been amended, and the death penalty is still applied. An independent human rights institution has not been established.

The EU continues to follow a policy of critical engagement towards Belarus, which translates into incremental steps towards deeper cooperation with the country. In the February 2016 Council Conclusions on Belarus, the Council reiterated its firm commitment to strengthening the EU's engagement with the Belarusian people and civil society, and stated that 'tangible steps taken by Belarus to respect universal fundamental freedoms, the rule of law and human rights will remain key for the shaping of the EU's future policy towards Belarus'.

The human rights situation remains marred by systematic violations. Freedom of association and freedom of expression are severely restricted and many stakeholders critical of the regime have to operate from abroad. Shortcomings in the implementation of fundamental ILO Forced Labour Convention were scrutinised in 2016 by the International Labour Conference. The EU called on the Government to amend the elements of its legislation which could lead to situations amounting to forced labour. The ILC urged Belarus to take all measures to suppress the use of forced labour and prosecute it and to accept technical assistance by the ILO.

The electoral process is severely criticised by the OSCE/ODIHR inter alia for a lack of transparency and the use of the state machinery to support the incumbent. Opposition political parties face administrative obstacles in terms of registration and action outside registered organisations is a criminal offence.

Despite the lack of concrete progress in terms of political rights and fundamental freedoms, the authorities showed a greater willingness in 2016 to discuss human rights issues with international partners and civil society. The positive trend in EU-Belarus relations was strengthened as of February 2016, after the Council lifted most of the restrictive measures against Belarus, mainly in response to the release of the remaining political prisoners in August 2015. The Belarusian government has been more open to engaging with the EU on human rights questions, as demonstrated by EUSR Lambrinidis's March 2016 visit to Minsk. This was reinforced by the organisation of a conference on the death penalty, the hosting of the EU-Belarus human rights dialogue, parts of which allowed for the participation of civil society organisations, and the adoption of a national action plan on human rights.

The September 2016 parliamentary elections took place in a more open atmosphere with greater possibilities for opposition candidates to run, and resulted in the election of one opposition and one independent candidate.

The EU continued to engage in human rights and democracy discussions with Belarus in various settings, including the EU-Belarus Coordination Group (April 2016 in Brussels and November 2016 in Minsk) and during the annual human rights dialogue (June 2016 in Minsk). These occasions allowed for open discussions on a range of issues, including but not limited to free and fair elections, freedom of association, freedom of expression, the independence of the judiciary, the reinstatement of the civil and political rights of former political prisoners, and capital punishment.

The EU and the MS constantly lobby for the inclusion of civil society in consultations on human rights issues and regularly meet with human rights defenders during high-level visits. By supporting a number of projects implemented by NGOs and human rights organisations, the EU helps strengthen and develop the capacity of civil society. In 2016 the EU considerably increased its involvement with civil society by drawing on the expertise of NGOs and the Eastern Partnership Civil Society Platform and informing them about the EU's policy vis-à-vis Belarus.

In 2016, the EU continued to provide financial support for projects funded through the European Neighbourhood Instrument (ENI), the EIDHR, the Civil Society Organisations and Local Authorities programme (CSO-LA) instrument and EU Member State funds.

NGO participation is also an important feature of projects in other areas, such as economic development and environment. This has provided a forum for policy dialogue between the administration and civil society, and has contributed to establishing trust between the two.

Belarus is party to a number of international human rights conventions. The country has ratified 10 international human rights conventions, and has accepted the competence of the Human Rights Committee and the Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW) to receive and consider communications from individuals subject to its jurisdiction. Belarus has recognised the inquiry procedure under the Convention against Torture and under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

Belarus does not recognise the mandate of the UN Special Rapporteur on the situation of human rights in Belarus.

In the February 2016 Council Conclusions on Belarus, the EU urges the Belarusian authorities to swiftly take forward the recommendations of the OSCE/ODIHR; recalls the importance it attaches to improvements in this area and to respect for human rights, democracy and the rule of law; condemns the application of the death penalty in Belarus; and urges Belarus to establish a moratorium as a first step towards the abolition of the death penalty.

Georgia

In 2016 Georgia consolidated its considerable progress in aligning its national law into line with EU standards, including in the field of human rights. Georgia has continued implementing the human rights strategy 2014-2020 together with its respective action plan 2016-2017. The changes to the electoral systems aimed at ensuring equality of suffrage. The parliamentary elections in October 2016 respected fundamental freedoms.

At the ninth EU-Georgia human rights dialogue in April, the EU noted the substantial progress that had been made in addressing torture and ill-treatment, but stressed the need to continue efforts to prevent ill-treatment in detention and to ensure the proper investigation of all cases, bringing those responsible to justice. The EU welcomed the considerable progress Georgia has made towards improving human rights standards and urged Georgia to continue reforms and address the remaining challenges, notably child poverty, discrimination, domestic violence and gender equality.

The 2016 parliamentary elections were competitive and well administered, generally respecting fundamental freedoms. The overall calm and open campaign atmosphere was, however, marred by allegations of unlawful campaigning, cases of a lack of transparency and effective redress and a number of violent incidents.

A Freedom of Information Act has not been adopted. The legal framework guarantees freedom of the press. The media stakeholders continued to carry out their work independently, without undue interference or fear of violence or persecution. Due to the political polarisation of the media, along with increasing ownership consolidation and low media revenues, the Georgian media landscape was given a 'partly free' rating by Freedom House in 2016.

Reforms have promoted judicial independence, professionalism, accountability and effectiveness. A 'third package' of judicial reforms adopted in December 2016addresses most of the outstanding concerns such as the lack of transparency in judicial management. Despite the government's commitment, there has been no progress in establishing an effective independent investigative body to deal with alleged misconduct by prosecutors and law enforcement officials. There is also no effective oversight of the law enforcement institutions by the parliament.

Progress was achieved in the penitentiary system with the improvement of prisoners' treatment and the healthcare situation. However, the ratio of inmates to the overall population remains among the highest in Europe. With regard to the prevention of and fight against corruption, a revised anti-corruption strategy was adopted in March 2016; its scope was further expanded to local level, and a monitoring system for assets declaration in the civil service was created in December 2016. Georgia has previously been subject to two monitoring rounds, by the Council of Europe's Group of States against Corruption (GRECO) and by the OECD's anti-corruption network. Political party financing has yet to be addressed in the light of GRECO's recommendations (third evaluation round), the asset declaration has to be enforced and more attention needs to be paid to the implementation of anti-corruption policies, in particular at sectoral level.

With regard to equal treatment, the full implementation of the Law on Elimination of all Forms of Discrimination has been hampered by a lack of effective sanctions and preventive

measures. Legislative amendments to strengthen the anti-discrimination mechanism have not been adopted. State institutions have on some occasions failed to act promptly and efficiently on human rights violations and discriminations against minorities, the LGBTI community and religious minorities.

With regard to gender inequalities, the human rights action plan includes provisions on combating violence against women, domestic violence and the protection of victims. The participation of women in politics has increased but remains low overall: 16% of the newly elected members of parliament in 2016 are women compared to 12% in the previous elections. There continues to be a high incidence of violence against women. The ratification of the Istanbul Convention on preventing and combating violence against women and domestic violence did not take place in 2016.

With regard to children's rights, child poverty remains widespread despite attempts to reform the social assistance system and identify the most vulnerable children. The entry into force of the Juvenile Justice Code in January 2016 provided a comprehensive legal framework for children facing judicial proceedings, child victims and child witnesses. The Civil Code was amended and the provision allowing marriage with parental consent for children under the age of 18 will be fully abolished as of January 2017. Georgia has ratified the Third Optional Protocol to the Convention on the Rights of the Child providing vulnerable children with opportunities to seek redress if their rights are being violated. Georgia faces high levels of poverty and inequality, although poverty decreased for the fourth consecutive year in 2014. Poverty is also one of the main causes of child labour.

The existing legal framework allows for the free establishment and operation of political parties and civil society organisations. Legislative processes and policy decision-making have become increasingly inclusive but civic participation in them remains sporadic.

The EU continued to closely monitor and support the reform processes through budget support, grants (especially to the Public Defender and EIDHR projects) and joint actions with international organisations, in particular in the areas of justice, public administration reform and the penitentiary system. It also monitored the pre-electoral and electoral environment, including through supporting the electoral reforms, monitoring the media during the election process and contributing to the OSCE/ODIHR Election Observation Mission by deploying EUDEL staff. The ninth EU-Georgia human rights dialogue was held in Brussels in April 2016. Human rights and fundamental labour rights issues are also raised in the context of the GSP+ monitoring (Report on the Generalised Scheme of Preferences during the period 2014-2015).

The democracy action plan was adopted by Heads of Missions in October 2016 and is reflected in the joint programming exercise with EU Member States.

The Head of Delegation (HoD) and numerous EU Member States ambassadors regularly engage in public events on human rights and stress the importance of the promotion and protection of human rights. The Public Defender is prominently supported through regular attendance at his events by the HoD. The civil society roadmap is followed through various actions and civil society is regularly informed and consulted on policy matters. Human Rights Day was marked by a series of events, drawing attention to the country's human rights

achievements and challenges. More than 10 events were organised by EU-supported projects, including a campaign against domestic violence, a presentation on the integration of persons with disabilities, human rights essay contests and street activities in nine cities across the country.

Key assistance is implemented through the 'Human Rights for All' programme under the '2014 Special Measures for Georgia and Moldova' programme (EUR 10 million), which complements the Georgia-EU policy dialogue. The overall objective is to strengthen human rights protection in areas prioritised by EU-Georgia agreements, including the rights of persons belonging to minorities and vulnerable groups, the internal and external oversight of law enforcement, the protection of privacy, labour rights, freedom of expression and information. The justice programme, with a total value of EUR 50 million, addresses the judiciary, private and administrative law and access to justice. Bilateral actions in cooperation with the Council of Europe target the implementation by courts of ECHR rulings, the civic integration of national minorities, prison healthcare, money laundering, free and professional media, internet freedom, electoral assistance and support for the bar association. In order to improve the efficiency, accountability and transparency of Georgia's public administration, technical and budget support for the government is provided for the development of policy and legislation, civil service reform, e-Governance, public finance management, public service delivery to citizens, preventing and combating corruption and the access of citizens to administrative information. The EU also supports the parliament, the Ombudsman and CSOs in the same areas (EUR 45 million over the period 2015-2020). In 2016, 12 EIDHR projects were being implemented; as of 2016 funds will be pooled with 2017 (EUR 1.6 million); the new call will not be launched until 2017.

Georgia has a good record of ratifying international human rights instruments but is not yet a party to the International Convention for the Protection of All Persons from Enforced Disappearance. The Human Rights Council adopted the outcome of the Universal Periodic Review (UPR) of Georgia on 17 March 2016. Since 2009 Georgia has tabled an annual resolution on IDPs in occupied territories with the General Assembly (the last one was adopted on 7 June 2016). During the 33rd HR Council, Georgia decided to postpone its draft resolution concerning the human rights situation in the breakaway regions of South Ossetia and Abkhazia to 2017 and instead presented a joint statement for this session.

At the OSCE, Georgia regularly aligns itself with EU statements addressing human rights concerns, and has co-sponsored draft EU decisions on fundamental freedoms ahead of recent Ministerial Councils.

In January 2016, the International Criminal Court ordered an investigation into war crimes and crimes against humanity committed during the August 2008 war in Georgia.

Georgia's legal framework is being progressively aligned with the EU acquis and several international conventions. Overall, the correct implementation and enforcement of legislation is the key challenge for Georgia. In particular, there is a need to step up institutional capacities to implement legislation in the field of anti-discrimination and equal rights/gender issues. Georgia also needs to further advance the establishment of a labour inspection system allowing for effective supervision of the enforcement of fundamental labour rights.

Republic of Moldova

In 2016, the Republic of Moldova (hereinafter Moldova) regained some political stability, with a government led by Prime Minister Filip in office since 20 January 2016. While the parliament was able to adopt important pieces of legislation, including in the area of the rule of law, implementation has yet to be addressed and the reform process needs to be continued in key areas, such as the judiciary and anti-corruption.

The 2016 EU Council Conclusions on Moldova[58] called for addressing the politicisation of institutions and systemic corruption. Justice reform and the need to resolutely investigate major banking frauds were also key points in the EU-Moldova political dialogue. EU priorities in the area of human rights included the fight against torture and ill-treatment, anti-discrimination, media freedom and the rights of children and persons with disabilities. Effective enforcement of fundamental labour rights is also an issue of concern, given the planned restructuring of the current labour inspection system.

During 2016, a number of high-profile trials took place mainly behind closed doors. Cases have continued or have been opened against representatives of opposition movements, as well as judges and lawyers working on high-profile cases. Media outlets close to opposition politicians and investigative journalists warned of pressure and difficulties, also due to a lack of fair competition in the media sector and heavy concentration of media ownership. Detention conditions remain poor. Domestic violence, targeting both women and children, is still widespread. Human trafficking remains a significant problem which the authorities have yet to address.

The presidential elections, held in October/November 2016 - the first direct presidential polls since 1996 - were conducted largely in line with international standards, albeit with shortcomings regarding campaign financing, the use of administrative resources and media coverage. Igor Dodon was sworn in as president on 23 December 2016.

Some human rights-related reforms and decisions were undertaken during 2016, including: amendments to the law on combating domestic violence; the appointment of a Children's Ombudsman; a strategy on interethnic relations; and a Constitutional Court decision on limiting pre-trial detention. Another positive point is that a national preventive mechanism against torture has been restored.

In July 2016, the EU-Moldova Association Agreement entered fully into force and approximation with EU legislation in various sectors continued, with the rule of law and human rights including labour rights, remaining prominently on the agenda of all bilateral meetings. These included the Association Council (March), the Subcommittee on Freedom, Security and Justice (June), the Association Committee (October), the Trade and Sustainable Development Subcommittee (November) as well as high-level bilateral visits, such as the visits of Prime Minister Filip to Brussels (March and October) and the visit of Commissioner Hahn to Chisinau (September).

The annual human rights dialogue, held in Brussels on 8 June, as well as the annual Human Rights Expert Talks, held in Chisinau on 12 December together with the OSCE, the CoE and the

58. Council conclusions on the Republic of Moldova, 15 February 2016

UN, provided an opportunity for more in-depth discussions on a range of issues, including media freedom, measures to combat torture and ill-treatment, domestic violence, children's rights, anti-discrimination, the rights of persons belonging to national minorities and freedom of religion and belief.

The EU Heads of Mission issued a local statement on human rights on 15 December 2016, focusing on the judiciary and the media. In the course of the year, the High Representative Spokesperson commented on the transparency of court hearings and the prosecution of judges in response to media enquiries.

In early 2016, an EU-funded peer review mission evaluated the functioning of Moldova's rule of law institutions. It made several recommendations to address concerns on the independence of the judiciary, as well as on corruption.

The EU Delegation, together with Member States' representatives, systematically attended court hearings of most high-profile cases.

Consultations with civil society continued throughout the year, particularly in view of human rights-related events. In addition, for International Days (International Human Rights Day, World Day against Trafficking in Persons, International Women's Day), the EU Delegation published statements on social media and representatives of the EU Delegation systematically attended events organised on these occasions.

In 2016, the EU continued to provide financial support for projects funded through the European Neighbourhood Instrument (ENI), the European Instrument for Democracy and Human Rights (EIDHR) and the Civil Society Organisations and Local Authorities programme (CSO-LA).

Ten projects were funded for an overall amount of EUR 3.6 million. Some of those projects focused on anti-discrimination, including: tackling discrimination and ill-treatment of children within the justice system, discrimination of Roma, discrimination against LGBTI people, providing support for the national anti-discrimination system. Other projects touched upon the rights of persons with disabilities, the prevention of torture and ill-treatment, gender equality, the fight against domestic violence, the media and support for vulnerable children and families.

The EU Delegation also launched a local EIDHR call for proposals aimed at identifying projects in the areas of election preparation, trial monitoring, freedom of expression and the protection of the rights of persons belonging to minorities.

Member States also continued to fund projects supporting civil society and covering a wide range of human rights issues.

The second UN Universal Periodic Review took place on 4 November 2016, and issued 200 recommendations, out of which Moldova announced it would follow up on 197, but not on three, including the call to ratify the European Charter for Regional or Minority Languages, which Moldova signed in 2002.

Despite some improvements to the legal framework on party financing and electoral campaigns, some of the recommendations made by international observers have yet to be addressed, including excessive restrictions on donations from diaspora voters and the lack of adequate sanctioning for biased media coverage.

Ukraine

The overall human rights situation in Ukraine is heavily influenced by the conflict in the east and the illegal annexation of the Crimean peninsula by the Russian Federation, which continue to constitute grave violations of human rights and international humanitarian law. Other concerns include discrimination on various grounds, the safety of journalists, torture and ill-treatment and the protection of vulnerable groups. Among positive developments are legislative changes relating to the judiciary.

The EU's priorities are ensuring accountability for all crimes committed in the course of the ongoing armed conflict, support for the reform of rule of law institutions, protection against ill-treatment and torture, advocating for electoral reform, promoting freedom of the media and freedom of assembly, and protection of the rights of persons belonging to national minorities.

In the Crimean peninsula, the situation of the Crimean Tatars remains a particular concern, as well as that of journalists and others who openly oppose the illegal annexation. The activities of Mejlis, the self-governing body of Crimean Tatars, were labelled as 'extremist' and prohibited by the so-called Supreme Court of Crimea in April 2016; the decision was confirmed by the Supreme Court of the Russian Federation in September 2016.

The collapse of the rule of law and public order in the east of Ukraine in the area not under government control continues. The most severe cases of torture, ill-treatment and impunity are being recorded in particular in the areas not under Ukrainian government control. At the same time, the Ukrainian government has also been criticised by international watchdogs for cases of forced disappearances, arbitrary detention and ill-treatment.

The EU has urged the authorities to adopt a long-term integration strategy for internally displaced persons (IDPs), and to resume social assistance and pension payments which were suspended pending verification of their places of residence.

Some progress has been made with regard to the human rights violations committed during the Maidan demonstrations and the violent events in Odesa on 2 May 2014, but only a few perpetrators have been brought to justice. Physical attacks against journalists and impunity for such crimes have declined. The lack of safety of journalists continues to constitute a problem, partly because of the publication by various Ukrainian sources of the personal data of journalists who have worked in the separatist areas. The reform of the public service broadcaster has made some progress.

The necessary legislative changes encompass a ban on all forms of discrimination, including discrimination based on sexual orientation and gender identity, the development of the new Labour Code and the new anti-discrimination law, and safeguarding the rights of persons belonging to national minorities in the new law on education.

The adoption of the constitutional amendments on the judiciary by parliament and their entry into force was one of the major reform developments in 2016. Access to justice improved through an increase in legal aid. Ukraine also made significant legislative and institutional progress in the fight against corruption, by putting in place the institutional framework and launching a system of e-declarations for public officials.

The government has adopted an ambitious national human rights strategy and action plan, with clear timelines and definition of responsibilities. Adequate resources for its implementation need to be ensured. Reform of the civilian security sector has continued, and the EU Advisory Mission to Ukraine (EUAM Ukraine) has been playing a key role in supporting the Ukrainian authorities in their efforts to strengthen respect for the rule of law, increase efficiency and quality of service delivery and build up the trust of citizens in the police and judiciary.

The EU and Ukraine continued their joint active engagement on human rights issues. The annual Human Rights Dialogue was held in Kyiv in July 2016. Among the topics discussed were the human rights situation in the Crimean peninsula and in the non-government-controlled areas in eastern Ukraine, the rights of IDPs, investigations of the Maidan and Odessa events, the prevention of ill-treatment and torture, media legislation and the safety of journalists, non-discrimination and the human rights of LGBTI persons, and the situation of Ukrainian citizens illegally detained in Russia.

Human rights have also been on the agenda in the context of the EU-Ukraine Summit, the Association Council and the Association Committee, as well as in the framework of numerous visits by Commissioners and other high officials representing EU institutions and the Member States. The EU Delegation in Kyiv has engaged on a regular basis with the Ukrainian authorities, including with the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson).

The EU has engaged in continuous dialogue with human rights organisations in both Ukraine and Brussels, including a series of consultations ahead of the Human Rights Dialogue. The Delegation has organised a number of events, for example with the parliament of Ukraine on gender equality and with the Ombudsperson on Human Rights Day.

The HR/VP and her spokesperson have issued several statements calling for the release of Ukrainian citizens illegally detained in Russia, including Nadiya Savchenko, who was eventually freed. The EU Delegation in Moscow has attended several court hearings. The HR/VP Spokesperson also drew attention in public statements to the situation of the Crimean Tatars, including the ban on the activities of the Mejlis and the treatment of its leader Ilmi Umerov
.
The EU continued to support Ukrainian civil society and human rights defenders in their work on political, civil, economic, social and cultural rights and democratisation through the European Instrument for Democracy and Human Rights (EIDHR) and the Ukraine Civil Society Support Programme financed by the European Neighbourhood Instrument (ENI). At present the EU is using those instruments to support a total of 15 projects worth EUR 9.74 million in the sphere of human rights and democracy, such as the rights of the IDPs, the strengthening of the independent media and the role of civil society in the reform process. A new call for proposals was launched in November. Via the Instrument contributing to Stability and Peace (IcSP), the EU is supporting, amongst others, the work of the UN Human Rights Monitoring Mission in Ukraine.

Ukraine has ratified most of the core human rights instruments and cooperates well with them. The constitutional amendments on the judiciary, adopted in the summer, will also enable the ratification of the Rome Statute of the International Criminal Court (ICC), albeit only after a three-year transition period. Ukraine has issued two declarations accepting the ICC's jurisdiction in Ukraine's territory since November 2013. Ukraine has signed the Istanbul Convention on preventing and combating violence against women and domestic violence, but the parliament failed to ratify it in 2016.

The United Nations Subcommittee on Prevention of Torture (SPT) visited Ukraine in May, and continued its visit in September after having suspended it due to being denied access to all detention facilities.

Referring to the impact of the ongoing conflict, Ukraine has given notice of derogations from some of its obligations under the International Covenant on Civil and Political Rights and the European Convention on Human Rights. It has committed to establishing a mechanism of periodic independent review of these derogations by the parliament.

In the context of the ongoing armed conflict in the east of Ukraine as well as in the illegally annexed Crimean peninsula, human rights and international humanitarian law must be respected by all parties. International human rights stakeholders must have full, free and unrestricted access to the whole territory of Ukraine, including Crimea and Sevastopol. The national human rights strategy and action plan are comprehensive, thoroughly prepared tools. Adequate resources must be ensured for their implementation.

Arab Republic of Egypt

Egypt is struggling to make headway, admittedly in a very challenging environment marked by terrorism, serious social and economic difficulties and regional crises, in its transition towards democracy initiated by the ousting of President Mubarak in 2011. However, progress on human rights and fundamental freedoms remains a challenge.

Based on the belief that freedom of assembly and expression, due process of law and human rights defenders (HRDs)/ human rights organisations (HROs) and non-discrimination are essential for good governance and long-term stability, the EU's key focus areas in Egypt are respect for the rule of law, due process, the investigation of abuses, space and tolerance for civil society and non-discrimination on the basis of, inter alia, gender, age or religious belief.

Instances of arbitrary arrest and the lengthy pre-trial detentions under the controversial 2013 protest law remain sources of concern, as well as the ongoing referral of civilians to military courts and the mass trials and death sentences. The sentences against demonstrators and activists, and the rising pressure on journalists, cultural organisations, researchers and HRDs/HROs not only through travel bans but also through arrests and detention are likewise a concern. In addition, torture, enforced disappearances and poor detention conditions, as well as the excessive use of force by the police, continue to be regularly reported. Harsh sentences for defamation of religion continue, as does the repression of the LGBTI community, widespread sexual and gender-based violence (with some progress through the passing of a new law) and the practice of child labour.

The election of a new House of Representatives, including a Human Rights Committee, is a positive step. So are the cases of accountability, including the prosecution and occasional imprisonment, of abusive police officers. A more forceful policy regarding the protection of religious minorities, particularly Christians, and women's rights, including discouraging the practice of female genital mutilation, is also a welcome improvement.

Salient human rights issues were raised throughout the year at senior level by the Head of Delegation/Charge D'Affaires, as well as in the context of high-level visits by the headquarters (HRVP, MEPs, PSC, EU Counter-Terrorism Coordinator and Commissioners). Meetings between the EU Delegation and the Human Rights and Social Affairs Division at the Ministry of Foreign Affairs took place on a regular basis, in which the Delegation raised salient human rights issues and made inquiries about cases of specific concern, including the detention of HRDs, the legal situation of human rights organisations (HROs) under pressure and the new draft NGO law, passed by parliament in November 2016. An EU-Egypt subcommittee meeting on migration, social and consular affairs was held on 21 January. The meeting on social affairs allowed the EU to raise aspects relating to the rights of women, children, persons with disabilities and other disadvantaged segments of society.

The EU has repeatedly voiced concerns through statements and formal and informal steps to encourage the Egyptian authorities to allow the independent functioning of civil society organisations and human rights defenders, free from fear of intimidation.

During high-level EU visits, the EU Delegation arranged meetings with prominent HROs/HRDs, discussing the human rights situation in the country and that of civil society in particular.

The EU met with HRDs on a regular basis to discuss relevant human rights issues. Meetings of the EU Informal Group on Human Rights were held on a monthly basis, during which human rights developments and concerns were discussed. HRDs, members of the National Council for Human Rights, members of parliament and other relevant human rights interlocutors were invited as guest speakers. EUDEL and EU MS monitored salient court cases from a human rights perspective.

The HRVP's spokesperson issued a total of four statements, expressing concern over the human rights situation in Egypt, the imposition of travel bans, asset freezes, the summoning of human rights defenders and the indictment and subsequent passing of two-year prison sentences on the three Heads of the Press Syndicate.

On 8 March the European Parliament passed a non-binding resolution[59], recommending the suspension of military aid and assistance for Egypt used for internal repression in the light of the "abduction, savage torture and killing" of Italian doctoral student Giulio Regeni in Cairo, emphasising that it had not been an isolated incident, but had occurred in a context of torture, death in custody and enforced disappearances across Egypt in recent years.

The EU continued to mention Egypt under its Item 4 statement at the Human Rights Council, expressing serious concern about the human rights situation.

59. European Parliament resolution of 10 March 2016 on Egypt, notably the case of Giulio Regeni (2016/2608(RSP))

In 2016, the EU continued to provide financial support for projects in support of human rights, under a variety of instruments (EIDHR, DCI-NSA[60] and CSO-LA[61], Civil Society Facility, ENPI Global Allocation, ENPI bilateral envelopes).

The EU Delegation in Cairo is currently managing 67 human rights grants (EUR 27 million). The projects funded by EU contribute directly to the promotion and protection of civil, political, social, economic and cultural rights. The activities focus on combating all forms of discrimination (gender-based, religious and cultural) as well as female genital mutilation and trafficking in human beings. They also enhance women's rights, children's rights, migrants' rights, the rights of persons with disabilities, access to justice, access to culture, cultural diversity and local governance.

Through the Regional Development and Protection Programme (RDPP) the EU supports the UNHCR efforts to safeguard international protection needs of displaced persons in Egypt by enhancing registration, refugee status determination, and resettlement processing capacity as well as improving reception conditions, including in detention facilities.

In 2016, the EU Gender Action Plan (GAP) II (2016-2020) was adopted. At national level, GAP II was translated into an implementation and monitoring framework for Egypt, developed jointly between the EU and the Member States. This framework includes a focus on selected objectives in the fields of the empowerment of women and gender equality, to be achieved through political and policy dialogue, financial assistance and other means, such as research activities. A first report outlining the country-level approach to the implementation of GAP II was submitted to headquarters in November 2016, including a report and the envisaged way forward on an institutional culture shift towards gender equality and the empowerment of women.

A substantial improvement in fundamental freedoms such as freedom of assembly, expression and association needs to be demonstrated. This would include guaranteeing in all circumstances the freedom of movement and association of human rights defenders, lifting the asset freezes and putting a stop to all forms of harassment – including at judicial level - perpetrated against human rights defenders and organisations in Egypt, and adopting new legislation and improving the existing legislation, including a new NGO law, and a set of laws on freedom of assembly, that comply with the Egyptian constitution and international standards.

State of Israel

The overall situation in Israel was characterised by adherence to democratic governance and respect for the rule of law. The rights and fundamental freedoms of Israeli citizens were generally protected, although minorities and in particular Arab Israelis faced challenges in enjoying their full range of rights. The period under review witnessed a number of potentially undemocratic legislative developments, including a reduction of the public space for civil society. A difficult human rights situation persisted in the Palestinian territory, where Israel has particular obligations stemming from its role as an occupying power.

60. Development Cooperation Instrument – Non State Actors programme
61. Civil Society Organisations and Local Authorities programme

The objectives within the framework of EU relations with Israel focus on the situation of minorities and vulnerable groups, the preservation of democratic values and Israel's responsibilities as an occupying power including as regards children and armed conflict.

The Arab and Bedouin minorities continued to face difficulties in exercising their fundamental economic and social rights. The Supreme Court upheld a decision allowing the demolition of the Bedouin villages of Umm al-Hiran and Atir, which the government planned to replace with Jewish settlements and a national forest. The Knesset adopted the so-called 'Expulsion Law' allowing for the dismissal of an elected Member of Knesset by a ¾ majority decision of his peers. The main targets of the bill were Arab MKs, with incitement to violence or racism and support for armed conflict against Israel as the possible grounds for expulsion.

Israel continued to carry out a policy of prevention and deterrence vis-à-vis irregular migrants and asylum seekers. Israel continued to encourage the population of approximately 40 000 irregular migrants currently inside the country to relocate to third states, including Rwanda and Uganda. New regulations, yet to be implemented, threaten indefinite detention for those unwilling to leave following unsuccessful asylum applications.

The Transparency Requirements for Parties Supported by Foreign State Entities Law adopted in July requires NGOs that receive more than half of their funding from foreign governments to report that fact each year to the NGO Registrar, which will publish a list of said NGOs. It also demands that NGOs specify that fact in their official publications, along with the names of the countries that contribute. The requirement that NGOs identify foreign donors does not apply in the case of private funding from abroad.

109 Palestinians and 17 Israelis (or foreign civilians) were killed last year in the occupied Palestinian territory (East Jerusalem, the West Bank and the Gaza Strip). The high number of Palestinian casualties raised concerns of excessive use of force by Israeli security forces. In March an IDF soldier shot an already immobilised Palestinian assailant lying on the ground and subsequently went on trial in an Israeli military court. The number of administrative detainees rose from 584 in December 2015 to 644 in August 2016. Several Palestinians in administrative detention went on hunger strike with some high-profile cases ending after apparent deals with the Israeli authorities whereby their detention orders would not be renewed. Exceptions in the Israeli Youth Law applied routinely to East Jerusalem minors accused of security offences meant that their legal treatment was de facto similar to that under Israel's military laws and practices applied in the West Bank. Israel continued its policy of punitive demolitions of homes of Palestinian assailants in East Jerusalem and the West Bank. Gaza's humanitarian situation remained dire, and while restrictions on movements to and from Gaza were considerably eased after the 2014 conflict they remained extremely tight. Gaza's real gross domestic product (GDP) has declined by nearly one third over the past 20 years and unemployment has reached 43%, despite measures such as the granting of permission to export Gaza products to Israel and the West Bank for the first time since 2007.

2016 saw the start of the government's five-year plan to enhance the economic and social integration of Israel's Arab citizens (EUR 2.4 billion of new funding and EUR 1.3 billion under existing projects).

The Knesset voted to limit the detention of asylum seekers to a maximum of 12 months. Israel abandoned its policy of withholding the bodies of Palestinian attackers from East Jerusalem (except Hamas affiliates); the last body was released in September 2016.

The EU continued to engage in human rights and democracy discussions with Israel in various settings. The annual meeting of the Subcommittee on Political Dialogue discussed the human rights situation in the West Bank and Gaza. The Informal Working Group on Human Rights addressed the human rights situation inside Israel, including the situation of minorities, conditions of detention including that of minors, freedom of association, and the accountability of security forces and law enforcement officials. The Informal Working Group on International Organisations discussed the upcoming session of the UN General Assembly, UNGA resolutions, the Commission on the Status of Women, the World Health Assembly, UNESCO, UNEA, UN reform, the upcoming selection of a new Secretary-General of the UN, the Sustainable Development Goals, the United Nations Framework Convention on Climate Change (UNFCCC) and peacekeeping operations. The Subcommittee on Migration, Health and Social Affairs addressed irregular migration and Israel's asylum policies. The EU-Israel seminar on combating racism, xenophobia and antisemitism was an opportunity to exchange views and share policy ideas and practical approaches to tackling these challenges.

The EU maintained a dialogue with civil society organisations through regular consultations and briefings. The EU Delegation hosted a consultation with 18 civil society organisations ahead of the Informal Working Group on Human Rights and the Subcommittee on Political Dialogue. The Delegation undertook regular public diplomacy activities focused on human rights issues, including speeches and participation in events. During Ramadan, the Delegation hosted representatives primarily from the Arab community for an Iftar dinner at the residence. On the occasion of the International Day for the Elimination of Violence against Women in November an outreach event to highlight the EU's renewed engagement in eliminating violence against women and girls was also held at the residence. Human Rights Day was marked by a special event on the protection of freedom of opinion and expression, organised in cooperation with The Minerva Centre for Human Rights at the Hebrew University of Jerusalem. David Kaye, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, was the keynote speaker at the event.

Within the framework of the EIDHR programme the EU supported the production of several policy reports which were disseminated through political briefings or submission by the beneficiaries to relevant UN bodies. For instance, a shadow report to the CEDAW was produced by the Rackman Centre of Bar Ilan University. A shadow report was also produced and submitted to the United Nations Committee against Torture (UNCAT) for UNCAT's fifth review of Israel. Activities under other EU-funded projects also included two briefings by Yesh Din, one on their new position paper which described the 'silent adoption of the Levy report' on the retroactive authorisation of illegal settlement construction in the West Bank.

Implementation of the human rights and democracy country strategy continued within the framework of local 'human rights sub-clusters' consisting of the EU Delegation and Member State representatives focusing on key priorities. This allowed for better cooperation and burden-sharing between embassies and the Delegation in human rights matters, with a view to reinforcing messages when addressing the Israeli authorities.

The EU continued to provide financial support for projects funded through the European Instrument for Democracy and Human Rights (EIDHR). Twenty-eight EIDHR projects were ongoing in 2016. No call for proposals was published in order to combine the budget allocations for 2016 and 2017 (EUR 2.5 million) into a single call to be launched in early 2017. Ongoing projects focused on reinforcing a favourable environment for civil society organisations and the promotion of human rights; advancing the rights of vulnerable groups or minorities within Israel; and enhancing respect for international humanitarian law and human rights in the occupied Palestinian territory, including the rights of children in armed conflict.

Israel's fifth Periodic UNCAT (UN Committee against Torture) Review took place on 3-4 May. Israel reiterated its willingness to incorporate the definition of torture in Israeli law. The NGO Public Committee Against Torture (PCATI) welcomed the statement while raising concerns about the prolonged process of drafting the law; so far the definition has not been incorporated nor has the government committed to a deadline to do so.

The last visit by a thematic UN Special Rapporteur (UNSR) was the visit by the UNSR on violence against women (12-22 September 2016). Israel has refused to cooperate with Special Rapporteurs on the situation of human rights in the oPt. In January former Special Rapporteur Wibisono resigned, complaining that Israel had never granted him access to the oPt.

There is further scope for explicitly incorporating the principle of non-discrimination and equality into Israel's basic laws. The EU will continue to encourage Israel to issue a standing invitation to all United Nations Special Procedure mechanisms.

Palestinian Authority (occupied Palestinian territory – oPt)

Preliminary remark: A distinction needs to be drawn between the responsibilities of the Palestinian Authority (PA) and those of the part of Israel as occupying power. This report refers to the PA's responsibilities in the West Bank and of the de facto authorities in Gaza (although, formally, the government in Ramallah bears responsibility for Gaza too).

In 2016 the overall human rights situation in the oPt did not undergo any significant changes, nor was there any fundamental deterioration. Some progress can be noted with regard to the rule of law, such as the adoption of the Law on Juvenile Protection. General elections in the oPt are long overdue (the last elections took place in 2006). The mandates of the president and the parliament have expired. Local elections scheduled for 8 October were postponed. Respect for freedom of expression, freedom of assembly and freedom of the media did not improve; they came under increased pressure due to harassment, threats and sometimes arbitrary arrests of journalists. 21 death sentences were handed down in Gaza, but none in the West Bank thanks to a moratorium.

In general, fundamental freedoms and human rights are anchored in the Palestinian Basic Law, but effective implementation is often not guaranteed.

The EU's priority is continued capacity building of the PA and awareness-raising amongst the population. This includes governance reforms in the security and justice institutions. Another priority is the strengthening of civil society organisations (CSOs) and more civic participation in political life. The new European joint strategy on (financial) support, which was developed

throughout 2016 in close cooperation with the PA, reflects those objectives for the next four-year period. Advisory assistance has also come from the EU's Common Security and Defence Policy mission and the EU Co-ordinating Office for Palestinian Police Support (EUPOL COPPS), on security and justice. Their work will continue.

There are various problems especially in the fields of gender, (domestic) violence against women and discrimination against LGBTI persons. Persons with disabilities continue to suffer from social exclusion. Arbitrary detention has remained a matter of concern. There were regular reports of torture and ill-treatment in detention centres. Freedom of expression in Gaza is still under severe pressure with attacks on journalists. Accusations of corruption are frequent. Despite some improvements with regard to the rule of law principle, the risk of lack of independence, accountability and transparency of the justice sector has remained an issue, such as by executive interference in the work of the judiciary. Furthermore, in 2016 there was little to no progress on long-needed reforms of the legislative and institutional framework to ensure effective governance, interinstitutional cooperation and adherence to international human rights obligations. In particular, the amendment of the Judicial Authority Law to clarify the roles, responsibilities and mandates of the justice sector institutions is still pending. This clarification is especially critical for the administration of courts. The Law on Police has still not been adopted because of an ongoing debate on the civilian nature of the police and related jurisdiction. The presidential appointment of the Supreme Constitutional Court took place without consultations of political movements and CSOs. Clearly established and well-publicised legal procedures dealing with the court are missing. The draft security sector strategy for 2017-2022 has not yet been adopted.

There is some progress in the wider public participation on draft laws and other legal initiatives. However, not all initiatives are subject to public participation and the involvement of CSOs.

Some improvements were noted on the rule of law environment, such as the adoption of the Law on Juvenile Protection. In addition, the development and adoption of the national policy agenda (NPA), which has a clear structure of actions and objectives, should serve as an appropriate governance tool to improve the legislative work and its implementation.

The EU continued to engage in human rights and democracy discussions with the PA. Such work did not take place with the de facto authorities of Hamas in Gaza because of the EU's 'non-contact policy'. The human rights and democracy issues were discussed at the EU-Palestine Liberation Organization (PLO) Joint Committee meeting in June preceded by the meeting of the subcommittee on human rights, good governance and rule of law in March. The most critical points were also raised by the HR/VP at a meeting with President Abbas in June in Brussels. The Office of the EU Representative in Jerusalem (EUREP) carried out a large number of actions at local level, such as local statements, site visits and attendance at court hearings, and formal and informal steps. Issues of concern were raised at regular meetings with the Palestinian counterparts. EUREP engaged with CSOs to obtain information and to explain and promote the EU's position. The impact of all these measures cannot easily be measured. They have certainly contributed to upholding human rights and democracy issues in the public arena and have thus helped raise awareness among Palestinians. The EU has supported the creation of human rights and gender units in key ministries, such as the Minister of Interior and the Minister of Justice.

Support for HRDs was granted by the EU, in particular at local level, through a long list of measures, in the case of arrests of Palestinians by Israeli forces, be it through full arrest or by way of administrative detention, including of children aged between 12 and 18 years and also with regard to Bedouin communities. Numerous meetings took place both in Brussels and in the West Bank to support human rights CSOs. EUPOL COPPS held many incidental meetings with a variety of human rights CSOs.

In 2016 the EU continued to provide financial support for projects funded through the European Neighbourhood Instrument (ENI), more specifically through support for all the relevant authorities via the PEGASE(French acronym for Mecanisme "Palestino - Européen de Gestion et d'Aide Socio-Economique") Direct Financial Support (DFS) mechanism, through the Instrument contributing to Stability and Peace (IcSP) and CSDP funds (for EUPOL COPPS). EU funds for humanitarian aid projects completed the wide range of interventions.

The PEGASE mechanism has ensured constant funding for the actions carried out by the PA with regard to, inter alia, human rights and democracy including the rule of law principle (Total allocation for PEGASE in 2016: EUR 155 million, only part of which can be attributed directly to human rights and democracy activities). For governance, an amount of EUR 8.1 million was made available, for EUPOL COPPS EUR 9.17 million and for the IcSP EUR 3 million. One of the positive results, from a cross-cutting point of view, is the development and adoption of the NPA by the government. The funding supported capacity building and grants contributed to the work of CSOs.

In 2014, President Abbas signed instruments of accession to 55 international human rights, humanitarian and diplomatic treaties without reservation. As a member of the Organisation of Islamic Cooperation (OIC), the PLO signed the Cairo Declaration on Human Rights, and as a member of the Arab League it signed the Arab Charter on Human Rights. Several UN agencies cover human rights issues in the oPt.

Despite accession to the UN Convention against Torture (UNCAT) in March 2014 and the president's decree of May 2013 confirming the Palestinian authorities' commitment to the prohibition of all forms of torture, there continued to be regular complaints of torture and ill-treatment in detention centres, in both Gaza and the West Bank.

Challenges to further progress may arise if the overall political situation deteriorates and the relative stability of the PA is weakened. This could happen if the stalemate on the realisation of the two-state solution continues, and in particular if Israel's settlement activities continue to increase as in 2016.

Hashemite Kingdom of Jordan

In 2016 there were a number of positive developments on issues relating to democracy and the rule of law. However, these positive steps cannot overshadow the further erosion of the space of freedom of expression and association in the country, as part of Jordan's response to the increased security challenges.

The EU's priorities in 2016 were mostly articulated around four points: support for democracy in the context of the parliamentary elections; support for freedom of association, civil

society and freedom of expression in the context of a downgraded security environment; inclusiveness; and support for the rights of Syrian refugees.

The worsening of the security situation in the region as a whole as well as in Jordan itself led the authorities to further strengthen the security aspects of policy-making. Jordan increasingly relied on media gag orders and other restrictive measures to avoid reporting on sensitive issues, including the role of the Jordanian armed forces and the royal family. In parallel, the freedom of assembly and association has been put under pressure and controls on civil society have been tightened.

In September 2016 parliamentary elections were held. Domestic and international observers commended the elections as well administered despite some isolated and unconnected incidents. Despite the changes aimed at encouraging party politics, family and local community ties seem to remain the main factors in voting. As a consequence, the election result constitutes only a limited step towards the objective of a party-based parliament. The EU Electoral Observation Mission assessed the elections as being 'well-administrated, transparent and peaceful'.

In the field of the judiciary, some positive steps were undertaken, such as the reduction of prison penalties and pre-trial detention in the draft penal/criminal procedures law, the updating of the anti-corruption law through the addition of crimes and improvements to the protection of witnesses and informants and the establishment of a Royal Council on the reform of the judicial system. The King also presented a royal discussion paper 'Rule of Law and Civil State', outlining a roadmap on how to achieve the desired civil state, where the law applies to all. Lastly, the authorities published the comprehensive national plan for human rights 2016-2025 and a subsequent executive plan by the Ministry of Justice.

In March 2016, the EU Delegation organised a roundtable to discuss gender equality issues together with CSOs and Member States.

Five EU priorities have been identified for the years to come: freedom of opinion and expression; the rule of law and torture; the death penalty, women and gender; and civil society and freedom of assembly and of association.

The EU continued to engage in human rights and democracy discussions with Jordan in various settings, including the Association Committee (July 2016) and the Human Rights Subcommittee (October 2016). The EU emphasised that the best antidote for radicalisation was an open society where human rights and fundamental freedoms were respected.

With regard to the death penalty, the EU delivered a demarche in November calling for the reinstatement of the moratorium. While the Minister for Justice expressed his willingness to bring the issue of the death penalty more in line with international standards, the Jordanian courts sentenced two convicted criminals to death.

In December 2016, the EU-Jordan Association Council adopted the Partnership Priorities and an annexed Compact. One of the three priorities is the 'Strengthening of democratic governance, the rule of law and human rights'.

In the same month, the EU and a number of Member States supported the Karama Human Rights Film Festival and the associated activities. In line with the #EU4HumanRights campaign, the EU Delegation produced a number of videos that touch upon some of the human rights priorities identified for Jordan.

Throughout the year, the EU provided substantial support for Syrian refugees in Jordan. All the EU local coordination working groups regularly discussed the situation of Syrian refugees and in particular those stranded in the 'no-man's land' between Jordan and the Syrian border (the berm). Interventions also focused on the security situation at the berm to enable partners to resume humanitarian relief efforts. The Human Rights Working Group was updated on the rights of migrant workers and especially those of Syrians in view of the Jordan-EU Compact. The focus was on the challenges the Syrian refugees face in obtaining work permits and the measures that Jordan should implement in order to meet the obligations undertaken in the EU-Jordan Compact (creation of 100 000 jobs by the end of 2018) and make full use of the opportunities provided by the simplification of the rules of origin decided in July 2016.

Lastly, given the importance for the EU of Jordan's commitment to promoting religious diversity, Jordan was chosen for the first mission of Ján Figel, the newly appointed Special Envoy (SE) for the Promotion of Freedom of Religion or Belief. The SE visited the country in October and confirmed that the EU stands ready to support Jordan to counter religious extremism and enhance Jordan's traditional role as champion of a peaceful Islam and harmonious cohabitation with Christians and other religious and ethnic communities.

In 2016, the EU continued to provide financial support for projects funded through the European Neighbourhood Instrument (ENI), the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Stability and Peace (IcSP).

16 projects were contracted in 2016 (including the Electoral Observation Mission), focusing on reinforcing the capacity of civil society and media as well as the National Centre for Human Rights, supporting democratic governance, strengthening child protection and promoting the empowerment of women.

Jordan is party to a significant number of international human rights conventions. It is not party to the Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families or the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming to abolish the death penalty.

The use of the State Security Court for cases linked to terrorism provides grounds for concern with regard to the right to a fair trial. Cases of torture and ill-treatment in police and state security facilities continue to be reported by human rights defenders and NGOs. There has also been a continuous drop in recent years in Jordan's ranking in the World Economic Forum Global Gender Gap Index (140 out of 145).

Lebanese Republic

Despite the long period of institutional stalemate (which ended with the election of President Aoun on 31 October 2016 and the severe impact of the Syrian conflict on the country, Lebanon has witnessed some positive developments in the protection of human rights, such as the creation of a National Commission on Human Rights and the holding of successful municipal elections. In the newly agreed EU-Lebanon Compact, Lebanon undertakes to improve the living conditions of refugees. However, Lebanon's achievements are mixed in this regard and the country has not always met the required international standards of protection; for instance, many refugees have been thrown into a state of illegality due to the unaffordable USD 200 residency fee. Furthermore, the pursuance of a number of court cases on the basis of the criminal defamation law seem to be aimed at undermining freedom of expression, while limited guarantees of access to a fair trial are of particular concern.

The EU's key focus areas in Lebanon have mainly been on freedom of expression, the fight against torture and ill-treatment, the death penalty, prosecutions before military tribunals and access to basic rights for refugees and migrants to ensure decent living conditions for them. Women's and children's rights as well as human rights violations in prisons and extended periods of pre-trial detention have also been an important focus.

Government institutions are still weak in terms of transparency and efficiency, and in particular corruption, as was highlighted by the 2015 refuse collection crisis. Hope now hinges on the newly formed Government of National Accord to tackle corruption as it committed to do in its first government statement.

Municipal elections were successfully held in May 2016. The EU actively supported this process through the United Nations Development Programme (UNDP) Lebanon Elections Assistance Project, which provided technical assistance to the Ministry of the Interior, and through EU support for civil society's election monitoring efforts. EU and EU Member States diplomats visited election polls and directly witnessed the process during all four phases of the election. The EU's support and assistance not only contributed significantly to the successful organisation of municipal elections but also confirmed the EU's confidence in Lebanon's ability to hold free and fair parliamentary elections, which are scheduled for May 2017. The EU has offered to continue to support Lebanon in further improving its electoral processes, including on the basis of previous election observation missions (EOM) recommendations aimed at ensuring more transparent, credible and inclusive elections: an independent electoral commission, pre-printed ballots, legislation to enhance the participation of women in elections and the reduction of the voting age to 18 (age of legal responsibility). However, gender participation in municipal elections was unsatisfactory.

A law establishing the National Human Rights Institute (one of the UPR recommendations) was adopted in October 2016 by the parliament and provides for the creation of a National Preventive Mechanism (NPM) to investigate and monitor the use of torture and ill-treatment in places of detention. For the first time, the new Government of National Accord formed on 18 December 2016 includes a Ministry of State for Human Rights and a Ministry of Women's Affairs, while a human rights department has been established within the General Security.

The Lebanese General Security (GS) has adopted a Code of Conduct with the support of the Office of the High Commissioner for Human Rights (OHCHR). A positive step towards non-discrimination was the repeal of a Penal Code article that allowed the withdrawal of legal charges and the issuing of fines in cases where the perpetrator of a rape married the victim. Throughout 2016, the EU and Lebanon negotiated and agreed on Partnership Priorities and a Compact. Human rights protection constituted an important component of the discussions and of the final texts agreed. With reference to the Compact, the protection of the rights of refugees constitutes an important part of Lebanon's commitments.

During the meeting of the *EU-Lebanon Subcommittee on Human Rights, Democracy and Governance* (Brussels, May 2016), a list of 12 operational conclusions were agreed which are expected to be followed up. Annexed to them was a list of court cases of concern to the EU. The EU engaged with a wide variety of civil society stakeholders in the human rights field at headquarters level in Brussels as well as in Beirut via the EU Delegation both prior and subsequent to the abovementioned meeting. The meeting of the EU-Lebanon Justice and Home Affairs Subcommittee held earlier in Beirut in April also allowed the EU to convey important messages on the protection of fundamental human rights.

The EU maintained regular contacts with the UNHCR, and the EU Delegation attended regular UNHCR briefings, especially on the new attestation scheme being developed by the Lebanese Ministry of Social Affairs for 'displaced persons from Syria' aimed at replacing the existing UNHCR refugee status. It is unclear whether the new government will pursue this initiative.

The EU Delegation organised several thematic consultation meetings with CSOs, whose participation has become very active.

Regular contact with Lebanese authorities also takes place in order to ensure that the implementation of the EU-Lebanon counter-terrorism roadmap follows a human rights-based approach.

The EU Delegation and EU Member States, in cooperation with NGOs, are closely following a number of important ongoing cases regarding human rights defenders, especially those relating to freedom of expression and the misuse of the defamation law. With regard to the Case of Manal Assi, the EU Delegation organised a human rights focal points meeting with the participation of the NGOs actively advocating for an appeal against the Criminal Court judgment which used Article 252 of the Criminal Code, which indirectly justifies honour killing, to reduce the punishment of a man convicted of beating his wife to death to five years' imprisonment.

In the context of the EU's programming mission in Beirut in November, a number of civil society stakeholders urged the EU to be more vocal in holding the government of Lebanon accountable for human rights violations. Many expressed concern that the EU's influence in the area was being eroded due to its concerns for the refugee crisis.

In 2016, the EU Delegation took a number of steps advocating the abolishment of the death penalty and conducted a demarche to present EU priorities to the United Nations General Assembly (UNGA) Third Committee. On the occasion of the International Day against the

Death Penalty, the EU ambassador issued a statement calling on the authorities to adopt the law confirming the existing moratorium with a view to its abolition.

In 2016, the EU continued to provide financial support for projects in support of human rights, under a variety of instruments. Under the annual action programme 2016, the EU approved a new programme entitled 'Advancing Juvenile and Criminal Justice in Lebanon' to strengthen juvenile justice and ensure a protective environment for children in line with international standards. In total, the EU Delegation in Lebanon is currently managing 31 human rights grants.
Under the EIDHR, a total of eight projects were implemented by CSOs. These projects focus on providing support for initiatives aiming to promote observance of the right to a fair trial, including the end of military jurisdiction over civilians. Continued support was also provided for the prevention of torture and assistance to victims and improved detention conditions. Support in the area of human rights was also channelled through the traditional bilateral assistance envelope (ENI), with a number of actions relating to the implementation of the UPR process and the reform of the prison system, as well as freedom of speech.

Other activities focus on the independence of the judiciary, legal aid, freedom of expression, electoral reform, the rights of refugees and migrant workers and access to a number of basic rights for refugees and vulnerable hosting communities. These projects are having an impact on strengthening Lebanon's democracy as well as the living conditions of refugees.

Despite the multiple challenges it faces, Lebanon has shown a commitment towards cooperating with international human rights mechanisms. However, the recommendations of the Universal Periodic Review (UPR) made to Lebanon in 2010 and 2016 have not yet been fully followed up and Lebanon still has to put in place a national committee to implement them.

Lebanon received the Special Rapporteur on freedom of religion, whose recommendations are being considered.

On treaty bodies, Lebanon submitted its report on International Covenant on Civil and Political Rights (ICCPR) in June 2016. It is considering the establishment of a national body tasked with drafting all the reports to UN mechanisms, including UPR, and promoting cooperation between ministries on UN reports.

The most important human rights challenges in Lebanon remain the prevention of torture and arbitrary arrests, administrative detention, aligning prison conditions with international standards, the abolition of the death penalty, promoting equality between women and men, improving the living conditions of refugees, protecting migrants and other vulnerable groups and combating discrimination. The use of defamation laws to curb freedom of expression and especially the use of judicial prosecution before military courts for those who criticise the government or its institutions are worrying and also increase the risk of other human rights violations. Lebanon has been unable to meet the requirements of the law to improve the conditions of detention and prisons, increasing the likelihood of human rights violations.
Increasing the representation of women in politics and adopting a civil status law are essential to avoid de jure and de facto gender-based discrimination. It is also essential to eliminate Criminal Code provisions discriminating against women and to eliminate discrimination against

women in terms of passing their nationality to their children. Legislation to fulfil Lebanon's commitments under UNCAT and OPCAT has not yet been adopted.

Along with Syrian refugees, other categories of the population such as Palestinian refugees from Lebanon and migrant workers including domestic workers face discrimination in accessing basic rights. Particularly important is the 'right to have rights', i.e. access to documents proving identity and legal stay and a residence status allowing the filing of complaints without the fear of detention or deportation (including through the abolition of sponsorship and 'kafala' systems).

Syrian Arab Republic

Six years into the conflict, the situation in Syria is abominable. The EU condemns the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by all parties to the conflict in Syria, in particular the Syrian regime and the UN-listed terrorist organisations, as documented by the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic.

The EU objectives on human rights and democracy are reiterated in the Council's conclusions of May and of October 2016 supporting a political solution to the crisis on the basis of the Geneva Communique of 2012 and the relevant UNSC resolutions[62].

All those responsible for breaches of international law, and in particular of international humanitarian law and human rights law, some of which may constitute war crimes or crimes against humanity, must be brought to justice, including those committing crimes against religious, ethnic and other groups and minorities. Impunity for such crimes is unacceptable and therefore the EU continues to support efforts to gather evidence with a view to future legal action. The EU recalls its conviction that the situation in Syria should be referred to the International Criminal Court and renews its call to the UN Security Council to take action in this respect. The EU and its Member States sought to explore possibilities of concerted action inter alia through the UN General Assembly, which eventually adopted a resolution in December 2016 creating an 'International, Impartial and Independent Mechanism to assist in the Investigation and Prosecution of those Responsible for the Most Serious Crimes under International Law committed in the Syrian Arab Republic since March 2011'.

The EU has continued its dialogue with civil society organisations and human rights activists with the aim of supporting their efforts to help the Syrian population and to account for the crimes committed by state and non-state stakeholders inside the country. The European Instrument for Democracy and Human Rights funds some civil society organisations working to promote human rights and to support human rights defenders.

The European Parliament adopted several resolutions during 2016 drawing attention to the situation in Syria[63].

62. Council conclusions on the EU Regional Strategy for Syria and Iraq as well as the Da'esh threat, 9105/16, 23 May 2016 and Council conclusions on Syria, 17 October 2016
63. Including European Parliament resolution of 24 November 2016 on the situation in Syria (2016/2933(RSP)), European Parliament resolution of 6 October 2016 on Syria (2016/2894(RSP)) and European Parliament resolution of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration (2015/2095(INI))

The EU has supported the Syria resolutions of the UN Human Rights Council as well as of the UNGA Third Committee, condemning the escalation of violence in the country, the use of barrel bombs and chemical weapons by the Syrian authorities and the human rights abuses by armed extremist groups, and asking parties to comply with their obligations under international humanitarian law and ensure unhindered access for aid organisations in Syria.

The EU has continued its restrictive measures (ban on trade in oil and petroleum products, ban on financial transactions etc.) in relation to Syria and has regularly introduced new sanctions against individuals and entities – including military and security officials – responsible for violence and repression in Syria.

Libya

Libya is still facing a challenging political transition. The Government of National Accord has not yet been endorsed by the House of Representatives, as provided for by the Libyan Political Agreement signed in 17 December 2015 in Skhirat (Morocco). Although the Constitution Drafting Assembly has completed its work, it is unclear whether and when a referendum on the constitution could be held. Many areas of the country still face the threat of violent confrontation and terrorist attacks. As a consequence, the human rights situation in Libya continued to deteriorate in 2016.

The Libyan population suffers from parallel structures of armed groups that continue to commit human rights violations with impunity. Armed groups on all sides commit human rights violations, including direct and indiscriminate attacks against civilians and civilian infrastructure, unlawful killings, torture and ill-treatment in unlawful detention facilities, arbitrary arrests, abductions, enforced disappearances and forced displacement. Armed groups continue to abduct civilians on account of their family links, identity or actual or perceived political affiliations. Human rights violations were particularly severe and widespread in the areas controlled by ISIS, where arbitrary killings, mass killings, torture, arbitrary detentions, forced marriages and child marriages were reported.

The judicial system remains structurally weak and subject to pressure from armed militias. Enforcement of judicial verdicts is not always effective, and Libya has witnessed a general state of lawlessness in the post-revolution period. Undue pressures and attacks on judicial stakeholders (prosecutors, judges and defence lawyers) have severely hampered access to justice following events. Fewer courts are working due to damage to court premises. The conditions of the judiciary have further exacerbated the levels of corruption in the country. In 2016, Libya ranked 170th in the Corruption Perceptions Index of Transparency International.

The power of militias has often curbed the authorities' efforts to enforce the law. Human Rights Watch reported that thousands of people in prison are exposed to long-term arbitrary detention, torture and other ill-treatment. The condition of migrants, refugees and internally displaced persons (IDPs) continues to raise particular concern.

In 2016, the number of IDPs in country decreased to 313,000, as mentioned in the 2016 HNO (p.10), approximately 140,000 of who were in the East, 151,000 in the west and 22,000 in the South. 241,000 of those identified IDPs were estimated to be in need. The majority of those IDPs were located in major cities including Benghazi, Misrata and Tripoli. In 2016, displaced people were reported to be mostly in need of NFIs, shelter, medical support and food. In 2016, an

estimated 357,259 migrants and refugees were estimated to be in country, of whom 295,652 were determined to be most in need. They remain at risk of indefinite detention in official migrant detention centres and in centres run by local militia groups. The conditions in these centres are extremely precarious and overcrowded, with very limited or no access to legal protection, food, sanitation or healthcare, and subject to violent attacks, rape, extortion and exploitation. In 2016, while limited access to some official centres was granted to international organisations, informal facilities run by militias remain largely inaccessible to humanitarian organisations. Libya remains the main transit country for victims of trafficking in human being arriving to the EU through the Central Mediterranean Route, in particular, IOM estimates that 80% of the 11.000 Nigeria women and girls arrived in Italy in 2016 are victims of trafficking for sexual exploitation in the EU.

Libyan law inadequately prohibits domestic violence and its personal status laws continue to discriminate against women, particularly with respect to marriage, divorce, and inheritance. Same-sex relations are prohibited and punishable by up to five years' imprisonment.

Civil society organisations (CSOs) became the targets of attacks by many parties in the conflict. In 2016, the Civil Society Commission issued regulations that severely restrict the operations of local and international CSOs. The Board of the Commission of Civil Society introduced numerous restrictions and imposed controls on the work of international non-governmental organisations in Libya.

Reporters without Borders reported that two journalists were killed in 2016. With regard to the first half of 2016, the Libyan Centre for Freedom of the Press (LCFP) is examining seven cases of murder and attempted murder and 48 cases of enforced disappearance, kidnapping, arbitrary detention, physical aggression, threats and verbal aggression, arrest and temporary detention, unfair dismissal and censorship of journalists. In 2016, Libya ranked 164th in the World Press Freedom Index of Reporters Without Borders.

In May 2016 an agreement was reached by the municipalities of Misrata and Tawergha which includes establishing a committee to visit prisons in the city of Misrata. However, a concrete plan for the return of Tawerghans who have been displaced since August 2011 has not yet been developed.

Despite the challenges due to the lack of an international or EU presence on the ground, the EU continued to engage in human rights discussion with Libyan authorities and representatives of Libyan civil society. The EU Delegation stepped up coordination with EU Member States and international organisations on human rights issues. An EU-founded study by UNWOMEN on Financial Inclusion and Economic Development and Women, including a specific chapter (gender profile) on Libya, was launched in October 2016.

Human rights defenders (HRDs) have become a primary target of armed groups. In 2016, the EU continued its support for human rights defenders and launched a project financed under the EIDHR whose aim is to reinforce the capacity of NGOs working in the field of human rights in Libya.

The EU's overall cooperation strategy in Libya consisted of two strands: supporting the Libyan Political Agreement, the Government of National Accord (GNA) and local authorities through institution-building, and implementing projects to directly benefit vulnerable migrants,

internally displaced persons (IDPs) and refugees, as well as host communities. For example, under the Regional Development and Protection Programme (RDPP) projects were launched to provide, direct assistance to migrants, refugees and asylum seekers present in or disembarked on Libyan shores, the rehabilitation of selected detention centres, and training for the Libyan Coast Guard for procedures after the disembarkation of migrants.

Several projects dedicated to transitional processes focus on local governance, to improve the ability of municipal councils to govern and deliver adequate services, and to increase the participation of Libyan civil society organisations in the political processes and in local affairs. In the media sector, the 'Media in Libya' project continued to offer training to professionals in journalism ethics and in reporting in hostile environments and crisis zones.

In order to respond to the most urgent needs of the Libyan population, several projects are dedicated to improving access to health, education and the fight against gender-based violence. Direct assistance, protection and basic health care are provided to migrants inside the detention centres and in the host communities. Voluntary repatriation is proposed to migrants stranded in Libya who are willing to return to their home country. In 2016 the EU funded the voluntary return of some 500 migrants.

Kingdom of Morocco

Five years after the adoption of the 2011 Constitution, Morocco has continued its legislative activity with the adoption of 15 out of the 19 organic laws established in the Constitution. Legislative elections were held on 7 October 2016. A European Mission of Electoral Experts was sent to Morocco for the occasion.

In 2016, the EU pursued its cooperation efforts in support of the reforms undertaken by the government and continued supporting civil society stakeholders. Migrant rights, women's rights, the reform of the judiciary and the penitentiary system were key fields, in which new policies were launched with EU support.

Although the effective implementation of the 2011 Constitution remains a challenge in the medium to long term, significant progress was recorded in 2016:

– The organic laws on the Superior Council of the Judiciary and on the Statute of Magistrates were enacted on 24 March 2016.

– Following a public consultation on the review of the Criminal Code, the Ministry of Justice presented a draft to the Parliament in June 2016 that is under examination by the Justice and Human Rights Committee.

– As regards the role of civil society, two organic laws relating to participatory democracy, i.e. the right of legislative initiative and the right of petition were adopted by Parliament on 31 May 2016.

– On governance, Morocco officially launched its national anti-corruption strategy, a contractual framework of 10 programmes comprising 239 projects across the sectors and bodies concerned. In 2016 Morocco ranked 90th in the Transparency International index.

– Women's rights have been addressed in 2016 with the adoption of the draft setting up of the Authority for Equality and Fight against Discrimination (APALD).

– Finally, as regards the rights of migrants, the law against trafficking in human beings was adopted by Parliament in August 2016; nonetheless, laws on asylum and migration are still at a draft stage. In 2016, Morocco has also launched the second phase of regularisation of illegal migrants.

Meaningful challenges still remain in the field of human rights.

Two years after the submission in November 2014 of the acts to ratify the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (OPCAT), the establishment of the national mechanism of prevention is still under discussion and acts of alleged ill-treatment are still reported.

Freedom of expression and freedom of association and assembly remain key aspects. In 2016 Morocco ranked 131 in the Reporters without Borders 2016 World Press Freedom Index. A number of subjects continue to be regarded as particularly sensitive. On freedom of association and assembly, some civil society organisations have expressed their concern on the deadlines for the reception of their constitution accreditation.

Homosexuality remains a crime under article 489 of the Criminal Code. Cases of homophobia were reported in 2016.

Finally, regarding death penalty, the draft law revising the Criminal Code still includes the use of capital punishment. Morocco continues to apply a de facto moratorium on death penalty.

The EU has traditionally pursued with Morocco an open and constructive dialogue on democracy and human rights, namely in the framework of the Association Council and the Human Rights, Democracy and Governance Subcommittee. Following the judgement on the EU Morocco Agricultural Agreement in December 2015, no meetings of the Association Council and the Human Rights, Democracy and Governance Subcommittee took place in 2016. The EU is working to relaunch and reinforce both dialogues.

Support for democratic reforms and for a sustainable and inclusive economic development constitutes an important part of EU financial support to Morocco. A large proportion of this assistance goes in the form of budget support namely to social reforms, development of the economic activity, improving governance, equality, migration policies, and justice and penitentiary reform. Aware of the importance of the role of civil society in the democratisation process, the EU also provides direct support to various civil society organisations.

In general terms, there has been a positive momentum on the legislative framework, with an important number of texts adopted or in the process of being finalised. The EU remains committed to supporting the reform process through an effective implementation of the constitutional principles.

Western Sahara

Western Sahara's 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. There therefore is an ongoing UN-led process that assists the parties in achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations. The UNSC adopted resolution 2285 (2016) on 29 April 2016 renewing the United Nations Mission for the Referendum in Western Sahara (MINURSO)'s mandate for one year.

The EU repeatedly expressed its concern about the long duration of the conflict and its implications for security, human rights and regional cooperation.

The EU has also consistently expressed its support for the UN and the UNSC Resolutions, encouraging the parties to continue their respective efforts to enhance the promotion and protection of the human rights situation in Western Sahara and welcoming the strengthening of the National Council on Human Rights Commissions, operating in Dakhla and Laayoune.

The EU has also followed up on alleged individual cases of human rights violations through its contacts with civil society organisations, human rights defenders, the National Council of Human Rights (CNDH) and its regional offices.

People's Democratic Republic of Algeria

In a context marked by financial difficulties due to low oil and gas prices, Algeria enacted a constitutional reform in February 2016 which aimed to reinforce the rule of law and further the protection of fundamental rights. Several laws have been adopted to implement these provisions. Meanwhile, the exercise of some of those rights – notably the freedom of assembly and freedom of expression – at times - continued to be challenged in practice.

In terms of priorities, EU support for civil society continues to be key in Algeria, in particular as regards participative local democracy and the resilience of civil society at community level. The EU is also active in offering support for human rights defenders mostly through its thematic lines. The observation of trials, however, continued to be subject to prior authorisation from the authorities. Lastly, the EU is also supportive of the promotion of women's and children's rights.

The 2012 Associations Law continues to pose challenges to the functioning of both local and international associations in Algeria. Several EU partners have not yet received the authorities' permission to officially register as associations and therefore cannot properly operate in the country. Restrictions on the right of assembly are still in place in Algiers, where permission for gatherings is systematically refused. Several human rights gatherings organised by associations were prohibited and their organisers arrested, then released without charge.

Algeria has not fully implemented the International Labour Organisation (ILO) Convention 87 on freedom of association and the protection of the right to organise with regard to the creation of independent trade unions. In 2016, the ILO recommended that Algeria ensure there were no obstacles to the registration of independent unions and reinstate public officials who had been dismissed on the grounds of alleged anti-union discrimination.

Despite its dynamic media landscape, Algeria's efforts to ensure pluralism and press freedom have not always met with official support in practice. Administrative issues such as the granting of operating licences for media outlets, the issuing of construction permits or financing through publicity were used to put pressure on independent media. Despite recent constitutional amendments, public prosecutors continued to demand severe prison sentences for media offences. Likewise, several bloggers were accused of defamation and condemned to serve prison terms. In 2016 Algeria ranked 129th in the World Press Freedom Index of Reporters Without Borders.

The constitutional review adopted in February 2016 included notable improvements, such as the limitation of presidential mandates to two, the abolition of prison sentences for media offences, the reinforcement of the independence of the judiciary and the exceptional character of provisional detention. Amazigh was also declared an official language of the Republic. Following the adoption of the constitutional review, Algeria adopted a new electoral law which incorporated some of the EU's recommendations on the need to increase transparency and traceability. An independent electoral commission (Haute Instance Independent pour la Surveillance des Elections) was set up. A Human Rights Council was also created, and the National Commission on Socio-Economic Issues (CNES) was given a constitutional rank. It is also the case for the National Organ of prevention and fight against corruption, which members have been appointed in September 2016. In parallel, Algeria ranked 108th in the in 2016' Transparency International index. However, some doubt about the independent character of the above mentioned institutions remains and their ways of operating in practice remains to be seen.

The EU and Algeria pursued their engagement on human rights issues within the framework of their political consultations as well as within the Subcommittee on Political Dialogue, Human Rights and Security. In 2016 Algerian civil society organisations benefited from EU funding in the fields of heritage and culture, as well as youth and employment through the PATRIMOINE and PAJE programmes. Over 30 projects benefited from EU financing through thematic lines (EIDHR and CSO-LA). In addition, the new CAPDEL programme was adopted in 2016 to support citizens' participation in local governance with the Ministry of the Interior, thereby creating a new venue for a permanent policy dialogue with the authorities. Through its thematic lines, the EU also finances a wide range of projects ranging from technical assistance to local associations and improving migrants' access to health. The EU remains supportive of gender-related projects through its Gender Action Plan and continues to offer training and capacity-building opportunities to human rights defenders, notably by supporting the Algerian League for the Defence of Human Rights.

Algeria will be reviewed in the upcoming UPR in 2017, and the EU has been actively engaging with CSOs prior to the review. Algeria has ratified all the major international conventions on human rights, except for the Rome Statute establishing the International Criminal Court, signed in 2000, and the Convention on Enforced Disappearances, signed in 2007. The UN Special Rapporteur on the right to health paid his first visit to Algeria in 2016. Visits by the UN Special Rapporteurs on freedom of assembly and association and on torture have however been pending since 2011. Algeria continues to maintain its moratorium on the death penalty.

A swift effective implementation of the constitutional review will be crucial in terms of addressing ongoing shortcomings. In particular, further legislation will be needed to ensure that fundamental rights guaranteed in the constitution, including the right to freedom of assembly, of association and of expression, are properly upheld, in the spirit of the universally agreed Sustainable Development Goals 2030 Agenda. This is particularly relevant with regard to the Associations Law.

Republic of Tunisia

Tunisia's democratic transition progressed in 2016 despite the difficulties the country continued to face. The effective implementation of the 2014 Constitution remains the guiding principle in the promotion of fundamental rights and freedoms in Tunisia.

The main governance challenges concerned the establishment and functioning of institutions and constitutional and independent bodies. While progress was made in terms of the functioning of the Tunisian parliament, that institution's efficacy was nevertheless curtailed by insufficient resources. Decentralisation and the creation of financially and administratively autonomous local authorities is one of the most complex institutional challenges facing Tunisia. It is however needed, also in order to curtail rising regional inequalities in the country.

Important reforms were underway in 2016 with a view to the holding of municipal elections, in particular the reform of the electoral law and the drafting of a new draft law on local authorities. The delays in the adoption of this new legislation resulted in the date of municipal elections being postponed to 2017. Independent bodies (including the five constitutional ones) entrusted with the task of supporting democracy are at different stages of establishment, having, for the most part, faced delays. Their administrative and financial independence varies greatly and is in some cases threatened by a lack of means. The worsening of corruption since 2011 is a key concern, hampering good governance and reform efforts. In 2016 Tunisia ranked 75th in the Corruption Perceptions Index of Transparency International. Progress was made with the adoption on 9 December 2016 of the 2016-2020 national strategy for good governance and the fight against corruption and its 2017-2018 action plan. Furthermore, a new ministry to oversee these tasks was created in January 2016. On the other hand, laws on the protection of whistle-blowers, illicit enrichment and the declaration of assets have been making slow progress and cases concerning corruption were held up in the courts.

Concerning the reform of the judiciary, in October 2016 members of the Superior Council of the Judiciary were elected, while no progress was made in the creation of the Constitutional Court. The transitional justice process, conducted through the 'Instance Vérité et Dignité', created at the end of 2014, is still facing obstacles. The first public hearings of victims took place on 17/18 November 2016.

The situation in the prisons remained precarious, with overcrowding being one of the key problems. Nearly 6000 inmates have been accused and convicted of drug use. A draft law to revise the current legislation, which provides for a minimum sentence of one year's imprisonment for drug use, is currently under discussion.

Allegations of ill-treatment and torture continued to surface, particularly in prison and detention centres. Tunisia is the first country in the region to have established in 2016 its

national preventive mechanism in line with its obligations under OPCAT, but - as in the case of other independent institutions - its functioning is threatened by a lack of means.

Important steps have been taken in relation to the promotion and protection of human rights. A new draft law on discrimination is under discussion by the parliament. Respect for the human rights of LGBTI persons remains an issue of concern. Condemnations of homosexuals on the basis of the Penal Code (Article 230) and the implementation of the Penal Code (forced medical tests) raise the issue of conformity with the constitution. A draft law on violence against women was submitted to parliament in July.

A new law on access to information was adopted by parliament in March 2016. This law defines the right enshrined in Article 32 of the constitution (on guaranteeing freedom of opinion, expression, information and publication) and sets up an independent authority, whose establishment is behind schedule. Despite this important progress and the creation of the Audiovisual Communication Independent High Regulatory Authority (HAICA), journalists and bloggers still face harassment (in particular on the basis of Article 91 of the Military Code and Article 128 of the Criminal Code, which still carry heavy prison sentences for defaming public or military authorities). In 2016 Tunisia ranked 96th in the World Press Freedom Index of Reporters Without Borders.

Tunisian civil society is vibrant and diverse. The reform underway to replace the liberal Legislative Decree No. 88-2011 governing associations raises the concern of civil society.

In 2016 the EU reaffirmed its support for Tunisia's democratic transition in all its dialogues and through its cooperation. The Joint Communication of the High Representative and the Commission *'Strengthening EU support for Tunisia'* of 29 September 2016 includes good governance as a specific priority for reinforced EU support. Tunisia is the only Southern Neighbourhood partner with which the EU organises tripartite dialogues involving civil society in preparation for sub-committees and other dialogues and negotiations. In 2016 this important practice was consistently upheld.

In 2016 the EU continued to provide financial assistance for Tunisia's transition through several ongoing and new sectoral programmes, dedicated to the promotion of women's rights, the reform of the judicial and penitentiary systems, decentralisation and a significant number of initiatives dedicated to civil society through the programme 'Support for Civil Society' and other programmes and projects. In addition, two projects aimed at supporting Tunisia's migration governance and humanitarian assistance efforts to address the needs of vulnerable migrants were launched under the Regional Development and Protection Programme (RDPP).

Tunisia is party to eight out of nine of the principal UN human rights treaties and all the main UN conventions. The III report on the Convention against Torture and Other Cruel, Inhuman and Degrading treatments or punishment was submitted in 2016. Tunisia was elected a member of the UN Human Rights Council for the 2017-2019 term and will be undergoing a Universal Periodic Review in 2017.

The EU welcomes the cooperation between Tunisia and the Council of Europe through the EU-financed South Programme II, and continues to encourage Tunisia's accession to CoE conventions and protocols.

IV. Russia and Central Asia

Russian Federation

In 2016 the overall human rights situation in Russia continued to be marked by sustained limitations on fundamental freedoms and independent civil society. The parliament adopted laws increasing the powers of law enforcement and security agencies. The end of 2016 brought to light another long-standing problem, namely the use of torture in penitentiary facilities.

The EU's priorities in this area are focused on strengthening the capacity of Russian civil society organisations and human rights defenders as well as improving, through EU-funded projects, the living conditions of the most vulnerable sections of Russian society, namely children, women, persons with disabilities and indigenous communities.

The widening implementation of restrictive laws continued throughout 2016, a year which also saw the introduction of new repressive legislation. At the end of the year, the number of NGOs included in the Ministry of Justice's list of 'foreign agents' reached 154 compared to 111 at the end of 2015. Significant organisations targeted in this way during 2016 included not only the Memorial International Society, but also the Levada Centre (a polling and research organisation), the Ecological Watch on North Caucasus (an environmental NGO) and a growing number of NGOs active in the field of social issues. In June a case was opened against Valentina Cherevatenko, founder of the Women of Don NGO, making her the first person to be subject to investigations with a view to filing a criminal case under the law on foreign agents.

Furthermore, three entities were declared 'undesirable organisations' under the respective law, (which bans all operations of these organisations in or with Russia), bringing the number to seven organisations, all US-related. The temporary closure of Amnesty International's Moscow office in November was an example of unwarranted persecution of a well-known NGO.

The authorities continue to limit freedom of assembly in rallies and even single-person pickets. Allegations of torture publicised by Ildar Dadin – who was convicted and incarcerated for peaceful, single-person protests - brought renewed attention to the restrictions on freedom of assembly in Russia, as well as the systematic use of torture in the Russian penitentiary system.

In July President Putin signed the so-called 'Yarovaya package' of counter-terrorism and counter-extremism legislation. The new provisions broadened the authority of law enforcement agencies especially in respect of metadata storage, and introduced criminal liability for failing to report knowledge of planned terrorist activities. The Russian authorities prosecute people under charges of criminal separatism and extremism, and also for materials disseminated

online. One of the symbols of judicial harassment under extremist laws is the former director of the Ukrainian Library in Moscow, Natalya Sharina, whose trial was ongoing at the end of 2016.

The law limiting foreign media ownership from 50% to 20% entered into force in 2016 and has further limited the freedom of the media in Russia. In September independent journalist Zhalaudi Geriev, well known for his reporting on abuses by Chechen authorities, was sentenced to three years' imprisonment on dubious drug possession charges. His case is one of many examples of the appalling state of human rights in Chechnya and of the limitations on the freedom of the media.

Parliamentary elections took place in September 2016, which the OSCE/ODIHR Election Observation Mission assessed as transparently administered, while indicating however that challenges to democratic commitments remained and that the electoral environment was negatively affected by restrictions on fundamental freedoms and political rights, firmly controlled media and a tightening grip on civil society as well as shortcomings relating to candidate registration and the legal framework. The EU did not recognise the holding of the Duma elections in the Crimean peninsula; the Council included the deputies elected from the illegally annexed Crimea on the EU travel ban/asset freeze list.

Despite the release of some of the Ukrainian citizens illegally imprisoned in Russia, including Nadiya Savchenko, there are still many Ukrainian citizens illegally detained in Russia.

Repeated efforts by the EU to hold human rights consultations in a meaningful format have been resisted, limiting the EU's opportunities to raise human rights issues directly with the Russian authorities.

However, the EU uses all other available options - including meetings of senior officials, international fora (namely the UN, OSCE and Council of Europe) and public statements - to voice its concerns about the state of human rights in Russia. In this regard, several statements were issued in 2016 by the HRVP or her spokesperson as well as in international fora. The EU Delegation in Moscow, in coordination with Member States, attended several human rights-related trials and visited NGOs across the country. The Delegation also organised several events with human rights defenders and civil society organisations and met with them on a regular basis. The European Parliament held an emergency debate on the case of Ildar Dadin and torture in Russia in November.

The EU funded 17 projects totalling EUR 10 million, which began implementation in 2016, with a focus on strengthening the capacity of civil society and human rights defenders, education and promotion of human rights and fundamental freedoms, support for independent media, support for children, women, persons with disabilities, and environmental initiatives in regions inhabited by indigenous populations.

In November 2016 Russia withdrew its signature under the Rome Statute of the International Criminal Court. The decision seems to have been triggered by pending ICC investigations into Russia's actions in Georgia and Ukraine and calls for an ICC investigation on Russian actions in Syria.

In April 2016, following the adoption in December 2015 of a new law allowing the Russian Constitutional Court to order the non-execution of decisions of international human rights bodies if deemed contradictory to the Russian constitution, the Russian Constitutional Court ruled for the first time that a binding decision of the European Court of Human Rights was 'non-executable' in Russia. The EU expressed concern about the implementation of this law in the Committee of Ministers of the Council of Europe.

The human rights situation in Russia remains challenging. Despite increasing threats, persecution and the shrinking space for activity, Russian civil society remains strong and determined to continue working towards respect for human rights and fundamental freedoms.

Republic of Kazakhstan

The overall human rights situation in the country has been deteriorating. Several legislative amendments have been adopted or are currently in the pipeline with the aim of tightening controls on society in order to counter radicalisation and violent extremism. The amendments threaten to significantly limit the scope for the functioning of civil society and violate a number of fundamental rights.

The EU's priority is to strengthen the efficiency of the institutional framework that allows civil society to be included in the decision-making process and to support civil society capacity building, in particular to promote freedom of expression, and freedom of association and peaceful assembly.

Kazakhstan faced various human rights and democracy problems, especially in the fields of freedom of expression and freedom of association and peaceful assembly. Voices critical of the government were often silenced under the pretext of inciting social discord. Requests for authorisation to hold peaceful demonstrations were often refused. NGOs were subject to numerous and cumbersome reporting obligations hindering their activities.

The International Labour Conference examined shortcomings of Kazakhstan in the implementation of the ILO Fundamental Convention on Freedom of Association and Right to Organise for both workers' and employers' organisations. The ILC urged the government to amend the corresponding legislation. Actions against trade-unions at the end of 2016 raise serious concerns and the issue will be further scrutinized by the ILO supervisory bodies.

The parliamentary elections held in March 2016 were neither free nor democratic. The OSCE Election Observation Mission concluded that Kazakhstan still has a considerable way to go to meet its OSCE commitments for democratic elections.

Good progress was made on efforts to eradicate torture and ill-treatment. Efforts were also made to reform the judicial system (although so far the independence of the judiciary has continued to be significantly undermined). Human rights defender Vladimir Kozlov, who was detained following the Zhanaozen events of 2011, was released from prison.

The EU continued to engage in human rights and democracy discussions with Kazakhstan in various settings, including at the Cooperation Council (October) and the Cooperation Committee (March).

The annual human rights dialogue was held in November. The dialogue allowed for constructive exchanges on a wide range of issues, including freedom of association, women's rights, the prevention of torture and ill-treatment of detainees, press freedom and freedom of religion and belief. The EU encouraged Kazakhstan to adopt as soon as possible the second national human rights action plan. The EU acknowledged the significant efforts made by Kazakhstan to prevent the mistreatment of detainees, including through the work of the national preventive mechanism, and encouraged implementation of the conclusions issued by the UN Subcommittee on Prevention of Torture after its visit to Kazakhstan in September 2016. The EU raised concerns in relation to pressure on independent media outlets and the possible negative implications of the new law on payments, as well as the convictions of Max Bokayev and Talgat Ayan in relation to land demonstrations in the spring of 2016.

Representatives of the EU Delegation participated as observers in the meetings of the Consultative Advisory Body on Human Dimension (CAB), a platform for dialogue between the government and representatives of civil society under the Ministry of Foreign Affairs. The EU also participated in a number of meetings, seminars and roundtables concerning human rights issues organised by the government, and maintained regular contact with government interlocutors.

The EU Delegation hosted various meetings with representatives of civil society and representatives of the EU Member States' missions in Astana to discuss current human rights issues, and in particular the planned legislative modifications to the law on payments, the law on the media and the law on religious associations.

The EU voiced concerns, through statements, speeches as well as other formal and informal steps, to encourage the Kazakhstani government to ensure respect for human rights. The EU Delegation, in close coordination with EU Member States and like-minded partners, conducted outreach initiatives in respect of the national authorities in support of human rights-related cases and monitored the court case of Max Bokayev and Talgat Ayan.

In 2016 the EU continued to provide financial support for projects funded through the European Instrument for Democracy and Human Rights (EIDHR). The EU Delegation is currently managing three projects amounting to a total of EUR 803 715. The projects cover areas such as freedom of expression, civil society capacity building and protection of human rights defenders.

Two new projects will be implemented under the EIDHR as from 2017. The objective of the first project is to promote the institutionalisation of cooperation between civil society organisations and state authorities in the area of the human dimension and the legislative process. The objective of the second project is to strengthen the capacity of civil society stakeholders, including human rights defenders, activists, lawyers, public councils and media representatives, to hold the authorities accountable for implementing the rights to freedom of expression, peaceful assembly and association.

The EU Delegation has also launched a call for a study to review the gender situation in the Central Asia region, including in Kazakhstan. The study will lead to a greater understanding of gender inequalities, identify causes for discrimination and make recommendations.

Kazakhstan is a party to the nine core UN human rights conventions except for the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and has issued a standing invitation to all UN Special Rapporteurs.

Kazakhstan has not signed the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty. The Kazakhstani constitution abolishes the death penalty for all crimes except terrorist acts that cause loss of human life and exceptionally grave crimes committed during wartime. A moratorium on the death penalty has however been in place since 2003. Kazakhstan played an active role during the UN negotiations leading to the establishment of the International Criminal Court, but has not yet joined the Rome Statute system.

Substantial progress needs to be made in the implementation of the various laws adopted to prevent radicalisation and violent extremism to ensure that the application of those laws does not have a negative impact on the functioning of civil society.

Respect for international standards needs to be demonstrated in the outcomes of the court cases, in particular those relating to freedom of expression and freedom of assembly.

Kyrgyz Republic

In 2016 the overall human rights situation remained stable. Positive developments are to be noted in the legislative area, where problematic legislative initiatives were rejected or stalled and a new piece of legislation improving the human rights situation was adopted. Nevertheless, some civil society stakeholders were subject to negative public statements and intimidation. Amendments to the constitution impact on the perceived status of human rights.

The EU's priority is the development of a judicial system that allows for the effective implementation of the rule of law. The EU is also active in support of democratic governance. The EU also supports the development of the institutional framework to ensure freedom from torture and ill-treatment and promotion of the rights of persons belonging to minorities.

The rule of law remains fragile, with widespread corruption including in the judiciary. Legislative acts are systematically improved, but implementation is not always adequate. This undermines trust in institutions and law enforcement agencies.

Civil society plays an active role. The rejection by the parliament of a draft law that would have imposed new reporting obligations on non-governmental organisations receiving foreign funding was well received by civil society and the international community. Some human rights defenders and civil society representatives have nevertheless been subject to discrediting public statements, intimidation or harassment. The situation of ethnic minorities remains sensitive. The host country proposed to change the status of the OSCE Centre, which has been carrying out substantial work in areas relating to human rights and the rule of law.

A new law criminalising the organisation or performance of religious marriage ceremonies of under-age spouse(s) is an important step towards ensuring greater protection for girls from forced and early marriages.

The authorities are endeavouring, including through cooperation with international bodies, to establish mechanisms to prevent torture and other forms of cruel and inhuman treatment. Limited legal safeguards at detention facilities contribute to the vulnerability of detainees immediately after their apprehension. Reported cases rarely lead to a full investigation followed by prosecution of the perpetrators and compensation for victims.

The Supreme Court took into consideration the views adopted by the UN Human Rights Committee on the complaint lodged by Azimjan Askarov, and reopened the case for supplementary investigation, without however fully implementing the Committee's recommendations. The retrial is attracting a considerable degree of attention both locally and internationally, due to its symbolic value in terms of reconciliation and justice for all in relation to the 2010 events.

Amendments to the constitution, adopted in a peaceful and transparent manner by a referendum, raised concerns about the inclusiveness of the consultative process and a downgrading of the overall importance of Human Rights, which were previously qualified as the most important national value.

The EU continued to engage in human rights and democracy discussions with the Kyrgyz Republic in various settings, including the Cooperation Council (February) and the Cooperation Committee (October). The annual human rights dialogue, held in June in Bishkek, saw broad participation by representatives of the government and the monitoring bodies to discuss a range of issues, including on the administration of justice and judicial reform, good governance, the prevention of torture, countering violent radicalisation, combating violence against women and the protection of vulnerable groups. The High Representative and Vice-President for Foreign Affairs and Security Policy and the EU Special Representative for Central Asia actively addressed human rights issues in bilateral meetings. The European Parliament held an inter-parliamentary meeting with members of the Kyrgyz parliament (April).

The EU granted to the Kyrgyz Republic additional trade preferences under the Generalised Scheme of Preferences (GSP+), in recognition of its ratification of and in support of the effective implementation of 27 core international conventions on human and labour rights, sustainable development and good governance.

The EU Delegation maintained regular contacts with civil society as well as the authorities and made use of diplomatic tools to promote respect for human rights. The EU Delegation has made it a systematic practice to hold an annual civil society seminar. This year the focal topic was the fight against corruption. Additional roundtables and panel discussions were held in the capital and the regions. Specific events such as a workshop dedicated to GSP+ implementation or a regional conference on preventing violent extremism touched upon a range of human rights issues from a broader perspective.

Following the publication of the UN Human Rights Committee's views on the Askarov case, the HRVP's spokesperson issued a public statement calling for the full implementation of the recommendations, supplemented later by a statement regarding the re-opening of the case.

In 2016 the EU continued to provide financial support for projects funded through the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR).

Under development cooperation, support for promoting the rule of law figures among the focal sectors. The EU has supported the ongoing judicial reform and also the establishment of a more professional, independent, accountable and transparent court system. Another project under the rule of law programme focuses on the fight against corruption. Other EU-funded projects under the same rule of law programme address the capacity of civil society to report on cases of corruption and to enhance democratic governance. EUR 9.5 million is allocated to the four-year rule of law programme. The EU further provides significant support for strengthening democracy through electoral assistance, with budgetary support of EUR 13.1 million. The intended impact of this programme is that a higher degree of credibility, inclusiveness and transparency of electoral processes will contribute to the increased legitimacy of elected bodies and public confidence in democratic institutions.

Additional projects provided support for the prevention of torture, facilitated the simplification of civil registration and securing the rights of all citizens in this respect, promoted the enforcement of the rights of persons with disabilities, promoted the role of women in building peace and promoted ethnic equality and civil engagement.

The Kyrgyz Republic is party to a number of international human rights conventions and has cooperated constructively with the UN human rights bodies. From 2016 to 2018 the country is a member of the UN Human Rights Council. However, the constitutional review led to the deletion of the article committing Kyrgyzstan to take measures to restore the rights of persons and/or compensate for damages if requested by international human rights bodies. Concurrently, a review of the mandate of the OSCE Centre has been initiated.

Republic of Tajikistan

In 2016 the overall human rights situation in the country deteriorated, with a growing number of human rights violations. Tajikistan experienced increased political centralisation with authoritarian tendencies, and considerable restrictions were placed on freedom of assembly, association, the media and religion.

Nevertheless, the government did engage with the UN, collaborated with some civil society organisations ahead of UN reports and made efforts to improve freedom from torture.

The EU's priority is to protect basic political and media pluralism, to promote the personal safety of opposition activists and their relatives, to improve religious freedom and to foster the rights of women and children. The EU is also looking at the rights of the unemployed in terms of poverty and issues relating to radicalisation.

There were various problems, especially in the fields of political pluralism and freedom of assembly. Following the ban on the Islamic Renaissance Party of Tajikistan (IRPT) in August 2015, its leaders were sentenced to long terms of imprisonment in 2016, effectively silencing the most important voices of the opposition. The Tajik president was granted life-long personal immunity by means of a referendum in 2016. There was persistent pressure on the media,

and increasingly also on NGOs. Allegations of corruption were frequent. The OSCE office in Dushanbe reported problems relating to its human rights work. The overall space for political participation shrank in 2016, with President Rahmon serving as the elected president until 2020, and close members of his family and his wider clan increasingly appointed to positions of high office.

On a positive note, the government made active efforts to improve the rights of women and children as well as freedom from torture, especially in relation to persons in detention. To that end, it collaborated with civil society organisations.

The EU continued to engage in human rights and democracy discussions with Tajikistan in various settings, including the Cooperation Council (February) and the Cooperation Committee (September). The annual human rights dialogue, held in June in Dushanbe, saw open discussions on a range of issues, including freedom of association, freedom of expression, freedom of religion, conditions in detention, the prevention of torture and ill-treatment, statelessness and the rights of women and children.

The EU voiced concerns both formally and informally, including via statements, speeches and workshops, to encourage the Tajik government to ensure full respect for human rights, in line with its international commitments. The EU Delegation closely followed the trials of the IRPT leaders, and had numerous contacts with the Tajik government with regard to these trials and to the situation concerning freedom of the media. As part of its focus on freedom of expression, the EU Delegation has established a regular media breakfast for local and international journalists.

The EU Delegation has made it a systematic practice to hold civil society seminars, e.g. by organising the 7th Civil Society Seminar in Tajikistan in October 2016, which addressed the topic of radicalisation and violent extremism.

Following the sentencing of the opposition IRPT leaders to long terms of imprisonment in June, the HR/VP Spokesperson issued a public statement in June 2016 expressing the EU's doubts about the legality of the trials, and calling on the Tajik government to guarantee the fundamental freedoms of all Tajik citizens even during security operations, as well as to uphold the rule of law. In the statement, the EU also expressed concerns about the potentially damaging effects the judgments could have on the overall cohesion of Tajik society.

In June 2016 the European Parliament adopted a parliamentary resolution criticising the Tajik government for generally negative developments in many human rights fields. The EU coordinated closely with EU Member States and like-minded partners on several other human rights initiatives.

In 2016 the EU continued to provide financial support for projects funded through the European Instrument for Democracy and Human Rights (EIDHR).

Four projects were ongoing in 2016, funded by an overall amount of just below EUR 1 million. The projects focused on the socio-economic and cultural rights of prisoners and ex-prisoners in Tajikistan (EUR 0.3 million); on empowering media and civil society activists to support

democratic reforms (EUR 0.22 million); on promoting the role and capacity of civil society to close the gap between society and democratisation processes (EUR 0.28 million); and on promoting political pluralism and fair elections through the creation of a platform for dialogue between political parties, NGOs and election authorities (EUR 0.18 million). These projects came to an end in 2016.

Five new projects were being called for in 2016, to be funded under the EIDHR by approximately EUR 2 million over several years.

Tajikistan is party to a number of international human rights conventions, and all key conventions have been ratified. The EU is also seeking to convince the Tajik government to sign the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Tajikistan underwent its review by the Working Group of the Human Rights Council of the United Nations as part of the Universal Periodic Reviews (UPR) process in September 2016. The review concluded that Tajikistan demonstrated a constructive approach and openness during the UPR cycle. Tajikistan has accepted 153 out of 203 recommendations.

Substantial progress in all areas would need to be achieved to firmly anchor Tajikistan on a positive trajectory of democratic reforms, political participation and freedom of expression.

Turkmenistan

In 2016 the overall human rights situation in the country remained worrying. While the constitution adopted in September 2016 provides for the protection and promotion of human rights, a major gap between the legislative framework and its practical implementation has led to continued human rights violations and shortcomings. Some positive steps were taken by the government in December by adopting an Ombudsman law.

The EU's priority is the continuation of capacity building of public services to implement provisions embedded in international conventions with full respect for human rights, supporting reforms of the judicial and prison systems as well as access to prisons, and supporting civil society and human rights defenders.

There was widespread disregard for civil liberties including restrictions on freedom of speech, the press, assembly, movement and religion. Arbitrary arrest and torture, as well as denial of due process and fair trial persisted, as did arbitrary interference with privacy, home, and correspondence. Furthermore, there were worrying signals that the authorities have intensified restrictions and limitations on freedom of movement, on the right to own, use and dispose of property and on freedom of information.

In the autumn of 2016, the president announced that the presidential elections in February 2017 would for the first time have a multi-party character; three political parties and a total of nine registered candidates would compete in the elections. In the past years, no elections have been deemed free and fair by the OSCE/ODIHR and the upcoming elections, despite the participation of additional political parties, will hardly provide the voters with a genuine choice between political alternatives and are unlikely to secure the right of citizens to change the government through free and democratic elections.

The International Labour Conference examined shortcomings of Turkmenistan in the implementation of the ILO Fundamental Elimination of Forced Labour Convention related to the widespread use of forced labour in cotton production. The EU called upon the government to bring its legislation in conformity and take effective measures to completely eliminate forced labour in cotton harvest. The ILC requested Turkmenistan to develop an action plan in the matter.

Some important laws and other documents providing for more efficient promotion and protection of human rights were adopted in 2016: an ambitious national action plan on human rights was adopted in January. It contains crucial reforms in the judiciary, socio-economic, cultural and political sectors, although the setting up of a monitoring mechanism for its implementation is still pending. A revised constitution was adopted in September, introducing for the first time in the country's legal system the institution of a Commissioner for Human Rights; the Ombudsman Law was adopted in December.

The EU continued to engage in human rights and democracy discussions with Turkmenistan in various settings, including the human rights dialogue and the joint committee. The annual human rights dialogue, which was held in May in Brussels, saw an open discussion of a range of issues, including prison conditions, reported cases of torture and enforced disappearances. The EU called on Turkmenistan to take further steps towards the effective implementation of judicial reforms to safeguard the rule of law as well as freedom of association, of expression and of belief. The EU also asked Turkmenistan to ease restrictions on civil society, including registration requirements, to establish a dialogue with civil society organisations and to provide information about the fate and whereabouts of disappeared prisoners. It also called for a number of specific prisoners whose names were not made public to be freed. The adoption of an Ombudsman law and the importance of the independence of this institution were also discussed.

The EU and Turkmenistan constructively discussed human rights issues during the annual joint committee meeting in November in Brussels, and during the visits of the EUSR for Central Asia to Ashgabat in March and in November, accompanied by the EEAS Central Asia Division.

The EU, together with UNDP and OHCHR, supported Turkmenistan in the drafting of its first national human rights action plan. The EU continued its support for the country with the training of Turkmen judges and lawyers on human rights conventions, and within its regional Rule of Law Platform, with seminars on the institution of the Ombudsman and civil society.

The EU voiced its concerns on several human rights-related cases through verbal notes, OSCE statements and other steps in close coordination with EU MS and like-minded partners to encourage the Turkmen government to ensure full respect for human rights.

At local level, the EU Liaison Office continued to encourage the authorities to ensure respect for human rights and hosted regular consultation meetings with civil society. The EU office also participated in a second visit to a Turkmen prison in December.

In 2016, the EU continued the implementation of three human rights-related projects, at both bilateral and regional levels. Under the European Instrument for Democracy and Human

Rights (EIDHR), it supported the International Commission of Jurists (ICJ) with a EUR 0.7 million project for training seminars for Turkmen judges and lawyers on human rights conventions. Under the Development Cooperation Instrument (DCI), the EU Rule of Law Platform for Central Asia, a EUR 1.8 million regional project, organised seminars in Turkmenistan notably on the Ombudsman and on the role of civil society. A EUR 4.5 million bilateral project on 'Support for Capacity Building in Public Administration' started in October, aimed at increasing the qualifications of civil servants and institutional strengthening.

Turkmenistan participated in the Annual OSCE Human Dimension Implementation Meetings in 2015 and 2016. In 2016, Turkmenistan reached out to the UNDP and OSCE for their comments and recommendations on the draft of the revised constitution. Turkmenistan hosts an OSCE Field Operation, OSCE Centre in Ashgabat, which works with the authorities on a number of human rights issues (rule of law, gender equality, media freedom, trafficking in human beings). Turkmenistan has not extended an open invitation to Special Procedures.

Substantial progress needs to be achieved in order to bridge the major gap between the legislative framework and practical implementation of international human rights instruments and national laws on the protection and promotion of human rights. The election of the Ombudsman and the setting up of his office, as well as the establishment of the monitoring mechanism on the implementation of the national action plan on human rights, are still pending.

Republic of Uzbekistan

Despite recent developments and a number of positive signs, human rights challenges continued to exist across the board. The main areas of concern remained: respect for fundamental civil and political rights, the regulatory environment for civil society and prosecution on political grounds, the treatment of detainees/prevention of torture, and issues relating to the work of human rights defenders. Following the death of long-time leader Karimov and the election of President Mirziyoyev the overall human rights situation in the country seems to be improving, albeit starting from very problematic levels. Significant reforms have been launched to foster the independence of the judiciary and accountability of the administration, and to improve the business climate etc. A few prisoners of concern have been released[64], but discordant moves also took place (e.g. placing jailed journalist M. Bekjanov in solitary confinement)

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The EU's priority is effectively addressing child and forced labour in the cotton harvest. While child labour has practically been eradicated, the eradication of forced labour needs to be closely monitored in cooperation with the ILO and other stakeholders, as requested by the European Parliament in its December resolution accompanying the final consent to the 'Textile Protocol'. With ILO Convention no. 87 Uzbekistan has now ratified all the major ILO conventions.

Many human rights concerns remained, in particular the detention of political prisoners, the arbitrary extension of prison sentences, allegations of torture, the overly strict regulation of NGOs, restrictions on freedom of expression, information, religion, assembly and association, and problems with corruption and impunity.

64. In addition, almost 40 000 ordinary prisoners are potentially eligible for a pardon as part of the annual general amnesty (expected final number around 5 000).

However, the new leadership has been making considerable efforts to address the grievances of the population, in particular through so-called 'virtual offices' in the administration where citizens can complain online and follow-up is promised. The creation of a 'Business Ombudsman', in addition to the existing Human Rights Ombudsman, constituted another positive example. Furthermore, the newly elected president raised the issue of MPs' political accountability towards their constituencies and announced the implementation of the recently revamped anti-corruption law. The new leadership has also engaged in more open communication and seems to be more relaxed about criticism.

A fully fledged OSCE/ODIHR Election Observation Mission observed the December presidential elections for the first time and duly noted many systemic and technical shortcomings. While the electoral system did not allow for real alternatives to the incoming president, some improvements were recorded compared to previous elections. Moreover, the new president called for additional governance reforms to be implemented soon, e.g. the introduction of direct elections of regional governors (Khokims). He also proclaimed 2017 to be the 'year of dialogue with the people and human interests'.

The EU continued to engage in human rights and democracy discussions with Uzbekistan in a number of settings, including the annual meeting of the EU-Uzbekistan Subcommittee on justice, home affairs, human rights and related issues, which took place in November. Exchanges covered a broad range of issues and were constructive and friendly despite a number of difficult subjects being raised by both sides.

The EU also voiced concerns, or highlighted positive developments, through statements, speeches, interviews, formal and informal steps to encourage Uzbekistan's government to ensure full respect for human rights.

In 2016 the EU Delegation in Tashkent was not allowed to visit places of detention.

The European Parliament paid a visit to Uzbekistan in November. Members of the Delegation met with representatives of the authorities and HR defenders/civil society members.

In addition, the EU, in close coordination with EU Member States and like-minded partners, conducted several formal and informal outreach initiatives in respect of the national authorities in several human rights-related judiciary cases.

The EU continued to provide financial support for projects funded through the Development Cooperation Instrument (DCI), the Instrument contributing to Stability and Peace (IcSP) and the European Instrument for Democracy and Human Rights (EIDHR). Four projects (two EIDHR, one IcSP and one DCI) totalling an amount of EUR 8 million supported reforms concerning child and forced labour in the cotton harvest, measures to reinforce the capacity of civil society in the fields of human rights, the promotion and protection of children's rights, and the protection and promotion of the social, economic and cultural rights of vulnerable groups etc. In particular, the IcSP and DCI project have been supporting reforms and dialogue relating to cotton sector labour rights, including international monitoring of the cotton harvest and awareness-raising campaigns. As witnessed over the past two years of project implementation, international monitoring is allowed in the country, talking about the risk of forced labour is no longer a

taboo and child labour for picking cotton is no longer socially acceptable in Uzbekistan. The European Parliament recognised this progress in its 14 December vote consenting to the EU-Uzbekistan Textile Protocol (to the Partnership & Cooperation Agreement), which had been suspended since 2011.

Uzbekistan is a party to most international human rights conventions. The EU continued to encourage Uzbekistan to ratify the Optional Protocol to the Convention against Torture, which would help to address persistent complaints about torture, as well as the creation of a national preventive mechanism (NPM).

In preparation for its third review by the Working Group of the Human Rights Council as part of the Universal Periodic Reviews (UPR) process in 2018 and following up on the 2013 review, Uzbekistan adopted a national action plan (NAP) in 2014. For the implementation of this NAP, the National Human Rights Centre has now concluded a MoU with UNDP.

Much will depend on the continuation and effective implementation of the reforms launched by the new leadership. The EU is keen to support this progress wherever possible and has started discussing possibilities for strengthened cooperation. In particular, any backsliding of labour standards in the cotton harvest should be prevented, in accordance with the Resolution of the European Parliament on the Textile Protocol. Egregious human rights violations should be an issue of the past.

VIII. Africa

African Union (AU) – Joint Africa-EU Strategy

Cooperation with the African Union Commission during 2016 focused on delivering on the joint commitments made at the November 2015 AU-EU human rights dialogue in Kigali. Good progress was made on a number of those commitments. In particular, the high-level dialogue on the promotion and protection of human rights was organised within the framework of the African Year of Human Rights, with Particular Focus on the Rights of Women (2016), held in Arusha in November. Joint work is ongoing on others, such as support for the development of an African policy framework on the implementation of the UN Guiding Principles on Business and Human Rights, and the promotion of the ratification of AU legal instruments on human rights and governance. The EU and AU made two joint statements in the field of human rights on the occasion of the International Day to End Impunity for Crimes against Journalists and the International Day of Democracy respectively. Joint statements by the EU and AU election observation teams deployed in Ghana and Tanzania (Zanzibar) have recently been published.

The EU and AU human rights cooperation received a boost from the Pan-African Programme 2016–2018, which provides for support for the various AU bodies and institutions and for civil society. It includes financial and technical assistance support for the African human rights system (the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights, the African Committee on the Rights and Welfare of the Child and the Pan-African Parliament). It also supports a programme for strengthening the AU's election observation capacity and methodology, in particular as regards long-term observation. Furthermore, it includes support for the fight against female genital mutilation, managed by UNICEF/the United Nations Population Fund (UNFPA), a significant component of which is cooperation with the African Union Commission. In addition, under the EIDHR, the EU supports the special mechanisms of the African Commission on Human and Peoples' Rights in the areas of freedom of association, abolition of the death penalty and women's rights.

Republic of Angola

In 2016 the human rights situation was characterized by shrinking political space ahead of parliamentary and presidential elections scheduled for August 2017.

The EU continued its support in fully implementing the Angolan constitution, in particular as regards the independence of the judiciary, freedom of expression, association and peaceful assembly and arbitrary detention.

The independence of the judiciary was better ensured in 2016 than in previous years. A political activist detained in Cabinda (on grounds of rebellion against the state) was released upon decision the Supreme Court. Moreover, in the case of the '15+2' young activists, the 17 activists

who had been found guilty of preparatory acts of rebellion against the state were subject to a general Amnesty Law and were thus released and their cases terminated. However, recent deaths (including a 14-year-old boy shot in the head) during the demolition of illegally constructed houses in the vicinity of the new airport in the capital Luanda are an example of recurrent unjustified excess in the use of police/military force.

A new legislative media package that further restricts the freedom of the media was recently approved by the National Assembly. The four bills comprising the new media legislative package give a new supervisory body (the Angolan Social Communications Regulatory Body) control of all mass media outlets, including social media and the internet. The media law could make for censorship and limit fundamental freedoms. The new package also retains the crime of defamation and includes references to 'fraudulent sources' and to the 'illicit production of information', elements which could have a negative impact on investigative journalism.

The EU continued to engage in human rights and democracy discussions with the Angolan authorities. The EU has encouraged Angola to ensure full respect for human rights. The EU, in close coordination with EU Member States and like-minded partners, conducted several formal and informal outreach initiatives in respect of the national authorities in several human rights-related judiciary cases. The EU Delegation and MS Embassies in the country issued a local statement on 29 March 2016 in response to the convictions of the 15+2 young activists, voicing reservations regarding the guarantees of due legal process and the principle of proportionality. Two statements were issued by the HRVP Spokesperson on the occasion of the Cabinda political activist's prison sentence and his release from jail, and charges were dropped.

The EU Delegation also maintains a permanent dialogue with civil society representatives, international organisations and other donors active in the country.

In 2016 the EU continued to provide financial support for projects funded through the European Development Fund (EDF), the European Instrument for Democracy and Human Rights (EIDHR), the Development Cooperation Instrument (DCI) and the Civil Social Organisations and Local Authorities (CSO-LA) programmes. The EIDHR and CSO-LA allocations were allocated in 2016 to support civil society organisations working to improve human rights conditions in Angola. A local call for proposals focusing on two relevant priorities - access to justice with a particular focus on paralegal support for vulnerable sections of the population, and civic education in view of the forthcoming elections - was launched in 2016 and three national NGOs were selected.

In parallel, four 10th EDF projects, two of which were regional (PALOP[65] -Timor-Leste), were launched and made for much needed improvement in various governance areas, such as oversight of public finance, justice for children and fight against corruption.

The UN Special Rapporteur on the human rights of migrants concluded a country visit in May 2016 with recommendations.

65. Group of Portuguese-speaking African countries

The Economic and Social Council of the United Nations and the Committee on Economic, Social and Cultural Rights considered the fourth and fifth periodic reports on Angola and adopted several observations at its meeting on 24 June 2016. Angola is preparing its mid-term Universal Periodic Reviews (UPR) for next year's discussions.

In relation to economic rights, the fall in the price of oil is having a significant impact on the most vulnerable sections of the population. Also, the government's capacity to intervene has also decreased considerably.

Land governance and access to land are very important issues which should be monitored. The occupation of land, the development of agribusiness and the extension of building plans will continue to collide with traditional communities which live off the land and with illegal/legal constructions which have sprung up around the main urban areas.

NGOs continue to face registration requirements imposed by the 2015 NGOs Law, which are already causing the cessation of some international financing, thus further limiting the local NGOs' capacity to act.

Republic of Benin

Benin stands out among the West African countries thanks to its good human rights condition, namely its positive record in terms of civil and political rights. However, in 2016 the High Authority of Audiovisual and Communication (HAAC) decided to suspend certain private media. Access by the opposition and civil society to public media, in particular national television, deteriorated significantly in 2016.

The human rights priorities identified by the EU for Benin for the period 2016-2020 are: protection of the rights of the child, women's rights, economic and social rights and in particular access to basic services, the fight against corruption and impunity and access to justice.

The situation of children's rights remains a matter of concern: serious practices limit their rights, in particular the phenomenon of children placed in foster families and exploited, the persistence of forced or early marriage (one in 10 children marries before the age of 15 and three in 10 before the age of 18), the marginalisation or even infanticide of so-called 'child witches', and sexual abuse in schools, sometimes leading to early pregnancy. According to the Global Slavery Index 2016, 32 000 people are victims of modern slavery in Benin, through domestic work (the practice of 'vidomegon', domestic children), forced labour (agriculture, fishing, construction) and sexual exploitation.

The widespread practices of fraud and corruption undermine the population's social and economic rights. The new government has undertaken to remedy the situation but the results are yet to be assessed. The weakness and slowness of the judicial system, as well as corruption in that sector, sometimes lead to arbitrary arrests and detentions, prolonged pre-trial detention, denial of justice and impunity. There are reports of cases of lynching and the excessive use of force by the police. The situation in prisons remains precarious as the conditions of detention are miserable and in certain places the mere detention conditions violate human dignity.

Benin completed an electoral cycle with legislative and local elections in 2015 followed by presidential elections in 2016. They were assessed by external observers as credible, free and fair. President Patrice Talon was elected in March 2016, marking another democratic and peaceful transition of power. He started with an ambitious pro-private sector and institutional reform agenda, vowing to end the corruptive vices of the previous regime. Implementation of this agenda, however, has been rather slow to date.

In 2016, the EU held a regular political dialogue with the government of Benin, in various formats. EU Delegations and Member States raised several issues with the government of Benin at different levels, including how to promote respect for children's and women's rights and their empowerment and ensure a proper follow-up to the recommendations of the Universal Periodical Review, through outreach initiatives, demarches and regular Heads of Mission meetings. The EU and its Member States are regularly involved in the sectoral groups of the technical financial partners (TFP) in all areas, such as justice and social sectors including gender and social protection.

The common civil society support roadmap for 2014-2017 continued to support civil society organisations in fostering the participation of citizens, the promotion of human rights and the facilitation of access to basic social services for the Beninese people. In addition, civil society support programmes were implemented with the aim of strengthening citizens' monitoring and accountability mechanisms, both centrally and locally. Moreover, important work has been done to support youth organisations.

Action was also taken to support social promotion centres (SPCs) throughout the country, which continue to provide counselling services to people who have suffered violations of their rights. Gender issues are well integrated into the programmes of the EU and its Member States.

Through the establishment of a National Integrity System (NIS) by Transparency International and the monitoring of performance within this framework, in 2016 the EU identified the concrete steps needed to ensure more effective controls with the aim of eradicating corruption in Benin. In November 2016 the Council of Ministers adopted the action plan proposed by the consortium of NGOs.

In 2016 the EU and its MS supported the extension and operationalisation of the national sectoral justice policy (PNDSJ). Through the Justice Support Project (PAJ), the EU supports Benin's efforts to improve the effectiveness of judicial mechanisms of the first instance and appeal. The Justice Sector Group maintained a constant dialogue with the authorities on all matters of interest to the implementation of the PNDSJ, including the strengthening of the judiciary and the planning of a judicial assistance mechanism.

Continued EU support for the implementation of the government's programme to improve living conditions in prisons has led to more favourable conditions for inmates, including detained juveniles.

All projects and programmes generally receive good coverage in the Beninese media. The speeches delivered on important occasions, the documents distributed and the press releases make it possible to emphasise the EU's and MS' involvement in human rights issues.

Benin continued to cooperate with United Nations agencies and other agencies in the field of human rights. The country is an ally of the European Union on a number of issues, including the death penalty and the jurisdiction of the International Criminal Court (ICC).

In 2016 the representatives of the UN Subcommittee for the Prevention of Torture visited the country.

While the balance sheet for civil and political rights is considered positive, the rights of the most vulnerable, children's rights and women's rights are still far below the accepted standard, even compared to the situation in some neighbouring countries. In addition, there is a strong acceptance among society of numerous violations, which makes effective protection difficult.

Republic of Botswana

Botswana generally has a satisfactory human rights track record, but with some serious shortcomings. Botswana is indeed the only southern African country that continues to apply the death penalty. The LGBTI situation has not been improved, although homosexual acts considered to be a criminal offence are rarely prosecuted, and societal acceptance of homosexuality is increasing in the country. Further on, the High Court confirmed the previous decision allowing an NGO campaigning for the human rights of LGBTI persons to register officially and the government has lost the appeal.

The situation of the San/Basarwa minority remains difficult and is not adequately addressed. Threats to freedom of speech with anecdotal evidence of attempts to influence the media and growing tensions between the executive and the judiciary, as well as within the judiciary, are at stake.

The EU continues to work on the issue of capital punishment and the rights of persons belonging to minorities, including the rights of the San/Basarwa minority. Strengthening the capacities of local human rights organisations is also among the EU's priorities.

Since independence in 1966, at least 48 convicted criminals have been executed. The last execution took place in May 2016. The case was disputed in particular because an assessment of mental health was not undertaken as part of the legal proceedings or taken into account in the clemency process. Relatives are not informed of the execution beforehand, and the body is not released afterwards.

The EU is engaged with Botswana within the Botswana Article 8 Political Dialogue. However, no dialogue took place in 2016 due to the busy agenda of the Foreign Minister, running for the chairmanship of the African Union Commission. The EU Delegation repeatedly raised human rights issues on several occasions, including via demarches with the Ministry of International Affairs and Cooperation (MIAC), mostly at PS, Deputy PS and Director level. In 2016, the EU Missions continued their regular exchanges with local human rights organisations as well as with other key partners such as the US and the UN (UNICEF, UNAIDS).

The EU Delegation concretely supports human rights CSOs via the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR). In June 2016, a local call for proposals was launched aimed at promoting civic education on principles

of democracy, participation, rights and responsibilities, at improving access to government services for indigenous children, women and/or men and at empowering women by strengthening female participation in decision-making structures at all levels. Furthermore, the Delegation politically supports human rights defenders and their actions through press statements and via the Article 8-based dialogues.

Botswana often shares and supports the EU position in several international fora (UNGA, HRC, ICC). Botswana is currently a member of the Human Rights Council. The government is not shy in voicing its opinion, whether it is in support of the ICC, respecting constitutional limits to presidential terms or denouncing human rights or international law violations (e.g. in North Korea, Syria or Zimbabwe). The required demarches have been conducted by the EU Missions vis-à-vis local authorities in the context of HRC sessions and UNGA 3rd Committee meetings, as well as before major international meetings (CEDAW, ICC).

At regional level, Botswana had still not signed/ratified the SADC Gender Protocol by 2016. Botswana and Mauritius remain the only two countries in SADC that have not yet signed up to the Gender Protocol.

Botswana underwent its second review by the Working Group of the Human Rights Council as part of the Universal Periodic Reviews (UPR) process in 2013. EU Member States present in Botswana – France, Germany and the UK – and the EU Delegation have repeatedly offered their support for the government in the implementation of the recommendations. To date, the government has not come forward to request any support and there is very little visible progress on the accepted recommendations. However, the fact that MIAC is talking to NGOs in the preparation phase of their next UPR report is a positive sign.

Burkina Faso

Burkina Faso has undergone a radical transformation following a period of turmoil in 2014 and 2015. During a popular uprising in this period, President Compaoré was ousted. This was followed by a year of transition, a failed military coup in September 2015 and a major terrorist attack on civilians in Ouagadougou in January 2016. President Roch Kaboré was elected following a flawless and credible electoral process in November 2015 and took office in January 2016.
The EU's priorities include security and stability, improving the judicial system and prison conditions, combating the economic exploitation of children, trafficking in human beings and forced labour and, finally, through a strategy on gender inequality, improving women's rights.

Democracy has made some progress in the past two years, setting an example for the rest of Africa, but the country is facing important social and economic challenges due to widespread poverty, a high youth unemployment rate and unsustainable demographic growth. The most vulnerable groups are women, in particular young women, as well as children and persons with disabilities.

Due to the absence of state controls across the border with Mali, the presence of terrorist groups in Mali and Niger as well as a very challenging rise in violent radicalisation coupled with relatively weak security forces, the security situation in the north of the country is deteriorating. This may result in a further deterioration of basic human rights in the north.

Civil society plays a dynamic role in Burkina Faso, and was decisive in the ousting of President Compaoré. Freedom of association and expression is effective and guaranteed by the constitution.

An independent commission has been established to draft a new constitution. Its mandate included the strengthening of democracy through an improved institutional equilibrium, the independence of the judiciary, strengthening accountability, the rule of law and human rights, in particular women's rights, and environmental rights. Abolition of the death penalty is included in the draft text to be adopted by referendum, but this may encounter opposition during ongoing consultations. The death penalty has not been implemented since 1998.

The mandate and autonomy of the National Human Rights Commission were strengthened by law in March 2016, in conformity with international standards.

The EU has accompanied Burkina Faso in the transition process and mobilised all its instruments to support the strengthening of state capacities and economic and social development. A number of high-level visits took place in 2016, including a mission by Commissioner Mimica and EU Special Representative for the Sahel Losada. As security is a special concern, it was decided to strengthen cooperation through the IcSP and EU Emergency Trust Fund. In addition, support will be provided for basic social services in remote areas in the north of the country.

The Article 8 Political Dialogue took place in July 2016 and addressed security, justice, institutional reform and human rights issues.

The EU and its Member States support the justice and home affairs ministries in the control of local self-defence militias known as 'Koglweogos', which are responsible for human rights abuses. The main axes of support include strengthening the judiciary's territorial network, the professionalisation of the judiciary, access to justice, human rights training targeting different groups (security forces, media, magistrates) and schools. New projects will address child labour in gold mines and prison conditions.

Human rights defenders, including female HRDs, are supported through the provision inter alia of legal aid.

Civil society organisations benefit from an EU programme aimed at improving prison conditions (sanitary conditions, legal advice, reinsertion). A reduction in pre-trial detention is among the indicators to be monitored. The EU and Member States are focusing their support on the protection of women, such as the promotion of action against violence and genital mutilation, and the protection of children, in particular vulnerable children, and the integration of youth delinquents.

Burkina Faso's progress in the area of human rights has been driven by an action plan prepared on the basis of the Universal Periodic Review (UPR). The latest UPR was conducted in 2013 and included 165 recommendations, in particular concerning issues relating to child protection, prevention and repression of torture, the fight against corruption and the independence of the judiciary. As an example, since the revision of the constitution by the transition government, instead of the President of Faso, the President of the Court of Cassation chairs the Council superior to the Magistrate.

Future EU actions include support for the consultation process on constitutional reform; civil society in raising awareness for human rights among different groups, in particular young people, and in its contribution to democratic governance; civic education and actions in order to prevent radicalisation; the judiciary and the improvement of prison conditions; birth registration and the civil registry; human rights in illegal mining; human rights and the consolidation of the rule of law in the reform of the security system.

Republic of Burundi

In 2016, the overall human rights situation in Burundi continued to be marked by systematic human rights violations and abuse including assassinations, forced disappearances and cases of torture and mistreatment, while impunity continued; moreover, fundamental freedoms are seriously limited.

The EU's priority is to continue to focus on the numerous violations that have taken place over the past few years, as specified in the Council Decision of 14 March 2016 under Article 96 of the EU-ACP[66] partnership agreement (Cotonou Agreement)[67].

The main issues at stake concern gross and systematic violations of the right to life, the use of torture and degrading treatments by the police, sexual and other forms of gender-based violence, a lack of independent investigation, notably in cases of forced disappearance, widespread impunity, arbitrary arrests and imprisonment, and the absence of an independent judiciary and fair trials.

Further shortcomings concern fundamental freedoms, including freedom of speech and expression, of assembly, of demonstration and of the press, which are under particular threat. Gender inequality remains deeply entrenched in the country, where little progress is being made.

No improvement was detected in 2016, while, according to the Office of the High Commissioner for Human Rights in Burundi, a worrying deterioration in the situation has been witnessed mainly in respect of forced disappearances.

The EU continued to engage in human rights and democracy discussions with Burundi in the context of the Council Decision of 14 March 2016 (Article 96 of the Cotonou Agreement). Human rights issues were systematically raised in those discussions, both informally and formally (re-examination of the Decision), as human rights and fundamental freedoms are at the heart of the commitments expected to be made by the government of Burundi. However, the Burundian authorities denied all the allegations and expressed a willingness to investigate in response to the efforts made by the international community (chiefly the UN and the AU).

Although the EU has tried to maintain regular contacts with local civil society, the annual formal meeting with Burundian human rights defenders and activists was not organised in 2016 since the most prominent defenders had to flee the country and those remaining in Burundi had to either be very discreet or go into hiding.

66. African, Caribbean, and Pacific Group of States
67. Partnership Agreement 2000/483/EC between the African, Caribbean and Pacific Group of States of the one part, and the EU, of the other part

In such a difficult context, where human rights defenders have to conduct discreet activities and visible support is counterproductive, the EU co-financed two EIDHR projects which are being implemented by international NGOs in partnership with local CSOs. One project aims at supporting HRDs and the other one at enhancing the fight against gender-based violence. In addition, a regional 'peace and security' project, implemented by the International Conference of the Great Lakes Region (ICGLR), is designed to strengthen inter alia the prevention and repression of sexual violence against women and children. The EU also supported, via the EIDHR emergency fund, human rights defenders and journalists in danger because of their daily work.

Since 2008, Burundi has established accountable and responsive institutions and is party to several international and regional human rights conventions. However, these institutions are not independent and the relevant human rights laws and conventions are either not implemented or - in many cases - ignored. In 2016 Burundi vigorously challenged several international reports recording serious violations of human rights. In October 2016 the government suspended its cooperation with the Office of the High Commissioner for HR in Burundi, and called upon the Office to review the seat agreement.

In October 2016 Burundi gave notice of its withdrawal from the ICC.

The government of Burundi still maintains a worrying attitude of denial and confirms its culture of impunity whenever the human rights situation in the country is addressed by the EU or other international stakeholders.

Republic of Cabo Verde

Cabo Verde's overall human rights record remained positive in 2016, owing to solid political institutions, an independent press, an independent judiciary and a functioning democratic political system that ensures respect for human rights and fundamental freedoms.

Despite its overall positive record on human rights and democratic governance, a number of human rights issues remain of concern in Cabo Verde, namely reported police violence towards prisoners and detainees, delayed trials, trafficking in human beings, instances of child sexual exploitation including in the context of sex tourism, child labour and gender-based violence.

In 2016 the EU continued to engage in regular dialogue on the consolidation of democracy and human rights in the context of the EU-Cabo Verde Special Partnership, which provides for a reinforced political dialogue on democracy, human rights, the rule of law and good governance. The Special Partnership's action plan pays special attention to women's and children's rights, the situation of migrants, combating domestic violence, improving the judicial system, fighting corruption and promoting good governance. Furthermore, the ratification and effective implementation of 27 international conventions on human rights, labour rights, environmental protection and climate change and good governance continue to be monitored under the EU GSP+ arrangements to which Cabo Verde is party. The EU also unveiled in December 2016 its Gender Action Plan (GAP) for Cabo Verde for 2016-2020.

Cabo Verde also remained one of the rare cases of a stable and well-functioning multi-party parliamentary democracy in Africa. In 2016 three peaceful and fair elections took place in the country, which resulted in a new government under Prime Minister Ulisses Correia e Silva in

March and the re-election of President Jorge Carlos Fonseca in the presidential elections of October.

In 2016 the EU financed one project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS (international labour standards) and comply with reporting obligations'. Cabo Verde is the only African country that benefited from this project.

The EU conducted demarches on human rights-related issues including the ICC.

Internationally, Cabo Verde has ratified most international and regional human rights instruments, and has remained a staunch supporter of the ICC. However, the country's good record of ratification has not been matched by its corresponding reporting obligations. The weak capacity of the country's small administration largely explains the persistent reporting delays. As an example, in December 2016 the UN Committee on Torture reviewed the situation in the country with regard to the Convention on Torture and made a number of observations in the absence of a country report.

Despite some progress having been achieved in recent years, gender-based violence and social and economic discrimination against women continue to be entrenched in the more rural parts of Cabo Verde's society. This is an area where progress is needed. Another area for priority action is the independence of the existing National Commission for Human Rights and Citizenship established in 2004. A decision to align the status and means of the Commission to the Paris Principles is still pending in parliament.

Republic of Cameroon

In 2016 Cameroon confronted the security threat posed by Boko Haram in the extreme north, with serious human rights violations being perpetrated by the terrorist group and allegations of violations of human rights resulting from the response to this threat by the security forces.

Civil rights such as freedom of expression including through social media and freedom of assembly came under pressure, especially during civil protests and strikes in the north-western and south-western regions, where the grievances of the English-speaking minorities were expressed.

2016 was also marked by continued worrying detention conditions, problematic access to justice and systematic violations of vulnerable minorities and the rights of human rights defenders.

The EU's priorities have been the consolidation of democratic processes including the electoral processes, the promotion and protection of the rights of persons belonging to vulnerable groups/minorities, the fight against the death penalty and the improvement of the justice system, as well as the protection of human rights defenders and their rights. Access to basic services, especially in areas affected by insecurity, has also been a key concern.

Besides the broad issue of access to basic services, including in relation to insecurity or dramatic humanitarian situations in the far north and east, the main human rights issues are

linked to detention conditions, access to justice, human rights violations and abuse within the framework of the fight against terrorism, violations of vulnerable minorities' rights (e.g. children, women, LGBTI, etc.), restrictions on the freedom of peaceful assembly and association, as well as threats to freedom of expression.

However, the new Penal Code adopted in July 2016 brought about a few positive changes: it criminalises genital mutilation, introduces alternatives to imprisonment such as non-custodial sentences and prohibits expulsions from the matrimonial home outside a judicial framework. The Code also attempts to criminalise corruption in administrative competitions. On the other hand, the new Code did not abolish the death penalty and still regards homosexuality as a criminal offence. It remains to be seen how some of the key provisions of the new Code will be implemented in practice.

The EU continued to address human rights and democratisation issues in its political dialogue with the authorities, both in formal sessions and informally. Several demarches were also carried out on a number of human rights issues, in order to advocate for, among other principles, the abolition of the death penalty and the ratification of the Rome Statute. Several issues were raised in informal bilateral contacts, including on the matter of respect for human rights in the fight against terrorism and on access to basic public services in areas affected by insecurity.

The EU attended and actively participated in workshops, conferences and other public events at which human rights issues were discussed, including the prevention of electoral violence, the launch of the LGBTI civil society observatory, gender equality, the role of youth, Human Rights Day events and detention conditions. The EU also attended several court hearings in the trial of Ahmed Abba, RFI's (Radio France International) correspondent charged with 'complicity with terrorist acts'.

The EU maintained a regular dialogue and consultations with local civil society representatives and human rights defenders. The EU attended events organised by those stakeholders throughout the year.

In 2016 the EU continued to provide financial support for projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR). The objectives of the call for proposals launched in 2015 are to support participatory democracy including the parliament; to promote freedom of expression, freedom of the press, freedom of association and peaceful assembly; to promote dialogue and civic education towards stability and peaceful coexistence among communities; and to contribute to a climate of trust around electoral processes. In 2016 two projects were aimed at contributing to participatory democracy and promoting civil and political rights. In addition, other projects addressed further issues which include the improved role of the parliament, the gender balance in politics, youth participation in the public debate and the role of media and civil society in electoral processes.

Further projects tackled issues such as violence against women, the situation of women in various regions, the participation of indigenous peoples in forest management, improvements to detention conditions and justice for juveniles. Finally, a regional project also implemented

in Cameroon has been contributing to the promotion of the rights of environmental defenders in the Congo Basin. The EU also launched a call for proposals concerning a programme to support responsible governance of land tenure by promoting the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

Cameroon has ratified a number of key international human rights instruments, such as the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. On the other hand, some instruments – such as the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – have been signed but not yet ratified. The signing and ratification of other instruments such as the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty, have been repeatedly rejected by Cameroon within the framework of the UPR. Cameroon's latest UPR was in 2013 and the next will be in May 2018.

Central African Republic

In 2016 the persistent impunity in Central African Republic (CAR) contributed to continued instability and insecurity across the country and in Bangui. The 2015-2016 electoral process (legislative and presidential elections) remained peaceful without any major security incidents reported and with a high level of participation of women voting in these elections. The deployment of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) undoubtedly helped and facilitated a largely peaceful end to the political transition in CAR. However, the newly elected authorities are still facing widespread human rights violations and the presence of armed groups in most of the country. The justice system remains weak and inefficient, and the government is unable to give any reassurance to the population in the field of the rule of law and the fight against impunity.

The justice system in CAR, already weak before the conflict, was further undermined by fighting in and around the capital as records were destroyed and legal services forced to flee. Even today, there are few functioning courts or magistrates outside the capital Bangui, and just eight of the country's 35 prisons are functional. Detainees are housed in crumbling and crowded buildings resulting in unhealthy conditions. Poor security has led to repeated prison breaks.

The conflict in the Central African Republic resulted in one fifth of the population fleeing their homes, either within the country or to neighbouring countries, especially to Cameroon and Chad. In the current post-conflict situation, the occupation of plots of land and the plundering of houses or businesses may be exploited for private purposes and may permanently hinder the dynamics of the return of refugees and displaced populations. In that context, marked by violence throughout the territory and the abuses committed by armed groups since 2013, the state of play concerning cases of sexual abuse and violence against the population, and in particular women and young people, is extremely worrying.

The persistent presence of armed groups in Central African territory and the security chaos resulting from Seleka's seizure of power have permanently affected the living conditions of

children and families. The armed groups have recruited large numbers of children - according to UNICEF more than 10 000 minors - to perform daily domestic tasks, or also as warriors. Moreover, the operationalisation of the Special Criminal Court, established by law in June 2015, is becoming a key priority for the reconciliation process. CAR authorities have taken steps toward the establishment of the court, with the support of MINUSCA. Calls for nominations from states for certain positions such as international judges and other staff were launched on November 2016, while the recruitment process for national positions has recently begun.

In 2016 the EU concentrated its interventions in the field of justice through the RESEJEP[68] project (Rehabilitation of the Justice and Police Sectors - EDF), mainly aiming at fighting impunity, the restoration of state authority, the institutional reinforcement of justice administration, the modernisation of the law, improvements to the organisation and functioning of the courts and the training of judicial staff.

Furthermore, in 2016 the European Union pursued its efforts to improve the human rights situation in the country, focusing on a regular dialogue with the new government and strongly supporting President Touadera's political will to improve the overall human rights situation. With the relaunching of the Article 8 Political Dialogue under the Cotonou Agreement in the second half of 2016, the EU and its Member States are initiating a deepened and constant dialogue with the Central African government. Shortcomings and challenges relating to the human rights situation in the country and the fight against impunity require continued follow-up efforts. In 2016 the EU and its Member States broadened the scope of their action in CAR by adopting a comprehensive approach, including a CSDP mission (EU training mission for national forces, FACA) and the continuity of the EU Trust Fund - Fond Bekou.

In 2016 the EU issued several statements. For instance, an EU local statement was published on the ratification by the Central African Republic of the Optional Protocol to the Convention against Torture in October 2016. The HRVP's spokesperson's office also issued declarations condemning recent exactions and killings in civilian populations or targeting MINUSCA forces, which could constitute war crimes.

The EU priorities identified for a human rights strategy in the Central African Republic focus on several aspects. It is essential to further encourage the ongoing actions aimed at rebuilding the judicial system, restoring the functioning of the criminal chain and securing and rehabilitating the prison system.

In 2016 several projects were funded by the EU under the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and the EU Trust Fund for CAR - Fond Bekou. Three EIDHR projects are currently ongoing to build up the capacities of civil society organisations. These projects mainly aim at improving access to justice for people in vulnerable situations, guaranteeing the effective exercise of the rights of the population, fighting against impunity through local and national stakeholders and supporting victims of international crimes.

68. French acronyme for Réhabilitation des secteurs de la justice et de la police

In addition, the IcSP supported the Office of the High Commissioner for Human Rights (OHCHR) through the Human Rights Division – MINUSCA, focusing on building up local civil society capacities. This was also in line with the OHCHR strategy for CAR for 2014-2017, which focuses inter alia on the fight against impunity and strengthening accountability and the rule of law. Through this project, the EU has helped to ensure better understanding and increase awareness of the human rights situation among the international community, gathering information relating to human rights violations throughout the country, and providing reliable information to decision-makers. In addition, the project allowed the OHCHR to conduct regular monitoring and investigations where human rights violations and abuses have been reported. Furthermore, training sessions were provided for civil society counterparts to enable them to carry out monitoring activities in the country.

The IcSP also financed a project on the promotion and protection of housing, land and property rights (LTP) for IDPs and refugees, including working on encouraging them to return home.

The Central African Republic cooperates regularly and thoroughly with the Office of the High Commissioner for Human Rights in Geneva. Pending the political transition in CAR, the government was able to present its country report for the Universal Periodic Review (UPR) in November 2013. In addition, an interactive dialogue on CAR was organised by the session of the Human Rights Council in June 2016. Since 2014, the mandate of the OHCHR Independent Expert has accompanied and encouraged the authorities to take necessary and appropriate measures in the field of the fight against impunity and to strengthen dialogue on the human rights situation in the country.

Republic of Chad

In 2016 the overall human rights situation in Chad remained adverse. Boko Haram constituted a threat and displaced tens of thousands of people in the region. The Chadian authorities were also accused of restricting freedoms and cracking down on the opposition; the security forces regularly used excessive force, against a background of impunity.

In late 2016 legislative changes were introduced, in particular establishing the abolition of the death penalty (except for terrorism cases), but the new Penal Code has yet to be consolidated.

The Extraordinary African Court in Dakar sentenced former Chadian president Hissene Habre to life imprisonment for crimes against humanity. This African court initiative, supported by the EU, has become a landmark victory and sets an example for international justice.

The EU worked on the basis of five priorities: democratic principles (including political participation and civil society), the security forces, justice, the rights of vulnerable people (women, children, refugees/IDPs) and the protection of human rights defenders.

Serious problems derived especially from the overwhelming domination exerted by President Idriss Deby and his political party Mouvement Patriotique du Salut on the executive and legislative branches, while the judiciary also lacked independence and capacity.

Nepotism and corruption are firmly entrenched and the lack of governmental transparency aggravated the financial and economic crisis that the country is facing. In February 2016 a

young girl alleged that she had been raped by a group of high-ranking officials' children, who remained unpunished. The case provoked several civil society protests and remains a cause of public outrage and mobilisation. It also confirms that gender-based violence, including against children, is widespread in the country, which is ranked low in international indices mainly with regard to female genital mutilation and child marriage.

Other human rights problems include the widespread repression of political and civil society contestation and the abusive security forces. Demonstrations and gatherings were systematically prohibited in 2016. The government placed the Lake Chad area under a state of emergency, and de facto maintained a militarised political approach in the north of the country.

In terms of press freedom, the local press was freely published, but social media (Facebook, WhatsApp, Twitter) were intermittently blocked. The authorities also disconnected the internet and SMS services at times, and three French journalists working for TV5 Monde saw their accreditations temporarily suspended.

In April 2016 presidential elections took place in a relatively orderly manner and with the participation of the opposition; a biometric census was used. President Deby, who has been in power since the 1990 coup d'état, won the first round with 60% of the vote. However, the process was tainted by irregularities, detentions and trials of civil society representatives. There was also controversy surrounding the 'disappearance' of and reprisal action taken against dozens of individuals in the military forces who may have voted for the opposition. Legislative elections (due to take place in 2015) were postponed sine die.

The National Assembly adopted an amendment to the Penal Code in December 2016, proposing the abolition of the death penalty (except in cases of terrorism), the criminalisation of child marriage and gender-based violence and the introduction of war crimes and torture in the Code.

The EU continued to engage in human rights and democracy discussions with Chad through political dialogue (Article 8) and dialogue with the National Assembly, and by means of statements, workshops and informal measures.

For the presidential elections, the EU supported an Electoral Expert Mission and financed an awareness project. Support for the reform of security forces took place with several forums, training sessions and joint action on guidelines and on a police behaviour observatory. The EU worked in close coordination with EU Member States on this topic.

Work with human rights defenders proved difficult in Chad. Five HRDs were arrested prior to the elections and convicted of organising peaceful protests. The HRVP Spokesperson issued a public statement, and at local level the EU Delegation visited the HRDs in prison and attended the trial.

As part of its focus on all forms of gender-based violence, the EU financed actions (through several cooperation instruments) on awareness and access to justice. An assessment identified ways to incorporate the gender dimension in all projects financed under the 11th EDF.

In 2016, within the framework of the European Instrument for Democracy and Human Rights (EIDHR), five projects were implemented to protect and promote children's and women's rights throughout Chad. With regard to justice and police reform, two EU projects ended in 2014 and 2016 and the European Union started to work with the relevant ministries and other main stakeholders on the identification of new programmes which should commence in 2017.

The revised Penal Code (adopted by the Assembly in 2016) will allow Chad to fulfil some of the human rights obligations ensuing from international treaties and conventions that it has ratified in the past.

Although Chad is a party to the Rome Statute, its support for the International Criminal Court could not be taken for granted. Sudan's President Al-Bashir visited Chad freely in August 2016, despite the ICC indictment.

The promulgation and actual implementation of the revised Penal Code deserves further monitoring, in particular in the case of the death penalty, which is still allowed for terrorism cases, and for which the law could be subject to political interpretation.

Political rights and freedoms constitute challenging areas for further progress, as well as the balance of powers (the executive dominates while the judiciary is weak) and inclusive governance.

Legislative elections and decentralisation are pending. While the Chadian security forces have the reputation of being effective in terms of combating international terrorism, they are also notorious for their abuse of civilian local populations, and benefit from nepotism and impunity.

Union of the Comoros

In 2016 the overall human rights situation in Comoros was marked by an increase in violence against women and children. Female parliamentary and governmental representation is extremely low. Some positive steps were taken by the government including the adoption of a national roadmap against gender-based violence in December. Problems still persist, especially in the fields of gender equality, corruption, lack of confidence in the judicial system and the overall culture of impunity. Comoros has not ratified important international conventions in the field of human rights and has not yet abolished capital punishment.

The EU's human rights priorities in the country are the effective tackling of gender-based violence, encouraging respect for children's rights, justice reform, the fight against corruption, reinforcement of the national institutions and electoral reforms. The EU continued to engage in human rights and democracy discussions with Comoros in various formats, including through frequent missions, public diplomacy events (also with donors outside the EU) and policy dialogue. The EU continued to provide financial support for projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR).

Comoros' past two rounds of elections in 2015 and 2016 revealed a process of democratic maturation. In the statement issued on the occasion of the 2016 presidential election, the spokesperson of the High Representative encouraged inter-Comorian dialogue with a view to initiating the substantive reforms necessary to advance the rule of law in an inclusive manner and to consolidate the basis for sustainable development in the country. So far these efforts have not been developed any further and the president and Constitutional Court are at present discussing the fate of the (so far independent) anti-corruption agency which the president intends to dissolve. As Comoros' most important development cooperation partner, the EU has extensively accompanied the electoral process.

In the 2014 Universal Periodic Review, Comoros was assigned a large number of tasks with a view to improving its human rights situation, which the former government fully acknowledged. In 2016 no additional measures were taken; this includes Comoros' still pending ratification of the anti-torture convention.

Democratic Republic of the Congo

In 2016 the human rights situation in the Democratic Republic of Congo (DRC) deteriorated further. In the course of the year, the UN Joint Human Rights Office (UNJHRO) recorded an increase of 30% in human rights violations and abuses compared to 2015. The majority of these violations were committed by state stakeholders, mainly in the eastern provinces. There was however an increasing number of cases recorded in the western provinces, which were mainly due to the fact that elections were not held as required by the Congolese constitution and the subsequent decreasing democratic space.

In September and December 2016 there were violent demonstrations in Kinshasa and other cities with government forces using disproportionate lethal force. This constituted a step backwards from the authorities' stance in July when, despite a strong show of popular support on the streets as a prominent opposition leader, Etienne Tshisekedi, returned after several years overseas, there were no clashes. By the end of 2016, politically motivated demonstrations were banned and RFI transmissions blocked. On 19 December 2016, social media were blocked.

In October 2016 the National Dialogue, facilitated by African Union-appointed Edem Kodjo and supported by the Groupe de Soutien with the participation of the EU, resulted in an Accord between some of the opposition parties, the parties belonging to the presidential majority and certain representatives of local civil society. Several human rights defenders were provisionally released from prison. A follow-up dialogue was held in December 2016 under the mediation of the Conférence épiscopale du Congo (CENCO). On 31 December 2016 the dialogue concluded with the signature of an Accord known as the Accord du Saint Sylvestre. This Accord specifically mentioned measures to reduce tensions such as the release of political prisoners, but the implementation of these measures has so far been very limited. The Accord concluded that presidential, legislative and provincial elections should be held by the end of 2017 and that President Kabila would not stand for a third term. The Accord was positively received, but serious concerns are mounting around the lack of implementation.

In the eastern provinces, well-established armed groups continued to be active and new groups are forming. Two key rebel groups, ADF and FDLR, appear to have been weakened but still

constitute a threat to civilians. The increasing inter-communal violence, particularly among the Nande and Rwandophone communities in North Kivu and the Twa and Bantu communities in Tanganyika Province, remains extremely worrying. An increasing number of serious violent incidents have recently been detected in the Kasai provinces.

The judicial system continues to be abused and decisions handed down by the Constitutional Court have shown a political bias. The authorities continued to fail to thoroughly investigate human rights violations committed by state authorities.

There was a lack of engagement on the part of the Congolese authorities with the EU on holding Article 8 dialogue. Despite the absence of any Article 8 dialogue in 2016, the EU repeatedly raised human rights cases with the Minister for Justice and lobbied for greater inclusion of women in political dialogue.

In 2016 the human rights and democracy strategy for DRC was agreed, according priority to promotion of freedom of expression, demonstration and association; 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; promotion and entrenchment of a fair and easily accessible justice system including the fight against impunity, in particular for those implicated in sexual violence; to promotion of gender equality, particularly in public life, and respect for women's rights, especially for the victims of sexual and gender-based violence; and to support for and promotion of human rights defenders (HRDs).

Over the year, several declarations and statements were published, including two declarations specifically on the DRC and three local statements on the human rights and democracy situation in the country. In October 2016 the FAC published conclusions which also covered human rights issues and in December 2016 a press release announced EU sanctions against seven Congolese members of the security forces for failure to respect human rights. The EU Delegation attended trials of human rights defenders and maintained regular contacts with local and international NGOs, including supporting 24 people through the EIDHR emergency fund for HRDs in danger. Furthermore, the EU Delegation launched a project on the protection of human rights defenders, Pro-DDH, completed the Gender Action Plan for 2016, highlighting the EU's strong commitment to improving gender equality and the position of women in society and addressing the issue of gender-based violence in the country.

The EU's justice programmes, funded under the 10th FED and concluded in 2016, helped to improve the Congolese justice system, especially in the fight against impunity. In accordance with the Council Conclusions published in October 2016, the launch of new justice and police programmes under the 11th EDF has been delayed. However, the EU is supporting, through the Instrument for contributing to Stability and Peace (IcSP), the Cellules d'appui aux poursuites within the military justice system. In addition, a new project on access to justice and compensation for victims of serious violations of human rights and violations of international humanitarian law in DRC was launched in 2016. This project, which was based on an initiative from the European Parliament, is being implemented by the UNDP and Track Impunity Always (TRIAL) in South Kivu and Katanga.

The Delegation continued to support electoral observation training and civic education projects as well as providing some technical support for the Electoral Commission (CENI). A new project under the IcSP with the CEJP/CENCO to support efforts to implement the Accord is ongoing. There are 11 ongoing projects on civic education aimed at educating the population on their democratic rights.

Republic of the Congo

In 2016 the general situation of the country stabilised after a controversial referendum and an electoral period in 2015 – 2016. The security situation in the Pool region and the oil price-related economic downturn continue to raise concerns, as they are possible spill-over effects from the DRC's destabilisation.

The EU objectives focus on improving democratic governance, and in particular the protection of human rights defenders; on combating torture as well as degrading and inhuman treatments, protecting vulnerable parts of the population; and on promoting economic and social rights.

Overall, 2016 was marked by serious human rights violations, partly linked to the post-election crisis but also to general shortcomings in the penitentiary system and when dealing with minorities and vulnerable groups. Media freedom was severely curtailed and excessive use of force by police was witnessed, as in the case of the 23 persons killed in Brazzaville and Pointe-Noire during the electoral and referendum process. Several members of the opposition parties are either in jail or in exile. Torture very often remains a standard feature of police proceedings. The national human rights institution is non-functional.

In 2016 the EU saw no progress in its political dialogue on human rights and democracy. A six-month diplomatic crisis persisted (March-October 2016) in the context of the constitutional referendum and the presidential elections after having issued critical EU statements regarding the lack of progress on democratic governance. No political dialogue meeting could take place in this context. The diplomatic crisis also suspended most political activities on HR issues, including meetings scheduled with the Ministry of Justice. Several pleas with the Minister for Justice in October 2016 to investigate alleged cases of abuse and torture and to facilitate visits by human rights NGOs to detention centres remained unanswered.

The government made some efforts to improve the HR situation, notably with the constitution adopted in 2015, which includes provisions on the abolition of the death penalty and on gender equality, and aims to ensure broad consultation via several consultative bodies.

The EU maintained its dialogue with civil society organisations through formal and informal venues to share views and discuss key human rights concerns. From 18 November to 10 December 2016, EUDEL organised the 'Fortnight of Human Rights' in Brazzaville and Pointe-Noire with a strong emphasis on children's rights, combating violence against women and HIV. The campaign included activities organised by EUDEL, NGOs, the French Embassy and the relevant international organisations and the Congolese authorities.

Combined EIDHR and EDF funding led to four projects to promote the rights of indigenous peoples, to defend the rights of persons belonging to minorities and vulnerable groups, to strengthen civil society and state stakeholders, to improve women's and girls' rights, and to

protect children's rights. A further project was signed off as a technical assistance measure to support the capacity-building efforts of Congolese civil society organisations.

The EU-funded PAREDA project was completed by 31 May 2016 and its main achievements included the revision of eight national codes and the drafting of a bill of law, whose draft texts were officially delivered to the Congolese government for formal approval and entry into force, possibly prior to the electoral recess in June 2017.

Apart from the death penalty issue and the ratification of the additional Protocol to the Convention on Torture in May 2016, the government did not make any significant moves towards the positions defended by the EU on the country or the thematic HR resolutions in the UN context.

Cooperation with the Congolese authorities on key issues such as further democratisation, the rule of law and overall improvements to governance remain essential, in particular when addressing HR violations.

Republic of Côte d'Ivoire

In 2016 the overall human rights situation in Côte d'Ivoire remained the same. The two electoral processes, legislative elections and a constitutional referendum, were peaceful.

The EU's human rights priorities in Côte d'Ivoire are the rights to security, justice and the rule of law; the fight against impunity and support for reconciliation; support for democracy, civil society and the protection of human rights defenders; and children's and women's rights, in particular measures to combat sexual violence against women and child labour.

Problems in Côte d'Ivoire include violence against women, domestic abuse and child labour, in particular in agriculture and illegal mining. The justice system, which is still insufficiently independent, credible and accessible, also constitutes a concern. Detention conditions and the use of detention on remand are problematic. Land rights are an issue for the country's stability. Corruption affects transparency and good governance. The government has taken a number of steps to facilitate reconciliation, financial compensation for victims, the return of exiled people, the liberation of prisoners and the restitution of assets, but impunity affects reconciliation. The ICC provisions in the new constitution are ambiguous, with President Ouattara announcing that no Ivoirian national would be tried by the ICC while the country has ratified the Rome Statute. Other issues concern the large number of stateless persons that the government is committed to address on the basis of a strategy to modernise civil registration. Despite high economic growth, access to basic services remains a major challenge and the human development index is still relatively low (172 out of 188). The reform of the security sector has not been fully achieved in the context of the withdrawal of the UN peacekeeping mission, United Nations Operation in Côte d'Ivoire (UNOCI).

While civil society is characterised by a certain degree of dynamism, it still needs to reinforce its capacity. However, the lack of a genuine institutional structural dialogue does not facilitate participation in policy decisions.

While the two electoral processes have been considered respectful of democratic standards, observers have considered that freedom of the press and of demonstration have sometimes been unjustifiably restricted by the authorities.

The government is committed to promoting human rights and has adopted policies to address compulsory education, child labour and trafficking in human beings. The Special Inquiry and Investigative Unit (CSEI) in charge of the investigation of crimes committed during the post-electoral crisis achieved some progress in 2016, laying charges against the persons responsible. The constitutional and legal frameworks comply with respect for democratic principles, human rights and the rule of law. In addition, the new constitution confirms a number of principles, including non-discriminatory principles.

Through its permanent political contacts and its official political dialogue, the EU has a channel for dialogue and political exchange with the government on issues relating to human rights. The latest official political dialogue session was held between EU ambassadors and the Minister for Foreign Affairs in March 2016. In particular, the issues of radicalisation and irregular migration were addressed.

The EU is supporting human rights defenders through grants to human rights organisations under the European Instrument for Democracy and Human Rights (EIDHR).

Indicators included in the good governance and development contract between the EU and Côte d'Ivoire (11th EDF) include improvements in birth registration, access to justice and limitation of the length of pre-trial detention. In addition, the EU supports the reform of the land use regime with a view to consolidating land rights. Specific dialogue and cooperation addressed the reinforcement of and access to justice and the security sector reform through the 10th and 11th EDF and through the Instrument for Stability.

The EU also continues its permanent dialogue with political parties of all affiliations, as well as human rights CSOs and NGOs in Côte d'Ivoire. In 2016 the EU Delegation continued to implement substantial and varied cooperation in the field of human rights. Through the EIDHR, the EU supported reconciliation, transitional justice, women's rights and conflict prevention. The EU is also supporting the reinforcement of autonomy and the capacities of civil society and local authorities through specific support for local NGOs (the LIANE 1 and 2 programmes) and grants under CSO-LA programmes.

The National Human Rights Commission has drawn up a comprehensive national action plan 2017-2020 with the support of UNOCI, the UN peacekeeping mission, which is due to leave the country in 2017. The Independent Expert on Human rights has welcomed the progress made by Côte d'Ivoire in terms of elections, while highlighting his concerns about a number of human rights issues (in particular women's rights and impunity issues). In 2016 UNOCI played an important role with regard to the gender dimension in the security sector.

Republic of Djibouti

In 2016 the overall human rights situation in the country did not improve and remained marked by certain acts of harassment against human rights activists (mostly those operating outside the officially approved or tolerated human rights groups), journalists and outspoken

government opponents. The political space accessible to the opposition and new internal political stakeholders is narrow. The dialogue between the government of Djibouti and the coalition of opposition parties 'Union pour le Salut National' on democratic reforms under the framework agreement initiated in December 2014 broke down prior to the presidential elections which took place in April 2016.

The EU's priorities include support for human rights defenders and groups as well as institutional stakeholders and NGOs by giving them the means to carry out activities in terms of defending and promoting human rights; to work towards the protection of vulnerable groups, with a particular focus on street children, migrants and refugees; and to improve the protection of women's and children's rights. The EU will engage with the government, and in particular the Minister for Justice and the Minister for Women and Family Affairs, in order to nurture the dialogue in the field of human rights and the development of civil society projects.

Various problems occurred in Djibouti in 2016, especially relating to the use of the police and the justice system to restrict freedom of opinion and expression as well as instances of alleged use of excessive force by the police. Other human rights issues include arbitrary arrests and detentions of opposition leaders and human rights activists for several days without being brought before a court, as well as travel bans.

In 2016 President Ismail Omar Guelleh was elected for a fourth term. While one international observer acknowledged some irregularities, these did not affect the outcome of the presidential election. In a statement marking the occasion, the HR/VP's spokesperson invited all the political forces to continue the political dialogue with a view to improving the state of the rule of law, bringing to an end the tensions the country has been facing in recent years, and consolidating the basis for sustainable and inclusive development.

The EU continued to engage in human rights and democracy discussions with the Republic of Djibouti, and notably during the Article 8 political dialogue session in February 2016. The discussion was frank and related to a range of issues, including freedom of expression and freedom of association.

As regards human rights defenders, the EU is monitoring the situation and engages in regular dialogue with the government and the relevant organisations. Given that the reinforcement of civil society is a major priority for the EU in Djibouti, the EU has begun the process of establishing a more structured dialogue with civil society organisations.

Human rights-related diplomatic outreaches took place in 2016. In October 2016 a demarche with regard to the ICC was delivered to the Minister for Foreign Affairs and International Cooperation. In November 2016 a demarche was delivered to the same minister on the resolution on a moratorium on the use of death penalty (UNGA 71). Two human rights-related informal demarches were also carried out with the Minister for Justice. In May 2016 the European Parliament adopted a resolution on the human rights situation in Djibouti.

In 2016 the EU continued to provide financial support for projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR).

The EU runs several projects relating to civil society, in particular on women's rights (including on female genital mutilation), rural resilience and the rights of persons with disabilities. In 2016 the EU awarded two grant contracts for the protection of women's and children's rights in refugee communities. The EU also supports a project managed by the Eastern Africa Journalists Association (EAJA) aiming at capacity building for journalists in Djibouti. The first activity under the project was a seminar held in August 2016.

Republic of Equatorial Guinea

In 2016 the overall human rights situation in Equatorial Guinea remained of grave concern because of its opaque and effectively oppressive regime. Human rights violations were systematic and security forces continued to abuse, harass and monitor political activists and civil society. The judiciary is also dominated by the presidential and executive branch.

The EU's priority is to continue to support greater freedom and civil society contributions, focusing on economic, social and cultural rights. The EU attaches great importance to the situation of political activists.

Presidential elections took place in April 2016. The process was flawed and boycotted by the opposition, and the incumbent president since 1979 was 're-elected' with 93.7% of the vote.

Freedom of expression, association and assembly remained severely curtailed in Equatorial Guinea. Political opponents were regularly banished and confined to their home villages or exiled. The 2014 initiative to legalise political parties has unfortunately not yet led to any positive dynamics – the opening-up has been tightly controlled and opposition parties, or simple initiatives by party members, continued to come under attack at the slightest sign of any criticism. One of the legalised parties, Ciudadanos por la Innovación, denounced the arbitrary detention of at least two regional leaders, and the harassment of their national leader. The regime tightly controlled television and the press, and internet penetration remained low.

The space for civil society remained extremely narrow. Strict control and manipulation of the registration of organisations remained a concern. In March 2016 the leading civil society group Centro de Estudios e Iniciativas para el Desarrollo (CEID) was suspended, which affected Equatorial Guinea's progress in terms of returning to the Extractive Industries Transparency Initiative (EITI).

No political or human rights dialogues between the EU and Equatorial Guinea took place in 2016. The EU has not hesitated to voice its concerns, for example through the HRVP's statement following the fraudulent election, which the EU called 'a missed opportunity in the process of democratisation'.

The moratorium on the death penalty is still in place since Equatorial Guinea became a member of the Community of Lusophone Countries (CPLP) in 2014.

Human rights defenders in Equatorial Guinea undergo systematic repression and harassment, so very few citizens ever dare raise such issues. Moreover, there is no NGO explicitly active in the field of human rights or registered as such, even though this is in theory allowed by the 2006 law on NGOs.

In 2016, the EU provided financial support for projects funded through the European Instrument for Democracy and Human Rights (EIDHR). One project benefits the organisation CEID (Centro de Estudios e Iniciativas para el Desarrollo) and is expected to run until the end of 2018. It seeks to strengthen civil society, to promote human rights and, importantly, to promote the coordination of NGOs via a national body. Another project will promote the rights of the child in Equatorial Guinea. It will be implemented by UNICEF in 2017 and 2018 and is expected to establish a birth register of children. No bilateral projects were funded from the European Development Fund (EDF) because Equatorial Guinea has not ratified the Cotonou Agreement between the EU and the African, Caribbean, and Pacific Group of States (ACP).

The next review of Equatorial Guinea by the Working Group of the Human Rights Council as part of the Universal Periodic Reviews (UPR) is scheduled for 2019. No progress was made on the recommendations and implementation of the 2014 UPR in 2016.

Equatorial Guinea has requested technical support for the harmonisation of legislation from the Community of Lusophone Countries (CPLP) within the framework of the death penalty moratorium, and support for the reform of the judicial and penitentiary system could be proposed. Support for the role of civil society and non-governmental stakeholders, which are weak and systematically undermined, is needed. One area to watch would be their contribution to the government's official strategy ('plan nacional de desarrollo económico 2020').

State of Eritrea

The overall human rights situation in Eritrea in 2016 remains a matter of concern, with a near-complete absence of political rights and freedom. The space for civil society organisations remains quite limited.

The EU's priority is to address in formal and informal meetings human rights violations in the country, as well as the issue of the indefinite duration of national service which, together with the macroeconomic situation, is among the key push factors for migration.

There are various problems especially as regards freedom of expression and association and the absence of elections and free media. Other human rights problems include the absence of the rule of law and cases of arbitrary detention without trial.

As regards prisoners, no update was received in 2016 regarding the fate of detained journalists and prisoners of conscience, despite recurrent requests from the international community.

However, Eritrea reinforced its engagement with the EU. On trafficking and smuggling-related issues the government of the State of Eritrea continues its engagement under the Khartoum Process, the EU- Horn of Africa Migration Route Initiative, launched in November 2014.

In 2016 the EU continued to highlight violations of human rights obligations by Eritrea. During the last Article 8 dialogue in April 2016 the key human rights issues, such as national service, civil and political rights, migration and trafficking in human beings and the implementation of the recommendations made to Eritrea under the UN-led Universal Periodic Review (UPR) were discussed. The dialogue provided an important opportunity to reiterate the EU's position on relevant topics.

Space for civil society organisations, including those working on human rights-related issues, remains quite limited. The EU, in line with the principle of indivisibility of human rights, pursues and supports the promotion and protection of the range of human rights and entities working in those fields.

In 2016 one human rights-related diplomatic outreach took place. In November 2016, a demarche relating to the UNGA resolution on a moratorium on the use of death penalty was delivered to the Minister for Foreign Affairs.

In addition, in December 2016 the EU organised a public event to celebrate the International Day of Human Rights. The event saw the widespread participation of members of the government of the State of Eritrea, of the international community and of civil society.

In March 2016 the European Parliament voted on a resolution on the human rights situation in Eritrea, expressing concerns about the human rights situation.

In 2016 new calls for proposals for civil society organisations were launched. The EU continued to support activities aiming to promote human rights, in particular those relating to labour rights, women's and children's rights and the rights of persons with disabilities. At present there are 20 ongoing projects targeting the aforementioned objectives. Other development cooperation projects supported by the EU in areas such as access to water and food security contribute towards upholding the basic rights of the population.

On 1 July 2016 the UN Human Rights Council adopted by consensus a resolution on the human rights situation in Eritrea. In the resolution, deep concerns were expressed about the findings of the report of the Commission of Inquiry on the human rights situation in Eritrea.

As regards the death penalty, in November 2016 Eritrea co-sponsored the resolution against the death penalty in the 3rd Committee of the UN General Assembly.

Federal Democratic Republic of Ethiopia

In 2016 the overall human rights situation in the country remained worrying. The protest movement that started in 2015 intensified, with violent clashes in the regions of Oromia and Amhara. A state of emergency announced on 9 October 2016 led to a further deterioration in the human rights situation, as its provisions suspended a wide range of civil and political rights. The security situation has generally calmed down, but tensions in Oromia and violence in the Amhara region remain high.

The use of the Anti-Terrorism Proclamation (ATP) against journalists, bloggers, human rights activists and members of the opposition also increased dramatically in 2016, as 30% of all cases since 2009 were introduced in that year.

The EU's priority is to support the progressive opening-up of the political system, as well as respect for freedom of expression, the press and association. Finally, as part of its broader engagement with the region on migration, the EU has engaged in several initiatives relating to the rights of migrants and refugees in Ethiopia.

Following a deadly stampede at the Oromo Ireecha Festival in early October, unrest in several parts of the country culminated in violent attacks on public and foreign investments. In response, the government of Ethiopia (GoE) announced a six-month state of emergency (SoE) on 9 October, with measures further restricting freedom of expression, assembly and movement, and the right to protest or go on strike. Under the SoE provisions, security forces have the power to search, arrest and confiscate possessions without a court warrant and to monitor communications. The GoE has officially announced 24 000 detentions under the SoE – about half have been released so far following a period of 're-education'. The arrest of several opposition leaders, such as Merera Gudina, threatens the possibility of a meaningful political dialogue. Restrictions on the internet and social media affect freedom of expression, and the general media environment has deteriorated heavily, with increased fear and self-censorship.

The EU-Ethiopia Strategic Engagement, signed in June 2016, includes human rights and governance as one of its priority sectoral dialogues. This should allow for the formalisation and intensification of ongoing discussions with the government on the human rights situation. The dialogue on human rights and governance will be the first to be launched in early 2017 in Addis Ababa.

Considering the ongoing crisis and the need for political reforms and opening-up of the Ethiopian political system, the EU also initiated a dialogue with the government and other stakeholders on the perspectives for political reforms and improved governance. The EU Delegation also supports the facilitation of a dialogue between members of the opposition parties and the government of Ethiopia. Governance has been identified as one of the priority areas for cooperation in the EU+ Joint programming.

Since the beginning of the ongoing crisis the EU has issued several public statements on the political and human rights situation, and has called for political dialogue and reform measures. Shortly after the declaration of the SoE, HR/VP Federica Mogherini reaffirmed, during an exchange with PM Hailemarian Dessalegn, that human rights must be respected at all times.

The EU Delegation also conducted regular trial monitoring and analysis of ATP/Criminal Code cases, including political trials of bloggers, journalists, opposition parties, human rights activists and cases relating to protests.

The EU's Civil Society Fund is the only international funding which is allowed to support civil society organisations working on human rights issues in the country. A call for proposals was launched under this fund in 2016 to benefit Ethiopian charities and societies. In particular, the Human Rights Council will be urged to encourage respect for human rights and promote the rule of law, due process and the establishment of a democratic system.

The EU continued to support universities and CSOs in the area of human rights education and legal aid, and also played an active role in the Gender Working Group. A further project relates to the rights of women workers, the fight against corruption, promoting the rights of people with disabilities and inclusive development.

As regards detention rights, the EU supported the International Committee for the Red Cross (ICRC), which has an extensive programme in Ethiopian prisons.

Concerning the rights of migrants and refugees, regular high-level dialogue in the context of the Common Agenda on Migration and Mobility (CAMM) took place in the course of 2016. Two relevant programmes containing strong protection components for refugees and for vulnerable migrants were launched: The Regional Development and Protection Programme (RDPP) and the Better Migration Management (BMM) programme.

The GoE has been active in promoting the rights of refugees and agreed on a Jobs Compact that will ensure job opportunities for 30 000 refugees; it also gave pledges at the Leader's Summit on Refugees regarding enhanced rights for refugees.

The government adopted a new national human rights action plan (NHRAP II) for 2016-2018. A small number of consultations were held; no English translation is currently available.

Gabonese Republic

The overall human rights situation deteriorated significantly in Gabon following the presidential election on 27 August 2016. No serious inquiry has been carried out to establish the truth about the alleged serious human rights violations, including extrajudicial killings, enforced disappearances, arbitrary arrests, torture and long-term detentions in inhuman conditions. A climate of fear prevailed, with repression, intimidation and excessive restrictions on media freedom and freedom of expression, assembly and manifestation.

The EU's priority is to support an independent investigation into the post-electoral human rights violations and the preliminary examination at the ICC to reconcile the population and to ensure that those responsible are brought to justice. The lack of government transparency made it extremely difficult to assess the magnitude of the allegations made.

The five main areas for EU human rights intervention in Gabon are: democracy and governance; anti-corruption; prison and pre-trial detention conditions; action on ritual crimes; and action on arbitrary detention, torture and forced disappearances.

Freedom of association, of peaceful assembly, and of expression and information were severely restricted both before and after the presidential election. The functioning of the justice system was severely criticised after post-electoral riots in 2016 for its lack of independence and the lack of due legal process. Between 31 August and 5 September 2016, about 800 people were arrested. Accusations of torture, forced disappearances, arbitrary and/or politically motivated arrests and assassinations significantly increased after the September 2016 riots.

In June 2016, the parliament revised the Communication Code, which will enter into force in January 2017 and impose legal restrictions on some aspects of press freedom. Penalties for journalists or media that violate the code include fines, forced temporary or permanent closure and a ban on exercising their profession.

The EU assisted Gabonese human rights defenders (HRDs) in liaising with European HRD organisations. The EU ensured their protection and allowed them to continue their human rights investigations through the European Instrument for Democracy and Human Rights (EIDHR).

On the invitation of the Gabonese government, the EU deployed for the first time an EU Election Observation Mission (EOM) to observe the presidential election. Ali Bongo Ondimba, the candidate of the Gabonese Democratic Party (PDG), secured a second seven-year presidential term in the election with 50.66% of the votes against 47.27% for opposition leader Jean Ping. Violent riots broke out immediately after the proclamation of provisional results on 31 August. The National Assembly and several public buildings were set on fire. The HQ of opposition leader Jean Ping was attacked on 31 August by the Republican Guard. Against the official figures of four deaths, civil society currently puts the numbers at 28 victims, more than 90 disappearances and 600 people still detained.

The Gabonese authorities and media conducted a sustained and politically motivated campaign against the EU, the EOM and its members to undermine its credibility, including intimidating and wiretapping its personnel. The final report, presented in Libreville on 12 December, raised serious doubts about the integrity of the election process and on the final results, and proposed a number of substantial recommendations for the reform of the electoral, institutional and judicial framework.

During 2016, the EU engaged in human rights and democracy discussions with Gabon in various settings, including the biannual Article 8 Political Dialogue, held in June and December in Libreville. However, the government's readiness for an open and frank discussion on the alleged human rights violations was extremely limited.

The EU voiced its serious concerns – through HRVP and EOM Statements, in responding to debates in the European Parliament, in high-level meetings and in informal contacts – to encourage the government to ensure full respect for human rights. The EU Delegation liaised with local civil society over the collection of evidence on human rights violations. An annual civil society meeting with the Delegation covers all areas of human rights concerns.

At the Article 8 Political Dialogue in December 2016, the EU invited the Gabonese authorities to an intensified political dialogue under Annex VII of the Cotonou Agreement. The EU, in close coordination with EU Member States and international partners (AU, UNOCA, UN HQ, OHCHR in Geneva and Yaoundé, US and OIF), also advocated an independent investigation into the allegations of serious human rights violations and full respect for fundamental rights.

In 2016, the EU provided financial support to projects funded by the EIDHR and the European Development Fund. One EIDHR project, implemented by the Cameroonian association 'Journalistes en Afrique pour le développement' (JADE) in partnership with the Gabonese association 'L'association gabonaise des journalistes agenciers de presse écrite et audiovisuelle', was aimed at providing citizens with better information about the electoral process and training Gabonese journalists in unbiased, objective and non-partisan journalism. A second EIDHR project aims at providing support to civil society organisations to consolidate and strengthen their role in the electoral cycle through the promotion of democratic values, inclusive political dialogue and citizen participation. The specific objective is to train local electoral observers and to support their actions in the electoral process in Gabon.

An the Non State Actors and Local Authorities (NSA-LA) programme call for proposals was launched in June to support the capacity, accountability and decision-making of NSAs and LAs,

and citizen participation in state policies, with the ultimate goal of achieving inclusive local development that meets citizens' expectations.

The African Commission on Human and Peoples' Rights recently issued a strong Resolution on Gabon calling upon the government to initiate prompt and impartial investigations into the alleged human rights violations. Both the government and the opposition invited the ICC to conduct a preliminary examination of the post-electoral violence. The EU intended to support a quick fact-finding evaluation mission by the regional OHCHR into the human rights violations. Accountability was deemed essential to reconcile the Gabonese people and to contribute constructively to the national dialogue process. However, the UN decided to postpone the mission until the conclusion of the National Dialogue.

Gabon is party to most international human rights conventions and participates in the relevant UN bodies on human rights. However, Gabon has not yet ratified the African Charter on Democracy, Elections and Governance. The next Universal Periodic Review (UPR) process is expected in November 2017. The independent functioning of the judiciary and electoral systems, although guaranteed in the constitution, remains restrained. Many social and economic rights are not consistently upheld.

Republic of The Gambia

In 2016, the situation in The Gambia concerning human rights and the rule of law under the former President Jammeh continued to be of serious concern, especially in the areas of freedom of the press, the death penalty, prison conditions, the human rights of LGBTI persons, arbitrary arrests, detentions beyond the constitutional limit of 72 hours, and judicial independence. In December 2016, Adama Barrow won the presidential elections.

EU action focused on issues related to the rule of law, freedom of expression and non-discrimination. The EU continued to encourage The Gambia to establish a National Human Rights Commission, following up on announcements by the government. However, these have so far not led to concrete results.

Arbitrary arrests and detentions without respect for due process continued in 2016. The National Intelligence Agency (NIA) did not admit to any detentions, although there was strong evidence that detainees were often subjected to torture and degrading treatment while in NIA custody. The government failed to implement African Commission on Human and Peoples' Rights (ACHPR) Resolution 134 (2008), calling on The Gambia to investigate all allegations of acts of torture in detention and extrajudicial executions, and to comply with the decision of the Economic Community of West African States (ECOWAS) Court of Justice ordering it to pay damages to the family of the victim of an extrajudicial killing.

Journalists were imprisoned under repressive media laws and the discrimination of LGBTI persons continued. Former President Jammeh, who hails from a minority tribe, threatened the majority ethnic community of The Gambia.

Two rare small-scale and peaceful public protests on 14 and 16 April 2016 triggered a harsh crackdown by security forces. Around 50 people were arrested, and one person died in police custody. Most of those arrested were members and senior executives of the strongest

opposition party, the United Democratic Party (UDP). Further small-scale protests, followed by arrests, took place during the trial. In July, 30 people, including the leadership of the UDP, were sentenced to three years in prison. A second person arrested in this context died on 20 August, while in state custody, after having undergone an operation in a public hospital.

The lack of independence of the judiciary became obvious when the petition of Jammeh's own party against the results of the presidential elections could not be heard because the president had sacked too many judges of the Supreme Court.

In early 2016, The Gambia made further progress on its positive record concerning women's and children's rights by adopting a law criminalising female genital mutilation (FGM). Later in the year, another law prohibited child marriage. The introduction of on-the-spot counting of votes improved transparency in the presidential elections in December, which resulted in the victory of opposition candidate Adama Barrow, backed by a coalition of opposition parties. Following his victory, all defendants sentenced for the protests in April were released on bail. However, incumbent President Jammeh refused to hand over power and a very tense political stalemate lasted throughout December.

Throughout 2016, under President Yahya Jammeh, the European Union regularly pushed for improvements in the area of human rights and good governance and raised concerns in diplomatic contacts, including in the Article 8 Political Dialogue and in statements and demarches concerning specific human rights violations. As a reaction to the April protests, the EU issued a spokesperson's statement, deploring the disproportionate reaction of the security forces and asking for an investigation. Several statements by other international actors followed and the European Parliament issued a resolution[69]. The EU issued another statement on in August, urging an investigation into the two deaths in custody[70]. Throughout the political stalemate in December and January, the EU fully supported the position of ECOWAS, the UNSC and the AU that the will of the Gambian people expressed in the election results must be respected. The EU issued several statements calling for a peaceful handover of power, and drew the attention of Member States to the situation in The Gambia at the Foreign Affairs Council. The European Instrument for Democracy and Human Rights (EIDHR) provided support for the protection of individual opponents of President Jammeh.

In 2016 the EU remained The Gambia's main donor in the area of development cooperation. At the request of the European Development Fund committee, these funds continued to be channelled as far as possible via non-governmental actors. The National Indicative Programme (NIP) for the first phase (2015-2016) was signed in January 2016.

Under the governance component, the project on technical assistance for access to justice and legal education in The Gambia continued its five-year civic awareness campaign, sensitised 250 Alkalolu and made major contributions to the drafting and finalisation of a revised curriculum for the University of The Gambia Faculty of Law (UTGFL). The project completed a judicial training plan and curriculum and completed a publication of The Gambia's modern and Sharia case-law.

69. European Parliament resolution of 12 May 2016 on The Gambia (2016/2693(RSP))
70 EU External Action Service, Statement by the Spokesperson on the death in custody of Gambian opposition member Ebrima Solo Krummah, 25 August 2016

Important international conventions have not been ratified by The Gambia, notably those on torture and enforced disappearance. Furthermore, in November 2016, former President Jammeh withdrew The Gambia from the Rome Statute of the International Criminal Court. However, this withdrawal has since been revoked by the new leadership of the country.

Republic of Ghana

According to the 2016 Freedom in the World index, in Ghana freedom of expression as well as freedom of religion are constitutionally guaranteed and generally respected in practice. Basic human rights and freedoms are entrenched in Ghana's 1992 constitution but some key groups were omitted. This includes LGBT people, as traditional religious society is uncomfortable with homosexuality, and the LGBT community faces discrimination.

Death penalty continues to be imposed for certain types of severe crimes but is not carried out as a moratorium is in place. Initiatives to abolish capital punishment seem to have lost momentum, however, due to an apparent lack of backing among the Ghanaian population.

Despite the existence of a Ministry for Women and Children's Affairs which includes social protection, a special domestic violence unit (DOVVSU) in the Ghana Police Service, and the establishment of specific gender courts, all of these institutions remain underfunded. Child labour remains a serious issue, with many children required to assist their parents with farming or fishing instead of attending school. Among the main issues is the absence of a comprehensive policy and strategy on children. Children with disabilities are still often exposed to inhumane and degrading treatment, and neo-natal, infant and under-five mortality, malnutrition, child abuse, child poverty and disparities are serious problems. Other human rights issues include domestic and gender-based violence.

Ghana ranks 26th in the World Freedom of the Press Index prepared by Reporters Without Borders, down from 22nd position last year, its best position ever. According to Freedom House, Ghana continues to enjoy quite a positive situation in the region regarding rights and freedom, with a score of 37 out of 40 for political rights (as in 2015) and 46 out of 60 for civil liberties (one point less than the previous year).

Although the implementation process may be slower than desired, Ghana has signed and ratified most existing human rights instruments including International Labour Organization (ILO) conventions. Also, there is political will from all parts of the political spectrum to honour all previously signed and ratified instruments.

There is a high perception of corruption and inefficiency in the public sector, particularly in the judicial service, with a disturbing backlog of cases. There is also very poor access to legal aid resulting in many human rights violations going unpunished. The main remark from Transparency International is that Ghana's authorities need to investigate thoroughly allegations of judicial corruption.

In 2016, Ghana did not notably change its stance in the international arena on the abovementioned matters, and did not distance itself from African partners. However, Ghana was the first African country to vote positively on the EU-sponsored draft resolution on Burundi at the Human Rights Council, which had a huge symbolic value.

In 2016, the EU Delegation met Ghana's human rights and democracy civil society organisations several times for the revision of the HRD strategy and to discuss issues such as corruption, access to justice, child labour and LGBT issues.

Republic of Guinea

The overall human rights situation in the country improved in 2016 because of certain advances, such as the reform of the penal and penal proceedings codes, which criminalised torture and genital mutilation and abolished the death penalty for ordinary crimes[71]. Nevertheless, there are still major challenges related to the consolidation of the rule of law, access to justice, gender equality and the fight against impunity. Underrepresentation of women in public life and lack of access to socio-economic resources and services also continue to hamper the situation of women in Guinea.

The EU's priorities include promoting access to justice and the fight against impunity, reinforcing democracy and the fight against corruption, ensuring material and personal security through the improvement of the performance of the security forces, reintegrating vulnerable populations, supporting victims of human rights violations, and promoting gender equality, with an emphasis on fighting female genital mutilation and violence against women.

The political climate eased in 2016, following the re-election of President Condé in 2015 and the signing of the inter-Guinean agreement on 12 October permitting the opening of a new period of democratic consolidation. Such a consolidation still has to overcome important challenges, such as the holding of local elections which were postponed twice following the agreement, a weak division of powers, the feeble capacity of the public administration and judiciary, and high rates of corruption. Justice and security reforms are still badly needed. The EU participated as an observer in the inter-Guinean dialogue resulting in the 12 October agreement, and continues to support the follow-up process.

The improvements include the reform of the penal and penal proceedings codes enacted in October 2016, which penalised torture - both as an isolated crime and as an aggravating circumstance - and genital mutilation, and eliminated the death penalty. Civil society is also playing an increasingly important role in the defence of human rights.

On the occasion of the appointment of a new government in January 2016, the Minister for Human Rights was renamed Minister for National Unity and Citizenship, but maintains its core role within the institutional structure for the defence of human rights together with the Independent National Institution of Human Rights created in 2015. The process of preparing for the Etats Généraux des droits de l'homme (national consultations on human rights) has been ongoing since 2014, and should culminate in a national strategic plan on human rights.
I
n 2016 the EU continued to engage in human rights and democracy discussions with Guinea in various settings, using all formal and informal occasions, including local dialogue on human rights. The EU Delegation in Conakry carried out a demarche on the moratorium in the application of the death penalty in October 2016. The EU maintained regular dialogue with civil society groups focused on human rights issues.

71 The Military Code of Justice still provided for capital punishment for exceptional crimes, including treason and revolt at time of war or state of emergency.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), the European Instrument for Democracy and Human Rights (EIDHR), and the Instrument for Stability and Peace (IfSP). A grant to the International Federation on Human Rights (FIDH) specifically aims to support the victims of the 28 September massacre and engage the authorities and other actors in fighting impunity and promoting national reconciliation.

Within the security sector reform program and the projects focused on conflict prevention and the promotion of peaceful conflict resolution, the EU carried out actions that had a strong impact in 2016, including a pyrotechnic decontamination campaign in Kindia, and projects in the Forest region promoting the socio-economic reintegration of former soldiers and supporting conflict prevention as well as the peaceful and durable management of natural resources.

Guinea is party to a number of international human rights conventions, but it has not signed the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Second Optional Protocol to the International Covenant on Civil and Political Rights related to the abolition of the death penalty, and the two Optional Protocols to the Convention on the Rights of the Child.

Substantial progress needs to be demonstrated in the reform of the justice sector and access to justice in order to send a clear message that the country is committed to fighting impunity. The trial for the 28 September massacre should take place in 2017. The legal moratorium on the death penalty should be followed by its formal abolition.

Republic of Guinea-Bissau

In 2016 no major human rights violations were reported, but the protracted political crisis ongoing since August 2015 further weakened state capacities, including law enforcement. Respect for democratic principles was tested, and limited capacities and financial constraints continued to impede the ability of state authorities to effectively discharge their functions in the area of human rights. Reforms in crucial areas for the defence and promotion of human rights, such as justice, security and defence, were postponed.

The EU's priority is to promote the upholding of democracy and respect for the rule of law. This includes improving access to justice and protecting the rights of detainees, as well as supporting freedom of information and civil society. The EU is also working to promote women and children's rights, notably as regards violence, trafficking and sexual abuse or exploitation.

There are various problems, especially in the fields of democracy and the rule of law, access to justice, and women's and children's rights. The political instability and successive changes of government since August 2015 have resulted in an institutional deadlock, especially for the National Assembly, but also serious constraints on the current management of the country. The political confrontation and institutional paralysis are coupled with increasing socio-economic deterioration and an increased risk of instability.

Moreover, corruption and impunity still remain worrying. The establishment of an international Commission of Inquiry, as recommended by the National Conference on Impunity, Justice and

Human Rights in July 2013, is still pending and no progress has been made in the establishment of transitional justice mechanisms or in convening the proposed national conference on reconciliation. In November 2016, demonstrations were forbidden after public protests against the political situation.

A positive point is that press freedom has not been challenged. Although there have been some recent attempts by government bodies to control opposition media, they were averted by the efforts of civil society, politicians and human rights groups.

The EU continued to engage in the defence of human rights and democracy in Guinea-Bissau through local dialogue and the efforts of the EU local human rights working group. Particular attention was paid to the political process in 2016. The EU promoted a consensual, peaceful solution to the current crisis both in its bilateral dialogue, and its regional and international action, especially as an active member of the P5 group of international partners of Guinea-Bissau (the United Nations, African Union, Economic Community of West African States, European Union and Community of Portuguese-Speaking Countries). The EU voiced concerns about human rights issues in statements, speeches and workshops, and took various steps to encourage Guinea-Bissau's government to ensure full respect for human rights.

Due to the heated political crisis the country is going through, the situation of specific human rights defenders, namely bloggers whose aggressive pieces may be misconstrued as an attack on the president, has recently become a matter of concern. Up to now no action has been required.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR). 10 of these projects focused on the rights of the most vulnerable.

Three projects strengthened the rights of both children and women to be freed from all types of violence, in particular female genital mutilation (FGM). Action was also taken in relation to the social and economic empowerment of women and girls, and the protection of the rights of child victims of abandonment (children with disabilities, 'bewitched' children, etc.). A new project was started in 2016 to help improve the rights of persons with disabilities and to empower CSOs working in this area. A pilot project was also started in 2016 to carry out national awareness campaigns on health rights and fight impunity and corruption in the health sector.

The EU has been intervening in the prisons of Guinea-Bissau since 2012, supporting NGOs working to improve the reintegration of prisoners and the promotion of their rights, as well as to encourage the commitment of public institutions to protecting such rights.

The HR Observatory created in 2011 continued to be promoted in 2016, with specific action taken to collect data and determine indicators to provide information on the human rights situation. Large-scale campaigns were carried out in Bissau and across the country.

Guinea-Bissau is party to a number of international human rights conventions, but some of them have not been yet ratified. In particular, Guinea-Bissau should ratify the International the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International

Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The political struggle in which the country is submerged and consequent institutional paralysis are preventing Guinea-Bissau from conducting regular work on many issues, including human rights issues. Moreover, the fact that the National Assembly is blocked would make it difficult to carry out the internal process of ratifying international conventions, which requires approval by the parliament.

United Nations Agencies (UNDP, UNICEF, UNODC) and the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) carry out a variety of cooperation programs in the fields of democratisation and election support, child rights, the fight against organised crime and corruption, and justice and security.

Stabilisation of the country is required so that essential reforms of the governance, justice and security sectors can be tackled and international donors can re-engage. The institutional structure for the defence and promotion of human rights will need to be put in place.

Republic of Kenya

Kenya's constitution, adopted in 2010, is progressive in terms of human rights but a number of constitutional requirements are yet to be enacted. Impunity, corruption, tribalism, weak institutions and weak respect for the rule of law continue to negatively impact citizens' access to civil and political rights.

The EU's priority in Kenya is to support the constitution, with a particular focus on five key priorities: women's rights, human rights defenders, human rights and security forces, civic space, and impunity and accountability.

Local and international NGOs report that there continue to be cases of torture, cruel, inhuman and degrading treatment, rape and sexual assault, and deaths of detainees. Prison conditions continue to be very poor due to overcrowding, deteriorating services and infrastructure. The police continue to be accused of corruption, the use of excessive force and extrajudicial killings. There are also challenges in the fields of gender issues, violence against women, and discrimination against LGBTI persons.

As Kenya prepares for the August 2017 general election, challenges to citizens' participation in the electoral process continue to be seen. Whilst in principle the Bill of Rights allows for the right to peaceful assembly, in practice these rights are limited by laws covering unlawful assembly, incitement to violence and resisting arrest.

The action plan for human rights was adopted in March 2016, as part of the country's follow-up to the Universal Periodic Review process. Kenya's Attorney General has indicated that Kenya's de facto moratorium on the use of the death penalty will be maintained. No executions have been carried out since 1986, and in October 2016 the president commuted most death sentences to life imprisonment.

As of 2016 Kenya and the EU now have regular political dialogue meetings between EU Heads of Mission and senior (minister-level) members of Kenya's government as well as other leading figures such as leaders of the main opposition parties. The EU has used these inter alia to discuss detailed questions about human rights. Relevant Kenyan interlocutors such as the Attorney General and the Cabinet Secretary for Youth, Gender and Public Administration have been open and constructive about the state of play and prospects for strengthening protection of human rights in Kenya.

The Universal Periodic Review matrix includes protection of HRDs, but HRDs continue to face threats and harassment within their communities and from the security services. The murder of human rights lawyer Willy Kimani and his driver is an extreme case in point.

The EU Delegation participates in the regular meetings of the Human Rights Defenders' Group chaired by the Dutch Embassy and continues to closely monitor abuses against human rights defenders. The EU Delegation funded the launch of the Women Human Rights Defenders (WHRD) Toolkit in Nairobi's Mathare slums on 25 November. The Toolkit seeks to establish stronger protection networks for WHRDs.

The EU is contributing to the 'Strengthening the Electoral Processes in Kenya' basket fund, which is managed by the UNDP with support from UN Women. Through its contribution the EU aims to develop stronger legal and institutional structures that will lead to transparent, credible and peaceful elections, as well as leading to more informed participation in the electoral process. The basket fund became operational in the second half of 2015, and activities will last till the end of 2018. Beneficiaries include the Independent Electoral and Boundaries Commission, which will be the largest recipient of the programme's assistance. Other beneficiaries include Kenyan institutions and organisations involved in the drafting of legislation, dispute resolution between political parties, media regulation, women's empowerment and security.

The EU is also contributing to the national election conflict prevention and response initiative known as UWIANO, with funding from the IcSP.

The EU via the EIDHR is also supporting several human rights programmes implemented by four NGOs (ACORD, Oxfam GB, We Effect, and Media Focus on Africa Foundation) targeting women's political participation and leadership in the 2017 general elections. These programmes identify and train women who are political aspirants, conduct awareness-raising campaigns to promote women's leadership and the importance of voting for women, and seek to enhance the participation of women in political party processes and create an enabling media environment for women's participation and women's leadership.

Other ongoing EIDHR actions include a programme run by the European Committee for Training and Agriculture (CEFA) to monitor human rights violations and improve conditions in detention facilities in Kenya, and a programme run by the Kenya National Commission for Human Rights (KNCHR) to safeguard constitutional rights, human rights defenders and security.

A programme financed under the DCI-Human Development budget line and run by CESVI (Italian NGO) seeks to improve the juvenile justice system in five counties Kenya is a signatory of most international law conventions and treaties, including the Rome Statute, but a number

of protocols are yet to be ratified, including on discrimination against women, cruel, inhuman or degrading treatment, enforced disappearances, the rights of the child and the rights of persons with disabilities.

The EU is also paying close attention to freedom of the media and of expression, particularly in relation to the election campaign. The EU is also encouraging Kenya to be as fully engaged as possible in relevant multilateral actions, with the aim of strengthening Kenya's role as a like-minded international partner of the EU both multilaterally and on the world stage.

Kingdom of Lesotho

2016 was marked by political instability, which impacted the rule of law and undermined the work of oversight institutions. Although basic rights are provided by the constitution, some customary law practices are in violation of these. The Human Rights Commission Act was passed, establishing a Human Rights Commission, however, the latter is not fully compliant with the UN Paris Principles. Progress on adopting a media policy stalled, and threats against journalists increased. A few positive steps were taken by the government to implement key the Southern African Development Community (SADC) Commission of Inquiry (CoI) recommendations. The three opposition leaders who had been in exile in South Africa since May 2015 announced their return.

The EU's priorities are promoting stronger partnership with CSOs, including social partners, and between authorities, parliament and CSOs, and promoting gender equality and women's rights, empowerment and participation. The EU also prioritised lobbying against a draft Amnesty Bill, which proposes blanket amnesty provisions.

There are various problems, especially with regard to gender-based violence, including domestic abuse, rape, and discrimination against LGBTI persons. Some 16 military personnel remain in detention, after being arrested by the Lesotho Defence Force (LDF) in 2015 on charges of mutiny or failure to supress mutiny. They have still not had a fair trial and there have been credible reports that the conditions in the prison are deplorable and that the detainees have been tortured. The ICRC has also been denied access to these detainees. Corruption and nepotism among officials is prevalent, while several serious cases of high-level corruption were dealt with by the Directorate on Corruption and Economic Offences.

A controversial draft Amnesty Bill, intended to grant amnesty to members of Lesotho's security forces for acts committed between 2007 and December 2015, was tabled in parliament at the last session of the year, in November 2016. The EU has expressed strong concerns that the bill may foster impunity and has proactively lobbied government to drop it.

Since the 2015 snap elections the country has been governed by a seven-party coalition government. All parties accepted the outcome of the peaceful elections. Lesotho has made progress on gender equality under the Millennium Development Goals and is ranked first in Africa and 16th in the world on bridging the gap between the sexes. Lesotho has also adopted several gender-sensitive laws.

The EU took a strong stance in urging the government of Lesotho to implement the SADC CoI recommendations. The EU is extremely concerned about the draft Amnesty Bill provisions.

Among other initiatives, the EU position on abolition/a moratorium on the use of the death penalty was stressed.

The EU Delegation has provided moral support for human rights defenders, including the proactive group of spouses of the detained military personnel, through meeting with them and taking up their cases in discussion with government ministers.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR). The EU Country-based Support Scheme (CBSS) in Lesotho has provided substantial support under the EIDHR.

Three projects that received funding focused on promoting stronger partnership with CSOs, including social partners, and between authorities, parliament and CSOs, and supporting the fight against gender-based violence and the promotion of women's empowerment. The 'Participatory Initiative for Social Accountability' (PISA) programme (EDF 11) will also contribute through civic education and other activities to increasing citizens' awareness of governance structures and their ability to engage in democratic and developmental processes.

Lesotho has signed and ratified almost all the major UN and AU instruments, including conventions and protocols for the protection of human rights, with the exceptions of the Optional Protocol to the ICCPR aiming at the abolition of the death penalty and the Optional Protocol to the Convention against Torture. Lesotho has a reservation on the CEDAW in relation to succession to the throne and to chieftainships. Only a few of these instruments have been codified into national law. All inhabitants may turn to the UN Human Rights Committee, to the Special Rapporteurs for violations of specific human rights and to the United Nations Economic and Social Council (ECOSOC) for women's rights violations. As the country is an AU member, citizens and NGOs may file complaints with the African Commission on Human and Peoples' Rights. Lesotho has joined the ICC and in late 2016 confirmed its intention to remain a member. Since November 2015 Lesotho has issued a standing invitation for country visits by the Special Rapporteurs of the Human Rights Council.

Domestication of international treaties into national law is a real challenge. Lack of expertise and sufficient capacity makes it difficult to translate international obligations into national law. The proposal for a governance action document under EDF 11 envisages support in this specific area.

Republic of Liberia

In spite of all the progress since the civil war, considerable challenges and abuses still persisted in 2016. The abolition of the death penalty, gender equality, women's rights and empowerment, the enforcement of legislation against child labour and exploitation, the reduction of poverty, and improved access to justice, health and education remain on the agenda. The rights of people affected by large-scale land leasing and extractive industries continue to need attention. The poor prison conditions and the high number of pre-trial detainees are concerning. Corruption and misuse of power is pervasive across all branches of government and at all levels. Low pay for the bulk of civil servants, minimal job training, and little judicial accountability exacerbate official corruption and contribute to a culture of impunity.

The EU continued to engage actively on human rights in 2016, including through the formal EU-Liberia political dialogue. The EU also sought to inform public debate on issues such as the death penalty and gender-based violence, including through the media. Practical support to address human rights concerns was offered by both the EU and Member States, with specific projects in the areas of women's rights, children's rights and the justice sector. Good governance is a major item in the National Indicative Programme, which is the basis of cooperation agreed with the government of Liberia until 2020.

Successive presidential and legislative elections have been deemed generally free and fair. Both Freedom House's Freedom Rating and the Economist Intelligence Unit's Democracy Index rank Liberia above the sub-Saharan average and better than many of its neighbours. However, the Democracy Index's extremely low rating for 'functioning of government' (0.8 on a scale of zero to 10) is an indication of the problems below this positive surface. Issues of capacity, corruption and concentration of power mean Liberia's government is failing to respond effectively to the needs and expectations of the people. The legislature is weak in terms of institutional capacity to exercise its oversight functions. Legislators show little understanding of their role, rights and responsibilities and often seem more focused on furthering narrow political and personal interests.

The government of Liberia has acknowledged many of these issues and is taking steps to address them, although it has also highlighted a need to respect domestic opinion on subjects such as LGBT rights and the death penalty. In many areas a lack of resources and capacity constraints hamper efforts to comply with international obligations, including with regard to economic and social rights.

Several projects via the European Instrument for Democracy and Human Rights (EIDHR) are currently being implemented in Liberia. 'Strengthening civil society's capacity to advocate for access to justice for women and girls and reduce female genital mutilation' is being implemented by ActionAid and Bassa Women Development Association in the counties of River Cess and Grand Bassa, and works with local community organisations to prevent gender-based violence and reduce harmful traditional practices, including FGM. 'Community-based initiative for the promotion of human rights and gender equality in rural areas of Liberia' is being implemented by the Liberian National Red Cross Society through the Danish Red Cross, and works to strengthen the Red Cross's capacity to work on gender equality, as well as to combat gender discrimination and vulnerability in rural communities in Lofa, Bong and Nimba counties.

New actions selected under the 2015 call for proposals started in 2016, including a project on enhancing the rule of law and good governance through increasing transparency and access to information in the security and justice sector, implemented by the Carter Centre.

Under AWARE – A West African Response to Ebola, the EU in Liberia has prioritised support to the education sector. The key objective of the EU's support to promote access to safe water in schools in Liberia is to ensure access to clean water in schools and mobilise communities in order to maintain and properly use the facilities provided. A project funded via the European Instrument for Stability (IfS) with Save the Children specifically supported the participation of children and youth as well as vocational training.

Republic of Madagascar

The human rights situation in Madagascar is not improving. Poverty is the main reason for school dropouts. Insecurity and illicit trafficking of natural resources, the precarious situation of women and children and persons with disabilities, and crime and corruption weigh heavily on the respect for human rights. Police violence as well as public lynching happens frequently. The EU's action mostly concerns five fields: the promotion of fundamental liberties (support for the consolidation of political stability and democracy); respect for human rights in justice administration; the promotion of children's rights; the promotion of women's rights and the elimination of violence against women; and support for human rights defenders.

The increase in abuses by security forces against civilians justified by the increase in armed bandits ('dahalos') also targets protesters, journalists and politicians. General corruption among security and justice personnel has led to a great upsurge in mob justice and lynching: the period between October and December saw over 60 deaths as a result of popular justice for theft of cattle ('dahalo') alone. At the same time, poverty is increasing and the National Development Programme remains a dead letter. Half of all children do not enjoy permanent food security. Corruption in public life and social sectors is omnipresent. Prison conditions (space, nutrition, hygiene, healthcare) remain problematic.

The situation for women is precarious: 30% are pregnant before 19 years of age, 30% of girls in secondary education finish school, 25% of women are victims of physical violence, and 40% are abandoned after marriage. Women continue to be discriminated against by the Nationality Code that does not give them the right to pass on their nationality to their spouses. Shortcomings in the implementation of fundamental ILO Worst Forms of Child Labour Convention was scrutinised in 2016 by the International Labour Conference (ILC). The EU expressed its concerns over the situation of children forced to work in mines and quarries, for sexual exploitation and in the streets. The ILC requested Madagascar to provide an immediate and effective response for the elimination of these worst forms of child labour.

In 2016, the independent National Human Rights Commission (CNIDH) was finally created. A National Fight Against Human Trafficking office is contributing to the decrease in trafficking in human beings. Forced labour has also been prohibited. However, it is estimated that 5 000 Malagasy, mostly in Gulf countries, are still victims of this practice.

During Europe Week there was a stand devoted to human rights. The EU maintains numerous partnerships with civil society to promote human rights. A number of grant contracts are signed every year and enjoy significant visibility. However, an important support programme for democracy (INCIPALIS) was shut down in 2016.

The EU maintains a regular political dialogue at presidential and prime ministerial level, in which human rights matters are at the centre. Issues addressed in this context during 2016 were mostly related to corruption, illicit trafficking, and the abusive exploitation of natural resources, as well as police violence, mob violence (on which the CNIDH has already made a statement), election preparations (an EU follow-up observation mission took place in October), a new media law, diverse institutional reforms and citizens' access to basic services.

The EU does not support individuals, such as human rights defenders, but pursues a capacity-building approach of 'training the trainers' for national NGOs through the DINIKA programme. This programme is intended on the one hand to strengthen the capacity of Malagasy CSOs in order to help them to be responsible, informed and economically competent partners, and on the other hand to strengthen advocacy capacity and provide close guidance to local and national Malagasy CSOs in order to raise awareness among citizens of their social, economic and political rights. Civil society continues to play a role in condemning human rights violations, as do, for example, the Rohy platform in relation to corruption, Alliance Voahary Gasy in terms of environmental human rights violations (illicit trafficking of resources), and SEFAFI (L'Observatoire de la vie publique) as regards public life and analysis of political matters.

In addition to the PASSOBA programme, which aims to improve financial access to education and promote the quality of education and educational services in nine out of 21 regions in the country, several smaller children's rights projects were also ongoing.

In terms of the promotion of women's rights, some of the priorities with partner CSOs include the fight against marital and domestic violence, support for women to access justice, the fight against impunity in cases of violence, support for women and children facing legal issues, access to land, women in rural economies, and vulnerable families from the capital. In the area of administration and justice the programme 'Administration for All' is managed directly by the Delegation. This programme concerns all areas of state intervention relating to human rights and is being carried out in dialogue with the government. UPR recommendations are being progressively implemented. One such example is the creation of the CNIDH (2014 UPR).

The UN Special Rapporteur on human rights and the environment visited the country at the end of October 2016 and made an appeal in favour of strengthening the fight against corruption and illicit trafficking. He also denounced various well-known cases.

The biggest challenges to promoting human rights will be tackling poverty and corruption, preventing the degradation of the security situation, and in particular organising peaceful, transparent, fair and free elections.

Republic of Malawi

In 2016, the overall human rights situation in the country remained fairly stable. The main challenges continue to relate to gender equality, violence against women and children, high rates of child marriage, albinism, discrimination on the basis of sexual orientation, detention conditions in prisons, economic and social rights, and in particular access to food and health services.

In 2016, the EU objectives for human rights and democracy in the framework of its relations with Malawi focused on persons with albinism, gender-based violence, the human rights of LGBTI persons, gender equality, prisons, electoral reform and maintaining a free press.

Basic freedoms such as those of association, movement, speech and assembly are protected by the constitution and generally considered as being respected. Malawi has adopted a number of laws aimed at improving the human rights situation. Malawi is making some positive strides towards the attainment of gender equality, gender equity and women's empowerment. Key

achievements include 40% University of Malawi enrolment, 100% scholarship for female medical students, and the development and review of legislation with a gender perspective. Gender-based violence (GBV) remains one of the biggest development challenges in Malawi. Several factors contribute to this prevalence of GBV, including early marriage, harmful cultural practices, religious beliefs, low literacy levels and low economic empowerment.

The legal framework governing political parties in Malawi is weak, and requires review and reform. Legislation could be introduced to regulate privately raised political party funds which would improve transparency and accountability, as would political parties being required to publish annual audited accounts.

The 2014 elections were marked by irregularities and vote-rigging allegations which resulted in widespread distrust in electoral governance. The EU EOM reaffirmed the need to address the electoral system's weaknesses before the next elections in 2019. The current electoral reform process is advancing slowly and EU support will continue.

The EU as a whole engages the Malawi government on human rights as part of the Malawi Article 8 Political Dialogue. The Delegation raised human rights issues in demarches and other forums including with the Ministry of Justice and Constitutional Affairs. In 2016 the EU Missions also continued their regular exchanges with some of the leading human rights organisations in the country and with other key partners such as the US and the UN.

The Delegation is in regular contact with local civil society organisations and human rights defenders.

Malawi benefited from EU support to strengthen human rights observance in the country through capacity building at the Malawi Human Rights Commission. The EU continued to support the gender equality agenda through the gender equality and women's empowerment (GEWE) projects in partnership with the United Nations Population Fund (UNFPA), as well as smaller interventions with local NGOs. The EU and Member States continued their support for local CSOs advocating the rights persons belonging to minorities and vulnerable groups, including LGBTI people and persons with albinism. The issue of child rights is also being addressed through projects supporting the strengthening of child protection systems.

Republic of Mali

2016 was marked by the slow implementation of the peace agreement signed in 2015 between the government of Mali and two armed movements, and by a stark deterioration of the security situation with a resurgence of terrorist attacks targeting members of the Malian armed forces, international forces, local government officials, humanitarian organisations and civilians. The overall human rights situation in Mali therefore remained marked by systematic human rights violations in this security context. Systematic abuses included arbitrary killings, torture, prolonged illegal detention, recruitment of minors by armed groups, sexual violence, and intimidation. The humanitarian situation of refugees and internally displaced persons due to the conflict remained dire.

The EU's priorities on human rights remained unchanged. These include advocating for peace, reconciliation and justice; promoting respect for women's, children's and other

vulnerable groups' rights; supporting efforts to fight impunity by strengthening the chronically neglected judiciary; and supporting efforts to fight the widespread corruption in the country.

In addition to the impact of the security crisis on human rights, other issues in Mali include gender-based violence, including female genital mutilation/cutting (FGM/C); trafficking in human beings; harsh prison conditions; reports of slavery and child labour and smuggling of migrants; and discrimination against certain groups such as persons with disabilities, persons with albinism, and on the grounds of ethnicity (e.g. black Tuaregs). The deeply entrenched official corruption and a weak and inefficient judiciary that contributes to persistent impunity and violation of the legal rights of arrested and accused people, as well as to overcrowded prisons, are additional issues to highlight.

In November 2016 local elections were held in 92% of the country's 703 municipalities, with women representing about 31% of all candidates. While the polls were conducted in a generally acceptable manner, obstruction by armed individuals and insecurity prevented voting in 43 municipalities in the northern and central regions. Four Malian soldiers charged with securing the transport of ballot boxes were killed in an attack.

2016 also saw tangible improvements on human rights. The Truth, Justice and Reconciliation Commission continued to expand its regional presence across the country including in most parts of the north. In November 2016, the Council of Ministers endorsed the national policy on human rights, focusing on human rights promotion and protection, assistance to human rights actors and international human rights cooperation. A human rights department was created within the Ministry of Justice and Human Rights to implement the policy. In November, the trial of General Amadou Haya Sanogo and 17 co-defendants, accused of human rights crimes against Malian officers in 2012, began in Mali, marking a positive step in the fight against impunity in the country. Finally, the reform of the National Commission for Human Rights according to the Paris Principles is also worth noting.

The EU, as a member of the international mediation team for the peace agreement, remained actively engaged in international efforts to secure peace in Mali. The EU furthermore strongly supported, politically and operationally, the reform of the National Commission for Human Rights. In 2016, the EU Delegation launched a specific human rights coordination exercise among Mali's donors, and continued to spearhead the political dialogue with the authorities on corruption and illicit enrichment, which represent a major obstacle to Mali's development. In more operational terms, the EU's CSDP missions in Mali, EUTM Mali and EUCAP Sahel Mali, in collaboration with the UN mission in Mali, continued to train members of the Malian defence and security forces on human rights law and international humanitarian law.

The EU Delegation supports the implementation of the national development strategy and the 2015 peace agreement through its general budget support (State Building Contract (SBC) II – disbursement of EUR 69.5 million in 2016). Clearance for the disbursement of 2016 rested in particular on the establishment and operationalisation of the Truth, Justice and Reconciliation Commission (CVJR) as well as the Disarmament, Demobilisation and Reintegration Commission (DRR). The same instrument also addressed the fight against corruption in its performance indicators for the variable tranche. One of these indicators centred on internal control and

follow-up by the audited entities on the recommendations issued by the competent body (the CGSP or General Controller for Public Services). This indicator was found to be fulfilled in 2016.

A rider to an EIDHR contract finalised in late 2016 enables the EU to support the participation of the plaintiffs in the much-publicised trial of the former junta leader, Amadou Haya Sanogo, accused of extrajudicial killings against a specific unit of the military, the 'Bérets Rouges', considered at the time unsupportive of the military coup. With the same instrument (EIDHR) the EU supports the National Commission for Human Rights (CNDH), allowing it in particular in 2016 to visit prisons and cells in police stations and report on conditions of detention in Mali.

EU support also accrues to local civil society organisations for lobbying, monitoring and sensitisation on the rights of children and youths (four ongoing EIDHR contracts).

Funding from the Instrument contributing to Stability and Peace benefits a local studio, Studio Tamani, producing with the support of Fondation Hirondelle content such as news, talk shows and programmes on children and women aired on a daily basis by 56 local radio stations in five languages across the country. The prominence and ratings of these shows are extremely high in remote areas of Mali such as Timbuktu and Kidal. They contribute to defusing tensions among communities in these conflict-prone areas, by relaying more neutral information on politics and security and by promoting peaceful confrontation of views.

Under the Emergency Trust Fund (TF) for Sahel, the EU Delegation is currently mooting a project proposal for community outreach by the security forces in the central region (Mopti), the institutional capacity of which will be supported by another TF project, PARSEC, approved by the TF Operational Committee in 2016.

Mali has ratified most international and regional human rights treaties, all ILO fundamental conventions and their Protocols. In 2016, Mali continued to engage with the UN human rights system, including with the UN Independent Expert on the situation of human rights in Mali, who visited the country at the end 2015 and published his report in January 2016. Mali also participated in the discussions on its sixth and seventh reports at the Committee on the Elimination of Discrimination against Women in July. Mali remained supportive of the ICC despite a sensitive regional context. The ICC trial in September 2016 of an Islamic militant who helped destroy the Timbuktu shrines during the 2012 conflict was widely recognised as a ground-breaking event for Mali and for international justice.

Substantial progress is needed in areas such as the fight against impunity, in particular with regards to human rights abuses committed during the 2012 crisis, including by setting up an independent national preventive mechanism for monitoring places of detention. Progress is also needed on women's and girls' rights and gender equality in all areas, including sexual and reproductive health and rights. This is particularly important since the situation of women and girls continues to be strongly impacted by a retrograde Family Code passed in 2011, following pressure from religious movements to abolish a previous, more progressive law. Women also need to be effectively included in the implementation of the peace process. The authorities also need to continue establishing the necessary legal frameworks to protect human rights, such as the law on the social protection of persons with disabilities.

Islamic Republic of Mauritania

Mauritania is facing crucial domestic and external challenges. Relations between the country's different communities are becoming increasingly difficult due to a feeling of exclusion and discrimination among the black and Haratin communities, which may lead to radicalisation and pose a threat to national unity.

The EU's human rights action in Mauritania concentrates on improving the justice system; the fight against slavery; combating torture and ill-treatment, especially by supporting the relevant national preventive mechanism; ethnic and gender discrimination, especially violence against women; the status of civil society organisations; and the abolition of the death penalty. The rights of migrants have also been at the centre of EU concerns.

There is still a gap between the rather advanced legislation against slavery and its remnants and the implementation of that legislation. A new anti-slavery law was adopted in 2015, but due to the absence of robust implementation and monitoring mechanisms, the impact of these progressive policies is modest. A first and only sentence was issued in 2016. Shortcomings in the implementation of fundamental ILO Forced Labour Convention were highlighted in 2016 by the International Labour Conference, which urged the government to strictly enforce the 2015 legislation. The EU issued a statement at the ILO and is providing concrete support for the government's commitment to implement the road map for the eradication of contemporary forms of slavery, and follow up on the implementation of recent legislation against slavery.

The situation of women is still a source of concern. There has been no progress towards the approval of the draft new act preventing all types of violence against women, which is still blocked in the parliament. The EU has been supporting the approval of this new draft act as well as the implementation of the existing action plan on gender for 2015-2018 and the programme to eliminate female genital mutilation (FGM).

In the field of justice there is still no sectoral policy with mid-term priorities approved. A three-year action plan and a national strategy for access to justice were adopted in 2016 as a basis for further reforms. Results are not yet visible. There has been no progress on the status of NGOs and political parties either. A controversial new act on associations has been blocked in parliament amid criticism that it maintains the present system requiring prior authorisation and gives discretionary powers to the Ministry of the Interior concerning the registration of NGOs and political parties.

Mauritania is managing to preserve apparent internal stability under President Mohamed Ould Abdel Aziz, who has been in power since 2009 and is now in the middle of his second and last term. President Aziz has clearly stated that he will respect the constitutional two-term limit. A national political dialogue took place in October 2016 but was boycotted by an important part of the opposition. It resulted in a series of proposals for constitutional changes, including the abolition of the Senate and changes to the country's flag and anthem. The proposed amendments will need to be approved in 2017, and will possibly be followed by early legislative and local elections.

Human rights dialogue with the authorities and human rights defenders was intensified throughout 2016, particularly around two main cases for which the EU issued local statements

and met the members of the government concerned. Those two cases are also illustrative of Mauritanian internal tensions. The first case concerns a young blogger sentenced to death for apostasy at the end of 2014, but who is still in prison awaiting another trial. Mauritania had never before issued a death sentence for apostasy in the country's 56 years of history. The regular vocal demonstrations calling for his execution illustrate the risk of radicalisation of part of Mauritanian society. Another case concerns the anti-slavery movement IRA (Initiative de Resurgence du Mouvement Abolitionniste), which involved the trial and sentencing of 13 activists amid procedural irregularities and credible allegations of torture in detention. The Appeal Court reduced the sentences and freed most of them but three activists remained imprisoned. Despite calls by the EU and other international actors, no investigation into the allegations of torture and mistreatment in detention was opened.

Three projects were implemented in 2016 under the European Instrument for Democracy and Human Rights (EIDHR) and the DCI, covering the protection of vulnerable children, the economic empowerment of former slaves and support for peaceful coexistence among communities (resolution of land disputes). Three new projects will be implemented in 2017 and 2018 in relation to the fight against slavery and prisons, and the new call for proposals will cover projects addressing violence against women.

The Mauritanian government has tightened measures allowing migrants to regularise their stay and obtain work permits, with a view to improving security controls. The EU collaborates with the Mauritanian authorities and civil society in order to ensure respect for the rights of migrants. Two of the EU Trust Fund projects for Mauritania approved in 2016 are focusing respectively on the situation of unaccompanied children and on the conditions under which migrants are returned to their countries of origin. A project under the Regional Development and Protection (RDPP) programme was launched in Mauritania to increase local support capacity to assist stranded and vulnerable migrants through health, legal and reintegration support.

The United Nations Special Rapporteur on extreme poverty and human rights visited the country in May 2016. His report was rejected by the government as biased. Overall, however, Mauritania has always accepted the requests to visit the country by all UN Special Rapporteurs and has shown willingness to collaborate with international human rights institutions.

The gap between legislation and implementation was pointed out by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, who visited the country at the beginning of 2016. He particularly stressed the prevention of torture during detention and the almost complete lack of investigations into alleged cases of torture and ill-treatment.

Republic of Mauritius

By international standards, Mauritius generally has a good track record on protecting and respect for human rights. It remains the top-ranking country in overall governance in Africa for the tenth consecutive year according to the Mo Ibrahim Index of African Governance (IIAG) 2016.

The EU's priorities are the advancement of women's rights, the protection of children's rights and the elimination of violence against children, the protection of the human rights of LGBTI persons, and the strengthening of the rule of law and of human rights institutions.

Domestic violence continues to remain a critical problem. 25% women say they have been subjected to some form of gender-based violence. Further efforts to improve human rights are needed in the fields of gender equality, violence against women and children, discrimination against LGBT persons, and detention conditions.

Positive steps were taken by the government in 2016 through several legislative changes, such as the Protection From Domestic Violence (Amendment) Bill and the National Women's Council Bill, which provides for a more modern and appropriate legislative framework in order to promote women's empowerment and gender equality. The child protection strategy and action plan was also finalised, in relation to which the EU had significantly supported the Ministry of Gender Equality, Child Development and Family Welfare in 2014 and 2015.

The improvement of maternal health for vulnerable groups and the reduction of infant mortality are among key results in the current budget support programme being implemented in the Republic of Mauritius over the period of 2013-2016.

The EU continued to engage in human rights and democracy discussions with the Republic of Mauritius in various formats, including through the Article 8 Political Dialogue held in January 2016 and development cooperation.

Gender issues featured prominently in the EU's public diplomacy. The EU and its Member States continued to support the fight against gender-based violence through a campaign, 'Ansam kont la violans', led by the EU Delegation. This campaign saw the participation of well-known personalities and received widespread media coverage, including on social media.

Throughout 2016 the Head of the EU Delegation gave special prominence to gender issues in her public activities, and in June she participated as a panellist in the international Women's Forum organised by the President of the Republic. The EU also had regular contacts with human rights defenders, notably on conditions of detention and the human rights of LGBTI people.

Republic of Mozambique

In 2016, the overall human rights situation deteriorated in Mozambique. This was mainly linked to the political and military tension between the government and the Renamo opposition party. Unsolved assassinations, political repression and intimidation targeting government opponents in particular has continued, while, in conflict-affected areas, Mozambicans continued fleeing to neighbouring countries to avoid violence.

The EU's priorities reflect developments regarding political and military tension. In parallel to peace and democratic reconciliation, support for the strengthening of civil and political rights such as freedom of expression, access to information and the rule of law are also among the priorities. Particular attention has been also paid to women's rights, including the implementation of the national strategy to end child marriage.

The drafting of a democracy profile/action plan was intended to make it easier to identify joint priorities with the Member States. In this regard, encouraging dialogue with a view to sustained reconciliation and a more inclusive democratic settlement has been a constant EU concern. The spokesperson for the HRVP made three statements in this regard. The EU has

been also proactive in supporting basic rights and freedoms, including freedom of expression. These issues, as well as the need to reinforce the rule of law, were on the agenda for the Article 8 Political Dialogue (two sessions held in 2016).

The government of Mozambique announced that the UN Special Rapporteur on extrajudicial, summary or arbitrary executions would visit the country in 2017. Other issues related to human rights defenders and individual cases were also addressed with the government on various occasions. Protection was extended to HRDs by accompanying them when they were summoned by police. The European Instrument for Democracy and Human Rights (EIDHR) mechanism was activated in four or five individual cases to cover legal and medical expenses. Also, in two EU-funded projects, riders were accepted to allow NGOs to use contingencies to cover losses after robbery and other acts of intimidation.

Democratisation was supported through 11 EDF projects focusing on civic education and participatory planning. Three EIDHR projects promoting access to information started their activities (access to information in the extractive industry, local community monitoring of social protection programmes, and supporting civil society to promote access to information, rights and freedom of expression). Financial support and technical assistance and training was provided by the EU and Member States to a large number of CSOs, including through the PAANE (EU) and the AGIR programme (Sweden, Netherlands, Denmark). The EU also organised a training session for a group of human rights defenders.

The EU and Member States continued to support CSOs working on women's rights and gender equality (women's economic empowerment, women's political participation, gender-based violence, sexual and reproductive health and rights, access to education). The gender country profile carried out with EU funding was officially launched. Three EIDHR projects on women and children's rights started. The EU was also active in contributing to fighting violence against women and children: an EU-funded project put in place a 'short telephone number' to report domestic violence in Matola. Another EU-funded project put in place a children's helpdesk centre to provide assistance in cases of violence in Pemba (similar helpdesks are operational in Beira and Nacala).

The AGIR program carried out specific work on children's rights and on combating child abuse, child marriage and child trafficking. The programme also engaged with HRDs who fight discrimination against the elderly, children, women, people living with HIV/AIDS, persons with disabilities, and the LGBT community, among others.

Mozambique was visited by the Independent Expert on the enjoyment of human rights by persons with albinism and the Subcommittee on the Prevention of Torture. Mozambique also went through its second Universal Periodic Review (UPR) in 2016, accepting 180 out of 210 recommendations. However, it did not accept important recommendations such as those related to the ICC or LGBTI issues.

Peace and consolidation of democracy remains an important challenge for the future. Moreover, the strengthening of justice and respect for fundamental rights requires further progress. In this regard, despite some progress achieved, gender issues, including equal rights, continue to be worthy of particular attention.

Republic of Namibia

In 2016, the overall human rights situation in the country was satisfactory. Namibia has an advanced legislative framework for the protection of human rights. It is also one of the few countries that have adopted a human rights action plan. However, human rights abuses are reported involving, in particular, the use of excessive force during arrests, lengthy pre-trial detention and discrimination against women and children. Despite the adoption of a national gender policy in 2010, traditional behaviours regarding the subordination of women contribute to widespread domestic violence, including rape and murder.

Throughout 2016, the EU's priority was the promotion and protection of women's rights (including curbing gender-based violence), of children's rights and of minorities' rights (with special attention paid to indigenous and marginalised people).

Implementation of social and economic rights remains unsatisfactory. Unemployment, poverty and inequality continue to be the key challenges that Namibia faces and also affect the human rights situation in the country. This socio-economic environment, coupled with drug and alcohol abuse and insufficient education, favours a climate in which violence against women and girls is widespread. Other recent incidents concern freedom of the media despite Namibia's high ranking in this matter. For instance, in early 2016, state authorities ordered the confiscation of film material from a Japanese film crew investigating the employment of DPRK workers in Namibia. Even though this was one isolated incident, it fits into the overall picture that the government tries to rein in the media on some topics.

An important positive development has been the adoption of the national anti-corruption strategy. A bill on the protection of whistle-blowers and a bill on witness protection have been drafted and are now under consideration at the Ministry of Justice. The Ministry of Justice is also in the process of amending the Extradition Act to ensure that Namibia does not become a safe haven for fugitives. Three important pieces of legislation which are the key to strengthening the protection of children's rights were initiated in 2016 and are still under consideration: the draft National Population Registration Bill, the draft Electronic Transaction and Cybercrime Bill and the draft Child Justice Bill (which increases the age for criminal accountability to 12 years old from 7 years old previously).

The EU continued to engage in human rights and democracy discussions with Namibia in various settings. The Article 8 Political Dialogue took place on 8 June 2016 and covered core human rights-related issues, namely voting patterns at the UN, the ICC, and follow-up to the last UPR (including minorities, LGBTI issues, women's and children's rights, gender-based violence, and judicial administration).

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), and the European Instrument for Democracy and Human Rights (EIDHR). The specific objectives of the 2016 EIDHR call for proposals are the promotion and protection of women's and girls' rights, targeting specifically gender-based violence and teenage pregnancy, and the protection and promotion of cultural rights, with special attention given to those of ethnic minorities and indigenous people.

PARMaCM (Programme for Accelerating the Reduction of Maternal and Child Mortality) was successfully implemented and is closing in 2017. Under the programme, maternity waiting homes are being built next to health facilities in four regions across Namibia to replace the makeshift camps and provide rural women a safe place to stay while awaiting delivery.

The Contribution Agreement with UNICEF, 'Social Accountability and School Governance in the Education Sector in Namibia', successfully came to an end in mid-2016. The project succeeded in enabling CSOs and regional and national-level educators to lead the development and the application of social accountability tools with school communities and to educate them about children's rights and civic responsibility.

MoMu (Moving on, Moving up – Ensuring the inclusion of young people living with HIV) was successfully implemented and ended in 2016. The project's main objective was to empower vulnerable young people to overcome social exclusion and poverty by facilitating life skills workshops and meetings and by reaching out to youth through different media platforms.

The CLaSH (Association for Children with Language, Speech and Hearing Impairments of Namibia) project 'Empowerment through Education – Hearing-impaired children, their families and community' was successfully implemented and ended in 2016. It focused on increasing public awareness regarding hearing loss in children and the need for appropriate early intervention and sustained support strategies.

The LGBTI project 'Combating discrimination & promoting the equal rights of LGBTI people in Namibia' was successfully implemented in eight regions of Namibia and ended in 2016. Under the programme, the knowledge, skills and capacity of LGBTI organisations were developed.

Republic of Niger

The human rights situation in Niger is still marked by extreme fragility characterised by a vulnerable economic and critical regional security situation, mainly due to the consequences of the state of emergency in Diffa and the renewed attacks in the vicinity of northern Mali. Niger is at the crossroads of the crises in southern Libya, northern Mali, and the Lake Chad region, and has to dedicate a lot of resources (both human and financial) to prevent these trouble spots from expanding into the country. The security challenges and budgetary efforts to address them are worsening a difficult financial situation caused by low raw material prices, the financial crisis in Nigeria, and the impact of climate change on agro-pastoralism.

Against this background, EU action is focused on a set of four strategic priorities: consolidating democratic principles and the rule of law; enabling access to a fair, independent and equitable justice system for all citizens throughout the country; giving Nigerien women their place in the life of the country and the full enjoyment of their rights; allowing Nigeriens to live and work in peace, dignity, and security, benefiting from the services to which the state must give access.

No major human rights violations have been reported. However some situations deserve close monitoring and further follow-up, including several people kept in detention without trial for long periods, and some signs of religious intolerance noted on social networks and in the preaching of some imams. Despite two EU demarches, Niger changed its vote on a Resolution on a moratorium on the death penalty from positive to abstention in 2016.

The presidential and legislative elections absorbed most of the attention during the first trimester of 2016. Amidst a tense political context, President Issoufou was re-elected by a large majority for a second and last term, in a process boycotted by the opposition. President Issoufou and his government can count on a comfortable majority in the parliament, which should favour the implementation of the main axes of his programme, 'Renaissance Acte II', including those related to democracy and human rights. Niger needs also to face the new challenge of the management of increasing irregular migration flows transiting through the country towards Libya and Europe.

Nigerien authorities are politically committed to implementing international and domestic legislation on human rights. Human rights mainstreaming in Nigerien legislation, the dissemination and popularisation of relevant texts, and the transcription of customs as a legal tool in complementarity with modern law continue to be priorities under the various human rights plans. There is, however, an operational gap due to a lack of human and financial resources and also, in some cases, a lack of ownership, in particular regarding women's status, despite some progress such as the creation of a minister dedicated specifically to women and childhood.

The situation of stranded migrants is a growing concern being addressed by the EU. Niger is also dealing with the return of its own migrant population from Libya and Algeria. The EU supports action to improve their situation by providing comprehensive assistance, including better conditions for those ready for voluntary return to their country of origin. As regards asylum, Niger has an open and welcoming attitude towards the applicants and the refugees on its territory. In addition, there are a limited number of cases falling under UNHCR's mandate in the face of a poorly designed referral system, which offers only one option for seeking asylum in Niger. Through the Regional Development and Protection Programme (RDPP), the EU promotes access for migrants to status determination procedures, reception conditions and assistance for asylum seekers.

Regarding EU support, each of the priorities set out in the strategy is the subject of sectoral dialogue. Regular bilateral contacts and meetings with the Commission Nationale des Droits de l'Homme (CNDH) are maintained on specific issues which the Commission has investigated (e.g. the human rights situation in the Diffa region following the declaration of a state of emergency). The work of human rights defenders action is generally respected. However, cases of arrests or intimidation are occasionally reported, following statements or publications challenging government action.

The budget support programs also support very important human rights issues, such as access to justice (including through the improvement of the functioning of judicial services and the reduction of the pre-trial population), access to health and to education, especially for the least advantaged groups, including women and girls. The new Sector Reform Contract for the education sector signed in 2016 has, as its main objective, the reduction of discrimination in access to education according to sex, social class and place of residence.

General budget support in 2016 has focused in particular on the electoral process through a specific envelope of EUR 4 million in order to contribute to the transparency and equity of this process.

PAJED II (Programme for Supporting Justice and the Rule of Law) continued its support for certain activities of the National Commission for Human Rights (CNDH) and the National Commission for the coordination of the fight against smuggling and trafficking of human beings, responsible for designing national strategies in the sector.

Under the European Instrument for Democracy and Human Rights (EIDHR), one new project was signed in 2016 with the National Commission for Human Rights to support its strategy. Two other contracts will be signed in 2017. These new projects complement existing actions to improve prison conditions, including the living conditions of imprisoned minors, and fight against child marriages and all forms of slavery.

The EUCAP Sahel Niger Mission continues to train security forces and some justice stakeholders on the correct implementation of anti-terrorism and migration legislation in full respect for human rights and international humanitarian legislation, criminal law, and the protection of victims and vulnerable groups such as women, children, migrants and refugees.

Niger passed the Universal Periodic Review (UPR) in 2016. Of the 168 recommendations made during the previous review, Niger accepted 164, and 'noted' one. The last three relating to the rights of nomads and farmers were deferred.

Federal Republic of Nigeria

Although Nigeria has experienced democratic change leading inter alia to a strong political debate and vibrant media, the overall human rights situation in 2016 remained marked by human rights violations perpetrated by security forces, both in their fight against and in the repression of crime. A weak and corrupt criminal justice system does not provide sufficient control. Nigeria is a signatory to the main international human rights instruments and has passed important laws to protect the rights of its citizens. However, enforcement and fulfilment of legal obligations remain a challenge, and government has proven reluctant to investigate and prosecute human rights violations when perceived to contradict national security interests. The inadequacy of social services, in combination with a highly unequal distribution of income, hinders Nigerian citizens from enjoying their economic, social and cultural rights. Sharia is in place in 12 states and contains provisions that legitimise discrimination against and the marginalisation of women. The Same Sex Marriage Prohibition Bill passed into law in 2014, continues to criminalize same-sex relationships, gay marriage and membership of LGBTI organisations. The vast majority of society are very conservative in the area of sexual rights, and support the bill.

The EU's priorities are the protection of human rights in conflict situations, the promotion of credible and transparent elections, access to the justice system, the promotion of the rights of persons belonging to minorities, and the rights of women.

There are various problems, relating especially to the brutality and lack of accountability of the security forces, the use of torture, which is still the basis of convictions in the great majority of cases, and unlawful detention. The right to peaceful assembly for religious or regional minorities has sometimes been violated or limited, as shown by the Zaria killing of Shias, or by the heavy-handed repression of illegal gatherings of Biafra activists in May 2016. Some justice decisions have not been implemented by the authorities on the grounds of national security.

In 2015, presidential and parliamentary elections provided a resounding victory for Muhammadu Buhari's All Progressives Congress (APC) over Goodluck Jonathan's People's Democratic Party (PDP). It marked the first time in the history of Nigeria that an incumbent president lost to an opposition candidate in a general election. The most recent elections were generally regarded as fair and well-conducted, but continued to be marred by violence (160 deaths compared to 1 200 in the previous poll).

The adoption of the Administration of Criminal Justice Act could, if implemented, reduce impunity and delays.

The EU continues to engage in human rights and democracy discussions with Nigeria in various settings. The latest human rights dialogue was held in November in Abuja between EU Heads of Mission and the Permanent Secretary of the Ministry of Foreign Affairs. The EU has not hesitated to voice concerns, through statements (on the death penalty, impunity, Boko Haram, the Zaria incident, child labour etc.) and public events (workshops, International Human Rights Day, World Press Freedom Day, International Labour Conference) to call upon Nigeria to ensure full respect for human rights.

Support to civil society benefits mainly human rights defenders.

In 2016, the EU continued to provide support to projects funded through the European Development Fund (EDF), and the rule of law, governance and democracy remains one of the three focal sectors under the 11th EDF (2014-2020).

The EU has supported federal and local governance reforms to strengthen accountability. It also supports the justice sector and the criminal justice system to improve their accessibility and respect for human rights. The EU encourages women's participation in the peace process in northern Nigeria, strengthening women's capacity to monitor human rights. Moreover, the EU supports democratic governance in Nigeria through the strengthening of civil society organisations with one project on democratic governance and one on citizen-driven transformation.

Republic of Rwanda

2016 offered a mixed picture of significant human rights violations and restrictions on the one hand, with some progress on the other. Freedom of expression and freedom of assembly remained limited. Reports of arbitrary detention, notably of destitute and marginalised citizens in 'transit' centres continued. There were reports of enforced disappearances and disproportionate use of force by armed and security forces. At the same time, the government has demonstrated commitment to social and economic rights such as women's rights and their empowerment, and has engaged in the UN's Universal Periodic Review (UPR) process.

In 2016 the EU continued to focus its activities on five main themes: creating an environment conducive to freedom of expression; promoting freedom of association for an open and inclusive society; ensuring the inclusiveness of civil society; protecting active and vocal human rights defenders; and strengthening measures to counter torture and illegal detention.

Fundamental political rights such as freedom of expression, assembly and association are limited. Strict regulations and occasional harassment hamper the ability of civil society and of the political opposition to act independently. Arbitrary and often lengthy detentions of Rwandans, many in transit centres, remain an issue. Reportedly most of the detainees in transit centres are street hawkers, addicts, and in some cases even minors that are meant to be rehabilitated by this experience. There are reports of ill-treatment, violence and disproportionate use of force by the police and the armed forces. The Rwandan authorities have yet to grant access to these centres to relevant NGOs and the diplomatic community.

The country is proud of its consensus-based approach to governance and Rwandans are encouraged to take part in dialogue with the representatives of authorities. Local elections were held in 2016, with presidential elections set for August 2017, and parliamentary elections due in 2018. The registration of political movements and opposition candidates still appears difficult. There have been reports that members of unregistered parties continue to face arrests and harassment. The legal electoral framework lacks clarity, with the electoral law still unpublished in December 2016 – seven months away from the launch of the election campaign.

The Ministry of Justice has produced a roadmap for action alongside the National Human Rights Commission and a Civil Society Coalition, but it is yet to be implemented. Rwanda continued to rise up the Global Gender Gap Report, to fifth place globally in 2016. Rwanda also kept its standing at third place in Africa in Transparency International's Corruption Perception Index. Authorities engaged closely with Never Again and Interpeace's 2016 research and recommendations on 'Governing with and for Citizens'. Following a study visit to the Netherlands by the Minister for Justice, the government has started work on improving the regulatory framework for the transit centres.

The EU and Member States continued to address human rights and democracy issues during its twice-yearly political dialogue with government, as per Article 8 of the Cotonou Agreement, as well as at different levels. The Delegation also organised public diplomacy events such as debate panels, essay competitions, radio shows and workshops. It marked occasions such as International Press Freedom Day and International Human Rights Day. The EU and Member States visited prisons and refugee camps and continued to call upon the country to get access to prisons and transit centres.

In late 2016, following a visit by a delegation of European Parliamentarians from the Committee on Women's Rights and Gender Equality, the European Parliament adopted a resolution on Rwanda, criticising the regime for its deteriorating human rights record.

The EU closely follows the human rights situation in Rwanda, including the critical situation of human rights defenders. It raises individual cases in meetings with authorities as appropriate. The EU also supports civil society and its actors through the European Instrument for Democracy and Human Rights (EIDHR).

Overall, 14 human rights and democratisation-related projects were funded in 2016 through EIDHR, CSO-LA and EDF funding. These projects focused on reinforcing the capacity of civil society in relation to human rights, promoting the rights of the child, enhancing citizen

participation, promoting effective and accountable governance and equitable justice, and raising general awareness of human rights. Several projects concretely contributed to the release of a dozen people who had been illegally detained.

In the UN, Rwanda is one of the most influential partners within the African group and it often favours resolutions supported by the EU. However, in 2016 Rwanda abstained from voting on the resolution of the UN General Assembly for a moratorium on the use of the death penalty, whereas it had supported this move in previous sessions. Rwanda was elected as a member of the UN Human Rights Council and will take up its duties in January 2017. Rwanda is not a member of the ICC.

The government has worked on the 50 out of 83 recommendations that it accepted for the UPR cycle 2015-2019. A consultative process took place to draw up a road map to support the implementation of the recommendations. The government is yet to complete its national human rights action plan.

In 2016, Rwanda announced that it was withdrawing its Article 34(6) Declaration from the Protocol on the African Court on Human and Peoples' Rights, meaning that individual Rwandans can no longer file complaints directly.

Democratic Republic of São Tomé and Príncipe

In 2016, the country went through a presidential election which brought about a peaceful transition in the Presidency, in spite of some confusion during the electoral process and the regrettable withdrawal of the incumbent president from the second round of the election. The country now has the same party controlling the two branches of the executive and enjoys a comfortable majority in parliament. Despite an overall positive human rights record in terms of civil and political rights, some issues remain a concern: gender-based discrimination and violence, including domestic violence, child labour and sexual abuse against children still need to be addressed, as does corruption.

The EU's priorities in São Tomé and Príncipe are economic, social and cultural rights (including access to drinkable water), the rights of the child, women's rights and gender equality, and encouraging the ratification of human rights instruments and the incorporation of their provisions into the national legislation. This last point included outreaches concerning the Rome Statute.

The main human rights issues in São Tomé and Príncipe are gender-based discrimination and violence, children' rights, access to justice, poor access to social services, and corruption.

At the end of 2016 the country took the necessary steps to ratify five key UN conventions: the Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Protection of the Rights of All Migrants Workers and Members of their Families (ICRMW); the Convention on the Elimination of All Forms of Racial Discrimination (CERD); and the Covenant on Civil and Political Rights (ICCPR), as well as its Second Optional Protocol, aiming at the abolition of the death penalty.

The Family Law is being reviewed with the intention of linking women's rights to the fight against poverty. The authorities of São Tomé are also developing the 2016/2017 action plan to implement the national child protection policy. The country has shown tangible progress concerning the fight against malaria, thus reducing the mortality index, especially for children. However, the rupture of diplomatic relations with the foremost development partner in the fight against malaria, Taiwan, and a reduction in the activities of the Global Fund to fight AIDS, Tuberculosis and Malaria might jeopardise this achievement.

The EU addressed human rights and democratisation issues in its formal political dialogue with the authorities as well as in bilateral meetings. Several demarches were also carried out on a number of human rights-related issues, especially in order to advocate the ratification of the Rome Statute and other key international human rights instruments and their transposition into the domestic legal framework. The EU also maintained contacts with civil society organisations and human rights defenders, and their activities were supported through the EU's attendance at their events and through funding.

The EU continued to provide financial support to projects funded through the European Instrument for Democracy and Human Rights (EIDHR), focused on targeting activities to fight against gender-based discrimination and to improve women's participation in social, economic and public life.

The EU has financed projects to promote women's rights and empowerment, combat gender-based violence, defend children's rights, and increase civil society's capacity to make the authorities accountable, as well as projects to improve sanitary conditions (including safe drinking water) and the standard of living in vulnerable communities with local actors and civil society actors.

São Tomé and Príncipe underwent the last Universal Periodic Review (UPR) in November 2015. The UPR has been an important tool to engage with the government on many essential human rights issues in 2016, including the ratification of human rights instruments, the rights of the child, gender-based and domestic violence, and the rights of persons with disabilities. São Tomé and Príncipe has extended a standing invitation to the UN Human Rights Council's Special Procedures.

Currently, São Tomé and Príncipe is preparing a first (overdue) report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in collaboration with the INPG (the national institute for gender equality) and the United Nations Populations Fund (UNFPA).

Although the political decision has been taken, the position of the Ombudsman has not been created yet. Establishing a national human rights institution in line with the Paris Principles would also be an important institutional step.

Further progress in protecting the human rights of women and children should be an important priority, including through the implementation of the national plan on child labour and the creation of the National Child Rights Committee, and the enforcement of the Penal Code's provisions on child sexual abuse. Finally, stepping up efforts to fight corruption,

improve prison conditions and broaden access to justice for the most vulnerable groups would be a significant step. As per its commitments in the 2015 UPR, it would be a strong signal in terms of the fight against impunity if São Tomé and Príncipe ratified the Rome Statute.

Republic of Seychelles

The 2016 Mo Ibrahim Index of African Governance placed the Seychelles fourth out of 54 African nations on a broad range of governance-related criteria. The EU continued to engage in human rights and democracy discussions with the Republic of Seychelles in various formats, including through political dialogue, public diplomacy and development cooperation. Some positive steps were taken by the government through legislative changes regarding human rights, but more effort is still needed, especially with regard to violence against children, conditions of detention in prison and prolonged pre-trial detention, official corruption, trafficking in human beings, and the weakness of the watchdog institutions.

The EU's objective is to continue to promote respect for human rights, democracy and the rule of law, especially with regard to strengthening electoral processes, strengthening human rights and governance-related institutions, and combating domestic violence.

During the political dialogue of June 2016, the government recognised the UPR as providing an invaluable platform for frank dialogue on issues of protection of human rights. The decriminalisation of sodomy and same-sex activities in Seychelles in May 2016, for instance, is testimony to the government's commitment to adhering to these recommendations.

Local civil society is present and active but finds its space progressively shrinking. Government restrictions limit their capacity to function and act, e.g. mandatory registration of an LGBTI association with the Registrar can take up to six months.

Independent national human rights institutions, in particular the Ombudsman's office and the Human Rights Commission, have yet to be reinforced.

An Anti-Corruption Commission is also being set up to deal with current gaps and corruption investigations in an independent manner. The Commission will have the ability to investigate corruption in both the public and private sectors. While the country moved up three places on the corruption index, further improvement can be made.

Republic of Sierra Leone

Progress on human rights since the end of the civil war has been remarkable. However, considerable challenges and abuses largely persist.

EU human rights objectives include abolishing the death penalty, promoting gender equality and women's empowerment, enforcing legislation against child labour and exploitation, reducing poverty, and improving access to justice, health and education. Moreover, protecting and advancing the rights of people affected by large-scale land leasing and extractive industries is also an EU priority. The EU raised concerns about the human rights situation in the country with the government at the Human Rights Council.

The human rights legal framework is satisfactory, but the principal challenge continues to be implementation. The Human Rights Commission (HRC) is an effective monitoring body, though since late 2016 it has been inquorate with only two of the five Commissioners in office. There is some concern regarding the government's tendency to tighten control of civil society space, a more restrictive approach to freedom of peaceful assembly and dampening freedom of expression, including on social media, which may be leading to self-censorship.

The Constitutional Review Committee finalised its report in November 2016. The ruling All People's Congress (APC) party representatives were not satisfied with its contents. Ultimately it was decided that those who had divergent opinions on the report would present them in writing, to be added to the final report as an addendum. The original timeline, with the referendum planned at the end of 2017, is unlikely to be respected due to technical preparations.

While the government is committed to maintaining the moratorium on the death penalty, the Minister for the Interior released several statements in favour of the death penalty, stressing that the death penalty is still in the law books, as well as ordering repairs and tests for the gallows. The Constitutional Review Committee's final report did not include provisions on abolishing the death penalty, while the government has yet to finalise the draft Criminal Procedures Act.

The authorities in 2016 showed a negative trend against the right to peaceful assembly. They issued a stern warning against planned protests without prior authorisation and did not grant authorisation when requested. There is also a worrying trend towards tightening rules on the work of NGOs and CSOs, including restrictive and heavy administrative provisions that could limit NGOs' implementation capacity as well as overwhelm the coordination capacities of the government.

After a period of reduced activity due to the prohibition of certain traditional practices during the Ebola outbreak, secret societies for women have been more vocal in calling for the unrestricted practice of FGM. One FGM-related death and one case of forced FGM were reported.

The EU Delegation along with Member States (Germany, Ireland and the United Kingdom) worked tirelessly on the implementation of the EU human rights and democracy strategy for Sierra Leone. This is being achieved through means such as political dialogue with the government, including on the human rights situation and human rights challenges, but also through continuous support to human rights stakeholders, in particular the Human Rights Commission and civil society, and delivering key messages on human rights and democracy as part of public and private discourse as appropriate.

In April 2016, the parliament ratified the United Nations Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

In January 2016 Sierra Leone participated in the second cycle of the Human Rights Council's Universal Periodic Review (UPR). Many of the recommendations recalled the main issues already identified during the first review in 2011. Of 208 total recommendations the government

noted 31: six on LGBTI issues, 18 on FGM/harmful traditional practices, four on the education of pregnant girls, and three on gender equality.

Federal Republic of Somalia

In 2016, the overall human rights situation in the country remained dire. Somalia's long-lasting armed conflict continues to leave civilians dead, wounded, and displaced in large numbers. Al-Shabaab, the violent radical Islamist insurgence, continues to commit gross human rights abuses in areas it controls while targeting civilians in deadly attacks in government-controlled areas such as Mogadishu. Government attempts to remedy the human rights situation have concentrated on the establishment of good governance at federal and regional level. Despite some advancement, progress remains slow and erratic at this time.

The following EU priority areas respond to the specific situation of the country and take into account the EU's capacity and added value in this field: improving justice and enhancing the protection of civilians in Somalia, respect for women's and girls' rights, promoting freedom of expression and the media, and ensuring participation in democratic processes.

The general lack of the rule of law remains the biggest obstacle to protecting human rights. The judiciary and the police are weak, corrupt, and lacking in capacity. Much of the basic legislation is still missing. Impunity for crimes is widespread. The death penalty, summary detentions and executions, and the use of military courts in civilian cases are common. Women and children continue to be among the most vulnerable groups suffering as a result of the continuous conflict, as well as from systematic abuse and discrimination. Women are under-represented in politics and business, and gender-based violence is common. On a positive note, the new parliament sworn in on 27 December 2016 marks a notable increase in women's representation, with about 24% of the seats filled by women. Children's rights remain a concern, despite the ratification of the Convention on the Rights of the Child in 2015. In particular, the recruitment, use, and detention of children in conflict across all parties continues to compromise Somalia's human rights record. When it comes to freedom of expression, Somalia remains one of the most dangerous countries in the world for journalists and bloggers in terms of arbitrary detention and killings, as well as the shutting down of media providers. While the number of killed journalists has declined as the security situation has improved since 2012, Somalia topped the Global Impunity Index for the second year in a row. The constitutional review process made some headway during 2016, with a review of all constitutional chapters having taken place. Broad and concerted political dialogue beyond the constitutionally mandated institutions did not take place, however, and the exclusion of CSOs is of particular concern. The limited electoral process, in which some 14 025 Somalis participated in electing their representatives to the federal parliament, should have been more transparent and inclusive. In practice, reports note high levels of corruption and intimidation. The independent electoral dispute resolution mechanism failed to perform its task as addressing impunity through this tool proved unachievable.

The EU and Member States engaged throughout the year on a number of priority areas. This has included private diplomacy and engagement with the Puntland authorities on issues such as the 50 or more children detained in Garowe prison since March 2016. Far fewer public statements were issued throughout the year compared to 2015, with a preference for the more private channels representing a more effective way forward in terms of obtaining

results. However, on the International and European Day against the Death Penalty, EU Heads of Missions issued a press release on the death penalty in Somalia which also focused on due process, the use of military courts and the need to implement a moratorium on the death penalty in line with commitments in the latest UPR.

On freedom of expression and the media, the EU along with Member States issued a statement expressing concern that the large majority of these cases are not being investigated and calling upon the state to ensure respect, protection and promotion of the rights to freedom of opinion and expression.

EDF actions focused on increasing access to justice by providing legal aid to over 7 800 individuals (with a specific focus on gender-based violence, including sexual violence) and enabling mobile courts to operate in more remote parts of the country so rural populations are 'touched' by state justice (close to 850 cases). Around 3 590 cases were received at Alternative Dispute Resolution Centres. Moreover, 174 scholarships for studying law at university have been supported allowing for more practitioners with an academic foundation in law to be injected into the system. Over 34 000 people were reached (radio and/or television) through legal awareness campaigns focusing on legal rights, the rights of women and children, refugee rights, and gender equality, as well as on raising awareness of the function and mandate of the formal justice system in relation to customary justice.

Throughout 2016 increased attention was paid to adequately capturing the gender statistics of the rule of law actions to allow for baselines to be established. More specific actions in Somaliland targeted the issue of sexual and gender based violence directly and allowed 125 survivors to receive psychosocial and/or medical assistance, and/or to be provided with shelter and safety.

In support of democratisation, the EU deployed an Election Expert Mission to Somalia that is expected to feed its findings into discussions in relation to key priorities for the EU during the new dispensation.

The second Somalia UPR review was held on 22 January 2016 during which the federal government of Somalia (FGS) expressed its commitment to universal human rights and cautioned against Somalia being taken off the international priority list as new hotspots emerged around the globe. Somalia announced that the FGS and human rights defenders had endorsed an action plan for the human rights roadmap which focused on four priority areas: the establishment of the independent National Human Rights Commission, building the capacity of the ministry for human rights, the protection of vulnerable groups and civilians, and compliance with international humanitarian law.

Somalia also actively participated as a core group member in the interactive dialogue with the Independent Expert on Somalia at the 33rd session of the UN Human Rights Council. The associated resolution acknowledged the improvements in the human rights situation as a result of the improved security situation as well as the legislative steps taken such as the passing of the bill on the National Human Rights Commission. However, it expressed concerns about reports of violations and abuses of human rights in Somalia, mainly affecting women, children, IDPs and journalists, and underscored the need to end the culture of impunity.

Overall, in the Somali context public criticism can sometimes be counterproductive if not calibrated in the right manner. Apart from pursuing action in line with the EU priority areas, the EU should pursue a structured human rights dialogue when the new government is in place.

Republic of South Africa

South Africa's impressive and progressive constitution enshrines human rights and protects basic political freedoms. In general, democratic institutions are functioning well and checks and balances are in place. The judiciary is also robust and independent in its action.

The proposal in the new 2017 human rights strategy is to focus EU action on the rule of law, access to justice and the fight against impunity; the reinforcement of accountability mechanisms, including the legislature, judiciary and Chapter 9 institutions; socio-economic rights; gender equality, women's empowerment and gender-based violence; inclusion, including issues relating to migrants, racism, LGBTI people and persons with disabilities; and the international dimension of human rights.

South Africa has an ambitious legal framework to promote and protect socio-economic rights such as to housing, health care, water, employment and education. As South Africa marks the 20th anniversary of the constitution, different sectors of society are increasingly voicing concerns and dissatisfaction about the lack of inclusive transformation.

In spite of important progress made, including on political rights, socio-economic rights are still not accessible to a significant part of the population, and South Africa is the second most unequal country in the world. Poverty, inequality and race go hand in hand.

In 2016, the government of South Africa hosted an African conference on LGBTI issues, and the Minister for Home Affairs banned the entry into South Africa of a US priest on the grounds of hate speech against LGBTI people. The government further renewed its commitment to the fight against racism, launching a public consultation on the national action plan to combat racism, racial discrimination, xenophobia and related intolerance. The South Africa Human Rights Commission also focused on the fight against racism on the occasion of the 20th anniversary of the South African Human Rights Commission (SAHRC), and conducted a large number of investigations into racism allegations, referring them to the Equality Courts.

The fourth EU-South Africa Structured Dialogue Forum on Human Rights took place on 9 November 2016 in Brussels. As strategic partners, both parties share a commitment to democracy, human rights, good governance, tolerance and respect for the rule of law. At the domestic level, the discussions focused on the elimination of racism, racial discrimination, xenophobia and related intolerance as well as policing and human rights. In terms of multilateral issues, both sides discussed country and thematic resolutions, in particular issues related to discrimination against persons based on sexual orientation and gender identity, women's empowerment, transnational corporations and other business enterprises, business and human rights, human rights defenders, the right to development and the realisation of economic, social and cultural rights globally, the promotion and protection of children's rights, private military and security companies, and defending access to justice and protecting victims.

The engagement on human rights in South Africa took various forms in 2016. An integrated approach was meant to bring together technical and financial assistance (including human rights mainstreaming in all development instruments) with public outreach and political dialogue at different levels. Financial assistance is channelled primarily through the European Instrument for Democracy and Human Rights (EIDHR), CSO-LA thematic lines and the financing instrument for development cooperation (DCI - Justice, Education, Health). The EU Delegation, along with EU Member States, also organised public diplomacy events, such as the 'EU Inspiring Thinkers' series. The 2016 events were mainly focused on gender equality and gender-based violence, the human rights of LGBTI persons, policing, and migration. The EU Delegation has a long history of supporting parliamentary institutions. In 2016 a new programme of support for the legislature was approved, aiming at enhancing its oversight capacities. The programme includes a call for proposals to support the participation of CSOs in the oversight cycle of the legislature. In 2016, the EU signed seven grant contracts with CSOs on projects supporting access to socio-economic rights. A specific project was finalised with IOM/Lawyers for Human Rights which contributes to the protection of migrant mine workers' fundamental political, economic and social rights by strengthening the knowledge and organisational and technical capacities of human rights defenders working with migrant mine workers and their families.

South Africa's seat at the UN Human Rights Council (renewed until 2019) has brought to light its complex position on human rights, particularly on multilateral issues. The third Universal Periodic Review (UPR) for South Africa is scheduled for May 2017.

On 19 October 2016, South Africa notified the Secretary-General of the United Nations of its decision to initiate its withdrawal from the Rome Statute of the International Criminal Court (ICC). South Africa played a significant role in the establishment of the ICC and was one of the first signatories of the Rome Statute. In a Declaration by the High Representative on behalf of the European Union on South Africa and Burundi and the ICC on 21 October, the European Union deeply regretted the decision.

The EU will continue to engage with South Africa on how they can remain partners to the Rome Statute during the remaining period of membership. In 2016, both parties decided to consult with relevant stakeholders domestically, with a view to convening a dedicated meeting between South Africa and the EU as soon as possible and before the EU-South Africa Summit in 2017.

Both sides have also agreed to explore ways they could do more together in the future to promote priority issues of common interest and expand cooperation, including follow-up to an event on torture that the EU and South Africa organised in 2016 in Geneva together with Denmark on 'Why we should invest in rehabilitating victims of torture', as well as addressing the issue of migrant children. Both parties have also agreed to share information on current developments and discuss ways to improve the effectiveness and efficiency of the Human Rights Council.

Republic of South Sudan

Violence between the Sudan People's Liberation Movement/Army (SPLM/A), the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-iO) and armed groups increased in scope and intensity during the year. Killing and maiming of civilians, starvation, rape and other

forms of sexual violence, recruitment of child soldiers and attacks on schools, on hospitals and on humanitarian workers were reported. The Transitional Government of National Unity severely restricted human rights and applied pressure on civil society and on the media. In a report to the UN Security Council in November 2016, the UN Secretary-General warned that South Sudan stood on the edge of the abyss and that catastrophe might be imminent.

The EU's priority remained to encourage all parties to implement the ceasefire fully and to participate in an inclusive political process, based on the 2015 Agreement on the Resolution of the Conflict (ARC).

Although a Transitional Government of National Unity was established in April 2016 in accordance with the ARC, further violence broke out in Juba in July and the first vice-president, Riek Machar, fled the country. The UN Office of the High Commissioner for Human Rights and the UN Mission in South Sudan (UNMISS) have reported that in the July fighting, belligerents blatantly ignored human rights law and humanitarian law and deliberately targeted civilians, including on the basis of their ethnicity. The September 2016 report of the UN Panel of Experts on South Sudan noted that the indiscriminate use of weapons in Juba by both SPLA and SPLA-iO in densely populated areas, including the deployment of attack helicopters by the SPLA, displayed a flagrant disregard for the lives of civilians. Hundreds of people, including civilians, were killed. UNMISS documented at least 217 victims of rape committed by the SPLA, SPLA-iO and other armed groups. Many civilians were arbitrarily arrested; while some have subsequently been released, the whereabouts of others remains unknown. Journalists were harassed and intimidated through arrests and threats of violence, and some media outlets were shut down; John Gatluak Nhial, a journalist, was murdered, reportedly by SPLA soldiers.

Although calm subsequently returned to Juba, fighting has continued in many other regions, notably Greater Equatoria. The UN Panel of Experts has noted, for example, numerous reports of indiscriminate targeting of civilians in and around the city of Yei by armed forces affiliated with the SPLA, including extrajudicial killings, rapes, abductions, arbitrary arrests and detentions, torture, beatings, looting and destruction of civilian property.

Recruitment of child soldiers continued. UNICEF reported that some 650 children had been recruited by armed groups since the start of 2016, in addition to the 16 000 child soldiers recruited since December 2013.

Following a mission to South Sudan in November, the UN Special Adviser on the Prevention of Genocide noted that there was a strong risk of escalating ethnic violence, with the potential for genocide. Inflammatory rhetoric had been accompanied by targeted killings and rapes of particular ethnic groups. The Special Adviser noted reports of targeted killings, maiming, mutilation, rape and the barbarous use of machetes to hack families to death.

In February 2016, the National Legislative Assembly adopted a Non-Governmental Organisations Act and a Relief and Rehabilitation Commission Act that, together with implementing regulations, enable intrusive interference in civil society activities by the transitional government. NGOs have subsequently been required to apply for renewals of their registration, with a number of NGOs either rejected or threatened with rejection. The National Security Service (NSS) is empowered to detain suspects, monitor communications,

conduct searches and seize property without judicial oversight. There were reports that the NSS had visited NGOs, inspected telecommunications equipment and demanded 'fees'. Numerous journalists and human rights defenders were attacked as a result of their daily work. On 30 December 2015, Joseph Afandi, editor of El Tabeer newspaper, was detained for writing an article critical of the SPLM and he was released on 19 February. On 4 March 2016, he was kidnapped by unknown men and found four days later with severe burns and evident marks of torture.

South Sudan underwent a Universal Periodic Review (UPR) before the UN Human Rights Council in November 2016. 233 recommendations were made. Concerns were expressed about a wide range of grave human rights violations, including killings of civilians by government forces, arrests of journalists and human rights defenders, recruitment of child soldiers and systematic gender-based violence, including sexual violence, perpetrated in a climate of complete impunity.

Given the gravity of human rights violations in South Sudan, in March 2016 the UN Human Rights Council decided to establish a Commission on Human Rights in South Sudan. In December 2016, the UN Human Rights Council held a special session dedicated to South Sudan. The Council condemned the ongoing human rights violations in South Sudan, including targeted killings, ethnically targeted violence, rape and other forms of sexual and gender-based violence, the widespread recruitment and use of children, arbitrary arrests and detention, torture, arbitrary denial of humanitarian access and attacks on schools, places of worship, hospitals and United Nations and associated peacekeeping personnel, by all parties. On 1 December 2016, the Commission on Human Rights noted that there was a steady process of ethnic cleansing underway in several areas of South Sudan using starvation, gang rape and the burning of villages. The Commission underlined that the enormous scale of rape of women and girls perpetrated by all armed groups in South Sudan was 'mind boggling', with 70 % of women in UN Protection of Civilians camps having been raped. Gang rape had become so prevalent that it was regarded as normal.

The EU Foreign Affairs Council adopted Conclusions on South Sudan in May, July and December in which the EU inter alia expressed its grave concern over the grave human rights violations, called for accountability and urged the African Union to move forward with the establishment of a Hybrid Court for South Sudan.

Republic of the Sudan

State authorities continued to perpetrate serious violations of human rights and international humanitarian law during 2016. Human rights abuses and violations included restrictions on peaceful protests, media censorship, harassment and detention of human rights defenders, curtailment of the activities of civil society organisations and restrictions on freedom of religion.

The EU's priority remained to encourage greater respect for international humanitarian law and for human rights, in particular for freedom of association, expression and assembly.

Grave violations of human rights and international humanitarian law took place in armed conflict in Darfur, Southern Kordofan and Blue Nile. The UN Independent Expert on Sudan

noted allegations of indiscriminate killings, burning of villages, sexual violence against women and large-scale displacement of civilians in Darfur. Aerial bombardment and shelling in Southern Kordofan and Blue Nile led to the deaths of civilians. At least 20 incidents of aerial bombardment of civilian settlements in Southern Kordofan were recorded, including an incident in Heiban county in May 2016 where six children were killed. Amnesty International alleged that the Sudanese authorities had used chemical weapons in the Jebel Marra area of Darfur, killing up to 250 people but the Sudanese authorities denied this allegation. UN agencies and humanitarian organisations were repeatedly denied access to many areas in Darfur, Southern Kordofan and Blue Nile by the authorities. In March 2016, the government signed a national action plan with the UN to protect children in armed conflict. In December 2016, the government announced a ceasefire, which should last until June 2017.

The National Intelligence and Security Service (NISS) continued to intimidate and detain – often incommunicado – political activists. In April 2016, student protests in universities across Sudan led to the killing of three protesters and the detention of over 100. Following the introduction of economic reforms in November 2016, NISS pre-emptively arrested almost 200 members of opposition groups and trade unions in order to prevent the emergence of a civil disobedience movement and some 90 still remain in detention. In December 2016, the security services arrested Dr Mudawi Ibrahim, a professor of engineering and prominent human rights defender and he is still in detention without charge.

The Sudanese authorities have confiscated copies of newspapers, suspended newspapers indefinitely and tried individuals for critical writing. Printed copies of the daily newspaper Al-Gareeda were, for example, seized by security service officers on several occasions. In March, NISS summoned and interrogated a journalist who had published an article concerning corruption. In September 2016, two opposition party members were convicted for spreading false accusations after having criticised the NISS on social media.

The authorities continued to restrict freedom of association. In February, NISS raided the offices of the civil society organisation 'TRACKS Centre for Training and Human Development'. As a consequence, 10 employees and associates of the Centre are currently facing trial for crimes against the state and espionage, with three having been in detention for over seven months. In March 2016, a group of human rights defenders funded by the EU was prevented from travelling to briefing sessions to prepare for the Universal Periodic Review at the UN Human Rights Council. Many civil society organisations have experienced delays or denials when attempting to renew their registration.

Harassment and persecution of Christians continued, with at least eight pastors and church representatives arrested between December 2015 and March 2016.

Concerning cooperation with the International Criminal Court, President al-Bashir remained subject to two arrest warrants issued by the court on charges of crimes against humanity, war crimes and genocide. No attempt was made by the government of Sudan during 2016 to surrender the suspect. The government of Sudan indicated its willingness to accept a fact-finding mission to Kafia Kingi led by the AU Special Envoy against the LRA to investigate persistent rumours of the presence of Joseph Kony, leader of the Lord's Resistance Army, who is subject to an ICC arrest warrant.

The European Union adopted several statements condemning human rights violations in Sudan. The EU monitored a number of trials in Sudan, and raised several individual cases with the Sudanese authorities. The EU Delegation remained in close touch with human rights defenders.

The EU implemented a number of European Instrument for Democracy and Human Rights (EIDHR) projects, including one supporting the National Human Rights Commission.

The UN Independent Expert for Human Rights in Sudan visited Sudan in April. He concluded that the realisation of human rights remained an enormous challenge in Sudan, and noted growing concern about the pervasive actions of the NISS. The UN Human Rights Council extended the Independent Expert's mandate for one year in September.

In May 2016 Sudan underwent the second cycle of the Universal Periodic Review (UPR), where it received a substantial number of recommendations. Sudan accepted 139 recommendations and agreed to examine 54. Sudan has not ratified the UN Convention against Torture or the UN Convention on the Elimination of All Forms of Discrimination against Women, but has indicated willingness to consider ratification.

Kingdom of Swaziland

In 2016, the overall human rights situation in Swaziland remained marked by uneven progress in addressing the main country challenges. While positive steps were taken in some areas with a view to improving workers' rights, including political rights, developments are still awaited as regards the adoption or implementation of legislative measures in this regard. Women's rights are not sufficiently protected and political reforms aimed at harmonising the customary political organisation and the new political space are still required.

The EU's priority actions for 2016-2020 are to support advocacy and awareness to bring about full respect for democratic principles, rights and freedoms as enshrined in the 2005 constitution and other international agreements, to support the country's initiatives aimed at ensuring gender equality, the empowerment of women and the promotion of children's rights, to support capacity strengthening of the judiciary, the rule of law and access to justice, and to encourage the de jure abolition of the death penalty

There are various matters that deserve attention, especially in the field of workers' rights, including political rights. Despite the progress achieved in the ILO's benchmarks, there are still pending issues such as the contentious Suppression of Terrorism Act which infringes on freedom of assembly and association. In the same context, the Public Order Bill and the Correctional Service Bill have been revised, but still await formal adoption. Gender equality and women's empowerment also require substantial efforts. Moreover, the Human Rights Commission is still not fully operational due to legal and capacity constraints. Also, the rule of law, including the judiciary, is still weak. The political system, which aims to reconcile a traditional approach based on a customary monarchy and a modern open democratic system, still requires significant reforms, including of the electoral system, which does not rely on political parties' programmes but on individuals.

Despite these shortcomings, the country has achieved some positive developments. In 2016, Swaziland was removed by the ILO standard supervisory mechanisms from the cases deserving particular attention as some progress was acknowledged in workers' rights, while the country has progressively become a de facto abolitionist state as regards the death penalty. In December 2016, for the first time, Swaziland voted in favour of the UNGA Resolution on a moratorium on executions.

In this context, the EU remains an active player, supporting reforms and promoting a dialogue with the government on all issues relating to human rights and democracy, including through regular Article 8 dialogue (Cotonou) and active public diplomacy.

Through specific projects, in particular the EIDHR, the EU is supporting the capacity of CSOs to play an active role in promoting and defending human rights, including as regards participation in and follow-up to the UPR. In addition, the EU supported a number of initiatives aimed at improving the status of women in the country. A Gender Analysis Report of the EU programmes was also developed and the first report on the implementation of the Gender Action Plan (GAP) II was produced and submitted in November 2016. A total of seven grants under the EIDHR thematic budget line are currently being implemented focusing on issues such as cultural rights, children's and women's rights, and access to justice and information.

The Delegation released a number of statements on different occasions and, jointly with other stakeholders, conducted several advocacy initiatives, including lobbying for the adoption of the Sexual Offences and Domestic Violence Law. Moreover, the EU is in regular contact with the government of Swaziland to explore ways to support the 2018 coming electoral process.

Swaziland underwent its second Universal Periodic Review (UPR) in May 2016. Both the government and civil society organisations submitted reports to the UN on the status of human rights in the country and the progress made in the implementation of the recommendations since the last review in October 2011. Out of the 183 recommendations received, Swaziland accepted 133.

Fostering the revision, adoption and implementation of important legislation, such as the Suppression of Terrorism Act, the Public Service Bill and the Correctional Services Bill, is a step towards further progress, as is providing encouragement to further reform the political system in view of the 2018 elections. Gender issues and women's empowerment are also identified as areas where further progress is needed.

United Republic of Tanzania

Tanzania complies with most international human rights conventions and formal democracy standards. Progress has been steady in the past few years on socio-economic rights and on public participation. However, during 2016, political space and freedom of expression were affected by negative developments, including the banning of public political meetings and rallies and the draconian application of the Cybercrimes Act. The unilateral re-run of elections in Zanzibar in March 2016 constituted a departure from Tanzania's so far positive record on democracy. The EU issued local joint statements in January and March 2016, calling for a negotiated political solution to the electoral impasse on the Isles.

In the field of human rights and democracy, the EU worked according to the following priorities in Tanzania: defending and promoting the rights of women and children, promoting freedom of expression and the right to assembly, and electoral follow-up.

The promotion of an inclusive and pluralist democracy, full protection of the rights of persons belonging to minorities, strict adherence to the rule of law and respect for human rights continued to orientate the EU's actions. Trends in the field of human rights and democracy since the October 2015 general elections gave rise to increasing concern, notably regarding the media, political space, civil society and the LGBTI community. Important structural constraints should be addressed to improve the situation, including weaknesses in the education system, limited institutional capacity and often harmful practices and traditions embedded in society. Even in areas where legal and institutional frameworks are in place, considerable implementation challenges remained. This was notable in the case of violence against women and children, still very common at home and in schools. The national plan of action for the prevention and eradication of violence against women and children and the awareness campaign 'Say No to Violence' were only partially implemented. Female genital mutilation is illegal, but continued to be widely practiced across the country.

Throughout 2016, the EU used opportunities to convey public messages related to vulnerable groups such as women, children, and people with albinism. An Article 8 Political Dialogue was not held between Tanzania and the EU in 2016, but existing diplomatic channels were nevertheless used to table concerns and promote positive action. Regional consultations with civil society took place in 2016 in Arusha, Dar es Salaam and Zanzibar in order to feed the EU's priority-setting in the field of human rights and democracy.

The EU Delegation made several site visits and attended court hearings regarding human rights defenders and pastoralists. Specific cases related to the media and the application of the Cybercrimes Act, as well as LGBTI-related issues, were closely followed by the EU Delegation together with EU Member States. Through the Emergency Facility of the European Instrument for Democracy and Human Rights (EIDHR), the EU Delegation provided support in response to requests from human rights defenders under prosecution and provided small grants for legal support and protection for HRDs working with pastoralists and the LGBTI community.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF) and the EIDHR. The Democratic Empowerment Project (DEP) supporting elections was phased out at the end of 2016. A project supporting legal sector reform in Zanzibar included a specific component on juvenile justice. Nine projects focused on reinforcing the capacity of civil society as regards human rights, supporting the fight against gender-based violence, promoting women's empowerment and children's rights.

Tanzania, during the last Universal Periodic Review (UPR) in September 2016, rejected important recommendations related to the abolition of the death penalty, corporal punishment, the minimum legal age of marriage, marital rape, media freedom, the rights of indigenous people and LGBTI-related issues. Tanzania refused to amend marriage law in order to increase the minimum age for marriage to 18 years for both girls and boys. Marital rape is not criminalised. Tanzania has not yet acted on its commitment to ratify the UN Convention against Torture.

Impunity for violence by the security services remained tolerated by the judicial system. On the positive side, the UPR acknowledged efforts and progress in overall human rights promotion, tackling corruption, poverty reduction, the empowerment of women and combating the trafficking of human beings.

Togolese Republic

The human rights situation in Togo is linked to the socio-economic context of the country and to its recent past. Togo is a poor country (poverty affects 55% of the population), with sharp social inequalities, and it is struggling to overcome crisis and to consolidate its democracy. This implies numerous weak points concerning economic and social rights, but also in other areas, due to the weakness of the state's institutions.

The EU's action has been a mix of political dialogue and development aid cooperation, focused on justice, national reconciliation, civil society, the security forces and women. The year 2016 was, in some areas, a transition period between the 10th and 11th EDF programmes, as well as the launch of new EIDHR programmes.

The Universal Periodic Review (UPR) in 2016 confirmed certain improvements in the human rights situation in Togo, particularly the legal framework and living conditions of detainees (after the opening of a new prison). However, the main concerns, such as detention conditions, the impunity of the security forces and women's rights, remain serious challenges.

In 2016, two conferences were held on national reconciliation issues, respectively on political reforms, organised by the Haut-Commissariat à la reconciliation et au renforcement de l'Unité nationale (HCRRUN), and on the devolution of power to local structures, organised by the government.

Regarding the legal framework, there were two improvements. On 14 September 2016, Togo officially submitted to the UN the instrument of ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The HR/VP spokesperson issued a statement congratulating Togo. On 29 September 2016, the National Assembly adopted a law modifying the Criminal Code, which includes two improvements regarding torture. Firstly, the definition of torture fully complies with the Convention against Torture, as it now mentions the responsibility of officials. Secondly, crimes of torture are now not subject to the statute of limitations, as recommended to Togo by the Committee against Torture in November 2012.

Human rights were on the agenda of the EU-Togo Article 8 Political Dialogue, including, among other issues, the non-prosecution of officers in the security forces who were involved in the violence in Dapaong in November 2015. Following the meeting with the Minister for Justice, two teachers involved in the events in Dapaong were released.

Public diplomacy has proved useful to raise awareness and share the EU's willingness to work together with Togolese stakeholders on strengthening human rights. Public speeches have been a chance to convey key messages on national reconciliation. The EU Delegation also hosted several events organised by civil society organisations.

Under the programme supporting the justice system (11th EDF) action has been taken to improve the capacity and the efficiency of the Ministry of Justice. Audits have been conducted to improve resource allocation. On this matter, a new organigram has been finalised and the building-up of required services has seen some noticeable progress. Facilitating access to judicial services is another area of activities currently being implemented. The programme also supports activities aiming at ensuring the proper follow-up to and monitoring of corruption cases reported by the institutional board of audit.

In 2016, 5 EIDHR actions, implemented by civil society organisations, were finalised with the aim of working on issues relating to persons with disabilities, youth and reconciliation, freedom of speech, the fight against impunity and the protection of fundamental rights in mining industries.

The new PROCEMA (11th EDF), benefiting civil society organisations, was developed and adopted and implementation is expected to start in the third quarter of 2017.

The launch of the new police academy, supported by a 10th EDF programme, was delayed due to budgetary constraints on the Togolese contributions. A solution was found and the first cohort is expected to start training in March 2017. Through this project the EU aims to reinforce the capacities and professionalism of the security forces so that they can be more efficient and comply with fundamental rights and freedoms.

The Universal Periodic Review (UPR) of Togo took place in October 2016 at the UN Human Rights Council. Togo was commended on several developments since the last UPR in 2011, above all improvements introduced by the new Criminal Code in 2015. Many delegates highlighted challenges, especially concerning freedom of assembly and expression for human rights defenders and journalists, the lack of birth registration, prison overcrowding, prison conditions and genital mutilation. Togo did not accept recommendations to accede to the Rome Statute of the International Criminal Court or on the human rights of LGBTI persons. Homosexuality is criminalised although, in practice, sanctions are not applied as long as LGBTI people keep a low public profile).

The impunity of the security forces remains a major challenge and no significant steps were taken in 2016. The Togolese authorities have not fully implemented several sentences by the ECOWAS Court of Justice.

Poor detention conditions in prisons and the overuse of provisional detention (roughly two out of three inmates are awaiting their trial) remain among the main human rights concerns. Inmates lack proper access to basic services, such as food (only one meal a day) and healthcare. The inefficiency of the judicial system is the main cause of the high number of people in jail awaiting their trial.

Important challenges remain in the judiciary. Togo has yet to update its Criminal Procedure Code dating from 1983. The current code does not provide for detainees to have access to a lawyer immediately after being detained. Although some efforts have been made, the justice system remains in a poor state, with its human resources lacking in quantity, quality and training, and a lack of budget allocation and equipment.

Although Togo has legal provisions regarding women's rights (e.g. the 2015 Criminal Code and the 2012 Code des personnes et de la famille), there is a gap between the legal framework and its implementation. Despite the legal framework providing for equal treatment between men and women, including as regards inheritance and access to land ownership, in practice women face obstacles to make these rights a reality.

Republic of Uganda

Notwithstanding a relatively positive standing in the region on human rights and democracy, Uganda continued to face challenges related mostly to civil and political rights. The 2016 EU Election Observation Mission highlighted among areas of concern the lack of independence of the Electoral Commission, the monetisation of politics, the harassment of opposition politicians and supporters and the restrictive interpretation of the Public Order Management Act (POMA), reinforcing state control and curbing the right to assembly and freedom of expression. The EU EOM nevertheless acknowledged Ugandans' remarkable interest in the electoral process and determination to participate in it.

The EU's action in the area of human rights and democracy focused on freedom of assembly, association, expression and the press, accountability and anti-corruption, transitional justice, the protection of human rights defenders and the abolition of the death penalty, children's rights and protection, women's rights, gender equality and anti-discrimination.

In Uganda, the most serious human rights problems continued to include a lack of respect for the integrity of the person (unlawful killings and torture), restrictions on civil liberties, and violence and discrimination against women and children, persons with disabilities and the LGBTI community. Corruption, arbitrary and politically motivated arrest and detention, incommunicado and lengthy pre-trial detention, restrictions on the right to a fair trial, harsh prison conditions, mob violence, trafficking in human beings and child labour also featured among important human rights and democracy challenges.

During the Article 8 Political Dialogue with the Minister for Foreign Affairs in June 2016, the parties discussed key priorities in the area of human rights and democracy, including electoral reform, political space and media freedom. At the meeting with the prime minister in September 2016, issues related to political reforms and the rule of law were raised. The EU started engaging with the Attorney General in view of following up on the implementation of the Supreme Court's ruling on presidential elections as well as the consideration of the EU EOM recommendations.

Issues relevant to human rights defenders (HRDs) were also raised in political dialogue meetings with the government and the EU actively participated in meetings of a donor working group on HRDs. The EU provided support to HRDs through the EU European Instrument for Democracy and Human Rights (EIDHR) emergency small grant facility and through other relevant mechanisms of EU Member States. In 2016, the EU Human Rights Defenders Award was granted to Robert Sempala, National Coordinator of the Human Rights Network for Journalists.

Despite a rather conducive legislative and regulatory environment to civil society operations, those engaged in advocacy work are often prevented from performing their mandate in full. The EU continued to engage closely with the government on the implementation of the NGO Act and held two structured dialogue sessions with civil society organisations.

In the area of accountability, the EU encouraged the development and implementation of anti-corruption policies and relevant legislative enactments and supported oversight institutions and mechanisms. An EU project was launched to contribute to poverty reduction and inclusive socio-economic development by supporting Uganda's anti-corruption and accountability institutions. Another project served to reinforce macroeconomic stability and strengthen the accountability and transparency of public finance management (PFM). In addition, the EU Delegation started work on a Sector Reform Contract for budget support in the area of governance, with an emphasis on the justice, law and order sector (JLOS) and the accountability sector (AS).

The EU continued to encourage constructive debate in Uganda on the International Criminal Court (ICC) and urged the adoption of a transitional justice policy. A visit by EU Heads of Mission to northern Uganda in November 2016 aimed to gather direct information of the state of play of reconciliation through engagement with stakeholders. In a statement in December 2016 the EU deplored the violence in Kasese district and encouraged full investigations. The Democratic Governance Facility (DGF), in particular its component on rights, justice and peace, aimed to enhance transitional justice mechanisms, among other objectives.

The EU carried out advocacy for the abolition of capital punishment. This included public outreach and messaging through the media on the World Day against the Death Penalty when the Head of the EU Delegation visited inmates on death row in Kampala's Luzira maximum security prison. The EU also discussed with the government the possibility of a gradual phasing out of the death penalty.

In support of women's and children's rights and those of vulnerable communities, the EU had regular discussions with the government and continued to advocate for legislative enactments. More specifically, topics of the frequent exchanges were women's empowerment, gender-based violence and sexual and reproductive health and rights. The EU applied a rights-based approach to all its projects and programmes and devoted special attention to the rights of children, women and persons with disabilities. A number of development cooperation projects, with both a national and regional focus, had addressing violence against children as a main objective. The EU also provided support through the EIDHR emergency small grants facility to LGBTI activists. Furthermore, the EU Delegation managed projects under a thematic instrument, promoting anti-discrimination on cultural and ethnic grounds, and tackling gender discrimination and discrimination against people living with disabilities.

The Universal Periodic Review (UPR) of Uganda took place in November 2016. The country was commended for the draft national action plan on human rights, for the adoption of the Prevention and Prohibition of Torture Act and for its hospitality towards refugees. Highlighted areas of concern were the rights of members of LGBTI communities, freedom of expression, association and assembly, women's and girls' rights, torture and the death penalty.

Republic of Zambia

In 2016, the overall situation in Zambia was dominated by the general elections held on 11 August which were marred by restrictions on media freedom and occasional incidents of electoral violence. In spite of existing legal structures and institutions, constrains remain regarding the implementation of legislation and policies in the area of human rights and democracy.
The EU's priorities include tackling gender-based violence; promoting women's rights and

economic, social and cultural rights; enhancing transparent governance, including the fight against corruption; improving access to information and freedom of expression, assembly and association; promoting a fair and efficient justice system; and cultivating an environment of non-discrimination, with a focus on marginalised groups.

Access to justice continues to be limited for the majority of Zambians, restricting their right to a fair trial, mostly due to a lack of awareness, financial constraints and the absence of legal structures in rural areas. Women's and girls' rights continue to be of concern and women's participation in the general elections was disappointing. Other human rights concerns include poor prison conditions, sexual and reproductive health and rights, the situation of LGBTI people – with one sentencing to long imprisonment of a transgender person – and persons with disabilities.

In terms of improvements, the 2016 Constitutional Amendment Act included a number of provisions in the area of women's and girls' rights, such as the establishment of the Gender Equity and Equality Commission. Reports of incidents of gender-based violence slightly decreased in 2016 but it continues to be widespread and accepted by large parts of the society. Two gender-based violence 'fast-track courts' were launched (the first of its kind in southern Africa) and there are also national efforts to raise awareness regarding the fight against child marriage. On the latter, 2016 saw the adoption of the 2016-2020 national strategy on ending child marriage.

The EU supported the internally agreed priorities and objectives both at the political level and through the EU's development cooperation programmes. In the context of the Article 8 Political Dialogue the focus was on issues such as women's rights, freedom of expression and the death penalty.

Democracy and human rights issues, such as gender and the fight against corruption, were also raised at the joint EU Heads of Missions meeting with President Lungu in October.

On the death penalty, targeted outreach efforts were made in the run-up to Zambia's UNGA vote on the moratorium in December.

The EU and the Member States remain a key development partner for Zambia. The areas of support with the highest numbers of EU/Member State projects in 2016 were women's and girls' rights and the fight against gender based violence, economic, social and cultural rights (access to health and education), transparent governance and anti-corruption.

Ahead of the general elections, the EU deployed an Election Observation Mission (EOM) consisting of 124 observers, including a four-member European Parliament delegation, which stayed in the 10 provinces of Zambia from 29 June to 12 September. The EOM assessed the entire electoral process in accordance with international and regional commitments to genuine and transparent elections and the laws of Zambia. The mission found the voting peaceful and generally well administered, but reported that elections were marred by systematic bias in the state media and that there were campaign restrictions.

The European Union has issued several statements since the beginning of the year to encourage peaceful, transparent, credible and inclusive elections. In the post-electoral period, the EU

HRVP's spokesperson issued a statement on the post-election developments, calling for the suspension of two radio stations and one TV station.

On human rights defenders, the EU is engaged in directly supporting LGBTI HRDs.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), the European Instrument for Democracy and Human Rights (EIDHR) and the DCI NSA-LA Programme.

Zambia has ratified the principal international instruments relating to human rights. In 2016, it reiterated its support for and continued membership of the International Criminal Court despite the fact that several African countries announced their intention to withdraw from the ICC in 2016.

The Universal Periodic Review Process for Zambia is scheduled for 2017.

A new priority for the EU in Zambia is the promotion of economic, social and cultural rights with a particular focus on children's right to good healthcare and education. While the EU is already actively engaged in this area on the development cooperation side, notably through its engagement in health, education and social protection programmes, this new priority will become a stronger focus of the EU's political engagement.

Republic of Zimbabwe

In 2016, the overall human rights situation in Zimbabwe significantly deteriorated, in particular as regards social media demonstrators and members of opposition parties. Political parties' rallies, even those authorised by the courts, were often broken up by the police. Demonstrators were intimidated, including by violent means, and hundreds of protesters were jailed without due process (although all were freed on bail in the end). There were more than 10 well-documented and targeted cases of abduction and torture of leaders of social movements and their family members.

Throughout 2016, the EU's priorities addressed both the institutions and civil society organisations engaged in the implementation of the new constitution, particularly the new Declaration of Rights, as well as socio-economic and cultural rights. Additional attention was paid to the strengthening the rule of law, the promotion and protection of human rights defenders, women's and children's rights, and minorities' rights.

Other human rights issues concerned the politicisation of food aid, notably in regions where food aid is distributed by the government. As regards democracy and good governance, a proposed amendment to the constitution would give President Mugabe executive powers to appoint the Chief Justice, Deputy Chief Justice and Judge President of the High Court – a provision that was deliberately done away with under the new constitution adopted in 2013. This move has been heavily criticised by civil society groups.

On the positive side, Zimbabwe committed to abstaining on the resolution in the UNGA on the moratorium on the death penalty and to proposing to commute the death penalty of those presently on death row to life imprisonment. Moreover, the Zimbabwe Human

Rights Commission has been able to play an increasingly active role and has issued reports condemning the excessive use of violence during the protest movements over the summer and the politicisation of food aid.

The EU continued to engage in human rights and democracy discussions with Zimbabwe in various settings. An Article 8 Political Dialogue was held on 25 November at Permanent Secretary/ambassadorial level covering all the core issues related to the situation of human rights and democracy in the country.

The EU repeatedly voiced concerns, through local statements, speeches, and workshops, and took formal and informal steps to encourage Zimbabwe to ensure full respect for human rights. The EU Delegation issued five local statements voicing concerns over the abduction of missing activist Itai Dzamara, local governance, violence, the right to peaceful protest, and the abduction and brutalisation of social activists.

On 15 September, the European Parliament adopted a resolution condemning violations of human rights and calling upon the EU to 'carefully analyse the appropriateness of re-imposing certain restrictive measures'[72].

On 5 December, EU Heads of Mission held a structured dialogue with civil society addressing constitutionalism, the Universal Periodic Review (UPR) session on Zimbabwe held on 2 November, and civil society space.

72. European Parliament resolution of 15 September 2016 on Zimbabwe (2016/2882(RSP))

VI. Arabian Peninsula

Kingdom of Bahrain

Five years after the resurgence of unrest in the Kingdom of Bahrain, the EU continues to closely monitor local developments and where appropriate, via different channels, to express concern regarding the internal human rights situation.

The EU consistently called upon all sides to engage constructively in a process of genuine national reconciliation and dialogue, without preconditions and in a peaceful manner. The EU closely followed some of the initiatives undertaken by the government of Bahrain – especially the full implementation of the recommendations of the Bahrain Independent Commission of Inquiry – and the work of human rights-related institutions such as the Police Ombudsman for the Ministry of the Interior, the National Institution for Human Rights, and the Commission on the Rights of Prisoners and Detainees. However, the necessary conditions for real and lasting reconciliation have not yet been achieved and the EU repeatedly called on all Bahrainis to make use of the new institutions to make sure they can deliver concrete improvements in the human rights situation in Bahrain, including on the basis of the recommendations made in the reports presented by the National Institution for Human Rights and the Ombudsman, to achieve long-term and sustainable stability and prosperity for all Bahraini citizens.

The EU consistently engaged with the Bahraini authorities on human rights concerns in the Kingdom, while advising against measures that could undermine the stability of the country. The EEAS conducted several formal and informal outreach initiatives towards the Bahraini authorities concerning the intensified crackdown on freedom of expression, prominent individual cases of political and human rights activists, the imprisonment of leaders of the main opposition political society and its dissolution, the travel ban for human rights activists, the high number of cases of citizenship revocation, and death sentences in cases where complaints of alleged torture and ill-treatment were filed.

In addition to issuing a series of public statements[73], the HRVP and the EEAS had regular direct contacts with Bahraini political actors and activists. The EU Special Representative for Human Rights met with the Bahraini Minister and Assistant Minister for Foreign Affairs in Geneva. The first meeting of the informal EU-Bahrain human rights working group took place on 4 April in Manama.

73. EU External Action Service, Statement by Spokesperson on recent developments in Bahrain, 5 July 2016 and Statement by the Spokesperson on the sentencing of Ali Salman, 5 July 2016

The EU continued to encourage all political societies to engage in a national dialogue towards reform and national reconciliation as the only viable path, while calling on the authorities to reach out to opposition and to consider confidence-building measures, including the release of peaceful activists. The EU strongly condemned the use of violence in any form by any side to achieve political goals.

The EU delivered an EU Statement agreed by all EU Member States under Item 2 on 14 September in Geneva, in which the EU raised its concerns over the human rights situation in Bahrain.

The European Parliament passed an Urgency Resolution on 4 February concerning the case of Mohammed Ramadan, a Bahraini sentenced to death[74]. In the Resolution the Parliament expressed its concern and disappointment over Bahrain's return to the practice of capital punishment, condemned the alleged use of torture against prisoners by the security forces, and expressed concerns about the use of anti-terrorism laws to punish political beliefs and convictions and prevent citizens from pursuing political activities.

The European Parliament passed an Urgency Resolution on 7 July concerning Bahrain, expressing its concerns regarding the intensified campaign of repression and persecution of human rights defenders and political opposition and noting travel bans, revocation of citizenship, the cases of Nabeel Rajab, Zainab Al-Khawaja, Mohammed Ramadan, Ali Moosa and Sheikh Ali Salman, and the suspension of Al-Wefaq[75].

European Parliamentarians paid a visit to the Kingdom of Bahrain from 17 to 19 December.

State of Kuwait

The main issues that the EU raised with the Kuwaiti authorities were the situation of the Bidoons (stateless residents), the death penalty, freedom of expression and the situation of foreign labourers and domestic workers.

The EU monitored the implementation of recently adopted legislation regulating the labour rights of domestic workers. Under this legislation, domestic workers' rights and obligations are now clearly defined, reducing the scope for possible abuse. The new laws introduce some positive changes and the EU will continue to monitor their implementation and their enforcement mechanisms.

The EU expressed in its contacts with the Kuwaiti authorities its concern about a number of arrests of human rights activists for peacefully exercising their right to freedom of expression, association and assembly.

Following the Universal Periodic Review (UPR) by the UN Human Rights Council, the EU is encouraging the Kuwaiti authorities to implement the UPR recommendations and will continue monitoring the process.

74. European Parliament resolution of 4 February 2016 on Bahrain: the case of Mohammed Ramadan (2016/2557(RSP))
75. European Parliament resolution of 7 July 2016 on Bahrain (2016/2808(RSP))

The EU is aware of the issue regarding stateless persons in Kuwait as so far no serious solution to this problem has been found.

The EU raised the question of migrant workers' rights, especially the right to education in public schools.

Sultanate of Oman

The EU continued to be concerned about several court cases brought against people who protested or expressed views on social media, but it has also noted that pardons were granted in most of these cases. Another issue of concern for the EU is discrimination against expatriate workers, in the application of the labour laws and in practice, and their general status and situation. The EU liaised with the Omani authorities on the situation of foreign workers and on trafficking in human beings.

The EU continues to support Maina Kiai, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, who presented his report on his visit to Oman in September 2014 at the 29th Session of the UN Human Rights Council on 17 June, stating that the right of Omanis to peaceful assembly is 'virtually non-existent in practice'.

The EU raised the cases of human rights defenders Ismaeel al-Meqbali, Helal al-Alawi and Saeed Jadad, online activists Hassan al-Basham and Abdullah Habib, writer Hammood al-Shukaily and journalists Yousef al-Haj and Ibrahim al-Maamari with the Omani authorities when possible.

State of Qatar

The EU and its Member States focused particularly on freedom of expression and the development of independent media, efforts to strengthen civil society via more liberal legislation on freedom of association and civil society initiatives, support for human rights defenders, women's rights, and improving the working and living conditions of migrant workers.

Global attention still focuses on the conditions of migrant workers in Qatar, following reports of unpaid wages, shortcomings in the areas of health and safety, inadequate housing, and unscrupulous labour agents in the workers' countries of origin in the run-up to the FIFA World Cup 2022.

The EU welcomed the legislation passed in October 2015, which entered into force in December 2016, as an important step in replacing the 'kafala' (sponsorship) system with a fully contract-based system. The EU will continue to monitor its implementation.

Qatar is also facing a complaint under Article 26 of the ILO Constitution for violation of ILO Convention 81 on labour inspection and Convention 29 on forced labour, filed against the state in the ILO. An ILO tripartite visit took place in March, and during the March session of the ILO Governing Body and the International Labour Conference in June,, Qatar reiterated its openness to engage with international bodies. The EU welcomed positive developments and encouraged Qatar to address remaining issues in a constructive manner.

Kingdom of Saudi Arabia

In 2016, the overall human rights situation remained marked by many concerns, although some progress can be identified in several areas. The implementation of the death penalty is of great concern: this year there were 154 executions, the fourth highest number in the world. The guardianship system limits the independence of women. The scope for freedom of expression (including online) was reduced throughout 2016. There was some progress regarding women and sports, and women gained access to more professions in the labour market. Some positive steps were taken on the conditions of the migrant workers but the 'kafala' (sponsorship) system prevailing in the region and in the Kingdom of Saudi Arabia should be abolished.

The EU consistently engaged with the Saudi authorities in a dialogue on human rights and encouraged ongoing reform measures as well as the abolition and non-implementation of the death penalty. The areas of focus included women's rights, especially the economic empowerment of women and women's public representation, children's rights, freedom of expression and assembly, religious tolerance and non-discrimination, and migrants' rights.

The scope of both the Anti-Terror Law and the Anti-Cyber Crime Law of 2014 have been extensively interpreted, further reducing the scope for freedom of expression and assembly throughout 2016 by applying severe sentences to human rights defenders.

The Law on Associations and Foundations that was issued in December 2015 and entered into forced in March 2016 has generally speaking failed to show that it provides enough guarantees that associations will be registered. The amendments to the labour legislation that aim to improve migrant workers' situation still need to be fully implemented, while domestic workers are excluded from the amended law. Women remain limited by the guardianship system.

In terms of improvements, women have been empowered economically through facilitating access to the labour market by opening more professions to women that were previously reserved for men. In a positive move, on 1 August the General Authority of Sports established a new women's department and appointed Princess Reema bint Bandar al-Saud as its head. Women have been allowed to receive a copy of their marriage certificate since May 2016, thus ensuring their inheritance rights.

The implementation of the amended labour legislation allows migrant workers to benefit from a salary payments by direct bank transfer, establishes maximum hours of work and regulates legal leave (sick leave, maternity leave, etc.).

In April 2016, a royal decree curtailed the powers of the Committee for the Promotion of Virtue and the Prevention of Vice to hold people in custody, paving the way for greater freedom.

The EU consistently engaged with the Saudi authorities on human rights concerns in the Kingdom, while encouraging reform measures. The areas of main concern include the male guardianship system and women's rights, the death penalty, reform of the judiciary, freedom of expression, religious tolerance, discrimination and foreign labourers' rights.

In addition to a series of public statements, especially one following the mass execution of 47 inmates on 2 January[76] the EEAS conducted several formal and informal outreach initiatives towards the Saudi authorities in several human rights-related judicial cases in close coordination with EU Member States and like-minded partners.

The EU maintained regular contacts with civil society organisations and human rights defenders and raised cases of concern with the relevant authorities on several occasions. Since 2013, the EU Delegation has had permission for diplomats to attend public trials. Since then, together with EU Member States Embassies, it has observed several court hearings, including throughout 2016.

The EU, through the European Union Delegation in Riyadh, presented the EU's priorities and initiatives to the Saudi authorities ahead of each Human Rights Council and UNGA Third Committee meeting.

The EU also expressed concern about the juveniles who were on death row even though they had been minors at the time they were arrested, which violates the Convention on the Rights of the Child, signed by Saudi Arabia.

The EU welcomed the changes introduced in the labour law, which improved migrant workers' situation, and the implementation of the amended legislation throughout 2016, and encouraged further changes towards the compete abolition of the 'kafala' (sponsorship) system.

The European Parliament held a debate on 19 January concerning worsening Saudi-Iranian relations and the HRVP replied stressing the EU's efforts regarding this issue.

European Parliamentarians from the AFET Committee visited the Kingdom of Saudi Arabia, Qatar and the United Arab Emirates from 7 to 12 February, and the European Parliamentarian Rachida Dati paid a visit to the Kingdom of Saudi Arabia from 1 to 3 October. The European Parliament also paid a visit to the Kingdom of Saudi Arabia from 19 to 21 December within the framework of the inter-parliamentary meeting between the European Parliament and the Shura Council.

The EU shares some of the UN human rights experts' concerns about overly broad counter-terrorism measures which could lead to abuses against human rights defenders and online political activists with no links to terrorism.

United Arab Emirates

The EU remained active in monitoring the human rights situation in the United Arab Emirates (UAE), in close coordination with EU Member States' embassies.

The sixth meeting of the informal EU-UAE working group on human rights was successfully held on 25-26 May 2016 in Abu Dhabi, gathering participants from the EEAS, the UAE Ministry of Foreign Affairs and UAE line ministries (Justice, Interior, Tolerance, and Youth).

76. 2 January 2016, Statement of the HR/VP Federica Mogherini on the executions in Saudi Arabia http://eeas.europa.eu/statements-eeas/2016/160102_01_en.htm

In an overall positive atmosphere, the meetings addressed the full range of EU concerns, including freedom of expression, children's rights, women's and youth empowerment, labour rights, access to justice and conditions of detention.

In cooperation with the originating country, the UAE has shown commitment in trying to limit abuses with regard to the recruitment of migrant workers. The key is to guarantee the right of the workers to choose their employer. A new decree regulating labour relations was announced by the UAE Minister for Labour on 29 September 2015 and entered into force on 1 January 2016. These provisions undeniably represent significant progress in the protection of migrant workers in the UAE. In concrete terms, they are notably intended to prevent the substitution of the original proposal by a different final labour contract which is less favourable for the worker, as well as to allow migrants to change employer in the UAE without being obliged to go back to their country of origin.

EU action concentrated on monitoring the follow-up to various laws and instruments implemented in the country to improve the human rights situation. The EU Delegation continues to deliver human rights demarches at the UAE Ministry of Foreign Affairs and International Cooperation. The main discussions on human rights matters take place at meetings of the UAE-EU Human Rights Working Group.

The UAE authorities continued to maintain a strict limitation on freedom of both expression and association, especially in cases where the UAE government had been criticised and democratic reforms asked for. The 2012 UAE Cybercrime Law, stating that 'any form of misuse of a computer/smart device or an electronic network/system could lead to up to a life sentence and/or a fine of between AED 50 000 and AED 3 million', was invoked several times during the year.

Despite the fact that the UAE has successfully enhanced the public role of women (high-level positions in the cabinet, Federal National Council, ministries and private sector; approved mandatory female presence on the boards of trustees; establishment of the Gender Balance Council, etc.), further progress is necessary to improve the role of women in the family and women's access to justice (in cases of domestic violence, custody, divorce, etc.). The government's interpretation of Sharia applies in personal status cases and family law. The law forbids Muslim women to marry non-Muslims. Discrimination against children born from mixed relationships remains a crucial issue, even more so since the number of such marriages are increasing.

Cases of enforced disappearance were highlighted throughout the year, including that of Dr Nasser bin Ghaith, an Emirati economist and academic. The first hearing took place on 4 April 2016 behind closed doors.

Republic of Yemen

2016 was characterised by continuous war, widespread insecurity and war-related atrocities. The civilian population, institutions and installations suffered heavily from being (deliberately) targeted by warring parties. The government in exile has only limited control over the country. The EU's priority is to improve the overall situation in Yemen, focusing on the political process, the humanitarian response, ways to continue cooperation, post-conflict recovery, and the restoration of dialogue with specific attention paid to human rights issues.

War-related human rights issues, including violations of IHL, child soldiers in armed conflict, and the situation of IDPs will be high on the agenda alongside 'typical' gender-related issues. The increasing role of extremist/terrorist organisations such as AQAP and ISIL/Da'esh in filling the security gap, and thereby threatening democracy, will need specific attention and action.

The recruitment of children for military purposes and their use in hostilities is of growing concern as the conflict continues. Measures must be taken to prevent such recruitment and use.

The political process in Yemen is concentrated on UN efforts to engage parties to the conflict in peace negotiations preceded by a sustainable cessation of hostilities. The EU, through the ERMES programme, supports this process through de-escalation activities.

The EU remains committed to an unimpeded flow of commercial items and humanitarian aid to Yemen, a country almost exclusively dependent on imports and where restrictions of access have deprived its population of essential supplies, with malnutrition at critically high levels. To this end the EU supported both politically and financially the United Nations Verification and Inspection Mechanism (UNVIM) for commercial shipping to Yemen.

The EU also supported humanitarian partners in Yemen, targeting its principled, strategic, multi-sector humanitarian support for the civilian population most affected by the conflict and the food security crisis. The EU prioritized life-saving assistance in the sectors of health, nutrition, food security, protection, shelter/non-food items, and water and sanitation.

The EU has voiced concerns about violations and abuses of international human rights law and violations of international humanitarian law, and more specifically about the targeting of civilians. This was done though statements and in formal and informal contacts with parties to the conflict.

The EU is actively supporting Yemeni human rights and civil society by three main means: the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and the Civil Society Organisations and Local Authorities (CSO-LA) programme.

During 2016, 10 projects worth a total contracted amount of EUR 4 481 784 ended, which resulted in a total payment of EUR 2 177 074. This included an IcSP project focusing on civilian peacebuilding, conflict prevention and resolution implemented by the Yemen Polling Centre and a project on child soldiers (prevention and demobilisation) implemented by the Danish Refugee Council, as well as projects geared towards human rights, civilian peacebuilding and democratic participation, and support for national NGOs.

In 2016, 10 projects were still active or initiated. These amounted to a total of EUR 6 637 855, of which EUR 3 334 089 was paid during that year. The largest of the projects is support for the UNVIM under the IcSP worth EUR 2 million, with additional contributions from Member States. Projects under the EIDHR focusing on children's rights, youth and national dialogue, and the abolition of the death penalty are implemented by organisations such as Saferworld, the Danish Red Cross and UNICEF.

UN Human Rights Council Resolution 30/18 on the situation of human rights in Yemen provides for further technical support to the Yemeni National Commission of Inquiry.

Republic of Iraq

In 2016 the overall situation in the country remained marked by a critical human rights situation and challenges related to the war against ISIL/Da'esh and the humanitarian emergency. The situation of ethnic and religious minorities was critical.

The EU's human rights policy in Iraq focuses on the protection of civilians during and after the conflict, the protection of ethnic/religious minorities, national and social reconciliation, the independence of the Iraqi Human Rights Commission and gender-based violence. The EU regularly renews its calls on Iraq to sign the Rome Statute and accede to the International Criminal Court (ICC) and to accede and implement Additional Protocol II to the Geneva Conventions, reinforcing the full application of IHL by the Iraqi authorities and affiliated forces. Throughout the year, the EU continued to support Prime Minister al-Abadi in the implementation of his reform programme addressing widespread corruption and deficient public service delivery. It called on the government to reach out to all components of Iraqi society and to make progress on national reconciliation.

There are various human rights problems, especially in relation to forced disappearances, the impeded or forced return of internally displaced persons (IDPs) and the destruction of their property, forced evictions, including on sectarian basis, and denial of freedom of movement and forced encampment of families allegedly affiliated to ISIL/Da'esh. Furthermore, lack of due process and fair trial standards, conflict-related sexual violence as well as child soldier recruitment are common. Violations in security screening of male IDPs, including minors, are a particularly critical issue. Torture remains widespread in police detention centres, interrogation cells and prisons. Journalists have been harassed and killed, particularly in ISIL/Da'esh controlled areas. Accusations of corruption are frequent and impunity is prevalent. The lack of government transparency and lack of access made it difficult to assess the magnitude of many reported human rights problems.

The Iraqi government has engaged in the protection of civilians in the military campaign to retake areas from ISIL/Da'esh, especially in East Mosul. During this first phase of the campaign, artillery strikes were limited and major efforts were made to protect civilians in their homes. Differently from previous battles, thanks to abidance to the Mosul Humanitarian Concept of Operations, the overwhelming majority of civilians, 550 000 people, could safely stay in their homes, rather than fleeing (this would change in West Mosul campaign). The adoption of the Amnesty Law and the law banning the Baath party in September 2016, as well as the Law on the Popular Mobilisation Forces in December 2016, can be seen as steps in the right direction.

In their May 2016 Council Conclusions[77], the Foreign Affairs Ministers strongly condemned the continued gross, systematic and widespread human rights abuses and violations carried out by ISIL/Da'esh and called for the perpetrators to be held accountable.

77. Council conclusions on the EU Regional Strategy for Syria and Iraq as well as the Da'esh threat, 9105/16, 23 May 2016 and Council conclusions on Syria, 17 October 2016

They also insisted on the need for parties to the conflict to comply with international law, including humanitarian and human rights law, both during and, where applicable, after the conduct of hostilities; that security screening procedures must comply with national and international law, and camps must maintain their humanitarian and civilian character. The EU also insisted that returns of IDPs must be enabled in a safe, informed, voluntary and non-discriminatory way, in line with international protection standards.

On 27 October 2016, the European Parliament adopted a Resolution on the situation in northern Iraq/Mosul[78]. The EP also held an urgency debate on mass graves in Iraq, condemning the atrocities committed by ISIL/Da'esh. In 2016, the Sakharov Prize was awarded to two Yezidi women who were survivors of ISIL/Da'esh enslavement. Several MEPs visited northern Iraq.

On 16 March 2016 the Cooperation Committee, under the umbrella of the EU-Iraq Partnership and Cooperation Agreement (PCA), took place in Baghdad. The discussion on human rights/democracy touched upon mass graves, war crimes and sexual violence.

The EU Delegation has been chairing and organising monthly meetings of the EU Human Rights Working Group in both Baghdad and Erbil. The annual meeting of the EU Delegation with human rights defenders took place in March 2016. The EU Delegation is also engaging in a variety of cultural activities.

The EU has not hesitated to voice concerns through statements and common outreaches. The HRVP spokesperson issued regular public statements on ISIL/Da'esh's attacks on civilians. The EU Delegation published several statements, e.g. on media freedom, the political crisis and the adoption of the Amnesty Law. Demarches on the death penalty and the safety of journalists were undertaken by the EU Delegation in Baghdad.

In 2016, the EU continued to provide financial support to projects funded through the Development Cooperation Instrument (DCI), the EU Trust Fund in response to the Syrian crisis ('Madad'), the Instrument contributing to Stability and Peace (IcSP), the European Instrument for Democracy and Human Rights (EIDHR), Civil Society Organisations and Local Authorities (CSO-LA) and European Resources for Mediation Support (ERMES).

Human rights-related projects focused on:

- **(a)** reconciliation: support for dialogue, conflict reduction between IDPs and host communities, concerns related to missing persons and sectarian violence, the protection of cultural heritage and diversity;
- **(b)** education: capacity building for primary and secondary education;
- **(c)** local governance: decentralisation;
- **(d)** security: criminal justice and the rule of law, developing human rights-compliant counter-terrorism legislation.

The EU supported humanitarian partners in Iraq with over EUR 159 million in 2016, targeting its principled, strategic, multi-sector humanitarian support for all populations most affected by the conflict, on the basis of needs only.

78. European Parliament resolution of 27 October 2016 on the situation in Northern Iraq/Mosul (2016/2956(RSP))

Protection of civilians during and after the conduct of hostilities was at the core of the EU's support and focus in the country and humanitarian advocacy was constantly conducted, calling on all parties to the conflict to respect international humanitarian law (IHL) and international human rights law (IHRL). In this context, the European Commissioner for Humanitarian Aid and Civil Protection, Christos Stylianides, issued public statements and co-hosted a High Level Event on Iraq in the margins of UNGA, focusing on concrete measures for the protection of civilians in all military operations in Iraq and, especially, Mosul. Working Party on Humanitarian Aid and Food Aid (COHAFA) Common Messages were also promoted on the humanitarian crisis in Iraq, focusing on protection of civilians and respect of IHL, agreed by COHAFA in October (13388/16). Consistent messages were passed during several high level missions to the country, including Commissioner Stylianides' visit in July 2016.

Iraq is party to a number of international human rights conventions and many have not yet been ratified. The following fundamental treaties have yet not been acceded to: the 1951 UN Convention relating to the Status of Refugees, and the Convention on the Non-Applicability of Statutory Limitations to War Crimes. In addition, Iraq has not signed the Optional Protocols to the CAT and the CEDAW regarding complaint procedures, nor has it acceded to the Statute of the International Criminal Court (ICC).

VII. Asia

Islamic Republic of Afghanistan

In 2016 the human rights situation remained precarious in Afghanistan, especially with regard to women's and children's rights and the situation of human rights defenders and the media. However, positive steps were taken in several areas and the authorities have expressed a commitment to making progress on promoting human rights protection within the country.

The EU's priorities continued to be women's rights, children's rights, the death penalty, torture and ill-treatment, access to justice, freedom of expression, socially vulnerable people and persons with disabilities. The EU was also active in tackling continued democratisation in Afghanistan.

Afghanistan continued to face various problems in 2016, especially with regard to women's rights, violence against women, the violent abuse of children, human rights defenders (HRDs) or ensuring freedom of expression and the media. Problems still persist with regard to the justice system and the fight against corruption. The death penalty continued to apply: six men were executed in May 2016 despite protests from the EU and its Member States. Torture and other ill-treatment, as well as arbitrary arrest and detention, were regularly reported. An area of particular concern in 2016 was the high number of civilian casualties[79], with almost one third being children.

The Taliban is enforcing Sharia law without fair trial principles in Taliban-controlled areas and according to media reports the Taliban is responsible for killing at least 14 women accused of 'moral crimes' in 2016. The Taliban continued to threaten the media throughout 2016, including through a suicide attack on a bus in Kabul carrying staff from a TV station on 20 January 2016.

In September 2016, Afghanistan adopted the new Election Law and in November the members of the two main electoral bodies were appointed. The EU has actively engaged in dialogue with all relevant parties stressing the need to rebuild the trust of the Afghan public in electoral institutions and democratic processes. Electoral reform has yet to be fully implemented, to complete the democratic transition following the 2014 presidential elections.

Among the positive achievements in 2016 were the start of the implementation of the national action plan on women, peace and security (UNSCR 1325), the drafting of a comprehensive Children's Act, and the approval of the justice sector reform plan.

79 8 397 civilian causalities related to conflicts (2 562 deaths and 5 835 injured), according to UNAMA's thirdquarter Report on the Protection of Civilians in Armed Conflict, released in October 2016

Progress was made with regard to increased women's participation in political life: the government appointed a female member of the High Peace Council, four female ministers were appointed and approved by parliament, and two female Provincial Governors were appointed (one has since been removed). The government has also appointed five female ambassadors, and there are eight female deputy ministers.

Adoption of the Election Law and appointments to the electoral bodies were essential steps to pave the way towards electoral reform, leading to credible, transparent and inclusive elections. In 2016 the government finalised the draft Penal Code, also incorporating the penal provisions of the Elimination of Violence Against Women (EVAW) Law; its final adoption must be pursued. The Ministries of Defence and the Interior and the National Directorate of Security signed an Memorandum of Understanding with the Afghanistan Independent Human Rights Commission on the Ombudsman in May 2016.

In 2016 the EU and Afghanistan continued the local dialogue on human rights issues, with the second Afghanistan-EU local human rights dialogue held in June 2016 and a follow-up meeting held in November 2016. Human rights were also highlighted during the Brussels Conference on Afghanistan (BCA) in October and during the gender side event in the margins of the BCA entitled 'Empowered women, prosperous Afghanistan'. The EU continued to stress the important role of the Afghanistan Independent Human Rights Commission in reporting and monitoring human rights in Afghanistan.

Human rights defenders (HRDs) remained an important topic of discussion. On 15 March the Swedish Embassy and the EU held a conference on freedom of expression and the safety of journalists. As part of the HRD strategy the EU continued the bi-monthly meetings with HRDs and the HRD Committee. On 1 February the EU held a workshop on the revision of the EU+ local strategy for HRDs in Afghanistan and this strategy was revised in December.

Following the Taliban attacks on Kunduz in October 2016 the EU held and chaired an emergency coordination meeting to support HRDs and journalists fleeing the fighting. The EU coordinated the assistance, which also included HRDs and journalists from Helmand, Farah and Uruzgan provinces, with the HRD Committee, other Afghan CSOs and the international community in several meetings during October and November 2016.

In 2016 the EU continued to be a key donor in Afghanistan, championing human rights through its different instruments and thematic programmes. The EU Delegation implements 27 contracts in support of civil society, human rights, gender equality, media and social protection. The projects support the role of civil society in promoting human rights and democratic reform; create a more enabling environment for Afghan women to participate in public life; strengthen political participation and rights protection for marginalised urban internally displaced persons (IDPs); develop youth leaders' knowledge of civic, gender and human rights issues; support human rights defenders; mitigate and prevent family violence against women and girls; and provide political support, access to vocational training and capacity building and psychosocial counselling. The EU continued its support for the implementation of the national action plan on women, peace and security, as a main donor, through the implementation of the four projects, currently ongoing in eight provinces.

The EU also provided five emergency grants under the European Instrument for Democracy and Human Rights (EIDHR) to support around 200 HRDs and journalists fleeing the fighting in Kunduz, Helmand, Farah and Uruzgan provinces. Furthermore there were two grants for individual HRDs in 2016.

Afghanistan committed to cooperating with the International Criminal Court (ICC) and to extending an official invitation to the ICC to come to Afghanistan. Afghanistan has not yet signed the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) regarding abolishing the death penalty. The death penalty remained a subject of discussion during the human rights dialogue, with the EU repeating its call for a moratorium. Afghanistan also expressed commitment to signing the Optional Protocol to the Convention against Torture (CAT).

In the near future, the focus should be on achieving progress in all abovementioned areas. The EU will continue its human rights dialogue combined with comprehensive public diplomacy and outreach.

Islamic Republic of Iran

Despite some limited progress, including the unveiling of a Citizens' Charter by President Rouhani, the situation of human rights in Iran remained a matter of concern in 2016. A recurrent issue is the number of executions, which, even though it was lower than in 2015, remained high. Restrictions on civil freedoms persisted, notably the lack of guarantees to a free and fair trial, and violations of freedom of expression, religion or belief and of women's rights. A worrying increase in arrests of dual nationals was also noted. Shortcomings in freedom of association continued to be scrutinised by the ILO and were highlighted as extremely serious and urgent in November 2016.

The EU continued to voice concerns over human rights in Iran using a variety of formal and informal, bilateral and multilateral means. The EU issued statements on prisoners of conscience[80] and carried out demarches on several individual cases in which individuals were facing imminent execution for drug-related crimes or for crimes committed as juveniles. It called on the government of Iran to refrain from using the death penalty notably for crimes which, according to international human rights law, do not qualify as 'most serious crimes'. The EU reiterated its concerns about the high number of executions in the country on a number of occasions. As in previous years, the EU supported the resolution on the human rights situation in Iran tabled by Canada at the United Nations General Assembly in New York.

Elections for the 10th parliament (Majlis) and the fifth Assembly of Experts were held in Iran in February and April (second round) with a 60% voter turnout marked by high participation from the young and middle-class voters. A vetting process preceded the elections in which the Guardian Council approved 6 333 of 12 076 registered candidates. In the end 4 844 candidates ran for the 290 seats in the Majlis and 159 candidates (of 161 approved) for the 88 seats in the Assembly of Experts. A record number of 17 women were elected to the new Majlis, which amounts to 6% of all members.

80. EU External Action Service, Statement by the Spokesperson on the condemnation of Human rights defender N. Mohammadi in Iran, 20 May 2016 and Statement by the Spokesperson on the confirmation of the prison sentence of Narges Mohammadi in Iran, 30 September 2016

On 19 December 2016, President Rouhani released the Charter of Citizens' Rights (a first draft was published in 2013), fulfilling a campaign pledge from 2013. The document promises the 'observance and advancement' of the rights afforded to Iranians by the constitution and should be seen as an encouraging step.

Capital punishment was a major issue in 2016 and some Iranian authorities recognised that the death penalty was not an efficient deterrent factor for drug traffickers. In this context, the new Majlis launched a potentially significant reform aimed at reducing the number of executions for non-violent drug-related offences. A positive development in the course of the year was that some executions were postponed or suspended following diplomatic demarches and public outcry by international human rights NGOs.

Human rights are part of a broad and comprehensive agenda of cooperation with Iran which followed the Implementation Day of the JCPOA on 16 January. The Joint Statement agreed on 16 April by HRVP Mogherini and Foreign Minister Zarif confirmed both sides' determination to enhance and promote human rights and to engage in a human rights dialogue. A first dedicated meeting on human rights issues took place in November and allowed for an initial exchange of views. The EU will continue its informal talks with Iran and will progressively address concerns in the context of the high-level political dialogue and contacts at political level.

On 25 October, the European Parliament adopted a resolution on a new strategy towards Iran after the nuclear deal. It calls on the EU to ensure that human rights are integrated into all aspects of cooperation with Iran and encourages the development of an EU-Iran human rights dialogue.

An overall improvement of the human rights situation in Iran will depend on the result of the 2017 presidential elections, the new government's commitment to human rights and support from the Majlis and the judicial system in Iran. The EU is keen to support a reform process wherever possible, through an agreed framework and in close coordination with the Member States.

Association of Southeast Asian Nations (ASEAN)

At the 21st ASEAN-EU Ministerial Meeting held in Bangkok on 13-14 October 2016, Foreign Ministers on both sides confirmed the commitment to 'promote and protect human rights and fundamental freedoms, the rule of law, gender equality, women's empowerment, and to promote mutual respect amongst the states and peoples including through the exchange of good practices, dialogues, seminars and other initiatives'.

These issues will remain important elements in the EU's relations with ASEAN, including through the EU-ASEAN policy dialogue on human rights, and the EU looks forward to the convening of the second edition of the policy dialogue in South East Asia.

People's Republic of Bangladesh

Bangladesh's steady high economic growth resulting in incremental poverty reduction and socio-economic progress (education, health) has not been accompanied by advances in the area of protection of human rights and respect for the rule of law. A volatile security situation, shrinking democratic space and continuous deterioration of civil and political rights, including extrajudicial killings and enforced disappearance, and restrictive actions against opposition and human rights activists, continued to be areas of concern.

The EU's main priorities in the area of human rights and democracy remain judicial reform, the rights of persons belonging to minorities, human rights defenders, women's and children's rights, support for civil society and the implementation of labour rights. The EU also encouraged Bangladesh in forming an independent, impartial and non-partisan Election Commission to hold the next legislative elections in a free, fair and participatory way.

In 2016 Bangladesh witnessed deterioration of the security situation with militant attacks on religious and ethnic minority communities and their places of worship, killings of bloggers, journalists, academics and secular citizens, and enforced disappearances. The rule of law and law enforcement is undermined by the failure of authorities to arrest and punish the perpetrators, contributing to the general culture of impunity. Despite formal separation from the executive, the judiciary has not met people's expectation of a truly independent institution, and access to justice is seriously limited due to the chronic problems of the justice system.

There are persisting problems in relation to gender equality, the rights of persons belonging to minorities, women's and children's rights, the rights of people with disabilities, fundamental labour rights, trade union registration and fair labour practices, freedom of expression and of the media, freedom of assembly, and the situation of the Rohingyas. On the World Press Freedom Index Bangladesh ranked 144th among 180 countries in 2016. The adoption of a number of acts (Digital Security Act, Bangladesh Liberation War Crimes Denial Act, Citizenship Act) will effectively restrict freedom of expression. The Foreign Donations (Voluntary Activities) Regulation Bill 2016 passed by parliament will create greater limitations on the work of civil society. In 2016 two death sentences for crimes committed during the 1971 independence struggle were carried out.

In 2016 the country took on the cast of a one-party system with the opposition (Bangladesh Nationalist Party and Jamaat-e-Islami) out of the parliament with practically no, or very limited, influence on the political process. Furthermore, Jamaat was decimated by the executions of its leadership, sentenced for crimes during the independence struggle, and supporters have been subject to constant pressure. The 2016 local elections (Union Parishad), which took place with opposition participation, were tainted by violence and electoral irregularities, among other things.

In October 2016, the Bangladeshi parliament passed the Chittagong Hill Tracts (CHTs) Land Dispute Resolution Commission Bill, the implementation of which will contribute significantly to resolving numerous land disputes in the CHTs.

On fundamental labour rights, Bangladesh made some progress under the Sustainability Compact, with regard to workplace safety, but more needs to be done to address unfair labour practices. The June 2016 conclusions of the International Labour Conference include a 'special paragraph' on Bangladesh urging it to improve implementation of the ILO Freedom of Association Convention.

The EU closely followed the human rights situation in the country through political dialogue, public diplomacy, development cooperation activities, engaging with cultural and civil society representatives and meeting human rights organisations and defenders. The EU regularly called on Bangladesh to make progress on the issues of human rights and democracy at all

meetings with Bangladeshi partners, particularly at the biennial meeting of the Sub-group on Good Governance and Human Rights, held in Brussels in December 2016. The EU voiced concerns about extrajudicial killings and enforced disappearances, the death penalty, freedom of association and freedom of expression, and in general about the shrinking space for civil society. The EU also raised the situation of minorities, child marriage and child labour and domestic violence. The EU Heads of Mission in Dhaka issued six statements in 2016 on the subject of human rights.

The EU has been pressing Bangladesh for the political recognition of the positive role played by HRDs. The EU has been in contact with the National Human Rights Commission as well as with a wide range of human rights defenders, closely following the individual cases of HRDs targeted for their exposure of human rights violations. Continuous support was provided to human rights NGOs through the European Instrument for Democracy and Human Rights (EIDHR).

In 2016, EU human rights projects to the tune of EUR 22 million were being implemented by different organisations focusing on women's rights and empowerment, children's rights, political and civil rights, economic rights, indigenous peoples rights, rights of persons belonging to minorities and the rights of older people. The projects benefited from funding through different instruments or programmes, particularly EIDHR and support for civil society and local authorities (CS-LA).

Bangladesh is currently a member of the Human Rights Council for the period 2015-17. Strengthening participation in the political process and its inclusiveness remains one of the main challenges for Bangladesh. Enabling the unrestricted functioning of civil society should play an important role in the preparations for the third Universal Periodic Review (May 2018). Implementation of the Sustainability Compact and guaranteeing labour rights should be high on the agenda.

Kingdom of Bhutan

Since its first parliamentary elections in 2008, Bhutan has made considerable progress in its democratisation process and on human rights, by working on issues such as combating corruption, improving access to social services (health, education), promoting gender equality, safeguarding women's and children's rights, and poverty eradication.

In 2016, the main EU priority for human rights and democracy was supporting 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 assisting in efforts to protect women's and children's rights, and promote gender equality. The EU continued to engage with Bhutan to resolve the long-standing problem of Nepali-speaking Bhutanese refugees in Nepal.

The main human rights issues include some restrictions on freedom of assembly and association, media self-censorship and concerns about freedom of religion or belief. Continued delays in the implementation of a process to identify and repatriate Bhutanese Nepali-speaking refugees from Nepal to Bhutan remain a major issue. Around 12 000 to 13 000 refugees are expected to remain in Nepal after refugee resettlement to third countries ends in 2017.

There was relatively low voter participation in the 2013 general elections and the 2016 local government elections. The number of women participating in the 2016 local elections more than doubled in comparison to the first local elections in 2011. In May 2016, there were 49 registered CSOs in the country. Gender disparities in Bhutan remain. In the World Economic Forum's Annual Global Gender Gap report 2016 Bhutan was ranked 121st out of 144 countries. The representation of women in politics is very low. Nevertheless, the number of women in the civil service has increased in recent years.

Bhutan's press freedom ranking climbed 10 places in 2016 according to the World Press Freedom Index (April 2016) and it was ranked 94th among 180 countries. Bhutan has the best score among all eight South Asian countries.

The government has launched an initiative to adopt guidelines with the aim of ratifying some key human rights instruments. The government recognises the problem of domestic violence in the country and continued efforts to address it in 2016, especially with awareness campaigns.

The EU engaged with the Bhutanese government on human rights issues in various formats, notably during the last (sixth) biennial consultations in Thimphu in November 2015. EU Ambassador Kozlowski visited Bhutan to present his credentials in February 2016, and the new Ambassador of Bhutan to the EU, Pema Choden, presented her credentials to President Tusk in August 2016.

Under the Multiannual Indicative programme (2014-2020) the EU focuses its support on the strengthening of civil society and local government reform with the aim of consolidating the decentralisation process and the devolution of power and resources. Good governance is supported by more than half of the funds. It focuses on empowering local authorities, developing the capacity of civil society and assisting with public finance management reforms. In the sustainable agriculture and forestry sector, a strong gender component is integrated as a cross-cutting issue.

Since the last Universal Periodic Review in 2014, Bhutan has addressed a series of recommendations, such as those on access to social services (e.g. health and education), poverty eradication, tackling domestic violence and gender issues, and fighting corruption. Bhutan has taken noteworthy steps especially in combating corruption and safeguarding women's and children's rights.

Bhutan has signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child with its Optional Protocols. The government has launched an initiative to adopt guidelines with the aim of ratifying other human rights instruments.

Bhutan must take decisive steps towards the signature of international human rights treaties. Looking forward, the EU's focus will be mainly on supporting the government's efforts to strengthen democracy, including through the empowerment of local authorities, protecting women's and children's rights, and promoting gender equality.

Brunei Darussalam

Brunei Darussalam is an absolute monarchy, ruled under a state of emergency since 1963 which was implemented by the father of the present ruler Sultan Hassanal Bolkiah. A blend of village 'councils' and advisory bodies, including a Legislative Council (LegCo), exercises a limited role in recommending and approving legislation. In an otherwise tolerant society, in which Sunday is a public holiday as well as Christmas Day, Brunei has adopted a conservative form of Islam which it seeks to develop further under the Malay Islamic Monarchy (MIB) concept.

In 2016, unlike the previous year, there were no signs of a further tightening with regard to the MIB concept in the daily lives of the citizens. The 'Christmas tree controversy' of December 2015 did not resurface. There can be no doubt that the core policy of the government remains people-centred in all aspects. The monarchy continues to show deep dedication to the welfare of the people, who enjoy living in a peaceful harmonious environment.

A Sharia Penal Code order published in October 2013 includes provisions that impact the legal structure governing religious freedom. Phase 1 (with punishments limited to fines and imprisonment) was introduced in May 2014. Few cases have been reported before the courts. In 2016 there was no indication of if or when further phases of the code would be introduced. Concerns persist, however, that the full enactment of the Sharia Penal Code would undermine long-standing international human rights commitments.

The phased introduction of Sharia criminal law may be seen as an attempt to enhance social as well as religious discipline, and to preserve Malay culture, traditions and customs rather than to punish or to contain rising crime, of which there is little in Brunei. The aim is to protect Bruneian society in its present state and to perpetuate its 'core values'. The Criminal Code complemented Brunei's existing Sharia family law. As there are currently no signs that phases 2 and 3 are going to be triggered any time soon, and as there is only sketchy detail as to how the Sharia legal concept will sit alongside existing laws, it remains difficult to assess at this stage how Sharia criminal law might be implemented in the future.

The EU consistently used bilateral meetings with Brunei's authorities to raise human rights issues. EU Member States have regularly urged Brunei to accede to further core UN human rights instruments. In 2016, Member States represented in Brunei continued their dialogue with civil society and other stakeholders (e.g. the churches).

In April 2016, Brunei ratified the Convention on the Rights of Persons with Disabilities and in May the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Brunei clearly needs to strengthen respect for labour rights, especially for migrant workers. Major human rights covenants, such as the Convention against Torture and the International Covenant on Civil and Political Rights (ICCPR), have not yet been ratified.

Myanmar/Burma

Myanmar/Burma's peaceful democratic transition continued in 2016 with the inauguration of the new parliament on 1 February, the election of the first civilian president in more than five decades and the arrival in office of the new government on 30 March. Aung San Suu Kyi, whom the 2008 military-drafted constitution bars from taking the highest office, assumed the post of State Counsellor, Foreign Minister and President's Office Minister.

There has been regression in the freedoms of expression, association and assembly. Restrictions on freedom of the media, the intimidation, arrest and persecution of journalists, human rights defenders, activists and ordinary citizens, and the use of section 66(d) of the Telecommunications Act and section 505(b) of the Penal Code are worrying developments.

Lack of humanitarian access, imposed by the Government to conflict-affected populations remains a significant challenge in delivering life-saving assistance and protection services and responding to violations in Rakhine (particularly since the security clearance operation started in the north in October 2016), Kachin (in particular in areas beyond Government control) and Shan States.

Initiatives to create a culture of upholding the rule of law, advance human rights and undertake a review of the legislative framework were also launched. As a first measure, more than 300 political prisoners, activists and human rights defenders were released. A radical Buddhist organisation known for inciting hatred against Muslims was delegitimised. With reference to the high importance which the international community, including the EU, attaches to the predicament of the stateless Rohingya minority, Aung San Suu Kyi decided to address the underlying causes of the situation in Rakhine state at an early stage of her administration. The setting up of an Advisory Commission for Rakhine State led by former UN Secretary-General Kofi Annan, the establishment of a Central Committee for the Implementation of Peace, Stability and Development in Rakhine State, and the ongoing development of a long-term socio-economic development plan for Rakhine state are important steps to this end. As a sign of confidence in the government's commitment to improving human rights and progress towards democracy and national reconciliation, the EU took the decision in September 2016 to discontinue the human rights resolution on Myanmar/Burma in the UN General Assembly Third Committee, which it had been tabling since 1991.

The heavy-handed response of security forces to three coordinated attacks on border guard police posts on 9 October 2016 in northern Rakhine state led to a total halt of regular humanitarian assistance, since then depriving more than 150 000 people of humanitarian assistance as well as the new caseload related to the security operation, and forced more than 70 000 Rohingya to seek refuge in neighbouring Bangladesh and displaced more than 20 000 people whose villages have been burnt to the ground. The government has denied reports of serious human rights violations by security forces.

Additionally, the inability to conduct protection activities is concerning given the high number of serious protection incidents reported over the last few months. These reported incidents (most of which have not been independently verified by the UN as a result of ongoing access constraints), include rapes and sexual and genderObased violence, murders, abductions, and arbitrary arrests (including the ongoing detention of a number of children).

The apartheid system in place in central Rakhine includes severe movement restrictions preventing Muslim populations from accessing livelihood and basic services, as well as the segregation of 120 000 people confined in camps for 5 years. Additionally, measures to address the issue of statelessness (the biggest caseloads in the world) remain utterly inadequate.

The new government made peace its top priority and re-invigorated the peace process with more than a dozen ethnic armed groups. The first round of the so-called 21st Century Panglong Conference, a national political dialogue, took place on 31 August–4 September 2016. On this occasion High Representative/Vice-President Mogherini issued a statement welcoming a more inclusive progress and calling on all stakeholders to work together in a constructive and forward-looking spirit to put an end to conflict.

Meanwhile, according to UNHCR's annual Global Trends study, by the end of 2016 the number of refugees from Myanmar was the eighth highest number among the top ten countries of origin for refugees with 490 300, up from 451 800 in 2015.

Despite the restart of talks, escalating fighting between the Myanmar army and ethnic armed groups in the Kachin and northern Shan states has undermined confidence and trust in the peace process. Humanitarian access to displaced populations in non-government-controlled areas is at its lowest since the resumption of the conflict in 2011, with reports of multiple and very serious human rights violations against ethnic minorities.

As witnessed in northern Rakhine, Shan and Kachin, the Myanmar Army does not appear to respect the principles of proportionality as well as the distinction between combatants and civilians.

The EU Special Representative for Human Rights travelled to Myanmar/Burma for the third human rights dialogue on 20-24 November 2016. In meetings with the State Counsellor and the Commander-in-Chief of the Myanmar armed forces he called for the urgent resumption of humanitarian assistance in northern Rakhine state, increased access for media and independent observers and the setting up of an independent, credible investigation into the 9 October assaults and subsequent operations. He also emphasised the continuation of initiatives already launched by the State Counsellor to tackle the underlying issues in Rakhine state. In other meetings the EU Special Representative discussed freedom of the media and expression and the ongoing legislative review process.

A civil society forum preceded the human rights dialogue. Issues of concern included the four laws 'on the protection of race and religion', violence against women, new curbs on freedom of speech and expression, political prisoners, conditions of detention, labour law reform, the lack of consultation on new legislation, the peace process and transparency with regard to the future EU-Myanmar/Burma Investment Protection Agreement.

On 2 December 2016 a statement by the spokesperson was issued reiterating concern about the situation in Rakhine state and escalating fighting in the north-eastern parts of the country.

The Joint Communication entitled 'Elements for an EU strategy vis-à-vis Myanmar/Burma: A Special Partnership for Democracy, Peace and Prosperity' of 1 June 2016 outlines stepped-up EU engagement in support of the democratic transition, peace and national reconciliation and inclusive sustainable development. Democracy, the rule of law and good governance and human rights are key areas of engagement. On 20 June 2016 EU Foreign Ministers welcomed the Joint Communication laying out a plan for coherent, ambitious and forward-looking engagement

and intensified cooperation with Myanmar/Burma, and reiterated the commitment to fully supporting the country's transition to democracy.

For the consolidation of democracy, the EU has reached out to the Myanmar army, which remains an important political player, to expose them to the role and functioning of EU militaries. Following his visit to the country in June 2016, the Chairman of the EU Military Committee, General Kostarakos, invited the Commander-in-Chief to attend the EU28 Chiefs of Defence meeting on 7-8 November. In the Political and Security Committee the Commander-in-Chief explained the role of the military in politics and the peace process.

In September 2016, the EU participated in the Second Stakeholder Forum of the 'Initiative to Promote Fundamental Labour Rights and Practices in Myanmar'. Topics of discussion included the priorities and challenges for the modernisation of the country's labour laws and practices, and for the improvement of compliance with international labour standards, as well as how to foster inclusive engagement with domestic and international stakeholders in this process.

In 2016 the European Parliament adopted two resolutions on Myanmar/Burma with particular focus on the situation of the Rohingya[81].

The EU continued to present a resolution on Myanmar/Burma in the UN Human Rights Council, renewing the mandate of the UN Special Rapporteur by another year. The resolution was adopted without a vote. The EU also supported renewed cooperation between the country and the ILO, in particular as regards the elimination of forced labour and freedom of association

Kingdom of Cambodia

In 2016, Cambodia saw rising political tensions between the ruling party, the Cambodian People's Party (CPP) ,and the main opposition party, Cambodia National Rescue Party (CNRP), with a number of arrests and detentions of members of the opposition, civil society actors and human rights defenders.

A local EU Statement, dated 30 May 2016, called for a halt to the judicial harassment of the acting leader of the opposition and representatives of civil society organisations. In a Resolution, dated 9 June 2016, the European Parliament expressed its deep concerns about the worsening climate for opposition politicians and human rights activists in Cambodia and deplored the use of politically motivated charges and judicial harassment of human rights defenders and activists[82].

The assassination of prominent political analyst and government critic Kem Ley in July 2016 was followed by a funeral ceremony that was attended by thousands of Cambodian citizens. The judicial investigation into Kem Ley's case was closed in December 2016. In 2016, new prosecutions were brought against exiled CNRP president, Sam Rainsy. In October 2016, the Cambodian government reportedly banned Sam Rainsy from returning to the country.

81. European Parliament, resolution of 7 July 2016 on Myanmar, in particular the situation of the Rohingya (2016/2809(RSP)) and resolution of 15 December 2016 on the situation of the Rohingya minority in Myanmar 2016/3027(RSP))
82. European Parliament resolution of 9 June 2016 on Cambodia (2016/2753(RSP))

In November 2016, opposition Senator Hong Sok Hour was sentenced to seven years in prison for forgery and incitement to social chaos. In December, Sam Rainsy was sentenced in absentia to five years in prison in relation to the same case. In November 2016, opposition senator Thak Lany was sentenced in absentia to 18 months in prison for accusing Prime Minister Hun Sen of involvement in the 10 July murder of political analyst Kem Ley.

In December 2016, CNRP deputy leader Kem Sokha received a royal pardon, at the request of Prime Minister Hun Sen, freeing him from having to serve a five-month jail sentence. In December, another member of the opposition, Seang Chet, was freed on a royal pardon. The case against Kem Sokha resulted in the arrest of four officers of the Cambodian NGO ADHOC and the Deputy Secretary-General of the National Election Committee (NEC) (referred to in the media as the 'ADHOC 5'). Their pre-trial detention, which started on 28 April 2016, continues despite a reported commitment from the government to releasing them by 31 December 2016. Shortcomings in freedom of association continued to be scrutinised by the ILO in 2016 and were highlighted as extremely serious and urgent in November. The EU expressed concerns about the persistent limitations on freedom of association and the lack of protection for workers' rights.

At the ninth EU-Cambodia Joint Committee, held in May 2016, the EU raised a number of human rights issues, in particular: political developments, including the arrest of NGO personnel; the shrinking space for political debate and criticism; freedom of speech in general; the handling of land conflicts; the risks linked to the application of the Law on Associations and Non-Governmental Organisations (LANGO); and issues relating to the laws on trade unions, telecommunications and cybercrime.

Land disputes continue to be a critical issue in Cambodia. The Cambodian government has taken some positive steps. However, progress continues to be slow on the resolution of land disputes. The EU has engaged with the Cambodian government to design an independent audit of land claims related to a number of sugar-related economic land concessions (ELCs). However, a formal decision by the Cambodian government on the implementation of an audit is still awaited.

The voter registration process for the commune elections of June 2017 has ended with more than 7.8 million voters registered, around 81% of those eligible. The EU has provided support for electoral reform, primarily through an improved voter registration process. EU support covers several areas: project support for the registration process; technical support for the National Election Committee on legal and civic education aspects; support for domestic observation for the 2017 and 2018 elections; and election-related violence monitoring.

The EU Delegation was very active in 2016 on the implementation of human rights initiatives that the EU considers crucial for Cambodia, covering environmental and land rights, freedom of association, the independence of the judiciary and democracy (including transparent, credible and inclusive elections). Major actions undertaken by the EU Delegation were the organisation of a Human Rights Day speakers' corner event and the provision of financial support to projects related to the promotion of human rights. The EU Delegation also held regular meetings with key government actors on good governance and democracy issues, such as the fairness and independence of the judiciary and due process, a level playing

field for elections and land rights. These matters were also discussed with the opposition and civil society leaders. The EU Delegation also facilitated and participated in a visit from 30 March to 2 April 2016 by a delegation of the European Parliament's Subcommittee on Human Rights.

Through the EIDHR thematic budget line the EU provides support to civil society organisations working to train and strengthen human rights defenders. The EU also supports civil society organisations working on land reform with a focus on supporting poor rural communities who have been evicted from their land, supporting indigenous people's land rights and forest rights, and supporting the urban poor in getting recognition for their right to secure land tenure.

The EU is a major financial contributor to the Extraordinary Chambers in the Courts of Cambodia (ECCC). In addition to its support for the Court Chambers, the EU assists civil society organisations implementing non-repetition and communal reparation projects recognised by the court. On 23 November 2016, the Supreme Court Chamber of the ECCC confirmed life sentences for former Khmer Rouge leaders Nuon Chea and Khieu Samphan for crimes against humanity in relation to the evacuation of Phnom Penh immediately after the fall of the city on 17 April 1975.

The UN Special Rapporteur on human rights visited Cambodia twice in 2016 and raised concerns over the 'narrowing' of the space for civil society in Cambodia. At the UN Human Rights Council in Geneva, a Joint Statement issued on 14 September 2016 (on behalf of 39 countries, including the 28 EU Member States, the US and Japan) expressed concern about the current escalation of political tensions in Cambodia and the appearance that legal action is being disproportionately pursued against critics of the government.

The government of Cambodia has viewed some of the activities of the UN Office of the High Commissioner for Human Rights (OHCHR) in Cambodia as interference in its domestic affairs. Following prolonged discussions, a new two-year MoU was signed between Cambodia and the OHCHR in December 2016.

People's Republic of China

In 2016, the EU continued to pursue its commitment to promoting the universality of human rights and to help improve the human rights situation in China in an active and sustained way.

The EU's main priorities regarding the human rights situation in China remained constant in 2016: promoting greater adherence to the rule of law; supporting freedom of expression; and providing support to civil society, human rights defenders and persons belonging to minorities, in particular Uighurs and Tibetans. Another EU priority is the ratification of the International Covenant on Civil and Political Rights (ICCPR), which China signed in 1998 and committed to ratifying during the two Universal Periodic Review exercises (in 2009 and 2013). The EU also continued its efforts as part of its global campaign against the death penalty, as a high number of death penalty executions are carried out in China. However, some reforms have been launched to bring down the number of executions. The EU continued to hold China to its obligations under the UN Charter and international law, which are also reflected in China's constitution, and urged China to implement policies in line with these obligations.

Overall, in 2016 China continued to improve the social and economic situation, pulling millions of citizens out of poverty. However, the overall human rights situation in China continues to be of concern for the EU. Unfortunately, efforts to increase the independence and professionalisation of the judiciary and ensure the right to a fair trial, in line with the 2012 reform of the Criminal Procedure Law, fell short of being effective due to lack of procedural guarantees for detainees.

The situation of human rights defenders continued to deteriorate following the wave of detentions and arrests of human rights lawyers and human rights defenders in July 2015. By the end of 2016, there were still some 17 lawyers and human rights defenders, out of the 300 targeted in the July 2015 crackdown, who were still detained or under residential surveillance. The EU is concerned about the lack of transparency surrounding these detentions and a reported lack of procedural guarantees regarding the individuals' access to their family members and to lawyers of their own choosing. There were consistent reports that those in detention and under so-called 'residential surveillance', where the detainees are kept incommunicado at undisclosed locations, were subjected to mistreatment. Family members of those detained also reported various forms of harassment by the authorities on a regular basis.

The EU expressed its concerns about the detention and conviction of human rights lawyers and activists throughout the year, most notably, in August 2016, condemning the conviction of Zhai Yanmin, Hu Shigen, Zhou Shifeng and Gou Hongguo and criticising the lack of adherence in the trials to China's own Criminal Procedure Law and the infringements of the defendants' rights to a proper defence. The EU also noted with concern the treatment of and unfounded accusations against EU diplomats who attempted to observe this trial in August 2016 in Tianjin, which was supposed to be conducted openly under Chinese law.

The human rights situation of persons belonging to ethnic and religious minorities, especially in Tibet and Xinjiang, remain a cause for concern. The detention of Tibetan language campaigner Tashi Wangchuk in January 2016 and the sentencing of Tibetan blogger Druklo in March 2016 signalled the continued curtailing of freedom of expression in Tibet. The demolitions at the Larung Gar Buddhist Academy, and the expulsions and so-called 'patriotic re-education' of monastic individuals caused much distress in the Tibetan community and even prompted suicides. Although the pace of self-immolations in the Tibetan population slowed down, three new cases were reported in 2016. In Xinjiang, there were continued reports of social unrest and repression connected to restrictions of Uighurs' economic, social and cultural rights, including on the practice of Islam. In January 2016, activist Zhang Haitao was sentenced to 19 years in prison for his online writings and the Uighur academic Ilham Tohti, who promoted equality and understanding between different ethnic groups, continues to serve the life sentence handed down against him in 2014.

Legal reform continued during 2016, with the entry into force of the Domestic Violence Law in March and Counter-Terrorism Law in January. China's Cybersecurity Law was also adopted in November 2016. The law on administration of foreign NGOs was adopted on 28 April 2016 and will enter into force on 1 January 2017. Amendments to the Religious Affairs Regulations, Police Law and administrative measures for law firms were initiated in the course of 2016. While the EU welcomed the entry into force of the first national domestic violence law, the

rest of the legislative changes created concern. The EU and its Member States participated in public consultations on these laws and regulations in order to encourage China to avoid restrictions on human rights and to adopt laws that are not in line with China's obligations under international law, albeit with limited influence on the outcome.

China's household registration system (hukou) continues to be of concern for the EU as it disadvantages citizens with rural residency. In 2016, the Chinese authorities continued to reform the system removing some of the administrative obstacles to employing migrant workers but further reforms are needed for better access to residency permits and social services by migrant workers. This would benefit the welfare of a significant share of the Chinese population as well as Chinese economy by boosting consumption.

The rights of women are protected under the Chinese constitution. However, discrepancies remain and advocacy on behalf of women's rights is often supressed. In 2016, China amended its Population and Family Planning Law, allowing all married couples to have two children. In January 2016 a prominent women's legal aid centre was shut down by the authorities, which caused an outcry amongst women's rights activists. Although China has adopted legislation to ensure equality in the workplace, reports published in 2016 (including an article in March 2016 by the Xinhua News Agency - the official press agency of the PRC) stated that discrimination against women still pervades Chinese society. The EU supported and organised a number of activities on women's rights in the framework of the Gender Action Plan 2016-2020.

A particular area of concern for Chinese citizens is the state of the environment, including air quality and water safety. In response, China's government continued to place significant emphasis on the issue, introducing a number of new pieces of legislation which set ambitious targets and created new provisions for enforcement and implementation, including on the public's access to information and the right of NGOs to bring public-interest cases against private entities responsible for environmental damage. Nevertheless, China still faces major implementation challenges. There is progress on curbing air pollution in cities like Beijing, although air pollution levels remain well above WHO standards with regular severe smog episodes still occurring. Water availability and pollution remain a challenge.

Freedom to form trade unions continued to be restricted in China during 2016, with the All-China Federation of Trade Unions, which is dominated by the Communist Party of China (CPC), being the only officially recognised trade union organisation. Grassroots organisations active in the field of labour rights continued to face systematic control and repression, especially in Guangdong province. In recent years, including in 2016, China has seen an increase in the use of collective bargaining, though its use in the resolution of labour disputes is still relatively low when compared to the increasing number of labour disputes. From an economic standpoint, 2016 saw a continued increase in the minimum wage and other wage levels, contributing to reducing poverty and expanding economic prosperity; however, labour disputes caused by unpaid or partially paid salaries remain a problematic issue.

The EU continued to engage on human rights issues with China at various levels using different platforms. Most notably, President Tusk voiced the EU's concerns both bilaterally with Chinese President Xi and Premier Li and publicly at his press conference during the EU-China Summit in Beijing on 12-13 July 2016. He underlined the importance that the EU attaches to human rights

as an integral part of its relations with China, especially concerning freedom of the press, and freedom of expression, association and assembly.

In 2016, the EU published five statements on the human rights situation in China. On 22 January, a statement by the spokesperson criticised the arrest of the EU citizen and human rights activist Peter Dahlin[83]. On 29 January, through a local statement, the EU acknowledged Mr Dahlin's release but expressed its concerns about the detention of many other human rights defenders and lawyers.[84] On 24 May 2016 and 5 August 2016, the EU published a local statement and a spokesperson's statement calling upon China to ensure full transparency and respect due process in handling the cases of detained human rights lawyers, in line with the recommendations it received in December 2015 from the UN Committee against Torture[85]. The EU also stressed that detained individuals should be allowed access to legal counsel and visits from their relatives. In a local EU Statement published in relation to International Human Rights Day on 10 December 2016[86], the EU reiterated its call for the release of Nobel Peace Prize laureate Liu Xiaobo and other human rights lawyers and defenders, including Li Heping, Wang Quanzhang, Xie Yang and in particular Jiang Tianyong, whose detention was announced by the Chinese police in December 2016, one month after his unexplained disappearance.

The 35th round of the annual EU-China human rights dialogue did not take place in 2016, despite the intense efforts of the EU to organise the meeting and the commitment made by the Chinese side, during the EU-China Summit in July 2016, to holding this meeting before the end of 2016.

The EU also contributed to the improvement of human rights in China by supporting civil society organisations in China working specifically on human rights issues, under the EIDHR instrument, and by encouraging partnerships with the Chinese authorities through the non-state actors (NSA) instruments. The projects focused on the strengthening the rule of law, access to justice and protection of the rights of vulnerable groups including women, children, minorities.

The EU referred to the human rights situation in China in its Item 4 statements issued during the three regular sessions of the Human Rights Council in March, June and September. A number of EU Member States also joined a statement on China under Item 2 at the Human Rights Council in March. In August 2016, China accepted the visit of the UN Special Rapporteur on extreme poverty and human rights, which was the first visit of a UN Special Rapporteur to China since December 2010. One of the outcomes of this visit was the recommendation that China put in place 'accountability mechanisms' that citizens are able to use when their rights are violated.

83. EU External Action Service, Statement by the Spokesperson on the arrest and detention of EU citizen Peter Dahlin, 22 January 2016
84. Delegation of the EU to China, EU Concerns about the Human Rights situation in China, 29 January 2016.
85. Delegation of the EU to China, EU Concerns about the Human Rights situation in China, 24 May 2016 and EU External Action Service, Statement by the Spokesperson on the conviction of Chinese lawyers and other human rights defenders on charges of state subversion, 5 August 2016
86. European Union Statement on International Human Rights Day, 9 December 2016

Macao Special Administrative Region of the People's Republic of China

Within the framework of 'one country, two systems', enshrined in the Basic Law of Macao, the rights and fundamental freedoms of the people of Macao continued to be respected and the rule of law was upheld.

Macao enjoys a high level of civil liberties and respect for human rights and fundamental freedoms. Nonetheless, the government remained opposed to a suggestion by the UN Committee against Torture (UN CAT) to establish an independent human rights body, arguing that this recommendation was not applicable to Macao as a Special Administrative Region of the People's Republic of China. The major issues challenging human rights in Macao are trafficking in human beings, the lack of a framework for greater democratic participation, and the failure to enforce laws regarding collective bargaining.

In 2016 the EU continued to support the activities of, exchange information with and strengthen the capacity of local human rights defenders and NGOs through seminars and online campaigns. Following the joint workshop on trafficking in human beings held in January 2016 the EU and Macao look forward to reinforcing their cooperation in this area.

Hong Kong Special Administrative Region of the People's Republic of China

Within the framework of 'one country, two systems', enshrined in the Basic Law of Hong Kong, the rights and fundamental freedoms of the people of Hong Kong continued to be generally respected and the rule of law was upheld. Despite the absence of universal suffrage, Legislative Council elections have generally been seen as free from interference. However, the disappearance of five Hong Kong booksellers was a worrying erosion of the 'one country, two systems' principle. The case raised serious concerns among the political establishment and civil society in general.

In its statements of 7 January 2016 and 25 April 2016 the EU considered the case of the five book publishers to be the most serious challenge to Hong Kong's Basic Law and the 'one country, two systems' principle since Hong Kong's handover to the People's Republic of China (PRC) in 1997[87]. The case raised serious concerns about respect for human rights, fundamental freedoms and the rule of law. The EU called for the constitutional arrangements for Hong Kong SAR within the PRC to be fully respected. It urged all parties to restore the trust of Hong Kong residents and the international community in the Basic Law and the 'one country, two systems' principle. The EU also encouraged the Hong Kong SAR and central government authorities to enter into constructive discussions aimed at resuming the electoral reform and reaching an agreement on an election system that is democratic, fair, open and transparent.

The EU continued to support civil society in Hong Kong through regular contacts with human rights defenders, NGOs and the media, and the organisation of human rights campaigns. The EU also supported women's rights and the human rights of LGBTI persons through various campaigns and seminars.

87. European External Action Service, Statement by the Spokesperson on the disappearance of individuals associated with the Mighty Current publishing house in Hong Kong, 7 January 2016 and Press release, European Commission and European External Action Service issue 2015 Annual Report on Hong Kong Special Administrative Region, 25 April 2016

In January the EU organised a workshop on preventing and combating trafficking in human beings and protecting its victims, in cooperation with the Hong Kong Office of the Secretary for Security.

Taiwan

Overall, the human rights situation in Taiwan is good. However, the EU continues to urge Taiwan not to resort to capital punishment. One execution took place in May, following previous executions in 2015, 2014, 2013, 2012, and 2011 which breached the de facto moratorium observed from 2005 until 2010. In its local statement, the EU called for an immediate moratorium on executions, as recommended by a panel of international experts in 2013. The EU engaged with local authorities and civil society on working effectively towards the resumption of a moratorium on the death penalty with a view to its formal abolition. In this context, the EU and its Member States engage with Taiwan through EU-Taiwan judicial exchange programmes. Since 2015, only one death sentence has been confirmed by the Supreme Court. In its regular dialogue with Taiwan – the EU-Taiwan annual consultations on non-trade issues – the EU raised its concerns over the death penalty and its continued application. Other than the death penalty, the EU also engages with Taiwan on gender equality and the human rights of LGBTI persons, where Taiwan is seen as a positive example for the Asia-Pacific region.

Republic of India

India is a democratic and pluralist country where the 1950 constitution, relevant legislation and robust institutions protect citizens' rights, building on the core principles of secularism and equality. While India has made some remarkable progress, achieving respect for human rights in such a vast and diverse country remains a formidable task. However, India's thriving civil society works for the promotion and protection of human rights, and the government has launched programmes to support the poorest in the country.

In 2016, the EU's priorities in India were supporting efforts to combat discrimination and inequality, promoting gender equality and children's rights, defending the integrity of the person and supporting human rights defenders' rights. The EU also promotes establishing a moratorium on the death penalty in India.

Despite legal safeguards and a developed court system, accessing justice can prove difficult, notably for marginalised communities, and overly long proceedings are a frequent complaint. Overcrowding and a high number of undertrials have resulted in poor prison conditions. Current human rights issues of concern relate to freedom of religion or belief, freedom of expression and the rights of human rights defenders, including journalists. In 2016, the cancellation of many CSOs' licenses under the Foreign Contribution Regulation Act became prominent in the discussion of civil society space. Moreover, acts of discrimination against Dalits and violence against women continue to persist in the country despite government efforts. While no execution was carried out in 2016, the death penalty remains on the statute book for the 'rarest of rare' cases, and public opinion appears to be in favour of the punishment.

India is the world's largest democracy, where the voter turnout is relatively high, but the political participation of women remains low. Currently only about 11.2% of the MPs both in the lower and upper house of the parliament are women. At the state level the number of female legislators is low. However, India has established quotas at the local government level, reserving one third of seats for women.

In order to improve economic, social and cultural rights, the government has initiated a number of programmes to increase access to education, energy, health, housing and transportation, as well as water and sanitation. India also passed a Rights of Persons with Disability Bill that brings the legislation in line with the UN Convention on the Rights of Persons with Disabilities. The police and administration more actively addressed cases of violence against women.

The EU has engaged with stakeholders in India in various formats and at various levels, including officials, dedicated human rights institutions, civil society representatives and the broader public. The EU also supports, and participates in, a range of human rights events and increasingly uses social media to disseminate information. While the local human rights dialogue did not take place in 2016, the EU and India recognised their commitment to such exchanges in the March 2016 Summit, agreeing to strengthen cooperation and coordination in international fora, including possibly developing a dialogue on gender equality.

Supporting HRDs has been one of the key priorities for the EU in India. The EU has interacted with the human rights defenders network, including during field trips, and has been in contact with the National Human Rights Commission on a case-by-case basis. The EU continues to actively monitor developments and provide assistance to those in need, including through the HRD emergency support mechanism on a case-by-case basis.

The EU continued providing financial support to India through the EIDHR programme in the areas of gender and children's rights, the rights of persons with disabilities, indigenous people's rights, trafficking in human beings, the abolition of the death penalty, and freedom of expression online and offline.

India has not yet ratified some of the core international human rights instruments or core labour standards. There are a number of bills tabled at the parliament to enable India to ratify the international treaties it has signed. Labour Minister Bandaru Dattatreya has suggested India is ready to ratify ILO conventions (132 and 182) as the government-approved Child Labour Amendment Act 2016 that bans employment of children below the age of 14 years. India is a member of the UN Human Rights Council until the end of 2017. The CSO's published a number of reports and conducted stakeholders consultations in 2016 to prepare for the Universal Periodic Review of May 2017.

Republic of Indonesia

Indonesia is a stable democracy with free and fair elections, a diverse and active media and a vibrant civil society. Basic human rights are guaranteed by law and the institutional human rights framework includes a National Commission on Human Rights, a National Commission on Violence against Women, and the Commission for Child Protection.

The top human rights priority for the EU in Indonesia is the promotion of the abolition of the death penalty, starting with the introduction of a moratorium on executions. The EU is also working on the issue of non-discrimination, in particular to enhance protection of minority groups. Other priority areas include business and human rights, access to justice and women's enjoyment of human rights.

Indonesia executed four people in July 2016, all for drug-related offences. At least 130 prisoners remain on death row. A lack of adequate protection for and discrimination against minorities (including religious groups such as Ahmadiyah and Shiites, or the LGBTI community) remains an issue. Several ministers, politicians and religious leaders have made anti-LGBTI remarks, whilst civil society organisations in this area have come under pressure. There continue to be concerns with regard to restrictions on freedom of expression and freedom of peaceful assembly in the provinces of Papua and West Papua with frequent arrests of peaceful protesters and the application of treason laws. Promised investigations into past human rights violations have progressed slowly.

Parliament passed the Law on the Rights of Persons with Disabilities which marks a major advancement. The province of Aceh established a Truth and Reconciliation Commission to look into human rights violations during the decade-long conflict in the province that ended with the Helsinki peace deal in 2005. The government sponsored an unprecedented symposium on the anti-communist purge and mass killings of 1965-1966, providing opportunities for victims and their relatives to present their perspective of the events.

The EU-Indonesia Partnership and Cooperation Agreement provides the framework for bilateral cooperation. The PCA is based on shared values and includes joint commitments to the safeguarding and promotion of human rights. The sixth session of the EU-Indonesia human rights dialogue took place in Brussels in June. It provided the opportunity for exchanges on the rights of migrants, non-discrimination/the rights of persons belonging to minorities, access to justice/penal policy, business and human rights, and countering violent extremism. Both sides agreed on concrete follow-up activities in the area of penal policy and business and human rights.

The EU issued a statement prior to the execution in June calling on the Indonesian government to halt executions and return to a de facto moratorium. The EU maintained close contact with high-level officials underlining its opposition to the death penalty. In conjunction with the World Day against the Death Penalty on 10 October the EU Delegation ran a social media campaign against capital punishment.

The EU Delegation held regular meetings with minority groups and victims of intolerance, including with representatives of religious minority groups and LGBTI organisations. The EU Delegation continued its cooperation with Nahdlatul Ulama, the country's largest Muslim organisation espousing tolerance and pluralism.

The EU closely followed developments in the provinces of Papua and West Papua and held several meetings with Papuan human rights defenders.

Together with the National Human Rights Commission, Komnas HAM, and the Association for the Prevention of Torture (APT), the EU Delegation organised a workshop on torture prevention which resulted in the signature of a Memorandum of Understanding (MoU) establishing a task force on torture prevention which will conduct visits to places of detention.

The EU Delegation, in cooperation with UN Women Indonesia, organised a Planet 50-50 comic and cartoon competition followed by an exhibition and a series of 26 events with various

partners during the 16 Days of Activism campaign, including the HeForShe pledge by the EU Heads of Mission.

The EU provided financial support to various human rights projects funded through the European Instrument for Democracy and Human Rights (EIDHR). The EIDHR supported 11 projects in 2016, covering a broad spectrum of issues, including conflict resolution and mediation, freedom of religion, the rights of people with disabilities, support for human rights defenders, business and human rights, and accountability for human rights violations.

Indonesia has ratified all key UN human rights conventions. The national human rights action plan for 2015-2019 features 'preparation for the ratification of international human rights instruments' among its priorities, including ratification of the Optional Protocol to the Convention against Torture and the Rome Statute. Indonesia was a member of the UN Human Rights Council from 2007-2010 and has been re-elected from 2012-2017.

Indonesia accepted 144 recommendations from the 2012 Universal Periodic Review (UPR). The main recommendations accepted concerned ratifying international conventions, especially the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), criminalising torture, promoting human rights, fostering partnerships with national human rights institutions, protecting certain rights, especially for religious minorities, children, women and human rights defenders, and continuing to tackle issues regarding trafficking in human beings. Indonesia's next UPR session takes place in May 2017.

Japan

In 2016, the overall human rights situation in the country remained stable with some minor improvements relating to non-discrimination and criminal procedure law. Japan remains an established and well-functioning democracy which in general terms ensures a high level of respect for human rights.

The EU's human rights priority in Japan is focused mainly on the continued use of death penalty and on the criminal justice system, including prisoners' rights. The EU is also active on gender equality and women's empowerment, as well as non-discrimination and strengthening an open society.

In 2016, the main human rights issues reported by Japanese and international human rights organisations included the administration of the death penalty, as well as the state of Japan's detention facilities and legal system (criminal justice system). Other human rights problems included: domestic violence, sexual harassment and workplace discrimination against women; trafficking in human beings, including the exploitation of foreign trainee workers; the exploitation of children; societal discrimination against minority group members (including LGBTI persons and persons with disabilities). An increasing tendency on the part of the media (especially national broadcasters) towards self-censorship was also reported, in some cases linked to instances of apparent political pressure.

In 2016, the main positive developments included reform of the criminal procedure law, enacted in May 2016, which brought some improvements, notably with regard to increased video recording of interrogations and disclosure of evidence. However, the reform did not

address some persistent problematic issues, such as the pre-trial detention system (daiyo kangoku), which allows the police to detain suspects for up to 23 days without formal charges.

Other notable developments included the passage of Japan's first anti-hate speech law in May 2016, marking a step forward in the efforts to curb xenophobia. However, while the legislation adopted on 24 May 2016 condemns unjustly discriminatory language as 'unforgivable', it doesn't legally ban hate speech and sets no penalty. It must be noted, though, that the new legislation has already been used as a basis by several local governments for banning public gatherings organised by radical right-wing groups bullying Korean permanent residents (zainichi). In December 2016, the Diet also enacted legislation acknowledging that discrimination against burakumin (former outcasts) still exists, despite the implementation of various policies, and requesting further governmental efforts to eliminate it. It obliges the central government and municipalities to establish consultation systems, beef up education and launch probes into buraku discrimination when needed.

The EU continued to engage on human rights issues, mainly with regard to the application of death penalty. The EU and EU Member States, together with other like-minded countries, voiced their opposition to capital punishment via local statements and letters. The EU Delegation and EU Member States organised several workshops and conferences on the subject, thus reaching out to the public. The regular human rights dialogue was held in July in Tokyo and covered a range of issues, including gender, business and human rights, and cooperation in the multilateral fora.

With regard to local action on key human rights priorities, the EU Delegation, together with four Member States' embassies, participated in the fourth edition of Tokyo Rainbow Pride on 8 May under a common slogan, 'Together for Equality and Diversity', ahead of the International Day Against Homophobia, Transphobia and Biphobia on 17 May.

With the aim of strengthening Japanese civil society, the EU Delegation organised a joint pre-briefing session on the occasion of the EU-Japan human rights dialogue. For many NGOs, it was a first opportunity to meet with other civil society organisations.

On gender equality and women's empowerment, the EU Delegation organised a social media campaign around 8 March to raise awareness on gender equality and promote the UN Women campaign HeForShe, to which all male EU ambassadors signed up. On 12 December, the EU Delegation organised the EU High-Level Conference on the Economic Empowerment of Women (http://together4equality.eu/). It provided a forum for the exchange of experiences and expertise for approximately 300 participants.

Following the EU call for proposals on 'engagement with civil society in Japan on fundamental rights: death penalty and the criminal justice system', launched in April 2016, a grant contract was signed in December with the University of Reading, in cooperation with the Centre for Prisoners' Rights, a local civil society organisation promoting the abolition of the death penalty. The two-year project, which officially starts in January 2017, will focus on activities to promote awareness and debate on the death penalty, and implement advocacy actions in Japan. The grant beneficiaries will closely coordinate their work with the EU Human Rights Task Force in Japan.

In view of their commonality of views on a wide range of human rights issues, the EU and Japan cooperated closely in the multilateral context, including jointly tabling resolutions on the human rights situation in the DPRK at the UN Human Rights Council and the UN General Assembly.

A more active national debate on the death penalty should be encouraged, together with deeper reform of the pre-trial detention system and improved understanding of prisoners' rights. Bilateral cooperation on gender issues, involving business and civil society, will also continue. The situation of migrants in the context of a declining population and of labour shortages, as well as the preparations for the 2020 Tokyo Olympics, may require further monitoring.

Republic of Korea

In 2016 the Republic of Korea continued to protect human rights as expected in a country with a strong democratic infrastructure. However, the geopolitical regional context and the challenges resulting from long-standing social practices do impact the manner in which democracy is sometimes exercised, leaving some areas of concern.

EU action focused on working with Korean civil society and government stakeholders to promote freedom of expression and assembly, including labour rights; addressing the imprisonment of conscientious objectors to military service; gender equality; minority groups, including LGBTI persons; and maintaining the moratorium on executions. Continuing the close cooperation with the Republic of Korea in international human rights fora was also a priority.

The main concerns relate to negative trends in freedom of expression and assembly. Other issues include the imprisonment of several hundred conscientious objectors to military service, gender inequality, notably in regard to equitable access to the labour market, and a lack of proactive measures by the government to promote improved social attitudes to LGBTI persons. The death penalty is still in force, although a moratorium on executions has been in place since 1997.

The EU maintained regular contact with individuals and civil society organisations (CSOs) from all sides of the political spectrum working on a range of human rights issues, including the environment for human rights defenders.

The EU strengthened and expanded its cooperation with government departments responsible for protecting human rights. These discussions included further improving the environment for human rights defenders.

The EU enhanced its cooperation with the National Human Rights Commission of Korea (NHRCK). The 22 EU Heads of Mission in Seoul discussed the EU's human rights priority concerns with the Chair of the NHRCK. EU experts contributed to NHRCK initiatives, including on business and human rights and the rights of older people.

Cooperation was enhanced with organisations working on gender equality and the eradication of violence against women. This included conferences on participation in the labour market and a seminar on countering gender-based violence.

The EU and many EU Member States cooperated with CSOs promoting the human rights of LGBTI persons and participated, including at ambassadorial level, in the Seoul LGBTI Pride festival.

The Domestic Advisory Group (DAG) formed under the Sustainable Development chapter of the EU-Korea FTA included Korean and European human rights defenders. The DAG reported its discussion on environmental and labour matters to the government-level Committee on Trade and Sustainable Development.

The EU worked with human rights defenders involved in issues connected to human rights in North Korea. The Delegation maintained close contact with CSOs working on this issue and continued cooperation with the OHCHR Seoul Office.

The EU Partnership Instrument was used to fund a comparative study on the implementation of International Labour Organisation Convention 111. The project was initiated by the Domestic Advisory Group to the Committee on Trade and Sustainable Development. It has facilitated exchanges between Korean and EU stakeholders on the implementation of the convention in both regions and its contribution to avoiding discrimination in the workplace

The Republic of Korea was praised for its effective chairing of the UN Human Rights Council during 2016. At both the Human Rights Council and the General Assembly the Republic of Korea exhibited similar values to the EU, with a voting record closer than any other non-European partner.

In Korea, the government cooperated closely with the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, the UN Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, and the UN Working Group on business and human rights.

The third annual EU-Republic of Korea Human Rights Consultations took place in Seoul for the first time in 2016. The bilateral dialogue reaffirmed the commonality of views regarding multilateral and thematic issues and the joint will to enhance cooperation on a range of human rights initiatives.

Democratic People's Republic of Korea (DPRK)

In 2016 the overall human rights situation in the country remained characterised by grave and systematic violations, with no credible accountability mechanism for past and current abuses. The DPRK continued to refuse all cooperation with UN human rights Special Procedures.

The EU's priority is securing improvements on the ground in all possible areas. The restricted contacts of the EU and Member States with DPRK officials have had the effect of limiting the areas that can be positively addressed in cooperation with the country's government. The EU has insisted on accountability (including via referral of the situation in the DPRK by the UN Security Council to the ICC) and respect for international law (non-refoulement) regarding DPRK citizens seeking asylum abroad.

There are multiple, structural problems in all areas pertaining to human rights and democracy, as documented by the final report of the UN Commission of Inquiry on Human Rights in the

DPRK in 2014. According to the report, some of the abuses may amount to crimes against humanity.

Still, there were some positive steps in 2016: the DPRK submitted reports to the Committee on the Rights of the Child and to the Committee on the Elimination of All Forms of Discrimination against Women, and it ratified the UN Convention on the Rights of Persons with Disabilities.

Due to unfavourable political circumstances the last (14th) round of the EU-DPRK political dialogue where human rights issues were raised was held in May 2015.

A limited number of national organisations deal with issues of human rights in the country, but they are an integral part of the governmental structure. Some of them have obtained support from abroad for activities that benefit the most vulnerable groups within society. The EU maintained close contact with CSOs based in the Republic of Korea working on human rights in the DPRK and continued cooperation with the OHCHR Seoul Office.

The EU is funding some projects in the DPRK, mostly focused on food security, health, water and sanitation. Human rights are raised indirectly under this assistance (e.g. people's right to food, livelihood). Some of the EU funded projects also support DPRK organisations addressing the social inclusion of persons with disabilities and older persons. EU-funded projects are targeting the most vulnerable people in society (children, older persons, vulnerable farming communities or groups, etc.). EU-funded humanitarian aid via ECHO has also been provided in response to severe floods.

The situation of human rights in the DPRK was once again the object of a Human Rights Council Resolution (A/HRC/31/L.25; co-initiated by Japan and the EU) and a UNGA Resolution (A/RES/71/202; co-initiated by the EU and Japan), both of which underlined the major structural deficiencies encountered in the DPRK. The UN Security Council addressed the issue of human rights in the DPRK in December 2016.

There is no Delegation of the EU to the DPRK. EU Member States with embassies there take turns every six months to represent the EU at local level (CZ and SE in 2016).

Lao People's Democratic Republic

While the overall human rights situation remained challenging in 2016 Laos's gradual economic and political transition continued under a renewed leadership. In 2016 Laos continued to work on key legislation of relevance to human rights. Laos was the chair of ASEAN in 2016.

The EU continued to assist Laos towards its declared objective of becoming a rule of law society by 2020. In 2016 Laos engaged in a substantial campaign to fight corruption at all levels.

There are a number of problems, including the limited space for civil society to operate. Self-censorship and indeed fear are palpable among civil society members since the disappearance of the social rights campaigner Sombath Somphone in December 2012. Substantial restrictions on freedom of expression and freedom of assembly remain, and criticism of government is risky, as illustrated by the arrest of three young people in March 2016 for 'anti-government propaganda'. Other problems include the risk of impunity given weaknesses in the judicial system.

Challenges still remain for ethnic minorities, but the government is committed to improving their situation. LGBTI persons are tolerated; discrimination based on sexual orientation and gender identity has not been criminalised.

Laos held elections for its National Assembly in 2016, and while the country is a one-party system, there was an element of competition in the elections. The National Assembly is gradually gaining in political importance and exercises its legislative and control functions with increasing vigour. The newly established provincial assemblies may also contribute to participation and accountability.

Laos is continuously developing and strengthening its legal framework. After having amended the constitution in late 2015 a revision of the Penal Code was discussed in 2016, and it is expected to be adopted in early 2017. The revision process allowed for extensive consultations in Laos and with international partners. While the revised Penal Code has yet to be formally adopted the current draft includes significant positive elements. Laos has ratified seven out of the nine core human rights conventions and confirms it is currently preparing for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. Importantly, a Law of Treaties is also being drafted with the objective of ensuring appropriate 'domestication' of Laos's international obligations into national legislation.

The death penalty still applies, despite a de facto moratorium on executions since 1989. Some recent positive developments include the reduction of the number of crimes punishable by capital sentences. In November 2016, National Assembly members for the first time debated the death penalty, with some members taking a stand for its abolition.

The EU continued to engage very actively with the authorities and also with civil society, often in cooperation with EU Member States. The scope of work included outreach to the authorities regarding persons of concern, including Bounthanh Thammavong, a Polish citizen, who in 2015 was sentenced to five years' imprisonment for propaganda against Laos. In terms of public diplomacy the Delegation continued to organise social media campaigns and to celebrate key events, such as Human Rights Day, the International Day against Homophobia and World Autism Awareness Day. The annual human rights dialogue was slightly postponed, and will take place in February 2017.

In December 2016 a financing agreement was signed with EU support for the National Assembly, civil society and the justice sector with co-financing from Germany and Switzerland, while the existing productive development cooperation regarding human rights and the justice sector continued with the Laotian authorities.

Laos is currently working on the follow-up to its 2015 UPR exercise, and is understood to be drafting a national UPR action plan.

Malaysia

The human rights situation in Malaysia deteriorated in 2016 in view of increasing restrictions on freedom of expression, despite some progress as regards children's and women's rights. The EU's main priority has been the promotion of the abolition of the death penalty. Its other priorities have been supporting human rights defenders; promoting freedom of expression;

promoting gender equality, including the human rights of LGBTI persons; promoting the ratification of core human rights conventions; and promoting freedom of religion.

The internet and social media remain largely free but are heavily monitored. The authorities selectively investigate and charge dissenters under the Communications and Multimedia Act (CMA) and the Sedition Act. This in turn results in a high degree of self-censorship.

Malaysia has a very poor press freedom track record. While it climbed one place to 146th out of 180 in the World Press Freedom Index in 2016, the shutdown of three online news portals and the arrest of two Australian journalists indicate that press freedom remains endangered in Malaysia.

2016 saw an increased use of the Penal Code's provision on 'activities detrimental to parliamentary democracy' which is a vaguely defined offence carrying a penalty of 20 years' imprisonment. Maria Chin Abdullah, the chair of Bersih (a coalition of NGOs working to promote human rights and fair elections), was investigated under this provision and was detained in solitary confinement for 10 days in November 2016 in connection with the Bersih 5 rally for clean and fair elections.

The authorities imposed travel bans on a number of human rights defenders for 'placing the government in a bad light'. A number of CSOs which received funds from the Open Society Foundation and a pro-opposition news portal have been investigated by the police.

The number of people sentenced to death in Malaysia is 1 064. In 2016 nine executions are known to have taken place. Nine EU citizens remain on death row in Malaysia.

There was improvement as regards children's and women's rights, since in November the government tabled the Law Reform (Marriage and Divorce) Amendment 2016 in parliament to prevent unilateral religious conversion of minors by one parent. The new law, if passed, will provide for children to keep the religion of their parents at the time of marriage until they are 18 years old, when they may choose their own religion. The bill will be debated again in the March 2017 parliamentary session.

In 2016, the main engagement touching on human rights was the strong emphasis on concluding the negotiations of the Partnership and Cooperation Agreement (PCA) between the EU and Malaysia, which was finally initialled in April. This was a breakthrough as it had been being negotiated since 2011, and one of the most visible impacts of the PCA will be the intended cooperation on human rights issues. No human rights dialogue has taken place with Malaysia since 2011, but once the PCA has entered into force the dialogue is to be conducted on an annual basis.

The EU mechanism ProtectDefenders.eu provided one general protection grant, which was channelled by Front Line Defenders and allocated in February 2016 to support the legal costs of Khalid Ismath, who was facing detention and verbal abuse threats.

Two training workshops on proposal writing for Malaysian CSOs were delivered in Kuala Lumpur in 2016. EUDEL, EU Member States and like-minded countries continued to hold

regular coordination meetings on human rights defenders, attended HRD trials and shared information on specific cases.

Republic of Maldives

2016 was a turbulent year politically in the Maldives with a negative trajectory in almost all areas of fundamental rights. The government continued to reduce the democratic space for the opposition, civil society and the media to operate freely by introducing new laws and conducting trials without due process and in violation of international standards. Political interference in the judiciary and growing tensions between political actors remain serious concerns. The Maldives' political isolation increased due to the decision to leave the Commonwealth. Efforts by international facilitators to start an all-party dialogue failed.

The EU's priorities in the Maldives continue to include respect for civil and political rights; reinforcement of the rule of law, the independence of judiciary and the separation of powers; the holding of free and fair elections; political representation and economic empowerment of women, the advancement of women's rights and an end to discrimination, abuse and violence against women.

On various occasions the EU has raised concerns about the reduction in democratic space and the new Defamation Act, in addition to concerns about the death penalty, freedom of expression, freedom of assembly, lack of due process and the independence of the judiciary. The EU has also encouraged a genuine political dialogue.

In 2016 journalists and social media activists continued to face harassment, restrictions on reporting, and death threats. Major restrictions on media freedom were established by a new Bill on Defamation and Freedom of Speech, which re-criminalised defamation. The law was widely condemned by the media, human rights groups and the international community, including the EU. On 31 July, the EU Delegation joined other countries in issuing a statement on the new Bill, and on 11 August the European Commission Spokesperson also issued a statement.

In August, the Freedom of Peaceful Assembly Act was amended, narrowing the constitutional right to freedom of peaceful assembly.

The following month, Al Jazeera released a documentary entitled 'Stealing Paradise' alleging the involvement of high-level politicians in a major money-laundering scheme and an embezzlement scheme, related to the leasing of islands for resort development. All who were featured in the documentary are currently in exile due to threats and harassment.

On the positive side, the de facto moratorium on the death penalty was maintained, despite the Supreme Court upholding three death sentences and the statements made by the government about the resumption of the death penalty. On 1 July, the European Commission Spokesperson issued a statement on the first death sentence upheld by the Supreme Court since 1953. It called on the Maldivian government 'to continue to apply the de facto moratorium on executions as a first step towards its abolition.'

In February 2016, the European Parliament's South Asia Delegation visited the Maldives, undertaking an assessment of the situation in the country as a follow-up to the two resolutions

issued by the EP in April 2015 and December 2015. The delegation expressed serious concerns about the state of democracy in the country, highlighted the lack of independence of the judiciary and the lack of respect for international legal standards, and urged the start of a genuine political dialogue.

In May, the EU Heads of Missions in Sri Lanka met in Malé with the Maldivian government, the opposition, the Speaker of the Parliament, the Human Rights Commission and the Elections Commission. Concerns about the lack of independence of the judiciary, freedom of expression and e-voting were among the issues raised.

In addition to the government of the Maldives, the EU and its Member States continued engaging with opposition politicians, and civil society. In March, the EU Delegation posted a video message by the Executive Director of Maldivian Democracy Network, a local NGO, to mark International Women's Day, which highlighted the issue of inequality between men and women in the Maldives. In November, the EU co-funded an art exhibition in the Maldives organised by local NGO Transparency Maldives to mark the International Day of Democracy. To mark the Human Rights Day in December, the EU Delegation posted a video message by Zaheena Rasheed, a Maldivian journalist in exile, highlighting the importance of a free press for protecting human rights.

The EU also financed a legal expert's mission to examine the judicial framework in the Maldives and provide recommendations for reforming the legislative framework and the procedures and practices of the judiciary.

Mongolia

In 2016 the overall human rights situation remained positive, with competitive parliamentary elections and incremental progress in areas such as children's rights, the right to a healthy environment, and domestic violence. However, there were also negative trends such as the postponement of the implementation of the new Criminal Code. Mongolia's current economic and financial crisis will have an impact on the overall human rights environment and the social and economic situation, with particular regard to vulnerable people.

In its cooperation on human rights with Mongolia, the EU has concentrated on issues such as promoting the rule of law, assisting in the development of civil society, providing the means to empower vulnerable groups at national level and in remote areas, and providing access to effective mechanisms for redress and to public services that can promote economic, social and cultural rights.

Despite a rather positive human rights situation, there have also been negative developments including the postponement of the implementation of the new Criminal Code until July 2017. The new Criminal Code abolishes the death penalty and includes a prohibition against torture in line with the Convention against Torture. It also contains provisions on increased penalties against persons committing crimes against individuals on account of their sexual orientation or gender identity.

Parliamentary elections took place in June 2016 with the opposition MPP (Mongolian People Party) winning a landslide victory (85% of votes). These results mean cohabitation (presidential

elections are scheduled for mid-2017). According to the OSCE report from the observation mission, the election day was orderly and there was a competitive campaign, despite the impact of late changes in the electoral legislation on Mongolia's democratic development. The elections were competitive and the freedoms of assembly and association were respected.

Mongolia continues to benefit from the European Union GSP+ scheme and it submitted its Monitoring Scorecard in November 2016, highlighting the status of implementation of the various international conventions.

The EU continues to engage on human rights and democracy with Mongolia within the context of the EU-Mongolia Joint Committee and a dedicated EU-Mongolia human rights dialogue is to be launched in 2017, following the undertaking by both sides in December 2015.

Besides mainstreaming of human rights and equal opportunities principles into development assistance, some of the projects in Mongolia include a specific human rights topic or framework. Examples include the project 'Give people a voice!', aimed at strengthening public participation in mining investment planning with a view to ensuring the health of Mongolia's people, livestock and environment, and an IOM project on protecting the rights of vulnerable migrants and victims of trafficking in Mongolia. Efforts are under way to establish a Gender Steering Group in Mongolia in 2017, which will receive support from the gender focal points and aims to secure progress on the implementation of the EU's Gender Action Plan II (GAP II). In the area of labour rights, the EU is financing a project to support employment creation in Mongolia and a project on technical vocation education and training. These projects aim to improve respect for international labour standards and bolster youth employment, especially for people from rural areas. Mongolia is also one of the beneficiaries of the EU financed project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS and comply with reporting obligations'.

In April 2016, the government of Mongolia adopted a national action plan for implementation of the UPR Recommendations (UPR action plan 2016-2019). It highlights specific provisions to renew the approval of the 'National programme to support the rights of persons with disabilities', to develop, adopt and implement the 'Second stage of the programme on equal access of disabled children to education', to support 'Employment of disabled citizens', to improve the quality of technical standards for public transportation, procedures and services and to raise the general public's awareness by disseminating information and TV programmes based on the needs of national minorities, women, children, persons with disabilities and LGBTI.

The impact of Mongolia's economic and financial crisis on its society and institutional capacities, with particular regard to law enforcement structures and corruption, remain serious issues of concern.

Federal Democratic Republic of Nepal

Following the promulgation of the new Constitution of Nepal in 2015, which enshrines many aspects of human rights, Nepal now needs to implement it through the adoption of new legislation. Progress has been slow in 2016 due to disagreement over the ownership of the constitution by various sections of society. Ten years after the adoption of the 2006 peace agreement, which ended 10 years of civil war, the legacy issues are still there and the promise

to effectively address human rights violations committed during the civil war remains largely unfulfilled.

The EU's priority is to promote implementation of the human and civil rights enshrined in the constitution, to secure access to justice and reparations for conflict victims, and to provide support to victims of the earthquake for the reconstruction of their homes.

Discrimination and inequality remain a serious problem in Nepalese society. Deeply entrenched social values represent a big obstacle to equality and require a long-term approach that covers the political participation of marginalised and vulnerable groups and their access to social services. There are regular reports of domestic violence, dowry killings, rape, child marriages, traditional harmful practices and other gender-based violence. Long-standing prejudices hamper effective access to justice. Some groups, e.g. female Dalits, women with disabilities, and human rights defenders are particularly vulnerable. The rights of conflict victims remain unsecured. One controversial aspect is the citizenship regime, which is complicated and biased against women and has the potential to worsen the statelessness problem in Nepal.

The new constitution includes provisions aimed at addressing the historical lack of participation of women and marginalised groups in the political process. It reserves for women 33 percent of positions in all of Nepal's state institutions, including the legislature, under Article 84(8) - the highest in South Asia. In 2016, Nepal appointed its first female Chief Justice, and women occupied three of the four highest state posts, including those of President and Speaker of the Parliament.

On the World Press Freedom Index Nepal ranked 105 out of 180 and was assessed as having a flourishing pluralist media.

Further to the conclusions of the 9th EU-Nepal Joint Commission in November 2015, which addressed the situation of human rights in Nepal, the EU continued to engage with representatives of the country's government, officials, human right institutions, in particular the National Human Rights Commission, civil society organisations and other stakeholders.

The EU Delegation actively participated in the Human Rights Defenders Working Group, which is closely following the situation of human rights defenders and is also providing support through civil society projects.

The EU has continued its work on priority areas, including gender, non-discrimination and the fight against impunity through its development programmes as well as specific human rights actions targeting the most vulnerable. The EU continued its support for the implementation of the national action plan on UNSCRs 1325 and 1820 on women, peace and security and violence against women through funding via the Nepal Peace Trust Fund.

Thematic projects funded under the EIDHR, Non-State Actors and Local Authorities (NSA-LA) programme, and the Instrument for Stability (IfS-RRM) have contributed to promoting the economic, social and cultural rights of the marginalised communities, ending discrimination against them (including their inclusion in the social and political arena), as well as fostering the accountability and transparency of the state institutions.

The 2015 Universal Periodic Review (UPR) conclusions have remained an excellent entry point for the EU Delegation to follow up on the issues of democracy and human rights. In 2016, the EU Delegation funded a dialogue on follow-up action on the UPR recommendations with different stakeholders.

The EU participated in the Human Rights Core Group, which continued assessing the human rights situation and monitored action on various pertinent issues including the transitional justice matters. The international community called on the government to ensure an internationally compliant transitional justice process, with special regard to the victims' rights to transparency, truth and an effective remedy.

The UNHCR continues to call for lasting solutions for the remaining refugees from Bhutan in Nepal following the conclusion of the group resettlement programme.

The implementation of the 2015 constitution's provisions remains the main challenge for Nepal, including strengthening the capacity of the new human rights institutions (National Human Rights Commission, National Women Commission, etc.) as well as the organisation of democratic local, state and national elections.

Islamic Republic of Pakistan

Despite some institutional and legal measures taken by the government in 2016, wide-ranging and serious human rights concerns persist in Pakistan and are exacerbated by a weak criminal justice system and religious and militant extremism. Security challenges have continued to slow progress on access to justice and the rule of law.

In 2016, the EU's priorities remained freedom of expression, women's rights and gender equality, freedom of religion or belief, the rule of law and access to justice, and the death penalty. The EU was also actively involved in the protection of human rights defenders.

Self-censorship and intimidation are widespread. Pakistan is considered one of the world's most dangerous places to be a journalist. Criticism of the armed forces and the security establishment is severely restricted. Human rights defenders, lawyers and health workers involved in polio vaccination also continued to be targets of violent attacks. A new restrictive Cybercrime Act was adopted and NGOs and INGOs are under heavy pressure, including with regard to registration. Discrimination and violence against women continued to be widespread. In Pakistan, there are persistently huge differences in the situation of upper and lower class citizens, and of women living in cities or the countryside. Pakistan remained one of the most difficult places to be a child (due to lack of education, child marriages and child labour). Religious minorities in Pakistan still live in fear of persecution and violence. Discrimination and violence against the Ahmadi community were again reported. Reports of extrajudicial killings, disappearances, torture and illegal detention have also continued. The rule of law remains uncertain on much of the country's territory, and access to justice remains limited. Pakistan continued to execute a high number of convicts during the year, however far fewer than in the previous year. These reportedly included juveniles and people suffering from mental illnesses, although three cases (involving mental illness or disability) were stayed.

In February 2016 an Electoral Follow-up Mission visited Pakistan. In December a parliamentary committee on electoral reform finalised a draft reform package, which is to be adopted in the months ahead and has incorporated a significant number of the Election Observation Mission recommendations.

There is increased attention to women's empowerment (at least in terms of legislation, with the laws on honour crimes and on violence against women), to children's rights (on labour and bonded child labour) and to labour rights; whilst the power of religious extremists is being loosely contained. In February the government adopted a national action plan to improve the human rights situation in Pakistan, the first of its kind, but implementation remains a challenge. During the year the National Commission on Human Rights also gained some new powers.

The EU is in continual contact with HRDs and monitors threats against them. Critical cases are referred to the EU Protect Defenders programme. Intervention on their behalf is hampered by the fact that assistance is limited by time and resource constraints and foreign help can often turn against them. The EU Delegation and missions closely followed a number of individual cases likely to involve human rights violations. The EU raised its concerns consistently in its human rights dialogues with the government of Pakistan and called on Pakistan to take concrete action. GSP+ had some impact in terms of enhancing the reform process. Pakistan also became more open to UPR reporting.

The EU used its development portfolio to support democratic institutions, the rule of law, women's and children's rights and freedom of religion or belief. The EU is a major donor and international stakeholder in this field. A new programme on strengthening provincial assemblies was launched in November 2016. Under the EIDHR grant the EU supports CSOs in its strategic priority areas, with a special focus on gender equality and freedom of religion and belief. With regard to access to justice, the EU is supporting actions to improve the criminal justice chain in Khyber Pakhtunkhwa and Punjab. Pakistan is also one of the beneficiaries of the EU financed project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS and comply with reporting obligations'.

Pakistan was a member of the Human Rights Council (HRC) from 2013 to 2015 but failed to win re-election to the Council in 2016. Pakistan has not issued a standing invitation to UN Special Procedure mandate holders. Several requests for visits from Special Rapporteurs are pending. Pakistan participated in the 72nd CRC (May 2016) and the 90th session of the CERD (August 2016).

Both terrorism and the fight against it are raising additional and specific human rights challenges that require international attention.

Pakistan made serious efforts to participate in the GSP+ process through a better focus on trying to show effective implementation of the 27 conventions and addressing shortcomings. Considerable implementation challenges clearly remain, due in part to the devolution of many areas of competence to the provinces. More progress is needed on the ground, through the effective implementation across all the provinces and territory of Pakistan. The human rights institutions need to become autonomous and fully operational. The role played by civil society, including NGOs and INGOs, in development and humanitarian assistance in a democratic society needs to be further enhanced.

Republic of the Philippines

In 2016 the Philippines had two different governments; that of President Aquino who left office on 30 June, and that of President Duterte who succeeded him. Despite positive developments in some areas, the human rights situation in the second half of the year has considerably worsened as a consequence of the so-called 'war on drugs'. It should, however, be noted that some trends and circumstances detrimental to human rights, such as extrajudicial killings (including killings of human rights defenders, indigenous people and journalists) and the climate of impunity, were already present under previous administrations.

Following the publication of the first GSP+ country report on the Philippines in January 2016, the EU's priority has been to address the abovementioned shortcomings with the Aquino administration. In the second half of the year, the killings in the 'war on drugs' as well as the possible reintroduction of the death penalty were the focus of the EU's attention.

The number of extrajudicial killings decreased under the Aquino government and a national monitoring mechanism for extrajudicial killings (EJKs) was launched by the National Commission on Human Rights (CHR). Various problems – in particular the culture of impunity and torture –remain, however, and a series of key legislative measures were not passed. The second half of the year was marked by a serious deterioration in respect for the right to life, due process and the rule of law. According to data from the Philippine National Police, as reported in the media, the 'war on drugs' led to the killing of around 6 000 people in the period from July to mid-December, with one third of the deaths occurring in police operations. In addition, more than 40 000 persons were arrested in the same period. The president's statements and actions have seemingly encouraged the police to take an aggressive approach in dealing with drug users and pushers, and have – according to human rights advocates – also encouraged vigilante style extrajudicial killings. The 'war on drugs' still enjoys considerable popular support. Two key legislative priorities are the reintroduction of the death penalty, and the lowering of the age of criminal responsibility for minors from 15 years to either 12 or 9 years. Draft bills have been introduced in Congress with a view to adoption in 2017.

Positive developments under the government of President Duterte include the new momentum provided to the Mindanao Peace Process, peace negotiations with the Communist Party of the Philippines/New People's Army/National Democratic Front and a socio-economic agenda aimed at lifting people out of poverty.

The Partnership and Cooperation Agreement signed in 2012 – under which an institutionalised human rights dialogue could be established - still requires ratification by two Member States as well as the Philippines. The EU and MS have consistently engaged with the government and other interlocutors on the human rights situation. The GSP+ monitoring is ongoing. In September 2016 the European Parliament adopted a resolution on developments in the country which triggered negative reactions from President Duterte.

One major problem in the Philippines is the prevailing culture of impunity since cases of grave human rights abuses, including killings of human rights defenders and media workers, remain largely unresolved. According to reports by specialised non-government organisations, 31 human rights defenders were killed in the Philippines in 2016, one of whom was a beneficiary of an EU-funded project. The Committee to Protect Journalists ranked the Philippines as no.

4 in the world on the Global Impunity Index in 2016. Since his election, President Duterte has made statements justifying the killing of 'corrupt' journalists and human rights defenders. On the other hand, he has issued a landmark 'Freedom of Information Order' and has recently created a Presidential Task Force on Violence against Media Workers.

The EU assisted civil society organisations and HRDs through project grants for HRDs under the European Instrument for Democracy and Human Rights (EIDHR) and under the Development Cooperation Instrument (DCI), programmes of EU Member States, and dialogue with HRDs.

Three EIDHR projects implemented by civil society organisations supported activities of human and land rights defenders, including through the provision of sanctuary, legal and medical support, and training. The EU also supported justice sector reform and efforts to combat impunity with regard to extrajudicial killings and enforced disappearances.

The EU launched its Governance in Justice Programme (GOJUST, succeeding EPJUST). The main objective of one of its four components is to strengthen national and regional human rights institutions and civil society capacity to promote accountability and fight impunity (implemented by Spain's AECID).

A particular focus of the Multiannual Indicative Programme 2014-20 is conflict-affected Mindanao, where the EU has been supporting peace and development.

The EU remained a key partner in the reform of the health sector. The Responsible Parenthood and Reproductive Health Act signed in 2012 was seen by civil society organisations, especially by women's rights advocates, as a positive development in the decades long fight for gender equality in health. The law would allow Filipino men and women to have increased access to quality reproductive health services and information (including family planning). However, the Philippine Supreme Court, acting on a petition, imposed a temporary restraining order that hampers the government's ability to procure 70% of contraceptives by 2019 potentially affecting availability of future stocks in government hospitals and clinics all over the country. The EU is supporting the full implementation of the measure through a bilateral cooperation programme on universal health care with the Philippine Department of Health and grant assistance to NGOs.

EU development assistance through government channels was complemented by funding of civil society organisations to address social and environmental issues, and to promote indigenous peoples' rights and other human rights issues, peacebuilding, and social development.

The EU provided political support to the Mindanao Peace Process, financed the civilian component of the International Monitoring Team (IMT), funded NGOs that call for protective legislation and supported respect for international laws and standards. The EU signed a grant contract with Save the Children on strengthening the protection of children affected by armed conflict (CAAC) in Mindanao.

The EU and some Member States took part in the meetings of the Manila-based Group of Friends of CAAC chaired by Canada. The Group is composed of UNICEF and other UN agencies, partner countries and organisations.

In cooperation with the ILO, the EU is funding a project to strengthen the capacity of public administrations in the Philippines to implement the ILO core labour conventions as part of the GSP+ obligation, and a project to strengthen the impact of trade on employment, by improving sectoral, trade and employment policies and programmes and contributing to decent work and positive employment outcomes. This action can contribute to address the situation of Philippines as regards freedom of association, which was characterised twice in 2016 by the ILO Committee on Freedom of Association to be extremely serious and urgent. The EU also expressed its concerns over murders of trade unionists and compliance of legislation with International Labour standards when shortcomings in the implementation of fundamental ILO Freedom of Association Convention were scrutinised in 2016 by the International Labour Conference.

The Philippines government and the office of the UN High Commissioner for Human Rights have so far been unable to agree on the terms and conditions for a visit to the Philippines by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions.

The next Universal Periodic Review of the human rights situation in the Philippines is scheduled to take place in the first half of 2017.

On 25 July 2016, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) published its concluding observations on the 7th and 8th periodic reports regarding implementation of the related CEDAW Convention. The Philippines ranks very high (7th from the top) in a World Bank survey on gender equality rankings.

The Philippines government needs to ensure that the fight against drugs crime is conducted within the law, including the right to due process and safeguarding of the basic human rights of citizens of the Philippines, including the right to life, and that it respects the proportionality principle. This naturally includes the rights of human rights defenders. As a State Party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Philippines is obliged to respect its obligations under international law.

Republic of Singapore

In the 2016 World Press Freedom Index Singapore ranked 154th out of 180 countries. The Administration of Justice (Protection) Bill was passed in parliament in August 2016. Although the overall intentions of the bill - 'to state and consolidate the law of contempt of court' – were accepted, concern was expressed by CSOs regarding a perceived threat to free speech, in particular the charge of 'scandalising the court'. Specialists on the subject advised that they would reserve judgment until a case was brought forward and the bill was tested.

Singapore continues to criminalise homosexuality through 377A of the Penal Code. Whilst Singapore claims not to discriminate against LGBT people, CSOs vehemently disagree and cite the censorship of LGBT content in the media and the inability of LGBT persons to enjoy the rights to family life and to protection from workplace discrimination.

The jointly agreed objectives for the period 2016-2020 are for Singapore to ratify the core international human rights agreements to which it is not party; to enhance freedom of expression, freedom of the media and political participation; to consider a moratorium on

the death penalty and to make available more detailed information about its use of the death penalty in addition to the annual total; to take better steps to protect and enforce migrant rights; and to decriminalise homosexuality (new objective for 2016-2020).

The EU Delegation monitors the situation on death sentences, commuted sentences and executions based on public sources and contact with local CSOs, however this information is often patchy and difficult to obtain. In 2016 there were four known executions, which is the same figure as in 2015.

The Elected Presidency reform was adopted by the parliament in November 2016, and PM Lee declared that the next president would be a Malay candidate. The reform has been criticised as the selection criteria are seen as discriminatory towards certain candidates.

The Singaporean government has taken some, albeit small, steps towards improving the rights of migrant workers in Singapore. CSOs had campaigned to include domestic workers in the Employment Act, and this was agreed during the UPR.

A disability roadmap for 2017-2020 was revealed in December 2016. A 17-member advisory panel chaired by the Minister of State for Education Janil Puthucheary was appointed in December 2016 to study the implementation of compulsory education for special needs children.

The EU's activities in the field of human rights in 2016 consisted of monitoring and reporting, delivering demarches, coordinating closely with Member States, and organising meetings, dialogue sessions, and a number of other events. 2016 saw the continuation of long-established projects and some new activities, including trial monitoring and a partnership with the UN Women Singapore Committee.

Civil society organisations were involved in the development of the new objectives and continue to be regularly consulted on the best methods for implementation.

To commemorate the European and World Death Penalty Day, the EU Delegation organised a panel discussion on the death penalty in Singapore. This was the third time in Singapore that such an event was held outside the Delegation's premises, at the National University of Singapore.

The Delegation held its Human Rights Day seminar this year on 'Freedom of Religion or Belief in Singapore and ASEAN'. The seminar featured three panels covering 'Freedom of Religion and Belief in Singapore – a multi-stakeholder approach', 'Promoting Freedom of Religion or Belief in ASEAN', and 'Freedom of Religion and Free Speech – Perspectives from Europe and Southeast Asia'.

EU Member States organised a variety of events, including on free speech and freedom of the press, trafficking in human beings and LGBT rights.

2016 marked Singapore's second Universal Periodic Review at the UN. While the Singaporean government has persistently rejected the majority of the recommendations, CSOs continue to see the UPR as a valuable exercise in challenging the government and holding it to account.

Recommendations included an immediate moratorium on the death penalty with a view to abolition, an end to judicial caning, the reform of laws permitting detention without trial (such as the ISA) and the repeal of section 377A of the Penal Code (criminalisation of homosexuality).

During the UPR, many countries recommended that Singapore ratify the key conventions to which it is not yet party. However, Singapore asserts that it only signs up to conventions when it has brought its national laws into conformity with the treaties. Singapore claims already to be in compliance with a number of core human rights conventions to which it is not yet party, prompting CSOs to call on the government to proceed with ratification.

Core conventions still to be ratified include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Singapore has also agreed in principle to join the International Criminal Court though this commitment has not yet been realised; on a more positive note, Singapore did agree to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW).

Linked to this objective is one recommendation repeatedly made during the UPR - that Singapore establish a national human rights institution to oversee the human rights standards that it has already acceded to, in accordance with the Paris Principles. Singapore did not accept this recommendation, only 'noting' it.

Lack of transparency and data remain a concern across most areas of human rights. Overall, progress appears to be being made on migrant workers' rights and the possible agreement of one new convention, however much improvement is needed across the other three objectives.

Democratic Socialist Republic of Sri Lanka

In 2016 the overall human rights and democracy situation in the country continued to improve, albeit at a slower pace than in the preceding year. The full promise of governance reform, transitional justice and economic reform is yet to reach fruition more than a year after the establishment of a National Unity government in September 2015.

The EU's main priority in the country continues to be the full implementation of the 2015 United Nations Human Rights Council (UNHRC) resolution through support for resettlement, transitional justice, non-recurrence and constitutional reform, and advancement of women's political, economic and civic rights.

On the positive side, in 2016 Sri Lanka ratified the International Convention for the Protection of All Persons from Enforced Disappearance, and is in the process of preparing comprehensive legislation to give effect to the convention in national law. In a landmark decision, the government also approved legislation to issue certificates of absence. In August, the parliament unanimously adopted legislation to set up an Office on Missing Persons to deal with the tens of thousands of people who have gone missing as a result of civil and political conflict. The Office has not yet been set up.

In May the Human Rights Commission of Sri Lanka issued a comprehensive list of directives intended to protect detainees against the security forces' broad powers under the Prevention of Terrorism Act (PTA). Draft legislation to replace the PTA and amend the Code of Criminal Procedure Act (CCPA) to bring them into line with international human rights standards, is still under discussion.

In 2016, the government achieved significant momentum in the constitutional reform process through the establishment of the Constitutional Assembly and the submission of reports by six sub-committees for debate in early 2017. Devolution of power remains an incendiary issue in the process. The government has taken important symbolic steps towards reconciliation but has shown less resolve to take action against attempts by some groups to incite communal tensions. Compounding the challenges to reconciliation is the slow pace of normalisation of life in the former conflict areas, where the economic benefits of the 'peace dividend' are yet to be fully realised.

The EU continued to engage in human rights and democracy discussions with Sri Lanka in various settings, including the first meeting of the Working Group on Governance, Rule of Law, and Human Rights (January), the Working Group on Economic Issues and Trade (May) and the Joint Commission (July). The meetings included open discussions on a range of issues, including governance, the rule of law, freedom of expression and of the media, torture, strengthening of civil society, rights of women and children, rights of persons belonging to minorities, labour rights, migration, combating corruption, and implementation of the United Nations Human Rights Council (UNHRC) resolution that was co-sponsored by Sri Lanka.

The visit of the EU Commissioner for Development and International Cooperation to Sri Lanka in March 2016 focused attention on the human rights requirements facing Sri Lanka when applying for trade concessions from the EU under the Generalised Scheme of Preferences Plus (GSP+); the government made its application in July. Sri Lanka endorsed the proposal for revising the EU development strategy for the country until 2020 to include assistance on governance and reconciliation to support the government's efforts in these areas.

The visit by an EU parliamentary delegation in November 2016 focused on national reconciliation, the empowerment of women, and Sri Lanka's GSP+ application. The delegation urged the government to uphold its international human rights commitments, replace the PTA and amend the CCPA.

The EU Delegation continued to engage with civil society and other stakeholders in the reconciliation process. In addition, thematic discussions were also conducted on key issues, such as the human rights of LGBTI persons, gender equality and participation, land rights and fundamental rights. Activists, think tanks and civil society representatives were also invited to discuss the challenges to reconciliation during the visit of the EU Development Commissioner. The Delegation also met officials and civil society actors in the north to gather perspectives on issues relating to the implementation of the UNHRC resolution.

On the International Day Against Homophobia, Transphobia, and Biphobia a joint statement was issued by all EU Heads of Mission and a number of like-minded countries. It called for recognition of the historic opportunity afforded through the constitutional reform process

to end discrimination and repeal the laws criminalising homosexuality. During the year the EU Delegation made a number of other public statements in support of human rights issues, including on violence against women, and enforced disappearances.

In 2016, the EU continued to provide financial support for projects funded through the Instrument contributing to Stability and Peace (IcSP), the Development Cooperation Instrument (DCI), the European Instrument for Democracy and Human Rights (EIDHR) and the civil society organisations/local authorities (CSO-LA) thematic programmes.

A contribution has been given to Sri Lanka's peacebuilding priority plan through the IcSP to provide support for early confidence-building measures and a further contribution has been provided for reconciliation activities under the DCI.

Through the EIDHR and CSO-LA, the EU is providing financial support to partner organisations to promote the economic, social and political development of Sri Lanka's most vulnerable communities. Some of the projects focus on issues such as combating domestic violence and empowering women, training of lawyers, judges and the media, and capacity building for civil society and local authorities.

In 2016 the government of Sri Lanka continued to engage and cooperate with the UN and its human rights mechanisms. The visitors included the UN Secretary-General, the High Commissioner for Human Rights, the Special Rapporteur on independence of judges and lawyers, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment, and the Independent Expert on Minority Rights. The UN Committee against Torture's concluding observations on Sri Lanka's fifth periodic report underscore concerns regarding the rights of suspects and detainees.

Substantial progress towards full implementation of the UNHRC resolution, including replacement of the Prevention of Terrorism Act with legislation which is in line with Sri Lanka's international obligations, remains crucial.

Kingdom of Thailand

In 2016, the overall human rights situation in the country remained marked by the regression which the country experienced following the military take-over in May 2014. The developments in 2016 were mixed. The EU's priorities include supporting Thailand's rapidly evolving policy regarding workers' rights and migrants' rights.

Shortly after the military take-over it was announced that an election would be held by the end of 2015. However, the tentative date for elections keeps being postponed.

The move towards the abolition of the death penalty has been slow. At least 63 crimes are punishable by death. The number of crimes punishable by death continues to rise.

In general, there is limited space for freedom of expression and assembly. While some events have been banned, overall more debates and activities have been permitted. However, the authorities' presence at such events is intimidating (observing, taking photos of participants or filming them). The prohibition of political gatherings of more than five people remains in place.

In December, the appointed National Legislative Assembly (NLA) adopted an amendment to the Computer Crimes Act, which enables the authorities to further restrict freedom of expression and facilitates surveillance and censorship. There is limited room to participate in policy formulation. The NLA approves legislation with limited public consultation and there is little public discussion.

A new draft constitution was endorsed by referendum on 7 August. The National Council for Peace and Order (NCPO) imposed severe restrictions in the run-up to the referendum. Campaigning against the draft was effectively made punishable by up to 10 years in jail. The Thai authorities arrested a number of politicians, activists and journalists who had criticised the proposed constitution, publicly announced that they would vote 'no', urged voters to reject the draft constitution, and sought to monitor voting.

The announcement in December that some 150 000 prisoners would either be freed or have their sentences reduced or commuted following a pardon by the new King is a positive development, and far exceeds earlier royal pardons.

Trafficking in human beings and abusive labour practices in the fishing and seafood industry have attracted international attention in recent years, in particular the situation of migrant workers. The Thai government has stepped up measures against trafficking in human beings by amending the legal framework and boosting prevention and enforcement measures. At the same time, the protection of victims of human trafficking has been improved. The government announced the intention to ratify International Labour Organisation (ILO) Convention No. 188 (Work in Fishing) and the Protocol to the Forced Labour Convention (Protocol No. 29) in 2017. There has been tangible progress on labour standards on fishing vessels and in the seafood industry and the situation of migrant workers, but enforcement remains challenging and efforts need to continue in the future.

The EU continued to engage in human rights and democracy issues in Thailand, often together with EU Member States. The EU has not hesitated to voice concerns, through statements, speeches, an op-ed, various events and both formal and informal steps, with a view to encouraging the authorities to ensure full respect for human rights.

Activists and human rights defenders have been charged with sedition, criminal defamation, breach of NCPO orders and offences against the Computer Crimes Act. Some are being tried before military courts, a practice which is now being phased out and is no longer applicable to new cases in which the offences were committed after 12 September 2016. The EU Delegation, often together with EU Member States, made several site visits and attended court hearings, as well as visits to police offices.

The EU continued to provide financial support to projects through the European Instrument for Democracy and Human Rights (EIDHR). The implementation of a major new project to address labour issues on fishing vessels and in the seafood industry began, with government and ILO involvement. Thailand is also one of the beneficiaries of the EU financed project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS and comply with reporting obligations'.

Thailand is not a signatory to the 1951 UN Refugee Convention. The government does not have domestic legislation related to the protection of refugees or functioning asylum procedures. Most asylum seekers arrive in Thailand on a tourist visa. Once the visa expires, they become illegal immigrants, at risk of indefinite detention or deportation. At the World Humanitarian Summit in May, the Thai government announced the possibility of establishing a national refugee screening process for urban asylum seekers.

In September 2016, the Human Rights Council adopted the outcome of the Universal Periodic Review (UPR) of Thailand. 187 of the 249 recommendations received, were accepted. The positive elements were Thailand's pledges to ratify the Optional Protocol to the Convention against Torture, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons. Thailand also pledged to eradicate child labour, combat forced labour and trafficking in human beings and provide protection to migrant workers. However, the recommendations related to restrictions of freedom of expression and assembly, the increasing use of Article 44 of the Interim Constitution and judicial harassment of human rights defenders, were not accepted.
Also in September, Thailand acceded to the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. Thailand also continued to live up to its long-standing reputation as a defender of the human rights of LGBTI persons.

Democratic Republic of Timor-Leste (RDTL)
In 2016, the overall human rights situation in the country showed modest progress compared to the previous year. No legislative changes were introduced.

The EU's priorities are the promotion of an inclusive development for all Timorese, the right to education and health, and the fight against gender-based and domestic violence.

RDTL has a good gender balance in the parliament, but could significantly improve the ratio of female cabinet members. Domestic abuse and violence against women remain major concerns. The number of cases brought to justice is still very low compared to the estimated number of occurrences. In 2016 the press and some NGOs continued voicing accusations of corruption, but whilst judicial cases were limited at the end of the year a former Minister for Finance and a former Deputy Health Minister were sentenced to jail on corruption charges. There are still only limited provisions on the rule of law and accountability, partly due to the passive attitude of citizens, which is understandable in view of their restricted level of education. Judicial procedures are slow due to the low skills and insufficient numbers of judges and prosecutors. The EU continued engaging in human rights and democracy discussions with RDTL in the political dialogue.

In 2016, the EU continued to provide financial support for projects funded by the European Development Fund (EDF) and the European Instrument for Democracy and Human Rights (EIDHR).

A telenovela (soap opera) on human rights (covering domestic violence, good governance, corruption and nepotism, and LGBT issues; etc.), produced in cooperation with the Ombudsman, is to be screened on national television and in 13 mobile screenings in the municipalities. It aims to increase the Timorese people's awareness on human rights. The Portuguese subtitles will

help the telenovela to produce the same impact in the PALOP (Portuguese-speaking African countries).

RDTL is party to a number of international human rights conventions, mostly through accession, though two have not been ratified or even signed: the Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Convention on the Rights of Persons with Disabilities (CRPD).

RDTL underwent its second review by the Working Group of the Human Rights Council as part of the Universal Periodic Review (UPR) process on 3 November 2016. More than 60 UN Member States took part in this exercise and produced 154 recommendations. These included the needs to: strengthen the judicial institutions and expand the use of mobile courts; increase investment in education; effectively implement laws on sexual and gender-based violence; strengthen the implementation of policies fighting domestic violence; allocate sufficient resources and adopt effective measures to further establish and implement the national action plan on gender-based violence; combat all forms of violence against and exploitation of children; and continue efforts to increase training courses on human rights for members of the police and the defence forces.

The government sent the parliament a draft Land Law package for approval, however a chapter on evictions had been removed from the previous text that had been discussed publicly a few years ago, and would instead be the subject of a ministerial decree of application. The law is a key plank in the territorial management and economic development of TL, but its application will be very complex, since there are many overlaps between the ownership/occupation rights granted by successive Portuguese, Indonesian, UN and Timorese administrations.

Socialist Republic of Vietnam

2016 saw some general improvements in the socio-economic situation of the population due to steady economic growth, however violations of civil and political rights continued. Human rights defenders were harassed and arrested, with some sentenced to long periods of imprisonment. Encouraging developments can be linked to the opening of political space through public involvement in the drafting of some laws, and the follow-up to the implementation of the UN Convention against Torture, in line with Vietnam's commitments under the Universal Periodic Review of the UN Human Rights Council.

The EU's priority is the promotion of freedom of expression and the rule of law. The EU is also actively involved in protecting human rights defenders and supporting the development of civil society organisations and participative democracy.

Freedom of expression, assembly, information and the press remain key concerns. Throughout 2016 several bloggers, journalists and human rights activists were arrested or harassed, and state control of the media and restrictions on religious freedom and peaceful demonstrations continued. Some detainees were not able to receive visits, even from lawyers, medical personnel and family members. Gender-based violence and corruption remain widespread despite government campaigns to address these issues.

The Communist Party of Vietnam is the only recognised political party and no other parties are allowed to operate legally. In 2016, the 12th National Party Congress took place. The 14th National Assembly was elected on 22 May 2016 for a five-year term. Tran Dai Quang and Nguyen Xuan Phuc were appointed to the posts of president and prime minister respectively.

Although the number of crimes subject to the death penalty decreased from 22 to 15, and more protection was introduced for vulnerable groups, the number of people given imprisonment and capital sentence as well as the number of people who have been executed have increased during the last five years (during the period from 30 June 2011 to 30 June 2016, 681 people were sentenced to death and between 2013 and 2016 429 persons were executed). The government is increasingly making efforts in the fight against trafficking in human beings and is at the forefront in the region on promoting the human rights of LGBTI persons.

Throughout the year and in particular on the occasion of the 6th EU-Vietnam human rights dialogue held in December in Brussels, the EU raised concerns about pending or recently approved legislation related to freedom of expression, freedom of religion or belief, freedom of peaceful assembly and association, labour rights, the due process of law, arbitrary detention, torture and the death penalty. Cooperation in international fora and the implementation of recommendations from international bodies, in particular those made during the Universal Periodic Review, were also raised. The EU reiterated its encouragement to issue a standing invitation to UN Special Procedures, and in particular to the Special Rapporteur on freedom of expression and the Special Rapporteur on the situation of human rights defenders.

In both formal and informal settings, and in close coordination with EU Member States and like-minded countries, the EU articulated its concern at the ongoing harassment and detention of an increasing number of human rights defenders and activists. The EU reiterated its request for the release of all persons detained for peacefully exercising their freedom of expression. Furthermore the EU highlighted the importance of all detainees being able to receive visits, in line with the Vietnamese constitution and international human rights provisions. All these concerns were also underlined by the European Parliament in its emergency resolution of 9 June 2016. The European Union Delegation is actively engaged in actions supporting human rights defenders; it meets regularly with them and their families, and raises individual cases with the authorities.

Through the European Instrument for Democracy and Human Rights (EIDHR) the EU is funding eight ongoing projects implemented by NGOs. These cover issues related to bilingual education of children from ethnic minority communities, religious freedom, empowering of LGBTI people, participation of women from ethnic minorities, and land rights and natural resources management. Projects funded under other budget lines (CSO-LA and ENRTP) also address the capacity of CSOs to advocate for greater service performance accountability, access to information, budget transparency, forest management, and better representation via civil society networks and citizen's participation in policy-making.

In June 2016 the EU organised the first civil society dialogue with grantee NGOs in Hanoi. The EU has also been supporting the dialogue between the government, civil society actors and the general public to build a better understanding of the positive contribution that civil society can make to Vietnam's development.

In the near future, further progress is needed on strengthening cooperation with human rights mechanisms, improving compliance with treaty body reporting mechanisms and implementing the Universal Periodic Review recommendations.

VIII. Oceania

Commonwealth of Australia

Overall Australia continues to have a positive human rights record domestically and is very engaged in advocating human rights in the Indo-Pacific region as well as internationally. Some shortcomings have been identified (not least during the Universal Periodic Review process) in areas such as refugee policy, rights of indigenous people, and ratification of a number of international conventions.

The EU's priorities are to engage with Australia on the promotion of human rights in the Indo-Pacific region, on how best to address the issue of domestic violence, on the promotion of the rights of indigenous people and on human rights aspects of the policy on refugees and asylum seekers.

Australian federal and state governments have identified domestic violence as an area of concern (one in three women will experience violence during their lifetime). Social indicators for indigenous peoples show they are falling behind their non-indigenous counterparts. They continue to be over-represented in terms of imprisonment and deaths in custody. While Australia has ratified the United Nations Refugee Convention, its policy vis-à-vis irregular arrivals by boat has been criticised. Aspects of the policy, such as 'push backs' and the situation with regard to offshore detention centres in PNG and Nauru, remain controversial both domestically and internationally.

The EU is not involved in Australia's domestic processes but encourages the country to ratify a number of human rights international legal instruments (e.g. the Optional Protocol to the Convention against Torture (OPCAT), the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families).

Australia and the European Union have initialled and will sign a framework agreement in 2017. This agreement includes a commitment to democratic principles, human rights and the rule of law and corresponding cooperation within the joint committee.

Australia and the European Union both advocate strongly for human rights in the Indo-Pacific region and, internationally, for global abolition of the death penalty, countering gender-based violence, and implementation of UN Guiding Principles on Business and Human Rights.

Australia's 2nd Universal Periodic Review took place in November 2015. The Australian government made a voluntary commitment to improve the monitoring of UPR recommendations. The Australian Human Rights Commission is developing a publicly accessible website for

monitoring progress on the UPR recommendations. An inter-departmental body has also been set up to coordinate and strengthen the Australian government's overall engagement with UN human rights reporting.

Republic of Fiji

In 2016, Fiji made some progress when it comes to consolidating democratic rule, but more efforts are needed to guarantee human rights in practice and to improve the dialogue between the government, the opposition, civil society, the media, the private sector and trade unions.

The second EU-Fiji High-Level Political Dialogue under Article 8 of the ACP-EU Partnership Agreement since Fiji's return to democracy was held in Brussels in December 2016, and was opened on the Fijian side by Prime Minister Josaia Voreqe Bainimarama. The meeting included discussions on the outstanding human rights and democracy issues and preparations for the 2018 general elections.

Fiji has made some developments in overcoming communal antagonism and establishing a common national identity, as guaranteed under the constitution. Fiji's return to democracy has allowed for renewed engagement and partnership between trade unions, civil society organisations (CSOs) and government institutions, resulting inter alia in the signature of an International Labour Organisation (ILO) tripartite agreement or extensive consultations on several bills in the parliament's standing committees. An ILO Tripartite Mission visited Fiji in January 2016, and the signature of a Joint Implementation Report avoided a Commission of Inquiry into Fiji's labour relations and freedom of association. Fiji has ratified all 8 ILO core conventions and 25 other conventions.

However a number of democratic weaknesses persist, mainly due to restrictive decrees which take precedence over the provisions of the constitution and affect, amongst other things, freedom of assembly and of the media. In September, several leaders of the opposition and prominent trade unionists were arrested for participating in a public meeting about the 2013 constitution which was held without the permit required under the Public Order Amendment Decree (of 2012). Following these arrests and detentions, the EU Delegation for the Pacific, together with EU Heads of Mission in Fiji, issued a local statement on the need to respect the freedoms of speech and assembly. The prisoners were later released without charges.

Two members of Parliament from the opposition were also suspended until the next elections in 2018, owing to some controversial statements. However, the Inter-Parliamentary Union considered their speeches to be covered by their right to freedom of expression and called for a lifting of the suspension.

During the year, the EU Delegation for the Pacific carried out demarches and outreach activities inviting Fiji to support EU human rights initiatives and priorities at the UN level.

The UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance visited Fiji in December 2016 and expressed concern that the space and opportunities for constructive discussion on questions of ethnicity and race within society were limited.

The UN reported that 64% of women in Fiji have faced some form of violence in their lifetime, and a number of initiatives have been taken to address the issue of gender-based violence (awareness campaigns).

A major step forward was the ratification in March 2016 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), however with a number of far-reaching reservations. In October 2016, Fiji hosted a regional workshop on ratification and implementation of this Convention in the Pacific. Two high-profile torture cases have been before the court; in one case, eight police officers and one military officer were found guilty and given prison sentences of between 7 and 9 years.

Concerning EU financial engagement, the EU, together with New Zealand, Australia and Japan, co-funded the Fiji Parliament Support Project, which is implemented by the UNDP. Further on, the Access to Justice Programme, funded under 11th European Development Fund (EDF) and implemented by UNDP, aimed to enhance the governance systems, in particular the institutional capacity of the Legal Aid Commission, while also supporting CSOs. The project 'Fiji in Transition: Towards a Sustainable Constitutional Democracy', implemented by the Citizen Constitutional Forum aimed to strengthen the role of CSOs in promoting, implementing and monitoring human rights.

Further EU support to CSOs centred around the 2014-2017 Fiji roadmap for engagement with civil society; the CSO workshop in November to discuss revision of the roadmap; and the EU-funded Strengthening Citizen Engagement in Fiji Initiative (implemented by UNDP) which has worked with over 40 CSOs and community groups to consolidate participatory democracy.

Small Pacific Island States

Republic of Kiribati

The overall human rights situation in the country has improved and there is no systematic abuse of human rights. Kiribati's biggest challenge is climate change. The country is at risk of becoming uninhabitable by the end of the century, which will lead to migration issues. Gender-based violence is deeply rooted in traditional behavioural norms.

Through the dialogue with the country and through different financial instruments, the EU promoted human rights, gender equality and increased participation of women in decision-making. Awareness-raising and support for civil society and non-state actors were essential elements for implementing the regional roadmap for civil society organisations (CSOs) in the Pacific.

Discrimination on the basis of race or origin is prohibited by the constitution. However, only native I-Kiribati may own land. Gender discrimination is prohibited only as regards employment. The law does not prohibit discrimination on the basis of disability, sexual orientation, gender identity or social status. Consensual sex between males is criminalised but there were no reports of prosecutions.

Sexual and gender-based violence continues to be prevalent throughout Kiribati - 68% of women reported experiencing physical and/or sexual violence. Violence against children (42% of the population) and child malnutrition remain serious concerns. Although children have

been legally protected from sexual exploitation since 2013, Kiribati remains a source country for girls subjected to sex trafficking. Prosecution of trafficking offenders remains an issue, as does physical punishment of children. More positively, over 70% of young offenders are re-directed from the official justice system into schools or community service.

The government has not established a formal system for granting asylum or refugee status. The principal immigration officer is given wide discretionary authority to permit foreigners to stay in the country.

Women's participation in political life is relatively low. Following the 2016 election, only three of the 46 members of the national legislature were women, one fewer than in the previous period.

In 2016, human rights were discussed during the informal political dialogue with the new government of Kiribati. Bilateral meetings at various levels were used as a platform to promote respect for human rights and gender equality in the Pacific region including Kiribati. During the year, the EU Delegation for the Pacific also carried out demarches and outreach activities inviting the Pacific Island States including Kiribati to support EU human rights initiatives and priorities at the UN level.

In September 2016, with support from an EU-funded project, newly elected MPs participated in a dialogue on Kiribati's human rights challenges, progress, achievements and plans. The EU worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programme designed under the 11th European Development Fund, a specific financial allocation was set aside for CSOs (EUR 0.5 million).

The EU also funds the Pacific Islands Forum Secretariat (PIFS) and the Pacific Community Regional Rights Resource Team (SPC RRRT) project aimed at increasing the rate of Pacific Islands' ratification and implementation of human rights treaties. The project implemented bilateral and regional activities, e.g. in April 2016 it supported the regional Human Rights and Media Forum which adopted a 'Declaration on a Human Rights-based approach to journalism in the Pacific'. It also carried out the regional 2016 Gender and the Law Consultation on the Implementation of Domestic Violence Legislation; and it organised several human rights dialogues with national MPs to advance human rights, good governance and development.

The country has not extended any standing invitation to the UN Special Procedures, but the Special Rapporteur on water and sanitation visited Kiribati in July 2012.

There is a need to address legislative and enforcement shortcomings stemming from cultural norms especially as regards gender-based violence. Enforcement of the right to water and sanitation is dire and has resulted in a large number of preventable infant and child deaths. There is also a need to increase administrative capacity on reporting.

Federated States of Micronesia

In the Federated States of Micronesia (FSM), the issue of violence against women and human trafficking problems are of high relevance.

Through the 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. Awareness-raising and support to civil society and non-state actors were essential elements for implementing the regional roadmap for civil society organisations (CSOs) in the Pacific.

Women are well represented in the middle and lower ranks of government at both the federal and state levels, but are scarcer in the upper ranks. No female candidates stood in the last election in 2015. All of the 14 members of Congress are men. FSM remains one of the few countries in the world with no women in the legislature.

Women enjoy equal rights under the law, including those regarding property ownership and employment. The legal rights of women are protected under the FSM national constitution and the constitutions of the four states. However, socio-economic discrimination and violence against women continue to be the most prevalent human rights problem. There is no national legislation criminalising sexual assault, though each state has identical legislation criminalising sexual relations with girls under the age of 13. Cases of domestic violence often go unreported. Offenders rarely face trial, and usually receive light sentences. There are no specific laws against domestic violence, although assault is a crime.

Following its 2015 country report under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the FSM made some reservations to CEDAW, which it is currently working on withdrawing.

FSM is a source country for forced labour and sex trafficking. The Human Trafficking Act of 2012 made all trafficking activities a criminal offence. The main victims of trafficking are foreign migrant workers and Micronesian women and girls engaged in prostitution. Many sex trafficking cases remain unreported. FSM is making significant efforts across the four states to implement the national action plan to combat trafficking.

There are no labour unions, though there are also no laws against their formation. No specific laws regulate working hours or health and safety standards at the workplace. The right to strike is not legally recognised.

The EU funds the Pacific Islands Forum Secretariat and the Pacific Community Regional Rights Resource Team project, which aims to increase the rate of the Pacific Islands' ratification and implementation of human rights treaties. The project implemented a range of bilateral and regional activities. In April 2016 it supported the regional Human Rights and Media Forum which adopted a 'Declaration on a Human Rights-based approach to journalism in the Pacific'. It also carried out the 2016 regional Gender and the Law Consultation on the Implementation of Domestic Violence Legislation. Bearing in mind that MPs from the Pacific region had adopted a Declaration in 2015 recognising the vital role of parliament and parliamentarians to respect, fulfil, protect and promote the inherent rights of all people in the Pacific, the project organised several human rights dialogues with national MPs to advance human rights, good governance and development.

In December 2016, with the support of an EU-funded project, FSM ratified the Convention on the Rights of Persons with Disabilities and is working on its disability policy.

The EU worked closely with the government, regional organisations, civil society and other donors. In FSM's National Indicative Programme designed under the 11th European Development Fund (EDF), a specific financial allocation has been set aside for CSOs (EUR 0.1 million).

FSM underwent its second Universal Periodic Review in November 2015. Progress was noted in some areas, such as FSM's ratification of the Optional Protocol to the Convention on the Rights of the Child and steps taken to improve gender equality, reduce child mortality and reduce the impact of climate change on human rights. At the same time, a number of ongoing concerns were raised by delegations, such as FSM's high rate of trafficking in persons; the issue of domestic violence; FSM's reservations on the CEDAW; and challenges linked to discrimination against LGBT people. The recommendations include the development of a national gender policy.

In October 2015, FSM ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. However, a large number of the core international human right conventions remain unratified. With the support of an EU-funded project, FSM organised consultations and prepared a report on the Convention on the Rights of the Child. No visits have been made by Special Procedures during the years under scrutiny and FSM has not extended a standing invitation. FSM has not acceded to the Rome Statute of the International Criminal Court. FSM does not have a national human rights institution.

The judiciary is independent but lacks funding, which has a detrimental impact on the functioning of the courts. The small national police force is responsible for local law enforcement, while the USA provides for national defence.

Republic of Nauru

Nauru has experienced a mixed track record with regard to democracy, the rule of law and human rights. The overall situation for refugees and asylum seekers in the regional Offshore Processing Centre (OPC) has not improved despite an open door policy. In May 2016, Nauru amended its Criminal Code and abolished the death penalty and decriminalised homosexuality.

Through an EU-funded project, the EU has promoted human rights and gender equality.

The last general elections were held in July 2016, following 2 years of turmoil, during which five of the seven opposition Members of Parliament (MPs) were suspended from parliament. Limited access to state owned media, the absence of foreign reporters, restrictions on freedom of expression and a ban on social media all impeded the campaigning of the opposition candidates. International election observers' teams noted a number of shortcomings but concluded that the elections were free and fair.

Nauru's President Baron Waqa was re-elected; the ruling party won 16 of the 18 seats thereby further consolidating power in Nauru (the previous parliament had had eight opposition MPs). Only one of the four female candidates was (re-)elected.

In August 2016, the government decided to cancel the passports of 20 people, including a former president and other former MPs for alleged involvement in one of the anti-government riots in 2015. Subsequently, the Border Protection Minister received greater powers to cancel travel documents and thus prevent persons from leaving.

In March 2016, 1000 days after the OPC was opened, 144 asylum seekers protested for several weeks against their detention there (whilst recognising that they were free to leave the camp) and demanded to be recognised as refugees, many having waited for more than 3 years to have their asylum application assessed. The latest incidents of self-harm occurred in May, when a number of refugees set themselves on fire and another died of a pills overdose.

Nauru has long shied away from independent scrutiny of the OPC. Foreign journalists – save for specially selected acquiescent reporters – are refused permission even to apply for a visa. Back in January 2014, Nauru had steeply increased the fee for media and business visas, from AUD 200 to AUD 8 000 (non-refundable) and from AUD 400 to AUD 6 000, respectively.

In February 2016, Nauru further tightened visa rules for Australians and New Zealanders who now need a sponsorship/guarantee from a Nauru citizen if they want to visit the island. Nauruan sponsors/guarantors could face up to 1 year's imprisonment for breaches of the visa regime.

During the year, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States, including Nauru, to support EU human rights initiatives and priorities at the UN level.

With support from an EU-funded project, newly elected MPs held a human rights dialogue in December 2016 and discussed human rights, good governance and sustainable development. An outcome document with a set of recommendations to advance human rights in Nauru was transmitted to the cabinet.

The 2nd UPR of Nauru took place in November 2015 and was finalised in April 2016. The UPR pointed to challenges with regard to freedom of expression, access of journalists to the country, physical conditions of asylum seekers, and ratification of certain international instruments. On a positive note, Nauru was commended for efforts to improve women and children's rights and for the ratification of UNCAT and of the Convention on the Rights of Persons with Disabilities.

The government considered that it had already implemented 19 of the 108 recommendations received. Nauru accepted 60 of the recommendations and noted 29. Those accepted included the recommendations to ratify core human rights conventions such as the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the CESCR, and to establish a national human rights institution (NHRI). The 'noted' recommendations included those to decriminalise same-sex sexual activity, to abolish the death penalty, to uphold freedom of information, press freedom and freedom of speech in the country, and those related to asylum seekers, refugees and migrants.

In May 2016, Nauru amended its Criminal Code, abolished the death penalty and decriminalised homosexuality. Furthermore, with support from an EU-funded project, in 2016 Nauru submitted

its overdue reports on the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The project also provided technical assistance to Nauru on the ratification of the Optional Protocols to the CRC, which had been signed by Nauru in 2010.

In contrast to several other Pacific countries, Nauru has signed and ratified several of the core international human rights treaties. Nevertheless, legal protection of human rights remains weak. This is primarily due to poor incorporation of human rights treaties into domestic law and a lack of domestic legislative provisions to secure human rights protection. Nauru's capacity to implement international human rights treaties is constrained by financial considerations and by the reporting burden. The review of the constitution, which was frequently cited by Nauruan representatives during the previous UPR, has not been completed.

The establishment of an independent national human rights institution would be a major step forward in terms of promotion and protection of human rights in Nauru.

Political space for opposition is limited due to the absence of independent media, restrictions on foreign journalists, a ban on social media and punitive measures adopted by the government (for example the cancellation of passports).

Conflict resolution is an area where EU intervention could potentially have the biggest impact in addressing democratic shortcomings in Nauru. However, given the substantial financial support received by Nauru from Australia, the EU lacks incentives to stimulate the government's interest in engagement on human rights and democracy.

Republic of Palau

While the government generally respects the human rights of its citizens, problems persisted in a few areas, including domestic violence, trafficking in human beings and discrimination against, and abuse of, foreign workers.

Through dialogue with the country and through various financial instruments, the EU has promoted human rights, gender equality and increased participation of women in decision-making. Awareness-raising and support for civil society and non-state actors were essential elements for implementing the regional roadmap for CSOs in the Pacific.

In 2013, Palau ratified the Convention on the Rights of Persons with Disabilities (CRPD) and has completed its combined 2nd and 3rd reports on the Convention on the Rights of the Child (CRC). Following its ratification, a series of consultations were held in partnership with the Pacific Disability Forum and the Pacific Islands Forum Secretariat, where a national disability policy was drafted. However, legislation providing for full protection of children and disabled persons has yet to be enacted in Palau.

Although Palauan society is matriarchal and matrilineal, women are still under-represented in the National Congress, the cabinet and the higher levels of the civil service. Since the 2016 election, there have been four women in the 29-member National Congress. Women have almost equal status in public and private sector employment, education and public life. Sexual harassment and rape, including spousal rape, are illegal. Domestic violence is not covered

by specific legislation and remains a challenge. However, the government conducted public education efforts to combat abuse against women and children. Palau which has not yet ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has focused on awareness programmes and consultations with key stakeholders, including traditional women's groups.

Regulations that make it extremely difficult for foreign workers to change employers once they arrive in Palau place foreign workers at increased risk of involuntary servitude and debt bondage. As a result, foreign workers are subject to discrimination and are targets of petty and sometimes violent crimes, as well as other harmful acts against persons and property.

Palau's legislation does not provide for the granting of asylum or refugee status and the government has not established a formal system for providing protection to refugees. In practice the government has nevertheless provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened.

The EU funds the Pacific Islands Forum Secretariat and Pacific Community Regional Rights Resource Team project, which aims to increase the rate of the Pacific Islands' ratification and implementation of human rights treaties. The project implemented a range of bilateral and regional activities. In April 2016 it supported the regional Human Rights and Media Forum which adopted a 'Declaration on a Human Rights-based approach to journalism in the Pacific'. It also carried out the 2016 regional Gender and the Law Consultation on the Implementation of Domestic Violence Legislation. Bearing in mind that MPs from the Pacific region had adopted a Declaration in 2015 recognising the vital role of parliament and parliamentarians to respect, fulfil, protect and promote the inherent rights of all people in the Pacific, the project organised several human rights dialogues with national MPs to advance human rights, good governance and development.

The EU worked closely with the government, regional organisations, civil society and other donors. In Palau's National Indicative Programme designed under the 11th EDF, a specific financial allocation has been set aside for CSOs (EUR 0.2 million).

Palau does not have a national human rights institution but the government has expressed its intention to establish one, noting during its second UPR that the country would be seeking the assistance of its partners to acquire the specialised resources to do so. Palau has a Reporting Committee on UN conventions on human rights.

Palau underwent its second Universal Periodic Review in January 2016. The recommendations made included ratification of core human rights treaties that have already been signed, including CEDAW, ICCPR, ICESCR, and UNCAT. Palau has not acceded to the Rome Statute of the International Criminal Court.

The issue of violence against women was highlighted in the recent Belau Family Health and Safety Study. Additionally, a gender mainstreaming policy is currently being drafted and would essentially mainstream gender within the national and state government policies and programmes.

There are no laws addressing sexual orientation and gender identity. Same-sex sexual activity was legalised in 2014.

High-ranking public officials (the House Delegate and the former vice-president) have faced corruption charges in recent years. In August 2016, the Office of the Ombudsman asked for a clearer legal mandate coupled with greater independence. In January 2016, the UN held anti-corruption consultations aimed at encouraging Palau to engage more strongly with the United Nations Convention against Corruption .

Palau has adopted legal measures and enforcement strategies to combat trafficking in human beings. The laws include protections in the areas of employment and unlawful detention of travel documents. However more efforts are needed on enforcing national legislation since Palau remains a destination country for women subjected to sex trafficking and for women and men subjected to forced labour.

Tuvalu

The overall human rights situation in the country has improved, and there is no systematic abuse of human rights. Gender-based violence (GBV) is rooted in traditional behavioural norms. Tuvalu's biggest challenge is climate change. Tuvalu is at risk of becoming uninhabitable by the end of the century, which will lead to migration issues.

There is limited potential for administrative capacity due to the low population (10 000), and this creates particular constraints with regard to the supplying of regular reports under UN instruments, which results in insufficient data for assessing the situation.

Through the dialogue with the country and through various financial instruments, the EU has promoted human rights, gender equality and the increased participation of women in decision-making. Awareness-raising and support for civil society and non-state actors were essential elements for implementing the regional roadmap for CSOs in the Pacific.

With support from an EU-funded project, newly elected MPs held a human rights dialogue in August 2015. As an outcome of these discussions, the Tuvalu government endorsed the national human rights action plan 2016-2020 in October 2016, which is to be launched in early 2017.

The EU also worked closely with the government, regional organisations, civil society and other donors. In the National Indicative Programmes designed under the 11th European Development Fund (EDF), a specific financial allocation has been set aside for CSOs (EUR 0.3 million).

The EU also funds the Pacific Islands Forum Secretariat (PIFS) and the Pacific Community Regional Rights Resource Team (SPC RRRT) project, which aims to increase the rate of the Pacific Islands' ratification and implementation of human rights treaties. The project implemented a range of bilateral and regional activities. In April 2016 it supported the regional Human Rights and Media Forum which adopted a 'Declaration on the Human Rights-based approach to journalism in the Pacific'. It also carried out the 2016 regional Gender and the Law Consultation on the Implementation of Domestic Violence Legislation.

Tuvalu is a party to three core Human Rights Conventions: CEDAW, CRC and CRPD. A disability policy has been drafted and national consultations on the policy began in March 2016. With EU support Tuvalu is working towards establishing a national human rights institution. So far the parliament has enabled the Ombudsman Commission to work on several types of complaints. Tuvalu also established several committees and taskforces to monitor the implementation of international instruments and to work on promoting them. There are currently two task forces that were established to monitor adherence with CEDAW and to comply with UPR reporting obligations.

Independent State of Samoa

The *overall human rights situation* in the country has slightly improved compared to previous years. In general, human rights in Samoa are protected by law, however the enforcement and implementation of these protections tend to be insufficient. Gender-based violence and discrimination against women remain of major concern.

Through the dialogue with the country and through various financial instruments, the EU has promoted human rights, gender equality and increased participation of women in decision-making. Awareness-raising and support for civil society and non-state actors were essential elements for implementing the regional roadmap for CSOs in the Pacific.

In the parliamentary elections on 4 March 2016, the ruling Human Rights Protection Party (HRPP) won 44 of the 49 seats in parliament. The landslide victory caused some concern and articulated the need for an effective civil society to engage in greater advocacy with the government.

In 2013, the Samoan government passed constitutional amendments that introduced a 10% minimum quota for female members of parliament. In the March 2016 elections only four women were elected to parliament. The woman who received the next-highest number of votes, Faaulusau Rosa Duffy-Stowers, was then elected through the quota system, bringing the number of women up to five, out of the total of 50 members of parliament.

In 2016, Samoa ratified all three Optional Protocols to the Convention on the Rights of the Child: the Optional Protocol on the sale of children, child prostitution and child pornography, the Optional Protocol on a communications procedure, and the Optional Protocol on the involvement of children in armed conflict.

Violence against children remains an issue and is generally tolerated as a form of discipline; excessive physical discipline traditionally is seen as a parent's right more than a human rights concern. A related issue is that of child sex abuse, especially within the family. School-aged children are frequently engaged as street vendors, although in recent years the government has taken several steps to protect children through the introduction of national legislation, the establishment of a task force, and ratification of all fundamental ILO conventions.

While freedom of the media is generally well respected in Samoa, there have been several reports of isolated threats against journalists. In July 2016 the government established the Samoa Media Council, which has authority over all media outlets in the country regardless of Council membership, leading to fears of excessive government control.

Bilateral meetings at various levels were used as a platform to promote respect for human rights and gender equality in the Pacific region including Samoa.

The first Enhanced EU-Samoa Political Dialogue under Article 8 of the Cotonou Agreement was held in Apia on 4 October 2016. The dialogue was attended by representatives from civil society and the private sector. The EU commended Samoa for its recent progress in the field of human rights and the parties discussed remaining challenges, including the ratification of aforementioned international human rights treaties. The EU invited Samoa to examine the possibility of decriminalising male homosexuality.

The EU provides funding to civil society under the 11th European Development Fund Civil Society Support Programme. One of its goals is to strengthen the voice and monitoring role of civil society in Samoa in order to bolster respect for human rights, and in particular women's rights, with a specific focus on reducing violence and discrimination against women.

EU funding enabled UNICEF and Pacific Community Regional Rights Resource Team (RRRT) to provide training in 2016, in conjunction with the Samoan government, on treaty reporting concerning the Convention on the Rights of the Child and ratification of its Optional Protocols. Through the dialogue with the countries and through various financial instruments, the EU has promoted human rights, gender equality and the increased participation of women in decision-making. Awareness-raising and support to civil society and non-state actors were essential elements for implementing the regional roadmap for CSOs in the Pacific. To that end, the EU also worked closely with the government, regional organisations, civil society and other donors. In National Indicative Programmes designed under the 11th EDF, a specific financial allocation has been set aside for CSOs in Samoa (EUR 2 million).

Samoa underwent its second Universal Periodic Review in May 2016. The recommendations included ratification of the Convention on the Rights of Persons with Disabilities, the Convention against Torture, and the International Covenant on Economic, Social and Cultural Rights. Following its first UPR (2011), Samoa mandated the Office of the Ombudsman to handle human rights issues in 2013, thereby fulfilling its commitment to create a national human rights institution (NHRI). The Office of the Ombudsman is considered effective and operates free of interference by the government or political parties, and in July 2016 it was accredited as an 'A status' NHRI by the Global Alliance of National Human Rights Institutions – a significant achievement in the regional context.

Republic of the Marshall Islands (RMI)

RMI continues to make progress in the context of human rights and governance, but like most Pacific Island Countries, is hampered by a lack of human resources. Climate change and environmental disasters remain the most fundamental threats. With the sea level rising at the current rate, RMI is at risk of becoming uninhabitable by the end of century. The country was one of the first to ratify the Paris Agreement in February 2016.

Through the 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. Awareness-raising and support to civil society and non-state actors were essential elements for the implementation of the regional roadmap for CSOs in the Pacific.

On 27 January 2016 Ms Hilda Heine became the country's first female president (and the Pacific's first female elected Head of State).

Women are still underrepresented in all areas of political life but after general elections the number of female parliamentarians went up from one to three. Activists have proposed that the constitution be amended to provide for the reservation of seven seats for women, though a change to the Constitution would require a referendum and a two-thirds majority.

Gender violence remains an issue in RMI. About 22% of all RMI women report experiencing physical violence in the previous 12 months. Parliament has since passed the Domestic Violence Prevention and Protection Act.

Corporal punishment is illegal in schools but is still permitted at home. There is no minimum age for employment for children. Only 80% of students who attend primary school reach eighth grade and only 70%-75% of those enter high school. There are few services for the protection of children, and the Human Rights Office in the Ministry of Internal Affairs is poorly staffed.

During the year, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States including RMI to support EU human rights initiatives and priorities at the UN level.

With the support of an EU funded project, the newly elected Members of Parliament held a Dialogue on Human Rights in February 2016. They recommended the development of a National Human Rights Action Plan and efforts towards the establishment of a National Human Rights Institution. During the Dialogue, the Government made a commitment to an annual allocation of resources to RMI's national women's movement, to provide services to survivors of domestic violence.

In May 2016, human rights were discussed during an informal political dialogue with the new government.

The EU worked closely with the government, regional organisations, civil society and other donors. In RMI's National Indicative Programme designed under the 11th EDF, a specific financial allocation has been set aside for CSOs (€ 0.4 million).

The EU also funds the Pacific Islands Forum Secretariat and Pacific Community Regional Rights Resource Team project aiming to increase the rate of Pacific Islands' ratification and implementation of human rights treaties. The project implemented a range of bilateral and regional activates. In April 2016 it supported regional Human Rights and Media Forum which adopted a Declaration on the human rights-based approach to journalism in the Pacific. It also carried out a regional 2016 Gender and the Law Consultation on the Implementation of Domestic Violence Legislation. Considering that in 2015 MPs from the Pacific region adopted a Declaration recognising the vital role of Parliament and parliamentarians to respect, fulfil, protect and promote the inherent rights of all people in the Pacific, the project organised several national MPs Human Rights Dialogues to progress human rights, good governance and development.

Human trafficking remains an issue that requires increased efforts to protect victims and improve the enforcement of the national legislation.

New Zealand

In 2016 the overall human rights situation in the country remained positive. The New Zealand government has a robust institutional framework to promote and protect human rights. Human rights concerns in New Zealand generally remain relatively marginal, with some long-standing problematic situations in need of improvement, such as child poverty, family violence and socio-economic issues related with the Maori and Pasifika communities.

The EU Delegation in Wellington identified two priority issues for the 2016-2020 period: domestic violence, including violence against women, and the Maori situation.

The main issues under scrutiny in 2016 have been domestic violence, the Maori situation, rights of the child, rights of persons with disabilities, suicide rates (highest rate of teen suicides), LGBTQI, the gender pay gap, women in leadership roles (numbers of women as corporate directors are falling), worker exploitation (migrant workers mainly in the construction, hospitality and dairy sectors), bullying, the right to privacy (some legislative reforms needed), NZ citizens unduly detained in Australia's offshore detention centres.

The Delegation met the independent Human Rights Commission on three occasions to discuss the overall situation in New Zealand and the country's operational tools. New Zealand's Human Rights Commissioner, David Rutherford, was invited to the Heads of Missions meeting in June 2016 and gave a detailed briefing on the situation in New Zealand and the Commission's future priorities, whilst also receiving questions. Contact between the Delegation and the Commission is ongoing and relations are excellent.

Building on reforms implemented in 2015 the NZ government has introduced more than 50 changes to the 1995 Domestic Violence Act. These changes apply to both civil and criminal laws, including promotion of early and effective intervention and prohibition of coercive or forced marriages. The NZ government also implemented a NZD 790 million child material hardship package, in response to some issues identified by UN Committee on the Rights of the Child.

In October 2016, the EU and New Zealand signed a Partnership Agreement for Relations and Cooperation (PARC). The latter includes human rights and gender issues as areas of cooperation. In line with EU policy, gender issues (including human rights-related issues) have also been addressed in regular high-level consultations, including at the AUS-NZ-EU Trilateral Consultation on the Pacific in February 2016 and in the last EU-NZ security dialogue in June 2016.

There is no active public diplomacy by the EU in New Zealand on human rights since the latter are respected at levels compatible with Western societies' standards and relevant international legal frameworks. However, regular contact is made with relevant stakeholders in the country, including the NZ Human Rights Commission. Public awareness-raising activities are occasionally organised by the EU Delegation and resident Member States' diplomatic missions, on topics such as gender equality or women's rights.

All in all, the biggest challenge is the sometimes low level of resources allocated to effective implementation of reforms or action plans. Domestic violence and the Maori situation will remain the main issues to be tackled in the coming years. Maori make up over 50% of New Zealand's prison population (60% in the case of women).

Independent State of Papua New Guinea

Papua New Guinea (PNG) is going through a vibrant societal transformation and addressing a wide range of human rights challenges. However adequate responses and implementation by government agencies are still limited and slow. Despite the good effort on policy development over the last couple of years, policy implementation and institutional capacities leave room for improvement.

There is a need to reduce gender-based violence, support the fight against child abuse, and implement international conventions.

The key human rights concerns in the country are gender-based violence, violence against children, and sorcery-related torture and killings. The number of incidents of rape and intimate-partner violence is one of the highest in the world. Many cases are still unreported and very few of those reported are adequately followed up.

The long-awaited landmark national strategy paper on Gender-Based Violence (GBV) was approved by the National Executive Council on 13 December 2016. The establishment of a special parliamentary committee on GBV and a national GBV Council and secretariat was part of the national strategy to be launched in February 2017.

In 2016 there was increased media reporting and awareness on GBV, which intensified during the FIFA U-20 Women's World Cup in Papua New Guinea in November and December, which was an ideal platform to raise awareness and promote behavioural change.

Cultural and religious reasons prevent PNG from using the death penalty, however it is maintained in law to act as a deterrent (the last execution took place in 1954). Public opinion remains divided over its abolition. Introduced through law in 1902, three crimes carried the death penalty at the time of PNG's independence in 1975, however since 2013 there have been six (treason, piracy, attempted piracy with violence, sorcery-related killing, aggravated rape and aggravated robbery). In February 2016, the prime minister publicly announced that the review of the implementation arrangements for executions was put on hold.

In terms of prosecution of offenders, court orders are sometimes not respected or not enforced by law enforcement agencies. Instances of evidence 'lost' or tampered with, especially when it involves controversial or high-profile cases, have been reported.

Strengthened cooperation of government with civil society organisations (CSOs), as partners in the country's development process, and the need for such cooperation in the specific areas of basic health, education, water and sanitation, law and order, politics and governance, human rights and economic empowerment, will improve CSOs' involvement in policy formulation and political reforms, as well as their ability to access government funding mechanisms.

The Amendment of the Public Finance Management Act (PFMA), which will enter into force on 1 January 2017, is considered a major step in the fight against corruption (and is linked to EU support for public finance management reform).

The political dialogue was held on 22 November 2016; PNG was encouraged to advance the ratification process on the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; to consider ratification of the Rome Statute of the International Criminal Court; and to reflect on abolishing the death penalty (which has been abolished by most other Pacific Island states). The EU also underlined the importance of establishing a national human rights institution that can advance the implementation of human rights policies and UPR recommendations.

During 2016, the EU Delegation organised several bilateral meetings at all levels with state actors, diplomatic missions, international organisations and civil society on human rights, co-organised the 'Yumi Olgeta' in April and participated in the 7th PNG Human Rights Festival in October. The EU delivered a demarche to the government on the moratorium on the use of the death penalty.

In December 2016, the EU Delegation signed a contract with the Consultative Implementation & Monitoring Council, which will support a nation-wide platform for dialogue with non-state actors (NSAs) and encourage active participation of the NSAs both at national and subnational levels, with a focus on district public expenditure, provincial government and civil society partnership, open government and public participation, family and sexual violence, HIV/AIDS and the Extractive Industry Transparency Initiative (EITI).

Under a call for proposals worth more than EUR 900 000, contracts were awarded for projects geared to promoting women's and children rights, to addressing child abuse, and to combating trafficking in human beings and strengthening prosecution efforts.

On other projects implementation is ongoing: 'Papua New Guinea Leadership Against Gender-Based Violence', which aims to build the capacity of decision-makers within government and civil society; 'HOPE-A House for Protection and Empowerment', which aims to promote the work of human right defenders and advocators; and 'Addressing Violence Against Women in Papua New Guinea', which aims to raise awareness among rural communities on the effects of gender-based violence by using a range of communication methods.

PNG presented its second Universal Periodic Review (UPR) report to the UN Human Rights Council on 6 May 2016. PNG accepted 101 of the 161 recommendations and simply noted the others.

Recommendations included the fight against gender- based violence and sorcery-related violence, the strengthening of gender equity, the establishment of an independent human rights institution, the ratification of key international conventions and compliance with reporting obligations, the improvement of access to education and health services, accountability for businesses, the decriminalisation of LGBT persons, the abolishment of the death penalty, police brutality and the lack of dignified correctional services. The common denominator was the slow progress in the implementation of the recommendations from the previous review.

The main challenge ahead is to demonstrate tangible progress on the UPR commitments, in particular in addressing gender-based violence, improving law and order, and enhancing access to basic services such as education, health, housing and decent jobs. Law and order problems continue to hinder investors' confidence and constitute the single biggest obstacle to achieving economic development and prosperity.

Solomon Islands

As with other Pacific countries, climate change and related human rights problems are of particular relevance. In 2016 the overall human rights situation improved. Gender inequalities, including gender-based violence (GBV) and violence against children, remain a concern.

There is a need to promote the reduction of gender-based violence, support the fight against child abuse, and implement international conventions.

The Solomon Islands have yet to enact a comprehensive human rights policy. The much-awaited Family Protection Act 2014 implementing regulations were adopted and formally launched in April 2016. The act criminalises domestic violence, protects survivors, and empowers the courts, police and healthcare professionals to assist survivors' access to services such as medical attention and justice. However, there is currently no legislation to legally prohibit corporal punishment of children.

Domestic violence remains an issue of national concern. According to studies, around two thirds of women aged 15–49 who have been in a relationship reported experiencing physical and/or sexual violence by an intimate partner.

Legal aid is officially available in criminal, family and civil matters through the Public Solicitor's Office, however it has been noted that the Office is routinely overburdened and under-resourced. Much effort has been made to improve access to justice for women victims of domestic violence, particularly since the start of implementation of the Family Protection Act (2014) in April 2016.

The Penal Code (Sexual Offence) (Amendment) Bill 2015 introduced new categories of sexual offences. These include persistent sexual abuse of a child under the age of 18; sexual abuse of a child over the age of 15 but under 18 by a person in a position of trust, authority or dependency in relation to the child; child commercial sexual exploitation; and participation, use, distribution and storage of child sexual exploitation materials (visual, audio, print and data).

The government also endorsed the national peacebuilding policy, launched in 2015 as part of its post-conflict initiative to achieve sustainable and stable peace. A national plan of action against trafficking in human beings and people smuggling was finalised, and operational guidelines for law enforcement on the Immigration Act are being drafted.

The involvement and participation of women in political life continues to be very low. The Political Parties Integrity Act, the drafting of which was assisted by the EU, requires registered political parties to ensure that at least 10% of their candidates are women. To counter obstacles such as financial, cultural and various other interests of incumbents in parliament, temporary

special measures (TSM), including a reserved number of seats for women in parliament, have been discussed and announced at the highest level, with support from the EU Delegation in policy dialogue and public statements. To date, however, the lack of any specific action has been discouraging.

In the political dialogue held in June 2016 the EU urged the government to sign and ratify important human rights instruments (including the ratification of the Rome Statute of the International Criminal Court which had been signed in the late 1990s). The EU invited the country to protect the rights of the LGBTI community.

The country acknowledged the importance of timely implementation of the recommendations of the Truth and Reconciliation Commission (TRC). A TRC implementation roadmap is scheduled for submission to the national parliament later this year.

The EU Delegation has continued a dialogue with civil society organisations such as Solomon Transparency International on corruption, and with the Ombudsman on human rights issues. In July 2016, the EU Delegation to the Solomon Islands and Vanuatu actively participated in the Climate Diplomacy Week; it promoted several publications and reached out to schools and the media. In the Pacific region, climate change and human rights are very closely intertwined. The EU Delegation has taken a leading role since 2016 in convening dialogue on a CSO roadmap, which will be followed by thematic budget lines (EUR 0.6 million from the EIDHR and EUR 1.5 million from the CSO-LA) under calls for proposals in 2017. There are 68 non-governmental organisations (NGOs) currently registered with the Pacific Islands Association of Non-Governmental Organisations.

The EU is currently financing an action on 'Support to initiatives and actions on the protection of children against sexual exploitation and sexual abuse'. The EU has also funded projects on women's rights, violence against women, women's empowerment and women's participation. The Solomon Islands confirmed that it received 139 recommendations in its UPR in January 2016, of which it eventually accepted 89, including ratification of the International Convention on the Rights of Persons with Disabilities, and the recommendations related to child protection, corporal punishment, trafficking in human beings, education and criminalisation of sexual violence, and to establish a national human rights institution. The government is committed to establishing a national monitoring, reporting and follow-up mechanism within five years.

Kingdom of Tonga

The overall human rights situation in the country has remained positive. Faced with a possible no-confidence vote, the government has made no progress on further democratisation or ratification of CEDAW, however. Domestic violence remains a major problem as does the lack of female participation in Tongan politics.

The EU supports capacity building for civil society organisations (CSOs) and on gender equality. Women are under-represented in decision making; in a July 2016 by-election, a woman won a seat in parliament, making her the 5th female MP in Tonga's history. While the constitution officially provides for equality, this does not translate in practice into gender equality. Men generally enjoy preferential treatment in line with the traditional Tongan culture. There is generalised gender inequality in family life, where the dominant role is held by the oldest

male. Women cannot own land and continue to face challenges in terms of enjoyment of full economic rights. Domestic violence is also a major problem.

In November 2016, Tonga's first Ombudsman was appointed: he can make investigations into government administration, either on the basis of a complaint made to him by any person or on his own motion. The bill was tabled in parliament along with a bill to finally appoint an Anti-corruption Commissioner, for which the post had been vacant since 2007.

Despite numerous attempts by the EU Delegation for the Pacific, no high-level political dialogue with Tonga took place in 2016.

During the year, the EU Delegation for the Pacific carried out demarches and outreach activities inviting the Pacific Island States, including Tonga, to support EU human rights initiatives and priorities at the UN level. The British High Commissioner to Tonga raised human rights issues and highlighted the need for better application of UN human rights instruments on her visit to Tonga.

The EU encourages a more structured and effective policy dialogue between government, local authorities and CSOs. The National Indicative Programme under the 11th European Development Fund (signed in 2015) provides EUR 0.6 million for CSOs in Tonga.

As part of the implementation of the regional roadmap for CSOs in the Pacific, in March 2016 the EU supported a three-day National Consultation on Child Protection in Tonga, resulting in the creation of a government-NGO ad hoc advisory working group on child rights, tasked with urging the Ministry of Education to move forward on CRC reporting and implementation.

The project has also worked through the Women's Division in the Ministry of Internal Affairs to provide technical support on the development of strategic plans for implementation of the Family Protection Act (2014) and the revised gender policy; and also to roll out a series of community consultations on the protections and redress offered under the new act.

Tonga is not a very active member of international human rights fora and has so far only ratified two of the core UN human rights conventions (the ICERD and the CRC). Significantly, however, Tonga became a member of the International Labour Organisation in 2016.

Republic of Vanuatu

In 2016 further steps were taken to promote a stronger, more transparent and accountable governance system. Progress in meeting human rights obligations was also noted in the Vanuatu 'examination' in the CEDAW Committee.

The EU's priority is the establishment of a fully fledged national human rights institution in accordance with the Paris Principles (to guarantee the equality of women and girls and persons with disabilities) and the ratification of the Optional Protocol to the Convention against Torture.

There are still a number of problems especially in the fields of gender, violence against women, domestic abuse, rape and discrimination against LGBTI persons. There are also regular cases of corruption, including allegations of misuse of public and/or donor funds.

In 2016 the government was more actively involved in promoting women's participation in **politics**. In November President Baldwin Lonsdale had a meeting with the Women's National Council and reiterated his desire to see women elected to the parliament and also running for presidential elections. In this context, the government discussed the introduction of temporary special measures (TSMs) through constitutional amendments. This follows successful implementation of TSMs in the municipal elections in 2014. A delegation from the Women's National Council attended the opening ceremony of the December 2016 parliamentary session.

Another positive point is the confirmed high level of independence of the judiciary. In October 2015, the Supreme Court of Vanuatu had found 14 MPs guilty of bribery and corruption under the Penal Code Act and had sentenced them to 3 or 4 years in prison. On appeal, the Court of Appeals confirmed the judgment, thereby proving the independence of the judiciary and its firm stance against corruption.

The EU Ambassador accredited to Vanuatu is based in Honiara (Solomon Islands) and maintains, with the help of his other colleagues, a regular and effective EU political and operational presence in Vanuatu. The fourth Enhanced Political Dialogue under Article 8 of the Cotonou Agreement will be held in Brussels on 24 January 2017 and the situation regarding human rights, gender equality and good governance in the country is on the agenda.

Vanuatu supported the resolution for a moratorium on the use of the death penalty both in UNGA's 3rd Committee and in the UNGA plenary in December. It also voted in favour of other EU-sponsored/supported country or thematic resolutions on human rights in the 3rd Committee in November.

In 2016, the EU continued to provide financial support to projects funded through the European Development Fund (EDF), but the focus has been on rural development, since agricultural activities can play an important role in stimulating growth, creating jobs and improving livelihoods in rural areas. They can help fight poverty in Vanuatu and limit urban drift and other undesirable consequences, such as urban unemployment, drug use and violence.

Vanuatu has successfully completed the second cycle review under the Human Rights Council UPR and developed a national framework through which the recommendations will be mainstreamed into government planning and development programmes. These are to protect the most vulnerable people – women, children and those with a disability. Vanuatu is implementing the national implementation action plan resulting from the recommendations accepted in June 2014.

Despite this progress, challenges remain regarding the implementation of human rights, especially in the outer-lying remote islands. The challenges include access to justice, in particular for vulnerable groups, and strengthening of constitutional and legislative guarantees.

IX. The Americas

Antigua and Barbuda

While several measures aimed at enhancing the protection of women's and children's rights took effect in 2016, countering domestic violence and child abuse remains a key challenge.

The EU priorities further include non-discrimination against the LGBTI population, abolition of the death penalty and other improvements in the area of the rule of law, in particular the need to address prison overcrowding and judicial backlogs.

A new Domestic Violence Act took effect in 2016, setting out an obligation to investigate all reported incidents. Training on the legislation was provided to relevant staff. Trafficking in human beings continues to be of major concern, in particular foreign women recruited for prostitution. Neglect and physical abuse are regarded as the most frequent form of child abuse. A study in March 2016 found a prevalence of incidents of sexual abuse of teenagers for material gain. Corporal punishment is still administered in schools. Implementation of the 2015 model Child Justice Bill started in 2016, aimed at diverting cases from formal courts to restorative justice, abolishing corporal punishment as a sentencing option and providing for detention in secure accommodation for children as an alternative to prison. A family courtroom has been established to deal exclusively with juvenile matters.

No progress has been recorded on LGBTI issues; consensual same-sex activity remains illegal and gay people are subject to discrimination (e.g. in employment, housing, and access to education and health care), verbal harassment and, albeit less common, physical violence. Antigua and Barbuda retain the death penalty although no executions have occurred since 1991. The country's lone prison still suffers from extreme overcrowding.

In 2016, the EU continued to raise key human rights issues with the authorities. Formal demarches were carried out in the context of the UNGA Third Committee. Antigua and Barbuda, as part of the Eastern Caribbean sub-region, benefits from EU assistance under the European Instrument for Democracy and Human Rights and the Civil Society Organisations programme. In this context, ongoing projects focus, inter alia, on countering domestic violence. Another project specifically devoted to Antigua and Barbuda was selected at the end of 2016 for implementation and seeks to reduce recidivism through increasing employment opportunities for at-risk young people.

In May 2016, Antigua and Barbuda underwent the Universal Periodic Review. The final report was adopted by the Human Rights Council in September. Antigua and Barbuda accepted 37 of the 115 recommendations, and noted the 78 others. The HRC welcomed the ratification of the UN Convention on the Rights of Persons with Disabilities in 2016, progress in legal measures

to counter trafficking in human beings and the adoption of laws on juvenile justice. It was recommended that Antigua and Barbuda continue its efforts to eradicate poverty, advance health care services through increased allocation of resources, continue to eliminate violence against women and commit to non-discrimination against LGBTI persons.

Argentine Republic

Overall, the human rights situation in Argentina is positive. Since the return of democracy in 1983 there has been a constant commitment to human rights. Ambitious anti-discrimination laws, including on the human rights of LGBTI persons, are in place, although some discrimination remains in society. Argentina maintains commitments to human rights internationally, including a stated willingness to receive Syrian refugees.

The EU's main priorities are to support the participation of civil society in the policy-making process, and to support relevant state agencies and civil society organisations involved in the protection of human rights and the promotion of women's empowerment. The EU has also undertaken activities on supporting social inclusion and poverty reduction, combating gender-based violence and addressing institutional violence.

The main concerns related to the protection of human rights in Argentina are linked to: inequality of income distribution and resulting high levels of poverty; gender-based violence; and a tolerance of institutional violence arising from inefficiencies in the judicial system and corruption in security forces. Examples of human rights concerns that received international attention in 2016 include the case of Milagro Sala (pre-trial imprisonment for almost a year of an indigenous leader closely linked to the previous administration in the province of Jujuy, who was accused of embezzlement, amongst other claims) and the emergence of xenophobic and anti-immigrant rhetoric in mainstream politics.

In addition, high levels of poverty (32%) have provided a fertile ground for drug-related violence and a rise in delinquency, triggering demands for tougher responses to crime. Justice and security forces are being modernised, mainly to increase their efficiency.

Gender-based violence and femicide also remain frequent despite progress in legislation and major demonstrations calling for action to protect women. Moreover, institutional violence linked to corruption and dysfunctional justice remains a cause for concern.

The law on access to public information and the creation of an autonomous agency to facilitate its implementation, as well as a project to boost transparency and accountability in the electoral system, have great potential for improving the quality of democratic governance. In addition, the government is driving awareness-raising campaigns on gender equality, gender violence and the human rights of LGBTI persons.

Participation of civil society in public decision-making varies across the country. Most impoverished population groups have limited access to the decision-making process and clientelism remains widespread, especially in the provinces. Groups comprising poor people, migrants and the indigenous population have very limited access to decision-making bodies.

The EU and Argentina will hold their human rights dialogue early in 2017. The dialogue will be preceded by an open consultation with civil society and both will serve as a basis for a human rights strategy.

The EU Delegation to Argentina has been working with various Argentinian human rights NGOs, which are able to carry out their activities freely. In addition, the overall situation regarding freedom of speech is positive. The EU is paying close attention to the situation of indigenous communities in the poorer northern provinces through several assistance programmes. Support under the European Instrument for Democracy and Human Rights takes the form of five ongoing projects, which together amount to EUR 3.2 million and are focusing on social inclusion, the fight against poverty and gender-based violence, civil society participation and capacity building, strengthening of interinstitutional cooperation, promotion of women's empowerment, and designing and implementation of public policies. All five projects will come to an end in 2017.

The EU Delegation participated in seminars on gender equality and women's empowerment. The Head of Delegation launched the Emar Acosta Award for sustainable leadership in public service, which recognises the empowerment of women in public service and politics.

The EU and Argentina almost always share positions in global fora such as the UN Human Rights Council and the UNGA. The next Universal Periodic Review (UPR) is scheduled for November 2017.

Immediate challenges include improving the implementation of the comprehensive human rights legislation. The absence of reliable statistics, which has impeded the monitoring and the setting up of benchmarks on implementation, needs to be addressed in the coming months.

Commonwealth of the Bahamas

Issues relating to gender equality and treatment of migrants were major concerns in 2016. The overwhelming rejection of changes pushing for greater equality in terms of child and spousal rights in a referendum was disappointing and could be seen as a backward step in addressing human rights violations.

The strategic priorities for the EU in Bahamas in 2016 were promoting gender equality, respect in the treatment of migrants and on citizenship, improving conditions in prisons and abolishing the death penalty. Other challenges concerned judicial delays, children's rights, and ratification of all relevant UN instruments.

Bahamas is one of the few countries in the world that still permits gender-based inequality and discrimination by law. The most striking instance in the constitution is the inequality with regard to the ability to pass on Bahamian citizenship, and the inequality between children and between married and single people. A referendum and parliamentary vote needed to pass four constitutional amendments on gender equality was held on 7 June 2016. In spite of full support from the government, the opposition and international organisations, Bahamians overwhelmingly rejected the proposed changes.

Implementation of an immigration policy adopted in November 2014 remains contentious owing to allegations of police excesses and other human rights violations. There are credible concerns that Haitian migrants are being especially targeted. It is reported that an estimated 30 000 to 50 000 Haitian immigrants and their children are denied Bahamian citizenship—despite some having been born in Bahamas—and are also without citizenship in Haiti, which in practice is leaving them stateless.

Bahamas has a single prison, comprising a remand centre for detainees awaiting trial, a female prison compound, and minimum and maximum security facilities, with the latter including a unit housing convicted murderers. According to the government, financial constraints have led to serious overcrowding, which has partly been addressed by the construction of an Immigration Detention Centre outside the prison compound and the construction of an 80-cell remand centre. However, there are still reports of poor conditions at this centre, with restricted access to basic necessities and medical care, as well as frequent occurrences of physical abuse by officers.

The Bahamian authorities retain capital punishment even though no execution has been carried out since 2000; one person remains on death row. The UK Privy Council remains the final Court of Appeal for Bahamians, thereby establishing a de facto moratorium since the right to appeal prevents implementation.

The EU continues to raise human rights issues with the government and other stakeholders, including the issues of gender equality, in particular the next steps for advancing gender equality following the rejection of the four constitutional amendment bills in the referendum, and of treatment of migrants, in particular Haitians. The EU will continue to lobby for the abolition of the death penalty in Bahamas.

Major challenges ahead include women's and children's rights, the rights of migrants and other vulnerable groups, prison conditions and abolition of the death penalty.

Barbados

The overall situation presents continued challenges on women's and children's rights, domestic violence, gender and sexual orientation, prisons and justice. Legislative steps were taken in 2016 to tackle gender-based violence and strengthen the protection of women and children, while other measures are being prepared.

The EU supports the efforts of the government of Barbados to combat domestic violence and physical and sexual abuse of children, and to strengthen the rule of law. Moreover, the EU has been pressing for the abolition of the death penalty and against discrimination against LGBTI individuals.

The lack of specific information and inadequate mechanisms for data collection and evaluation is considered to be a major impediment to tackling gender-based violence. Neglect is the most common form of child abuse, followed by physical abuse. Resources are lacking to deal with the estimated 700 cases reported annually. The judiciary is confronted by systemic delays and a high number of remand prisoners awaiting trial. The LGBTI community continues to be subject to stigma, discrimination and, albeit less common, physical violence. However, voices

in the media supporting gay rights are growing. Some Barbadian politicians have made very supportive statements – although civil society activists accuse the government of presenting a façade to the international community concerning the human rights of LGBTI persons. Barbados retains a mandatory death penalty though there has been a de facto moratorium. The debate on removing mandatory capital punishment for treason and murder, launched in parliament in 2015, has been suspended.

In January 2016, the parliament passed the Trafficking in Persons Prevention Bill giving effect to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. At the same time, the parliament passed an amendment to the Sexual Offences Act defining marital rape. The Domestic Violence Bill 2016 was passed in February 2016, aimed at reinforcing the protection of victims and the accountability of perpetrators. The Juvenile Justice Bill has not been adopted yet.

Locally, the EU maintains a regular political dialogue as well as informal discussions with government, opposition, civil society and other relevant stakeholders, actively raising key human rights issues. Formal demarches were carried out in the context of the UNGA Third Committee. Dialogue on the death penalty has continued and the government has taken steps to amend the Offences against the Person Act, with a view to removing the mandatory death sentence for murder.

Barbados benefits from regional allocations under the European Instrument for Democracy and Human Rights and the Civil Society Organisations programme. Ongoing projects focus on addressing domestic violence as well as on the inclusion of persons with intellectual disabilities in employment through vocational training and job placements. A new project was agreed in 2016 aimed at creating sustainable livelihoods for rural farmers.

Belize

In 2016, major concerns included corruption, children's rights, and discrimination against vulnerable groups. The ruling of the Supreme Court striking down the country's sodomy law is a positive step.

Priority areas for the EU in Belize include promotion of non-discrimination against vulnerable and indigenous groups, protecting children's and young people's rights; advancing gender equality and the prevention of violence against women; and working towards abolition of the death penalty.

Breaches of the nationality acquirement process and the issuance of irregular visas and passports, in some cases to internationally suspected money launderers and human traffickers were reported. There were also reported irregularities and abuses in land distribution that negatively impact the poor. Confidence in the government has waned due to the abovementioned immigration and land scandals, as well as deterioration of the economy and the increase in gang violence.

Discussions are ongoing with the government to advocate policy and legislative changes to improve the situation of children, and for mechanisms for complaints and redress to be made accessible to children. In December, the Delegation held extensive talks with civil

society organisations to encourage an improved uptake of the EU EIDHR call for proposals by CSOs that can support children and youth security, with a focus on at-risk youth from poor communities.

According to the United Nations Office on Drugs and Crime (UNODC), Belize had the second highest incidence of sexual violence in Central America in 2010. Women are vulnerable to abuse and domestic violence, and subject to gender inequality, a high rate of teenage pregnancies and restricted opportunities. In 2016, discussions were held with the Special Envoy for Women and Children and First Lady of Belize, Kim Simplis Barrow, about collaborating on initiatives to advance gender equality and raise awareness of gender-based violence in Belize. Activities built around special days, including International Women's Day and the 16 days of activism, will be launched in 2017.

Human rights issues, including gender awareness, are mainstreamed in the EU's assistance programmes in Belize. In 2016, a project on creating an enabling environment for the protection of children was implemented by UNICEF with funds from the European Union under the EIDHR.

Challenges ahead include ensuring non-discrimination against vulnerable groups, protecting and promoting children's and youth rights and gender equality, the fight against gender violence, the ratification of pending UN conventions, and the implementation of legislation.

Plurinational State of Bolivia

Bolivia generally has a good official basis for human rights protection. Over the past decade, there have been positive developments on human rights. The 2009 constitution guarantees an unprecedented number of human rights, poverty has diminished and the participation of the indigenous majority in the political system has significantly improved.

However, in 2016 the challenge remained to ensure that the legislation was implemented systematically and effectively. In June, a National Justice Summit took place to guide the reform of the justice sector, but the justice system and institutional capacities still need strengthening. Guaranteeing full respect for fundamental freedoms remained an important challenge. 2016 was marked by social protests and demonstrations, at times resulting in violence.

The EU's priorities are to strengthen the rule of law, improve access to justice and protect the rights of indigenous peoples. The EU is also supporting the elimination of violence against women, girls and boys and the strengthening of the rights of the LGBTI community. The EU Delegation in Bolivia is one of the pilot delegations chosen to increase the coherence and effectiveness of EU support for democracy, in line with the EU Agenda for Action on Democracy Support.

A particular concern in Bolivia is the minimum working age (set at 10 in some cases), which is in breach of ILO Convention 138. There is also a high level of violence against women and excessive use of pre-trial detention. A participatory mechanism for consultation of indigenous peoples is lacking. The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association described the 2013 Law Granting Legal Personality to Civil Society Organisations as a restriction on the freedom of association.

In 2016, Bolivia took some further steps to strengthen the legal framework for human rights. The protection of women's rights advanced with the adoption of the 2016 implementing Regulation to the 2012 Law against harassment and gender-based political violence. The human rights of LGBTI people were strengthened by the 2016 Gender Identity Law, which allows transsexual and transgender persons to change their name and gender in legal identification documents.

The EU continued to engage in human rights and democracy discussions with Bolivia in various settings, including in the context of monitoring Bolivia's human rights commitments under the Generalised System of Preferences (GSP+). The EU also continued to engage with civil society organisations.

In 2016, the EU continued to provide financial support through the Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR). In 2016 there were six ongoing contracts under the EIDHR (worth EUR 2.5 million), which target the human rights of LGBTI people and justice-related objectives as well as trafficking of and violence against women. Additionally, the EU started supporting capacity building for members of parliament, with a view to improving the quality of legislation.

In the multilateral context, Bolivia has ratified all core international and regional human rights conventions. Bolivia is a member of the UN Human Rights Council in 2015-2017.

Challenges for the future include demonstrating concrete steps towards the eradication of child labour and its sources, in dialogue with the ILO. Bolivia also needs to take further steps to eliminate violence against women and adopt legislation on a participatory mechanism for consultation of indigenous peoples. There is a continued need to strengthen institutional capacities and the justice system, including concrete steps to improve prison conditions and eliminate excessive use of pre-trial detention.

Federative Republic of Brazil

Over the last decade Brazil has achieved considerable progress in the protection of human rights, however many challenges remain and the current economic downturn might threaten some of the progress made. Brazil has ratified nearly all major international human rights conventions and is a pioneer on protection of online civil rights.

The EU's priorities in Brazil include freedom of association, human rights defenders including indigenous leaders, non-discrimination, business and human rights, the rule of law and good governance.

In 2016, human rights-related challenges continued to be widely reported in Brazil, more specifically concerning violence against women; intimidation and violence including some murders perpetrated against journalists, indigenous leaders and human rights defenders; violent conflicts over land, often between indigenous groups and business interests; forced evictions linked to the development of large infrastructure projects such as hydro dams; or, on the occasion of the Olympics, overcrowded prisons in which basic human rights and the physical integrity of the inmates are not guaranteed; and instances of excessive use of force by the police. The poorer states tend to lag behind in guaranteeing human rights.

2016 was the year in which, against the background of economic recession, tensions in the political arena were exacerbated and culminated in the impeachment of President Dilma Rousseff for breaching the fiscal responsibility law.

Investigations into the activities of Petrobras exposed widespread corruption involving the economic and political elite. A significant number of politicians are being investigated, including the President of the Chamber of Deputies, who was suspended and subsequently arrested over corruption accusations. Several members of the government are suspected of having benefited from the bribery scheme. President Temer and former President Rousseff are under investigation by the Superior Electoral Tribunal for allegedly receiving illegal campaign funds in the 2014 presidential campaign.

Some controversial legislative proposals have met strong criticism, in particular the Anti-corruption Bill, which is seen as an attempt to alter the independence of the judiciary and slow down the anti-corruption investigations; and the proposal to amend the constitution and give the Congress power to demarcate indigenous lands, which is seen as a threat to indigenous peoples' rights in view of the strong representation of agribusiness in the Congress.

The EU continued to support human rights through all the available instruments in its bilateral relations with Brazil, including political dialogue, cooperation projects, workshops and visits. In addition, a session of the dialogue on human rights is planned for 2017.

The EU and its Member States organised several field visits to human rights defenders and indigenous groups, and also attended meetings of the Committee of Inquiry investigating the conflicts between indigenous communities and landowners. The European Parliament adopted a resolution on the situation of the Guarani-Kaiowá in the Brazilian state of Mato Grosso do Sul and MEPs also visited the community. In addition, the EU, in coordination with EU Member States, conducted informal outreach initiatives towards the national authorities in connection with a human rights-related court case.

The EU organised a visit, by members of the Brazilian National Preventive Mechanism against Torture, to the EU and the Council of Europe to exchange experiences on the prevention of torture in detention centres.

The EU continued to engage with and promote an open space for civil society organisations in Brazil, and organised activities to promote gender equality and awareness of human rights, to support the rights of indigenous peoples and human rights defenders, to improve the conditions of LGBTI people, and to prevent violence against children and adolescents. The EU also continued its work on corporate social responsibility and business and human rights and facilitated exchanges between Brazilian and European companies aimed at sharing best practices on responsible business conduct and human rights.

In 2016, 19 new grants totalling EUR 19.7 million were signed with CSOs covering different priorities. Of these, EUR 2.5 million are earmarked to support gender equality and women's empowerment, and come on top of ongoing projects worth EUR 2.4 million; EUR 0.8 million support Afro-descendants, in addition to ongoing projects totalling EUR 2.3 million which support indigenous and Afro-descendants' communities; EUR 0.9 million support the rights

of the LGBTI community; EUR 8.3 million support children and adolescent rights; and EUR 0.5 million support human rights in detention centres.

The EU has good cooperation with Brazil in international fora, particularly in the Human Rights Council, where Brazil is an important player. The next Universal Periodic Review (UPR) will take place in May 2017.

One of the main challenges for Brazil is related to the rights of indigenous people. The UN Special Rapporteur on the rights of indigenous peoples, who visited Brazil in March 2016, concluded that while Brazil has a number of exemplary constitutional provisions supporting indigenous peoples' rights, there has been a regression in the protection of these rights, and called on the government to ensure the physical safety of indigenous leaders, conduct investigations into all attacks and killings of indigenous peoples, bring the perpetrators to justice, and complete the land demarcation process.

Canada

Canada remains a like-minded and strategic partner for the EU, and is a close ally in the area of human rights, with close collaboration through the UN and at UN headquarters. Further to the signature of the EU-Canada Strategic Partnership Agreement on 30 October 2016, there is ample room for improving cooperation between the EU and Canada on advancing human rights in third countries as well as on domestic issues.

Canada has long had a solid reputation as a supporter and defender of human rights worldwide. The election, in October 2015, of Liberal Prime Minister Justin Trudeau, who has sought to champion the human rights cause, further reinforced it.

Domestically, as the new government adopted an inclusive and progressive agenda, the main human rights issue remained the situation of some indigenous peoples. Despite an extensive legal framework enshrining several rights, a number of Canada's indigenous people still face various problems such as poor living conditions, inferior access to education, various forms of discrimination and higher exposure to abuse, especially among indigenous women.

In 2016, the government adopted two significant measures related to the rights of indigenous peoples: 1/ the lifting of Canada's reservations to, and the new commitment to fully implement the UN Declaration on the Rights of Indigenous Peoples (UNDRIP); 2/ the launch of a public inquiry into the cases of Missing and Murdered Indigenous Women – both of which address some of the UN Human Rights Committee's 2015 criticisms and recommendations for Canada.

In an effort to address the issue, in the federal government's March 2016 budget, CAD 8.4 billion were earmarked over the next five years, for new spending on programmes for indigenous communities, including funding for education, reserve water and child and family services. However, as of now, 'First Nations', while recognising the government's renewed engagement as positive, are not optimistic about the effectiveness of short-term 'stopgap' measures. The organisation also voiced concerns about the fact that most of the earmarked funds are planned for disbursement after 2019 (i.e. after the next scheduled federal elections), thus risking cancellation if the new government's political priorities were to change.

This issue also comes within the jurisdiction of the provinces and territories (human rights commissions and tribunals).

Other human rights complaints come mainly from other minority groups. The Canadian Human Rights Commission, which administers the Canadian Human Rights Act and also ensures compliance with the Employment Equity Act, reported that of the 1207 complaints it received in 2015, 58% were on the grounds of disability discrimination and 16% on the grounds of discrimination on account of national or ethnic origin.

Gender issues are equally central to Canada's domestic policies. Most noteworthy is the renewed attention to violence against women (in particular indigenous women).

At the international and multilateral levels, Canada's human rights efforts are centred on the following thematic issues: gender equality and the human rights of women and girls; children and youth; international indigenous affairs; freedom of religion or belief; the human rights of LGBTI persons; human rights defenders; refugees; persons with disabilities; climate change and human rights; Internet freedom.

Canada has traditionally been a world leader in promoting and protecting women's rights and gender equality. The government perceives gender equality as a human rights issue and as an essential component of sustainable development, social justice, peace and security. The gender equality dimension is integrated in Canada's international development policies.

In March 2016, the government tabled its immigration plan in parliament. The plan, which implements the Liberals' electoral pledge, focused on increasing family re-unification and refugee numbers, while slightly reducing economic migration. Within this framework, the government' plan foresaw the resettlement of 44 800 refugees, including 25 000 from Syria. At the end of February 2016, the government succeeded in re-settling the 25 000 Syrians; as of December 2016, over 35 000 refugees had been re-settled.

In October 2016, the government tabled the 2017 immigration plan, which shifted priorities compared to 2016: more economic immigration and a significant reduction in refugee intake: the 2017 plan foresees 25 000 additional re-settlements, compared to 44 800 (the reduction is particularly marked for government-sponsored refugees).

During 2016, the EU regularly addressed human rights issues with interlocutors and stakeholders as and where this was relevant. The EU's principles on respect for human rights have been underlined in all public diplomacy activities by the EU Delegation, such as speeches, website and printed material and social media. A regular dialogue on human rights has been established and the latest session took place on 28 June 2016 in Toronto.

Republic of Chile

The overall situation concerning human rights in Chile is good. Chile is a democratic country and it has ratified the main international and regional human rights conventions. Violence against women nonetheless remains a problem, as does the lack of standardised procedures for treatment of detained persons.

The government has launched a process of reform of the constitution, based on a participative process, with the possible objective of incorporating a full and balanced catalogue of rights, duties and guarantees, in line with the rights established in the principles, declarations and conventions on human rights.

For 2016, the EU's priorities included gender equality, indigenous rights, the human rights of LGBTI persons, actions to preserve the collective memory with regard to the 1973-1990 military dictatorship, business and human rights, and cross-cutting issues such as strengthening civil society and cooperation in international fora.

The EU-Chile Association Agreement has been implemented since 2003. The agreement is based on respect for democratic principles, fundamental human rights and the rule of law, which constitute essential elements of the agreement. In the context of the implementation of this agreement, a specific human rights dialogue was established in 2009, and takes place regularly on an annual basis. In 2016 the first meeting of the EU-Chile Joint Consultative Committee took place, ensuring that the views of civil society and the social partners are well reflected in the implementation of the Association Agreement.

Dialogue and close cooperation with Chile on human rights issues continued in 2016. The 7th EU-Chile human rights dialogue was held on 12 December.

The EU provided over EUR 1 million to support projects in human rights-related areas. Projects co-funded under the Non-State Actors and Local Authorities (NSA-LA) and the European Instrument for Democracy and Human Rights (EIDHR) budget lines concluded their implementation stages during 2016. New calls for proposals, focusing on the new priorities set out in the EU-Chile human rights strategy 2016-2020, are expected to be launched during 2017.

Chile cooperates well with the UN mechanisms, sends periodic reports to the treaty bodies, the Human Rights Council (Universal Periodic Review – the next review will take place in January 2019) and establishes interaction with the Special Procedures of the Human Rights Council.

Republic of Colombia

The general human rights situation has improved since the start of peace negotiations but significant challenges remain. Together with structural problems due to the state's limited capacity to ensure effective protection in certain areas, the implementation of the peace agreement with the FARC may cause the human rights scenario to worsen in the short term, particularly with regard to the situation of human rights defenders, as other groups struggle to occupy the vacuum left by the FARC.

Major issues also continue to affect women and children. On economic, social and cultural rights, high levels of poverty affect access to health, education, water and sanitation. Afro-Colombian and indigenous communities are especially vulnerable. Shortcomings in the implementation of core labour standards, in particular freedom of association, continued to be scrutinised by the ILO. On the other hand, post-conflict mechanisms will have to tackle complex issues such as victims' rights, extrajudicial killings, forced displacement, land restitution and transitional justice.

In the long run however, there is wide consensus on the fact that the peace agreement will lead to a wider state presence and to a long-term improvement of the human rights situation in the country. The government has already given encouraging signs that the protection of human rights will be at the centre of peacebuilding efforts and that it will be mainstreamed into all regional development plans in the context of the implementation of the peace agreement, which is also expected to improve the recognition of the rights of the victims to justice and reparation, and facilitate the restitution of lands to displaced people and the reincorporation of child soldiers.

While Colombia has a wide range of institutions which deal with human rights either directly or indirectly, many of them are underfunded, understaffed and under-represented in many parts of the country.

While progress continues to be made in terms of legislative or regulatory reforms, effective implementation and enforcement of such reforms, especially at regional and local level, needs to be improved and problems remain. Corruption, bureaucracy and lack of institutional muscle in many areas of the country still hinder an adequate response to human rights violations and lead to high levels of impunity (in particular affecting human rights defenders, trade unionists and land claimants).

EU priority areas include human rights defenders, women's rights, children in armed conflict, impunity and minorities (mainly Afro-Colombian and indigenous peoples). Future priorities will also include business and human rights, plus transitional justice and victim's rights.

The EU continues to engage with Colombian authorities on the protection of human rights, most particularly in the framework of the human rights dialogues and of its support to the peace process. The 10th session of the annual dialogue took place in Brussels on 13 July 2016. Many key issues were discussed, such as the promotion and respect for rights of women and children, the protection of human rights defenders, the fight against impunity and business and human rights.

Support for human rights defenders continues to be one of the main areas of concern for the EU as their situation remains critical. Land claimants, and indigenous and community leaders are especially vulnerable groups of human rights defenders. The government has stepped up protection efforts, particularly after killings of human rights defenders increased alarmingly in 2016. The EU has voiced its concerns publicly, issuing two local statements in 2016 (on 17 March and 22 November). It has also called on the competent authorities to investigate all killings and bring those responsible to justice, and welcomed the steps taken by the President of the Republic to request the Attorney General's Office to speed up investigations and ongoing procedures.

In 2016, the EU continued to provide financial support for projects to reinforce the protection of human rights, with a focus on human right defenders, women and children. EU support through the European Instrument for Democracy and Human Rights (EIDHR), with an average of EUR 1 million per budget year since 2014, has helped to strengthen civil society organisations and support the promotion and defence of human rights defenders as well as collective rights and land restitution. Two calls for proposals in 2016, at country and global level, will support activities for children in armed conflict and post-conflict situations.

In the context of EU support for the peace process, the Instrument contributing to Stability and Peace (IcSP) will also contribute to human rights monitoring by the UN Office for the High Commissioner for Human Rights (OHCHR) in the post-conflict phase (EUR 1.5 million). This is crucial, particularly in the territories where FARC-EP Members will concentrate.

The government of Colombia cooperates fully with international human rights mechanisms, and is generally a helpful and active participant in multilateral negotiations in the UN Third Committee. Various UN rapporteurs have commended Colombia for its cooperation. In 2016 Colombia agreed to extend the mandate of the Office of the UN High Commissioner for Human Rights which has been present in the country since 1996. Since 2003, Colombia has extended a standing invitation to UN Special Procedures.

Colombia also cooperates with the Inter-American Human Rights System. Colombia has had 27 cases before the Inter-American Court of Human Rights and has been convicted on 16 occasions. The latest court decisions against Colombia relate to enforced disappearances in the Bogota Justice Palace in 1985 (Court decision 14 November 2014) and the human rights of LGBTI persons (Court decision of 26 February 2016). There are six false positives cases pending before the court.

Although the task ahead is formidable, the peace process offers a promising new context and the EU should focus on key areas that are particularly relevant during the next 3-4 years and where its efforts can be translated into action, that is: human rights defenders; women and gender equality; victims and transitional justice; business and human rights; Afro-Colombian and indigenous peoples and other vulnerable groups.

Republic of Costa Rica

Costa Rica is a robust democracy, with a relatively high level of political and social welfare, and a generally strong record on human rights. However problems remain, in particular on socio-economic rights, citizens' security, discrimination against vulnerable groups, gender issues and prison conditions. Costa Rica is a constructive partner on multilateral human rights issues.

The headquarters of the Inter-American Court of Human Rights, the Inter-American Institute of human rights and the UN University for Peace are all located in Costa Rica. Costa Rica has been an active and constructive participant in multilateral fora and has ratified all UN conventions (with the exception of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families). Costa Rica is a strong partner for the EU in the UN Third Committee.

The EU's priorities include fighting poverty and inequality, strengthening citizens' security (through a human rights-based approach) and improving the situation in prisons with a particular focus on vulnerable groups, promoting anti-discrimination and stronger participation by vulnerable groups, strengthening Costa Rica's role as a key human rights partner in international fora, and gender issues.

The country has committed itself to promoting vigorous public policies in this field (notably with the 2015 constitutional reform declaring Costa Rica to be a 'multi-ethnic and multicultural state'), but still faces a number of challenges, often associated with the weak implementation

of some of the existing legislation related to human rights issues. Public and political concern over the security situation has grown significantly in recent years, as Costa Rica has registered a slow but constant deterioration in security (linked particularly to drugs trafficking, organised crime and the availability of light arms). Ensuring safety and security, together with tackling impunity, are major social and political priorities.

Despite the progress reported in institutional strengthening and new policies, it is essential to continue and reinforce the efforts to address the conditions that undermine the fundamental rights of vulnerable groups (e.g. the prison population, migrants, indigenous peoples, women victims of violence and the LGBTI community). In this regard, the sixth Universal Periodic Review (UPR) in 2016 signals 'persistent structural discrimination against indigenous peoples and persons of African descent, which hinders their access to education, employment and housing'. LGBTI people are considered a vulnerable group, which faces social prejudice and discrimination, including in employment, police abuse, education and health care. The UNHRC expressed further concerns regarding the stigmatisation of migrants, asylum seekers and refugees and encouraged Costa Rica to improve the standards on elimination of trafficking in human beings and provision of assistance to victims.

While Costa Rica is one of the most like-minded countries in Latin America on gender issues and co-chairs the UN High-Level Panel on Women's Economic Empowerment, the division between the letter of the law and its implementation remains the most important gender challenge. Significant levels of violence against women, lack of access to decent work, a significant pay gap and very high levels of women's unemployment persist. With regard to reproductive rights, Costa Rica's legislation allows only therapeutic abortion (when the mother's life is in danger). The country has a high number of adolescent pregnancies, mostly related to vulnerable groups and limited access to education. A Presidential Decree allowing IVF (in vitro-fertilisation) was endorsed in December 2016 by the Inter-American Court of Human Rights and a conciliation agreement was reached in a related legal dispute. A Law sanctioning 'improper' sexual relations was also adopted, punishing relations between adults and minors below 15 (if the age difference is higher than 5 years) and prohibiting marriages with minors and between adopted children and their guardians or descendants. Parental authority is to be withdrawn in cases of abandon, rape or sexual abuse.

Along with the regular dialogue with the authorities, the EU promotes a structured dialogue with all relevant stakeholders. The preferred platform is 'The Donors Roundtable', which holds regular meetings with civil society and HRDs. In addition to specific demarches, the EU and its Member States participated in public events and outreach activities on human rights. The EU continued to implement a significant number of cooperation projects. For instance, the EU programme PROSEC ('Sector support to security sector reform in Costa Rica'), supports police force training and organisation. PROEDUCA ('comprehensive strategy to reduce school dropout rates in public secondary education') supports educational capacities to fight against secondary school dropouts. €mprende ('promoting the entrepreneurial capacities of women to strengthen their economic independence') contributes to increasing the economic independence of economically vulnerable women. Ongoing projects funded by the EIDHR tackle discrimination against vulnerable persons deprived of liberty, with a special focus on double discrimination: young and adult women, migrants and LGBTI inmates.

The challenges ahead include poverty and inequality and socio-economic rights; citizens' security; discrimination against vulnerable groups, including indigenous communities, women, children, LGBTI people and migrants; gender issues; and prison conditions. Proper and effective implementation of legislation remains a challenge in all areas.

Republic of Cuba

Cuba is experiencing economic difficulties resulting from the fading support capacities of its Venezuelan ally. The opening towards the USA and uncertainties related to the new USA administration are creating both high expectations and fears. Against this background, short-term detention of members of the opposition, activists and human rights defenders continued and increased in 2016.

As a priority, the EU aims to contribute to reforms that improve freedom of association and assembly, to promote equal opportunity (in relation to gender, LGBTI people, racism and disabilities), to promote economic rights, to encourage steps towards greater freedom of the media and access to information and to empower human rights defenders. In addition, the EU is actively monitoring developments concerning the criminal justice system.

The main issues in Cuba are restrictions to freedom of speech and expression, association and assembly, as well as the absence of an independent press. Civil society activists and political opponents are harassed, in particular through short-term detentions, occasionally coupled with alleged humiliating or violent treatment. Cuba is a one-party democracy, in which elections take place at municipal, provincial and national level. At municipal level, candidates can be proposed by the voters and delegates are selected by all voters in the constituency. Nominations for delegates at provincial and national level are agreed in a Nominations Committee, composed of representatives of the political and 'mass organisations', and chaired by a party representative. The legal professions are insufficiently independent of the political authorities, as is the court system. The government is preparing legislative proposals for a new electoral law and a modified law of association; however, the laws have not yet been submitted to the National Assembly. Renewal of the country's leadership is another positive prospect, as President Castro has given a public commitment to stepping down in 2018.

Participation in the political process is wide, with local, regional and national-level elections, but in the present electoral legal framework candidates that do not represent mainstream party or mass organisation positions will not become candidates for provincial or national delegates.

During 2016, the USA-Cuba political rapprochement intensified, and the EU-Cuba Political Dialogue and Cooperation Agreement was signed, signalling Cuba's political will to engage. For example, the first formal human rights dialogues with both the EU and the USA were held on the island in 2016. In addition President Obama's conducted a historical visit to Cuba in March 2016. Progress is being made on access to information, through wider use of internet, including the creation of public hotspots, and a reduction in associated prices.

The signature of the EU-Cuba Political Dialogue and Cooperation Agreement, with a particular focus on dialogue and cooperation to promote human rights, constitutes a major breakthrough in terms of bilateral political engagement. The EU-Cuba human rights dialogue enabled

an open discussion on freedom of association, gender equality in the context of the SDGs and Agenda 2030, racism and xenophobia, as well as the treatment of vulnerable groups, including migrants, refugees and asylum seekers. The human rights dialogue also enabled the establishment of contacts with the judicial system (Ministry of Justice and National Lawyers' Association). Lastly, the participation of the Attorney General's Office in the exchange of experts programme should also be noted in the context of bilateral cooperation.

The EU Delegation to Cuba maintained systematic contacts with all sectors of independent civil society. A visit was paid to EP Sakharov laureate and dissident, Guillermo Fariñas during his hunger strike. The EU also expressed concerns on various occasions to the Cuban authorities regarding the repression of peaceful protesters or activists, such as Cubalex, a group of lawyers defending victims of human rights violations.

On Human Rights Day, the EU and Sweden organised an event on gender issues and violence against women. The EU Delegation and the Netherlands also co-hosted a seminar for young self-employed people with a view to empowering them and supporting their activities. The EU has continued to fund human rights-related projects to educate and empower young people and to support elderly and disabled persons.

The challenges ahead and areas for further progress are concentrated around freedom of association and assembly, freedom of expression and of the media, and the functioning of the justice system.

Commonwealth of Dominica

A key highlight of the 2016 human rights agenda was the adoption of a new Sexual Offences Act aimed at combating gender-based violence which, together with child abuse, remains of serious concern in Dominica. The new Sexual Offences Act entered into force on 24 November 2016, bringing far-reaching changes to the previous legislation, such as the introduction of stiffer penalties, including a life sentence for rape, and a definition of marital rape. A recent study highlighted the high incidence of 'transactional' sexual abuse mainly affecting teenagers. While corporal punishment has not yet been outlawed, the government has been promoting alternative disciplinary practices through its Child-Friendly Schools initiative. Similar to other Eastern Caribbean countries, consensual same-sex activity is illegal in Dominica. Even though the last known execution occurred in 1986, the abolition of the death penalty seems unlikely in the near future.

The EU supports efforts to tackle gender violence and other human rights priorities, in particular the abolition of the death penalty, non-discrimination against LGBTI individuals and the improved functioning of the judicial system, which is characterised by backlogs of cases. Dominica is the only Eastern Caribbean country with an indigenous Kalinago population, who are estimated at 3 000 persons and are living in the 3 782-acre Carib Territory. Their rights are protected by law and Kalinago actively participate in decision-making that directly affects them, their land, and their resources. However, the Territory has a particularly high incidence of poverty and unemployment. Moreover, continuing encroachment on the territory by farmers, in those areas where the reservation boundaries are still not clearly delineated, as well as legal residency within the territory and appropriation of Carib land by non-Caribs, remain controversial issues.

In 2016, the EU, through its Delegation in Barbados, continued to engage with the authorities of Dominica on key human rights issues. Formal outreach was also pursued through human rights resolutions in the UNGA Third Committee. Together with other Eastern Caribbean countries, Dominica benefits from EU support through thematic budget lines (under the European Instrument for Democracy and Human Rights and the Civil Society Organisations programme), including one on countering domestic violence.

Dominican Republic

With recent elections having been declared generally free and fair, the Dominican Republic is a representative democracy that operates under the principles of the rule of law and separation of powers. The law provides for fundamental freedoms. Human rights are formally respected, and most relevant conventions have been ratified, except for those on migrant workers and their families, on the prevention of statelessness, and on the protection of persons from enforced disappearance.

However, in practice, there is still room for progress. Statelessness and abuses against migrants; impunity and weak rule of law provisions; extrajudicial killings by security forces; overcrowded and dangerously substandard prison conditions with lengthy pre-trial detention; chronic violence against women and children; criminalisation of abortion in any circumstance; and discrimination against persons based on disabilities or sexual orientation persist as significant human rights issues. In 2016, hate incidents and attacks on human rights defenders slightly increased, leading to a hearing in the Inter-American Commission on Human Rights.

The Dominican Republic has made certain efforts to increase human rights protection. In the Attorney General's Office, a special unit on human rights monitors and investigates human rights abuses and cases of discrimination, but the lack of resources does not allow for national coverage. A positive development was the eventual drafting by the Dominican Republic of its 2015-2020 national plan on human rights, following a broad consultation process led by the Ministry of Foreign Affairs and the Interinstitutional Commission on Human Rights. However, the authorities have not yet launched the plan, reportedly due to the pressure exerted at presidential level by certain powers, namely the Catholic Church, which openly opposes the protection of the human rights of LGBTI persons. Moreover, many Dominican citizens continue to be deprived of access to the Inter-American Court of Human Rights, since after the court ruled that the 2013 ruling of the Dominican Constitutional Court had effectively stripped thousands of Dominicans of Haitian descent of their rightful Dominican nationality and was not in accordance with the Inter-American Human Rights Convention, the Constitutional Court reacted by rejecting the competence of the Inter-American Court.

In close contact with Dominican authorities and human rights defenders, the EU has encouraged the government to increase human rights protection and provided it with continuous support through its projects and political advocacy. Within the framework of the Cotonou Agreement, the EU and the Dominican Republic hold a regular political dialogue that always includes human rights, as it is a priority for EU cooperation in this field. Relations have also been fluid with many major human rights organisations and support in various forms has been given to key organisations promoting human rights. The EU continues to make a significant contribution to strengthening the rule of law and the institutions, preventing impunity and protecting vulnerable population groups.

The priority areas ahead include ensuring the proper conduct of the security forces and the eradication of torture and mistreatment; improving prison conditions and pre-trial detention; combating chronic violence against women and children and protecting the rights of vulnerable minorities, including the rights of migrants; fighting trafficking in human beings; ending discrimination (gender, ethnic, LGBTI); and tackling corruption and impunity.

Republic of Ecuador

While Ecuador has one of the most progressive constitutions and has made good progress on social and economic rights in recent years, with regard to civil and political rights the human rights situation did not improve in 2016. Political and legal developments since 2014 particularly affect freedom of expression and freedom of association, and new proceedings were initiated in 2016 against civil society organisations. Social unrest and confrontations with indigenous and local communities concerning mining and oil concessions increased during the year.

Various human rights issues came to the fore in 2016. The most significant are fundamental freedoms, the independence of the judiciary and due process, and the shrinking space for civil society, the media and social networks. The EU strategy for human rights and democracy was revised in July 2016. In this context, the EU's objectives on human rights and democracy include: promoting the legitimacy of the work of human rights defenders; encouraging and giving visibility to the participation of civil society in public policies; supporting freedom of expression; and ensuring better protection of vulnerable groups including indigenous peoples and minorities, migrants, women and children.

Relations between the EU and Ecuador took a significant step forward with the ratification in December 2016 of Ecuador's accession to the EU Trade Agreement with Colombia and Peru. In this context the EU will develop a dialogue with Ecuador on the implementation of the chapter on sustainable development and labour and environmental rights.

The EU and Ecuador held their third high-level consultations on 24 November 2016 in Brussels. This included an exchange on human rights and fundamental freedoms. The EU raised concerns about the increasing limitations on freedom of expression and association, the criminalisation of social protest, the independence of the judicial system and the shrinking space available to civil society.

Locally, the EU Delegation in Ecuador monitored and reported on the evolution of the human rights situation throughout the year. Ad hoc meetings were held with government counterparts, and also with human rights defenders and civil society organisations. Demarches were carried out to promote EU positions at a multilateral level. Ecuador will have its second Universal Periodic Review (UPR) in the UN Human Rights Council in May 2017.

The EU roadmap for engagement with civil society, adopted in 2014, continues to attract interest from civil society organisations, which are participating actively in its implementation. Despite the fact that bilateral cooperation funds have been decreasing in recent years, the EU has continued to provide funds to support its human rights priorities in the country: there are ongoing projects worth more than EUR 2.5 million, while an additional EUR 5.48 million agreed for new projects in December 2016 will be implemented throughout 2017-2018.

Republic of El Salvador

In 2016 the overall human rights situation showed a good commitment by the Salvadoran authorities to implementing international standards, while the struggle in handling endemic gang-violence security issues continued to raise serious concerns.

The EU's human rights and democracy priorities in El Salvador are supporting public policies aimed at social cohesion and violence prevention ensuring respect for human rights and victims' protection; supporting gender equality, children and youth, social development and participation in the democratic dialogue; and reducing poverty while supporting universal access to basic services and resilience to climate change effects.

The human rights record of El Salvador continued to improve in a number of areas in 2016, although serious problems related to citizen security remain a major concern. The government has shown commitment to advancing human rights while engaging in an all-encompassing dialogue with civil society and the international community with the creation of two new national councils (the National Education Council and the National Council for Sustainable Development), in which representatives of all sectors of Salvadoran society sit to address national challenges. On security issues, the National Council for Citizens' Security and Coexistence celebrated its 2nd anniversary, and the plan 'El Salvador Seguro' ('A Safe El Salvador') aimed at tackling the root causes of violence has started showing some results, with a reported substantial decrease in homicides rate, though these remain appallingly high. On the fight against impunity, the new Attorney General has shown great commitment by promoting the creation of a special task force and by opening a high-level investigation against former members of the government, including former presidents, and targeting for the first time the gangs' financial system, thereby hitting them in an unprecedented way. Similarly, the High Court's Probity Room showed a renewed commitment to tackling corruption in the judicial system, by opening several investigations into supposed administrative illicit acts committed by its personnel. Another significant positive development in 2016 was the accession of El Salvador to the International Criminal Court (ICC), thereby making it the 124th State Party to the Rome Statute.

However major challenges remain in the country. Despite the positive trends in 2016, widespread violence and the gang-related insecurity continued to significantly affect human rights. The decision by the government to prefer short-term repressive measures (e.g. extraordinary security measures) to long-term prevention programmes raised concerns, in particular in view of the extremely harsh detention conditions for inmates under the security regime and the risk of spreading of extrajudicial killings. The 2016 launch of the Mechanism for Security Institutions' Internal Control was a positive step to mitigate this risk but more efforts are needed. In the area of women's rights, a similar sustained commitment by the Salvadoran authorities was witnessed, e.g. with the signing in March 2016 of a Pact for Equality, however the gender gap in access to basic rights remains significant.

The situation of other vulnerable groups such as children, indigenous peoples and prisoners registered only modest progress. On the rights of LGBTI persons, despite a general improvement of the legislation, implementation still falls short, and there is still reluctance from the security forces to recognise murders of and attacks on LGBTI persons as 'hate crimes'. Shortcomings in the implementation of fundamental labour rights, in particular freedom of association and

collective bargaining and tripartite consultation continued to be scrutinised by the ILO, with the International Labour Conference considering freedom of association in El Salvador as one of the two most serious cases it examined in 2016 ('special paragraph'). Other important challenges are limited access to water and growing internal displacement due to insecurity. Migration and forced repatriation represent challenges that the government is trying to address through strengthening its regional cooperation but they are increasingly raising concern. Especially hard on women and girls is the criminalization of abortion that is often treated as murder in court and punished with sentences of sometimes 30 years of prison.

The EU has reacted to human rights developments with private and public statements, supporting initiatives aimed at raising the population's awareness, in coordination with UN agencies and civil society, and, during the Human Rights Week, by launching a campaign to support gender equality and end violence against women. At the ILO, the EU called on the Government to bring to justice those responsible for the murder of a trade union leader and effectively implement fundamental ILO Convention on freedom of association by respecting the autonomy of employers' and workers' organisations. In August, the EU gave political and financial support to the regional consultations on impunity organised by the United Nations Special Rapporteur on the situation of human rights defenders. Throughout the year, the EU continued its dialogue with civil society organisations, by holding consultation sessions prior to launching calls for proposals, and through regular meetings with human rights defenders, the Office of the Ombudsman for Human Rights and other counterparts.

Within the framework of its bilateral cooperation, the EU focus in 2016 was to continue supporting the development of the country's universal social security protection system. El Salvador also benefited from funding through the EIDHR with three projects worth EUR 1.5 million, as well through the Instrument contributing to Peace and Stability and the Non-State Actors and Local Authorities thematic budget line. Under the latter, a EUR 2.6 million call for proposals was launched in late 2016, financing five projects. Its main priorities are promoting economic rights in rural areas focusing on small farmers, working with vulnerable youth and children, promoting entrepreneurship and economic empowerment of women and young people, and developing a culture of peace.

In the multilateral context, El Salvador's participation in the UN Human Rights Council and its votes cast in the UNGA Third Committee showed a strong commitment to the protection of human rights across the world, although El Salvador abstained in the vote on the Human Rights Council Resolution on Protection of Defenders of Economic, Social and Cultural Rights adopted in March 2016. In 2016, El Salvador received visits from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the Special Rapporteur on the human right to safe drinking water and sanitation.

Challenges ahead to improve the human rights situation include guaranteeing long-term sufficient resources to finance social policies; furthering the fight against insecurity and crime while fully upholding the rule of law and respect for human rights; and improving the situation of vulnerable groups including children and women. Progress in combating corruption and impunity will also be linked to a reaffirmed commitment to the separation of powers, not least since the 1993 Amnesty Law was declared unconstitutional by the Supreme Court of Justice in June 2016.

Grenada

2016 was marked by the preparation of the constitutional referendum held on 24 November. With a 30% turnout, the Grenadians overwhelmingly rejected all seven bills intended to amend the 1973 constitution, including the Freedoms Amendment Bill. The opposition, which has not been represented in the House of Representatives since the 2013 elections, boycotted the process, alleging that it was not inclusive.

The unsuccessful constitutional referendum aimed inter alia to set time limits on the prime minister's mandate, to establish an independent elections and boundaries commission, and to set fixed dates for elections. The Freedoms Amendment Bill sought to expand the fundamental rights and freedoms of individuals, including those under arrest; protect intellectual property; increase child protection; guarantee public education to all under the age of 16 years and to all those with disabilities under 18; guarantee gender equality; and secure protection of the environment and of persons with disabilities. The bill received 5 069 yes votes and 16 355 no votes. A debate on whether the gender equality clause would eventually lead to legalisation of same-sex unions seems to have influenced the negative outcome.

Key EU human rights priorities include domestic violence, child abuse, and LGBTI discrimination, abolishing the death penalty, and improving the justice system and ensuring the right to a fair trial and dignified prison conditions.

Domestic violence and child abuse, in particular physical abuse, remain serious societal concerns. Corporal punishment is yet to be abolished. The Child-Friendly Schools programme has not yet been extended to all schools. Consensual same-sex activity is illegal and LGBTI citizens in Grenada face discriminatory legal challenges. Although the last execution occurred in 1978, Grenada retains capital punishment in its legislation. The Criminal Code's provision on a mandatory death sentence for all murders contrasts with the Eastern Caribbean Supreme Court's ruling on limiting capital punishment to 'exceptional and appropriate circumstances', subject to effective judicial review. The country's single prison continues to suffer from extreme overcrowding, with one of the highest occupancy levels in the region and the world.

On the positive side, Grenada is moving towards establishing a National Human Rights Office in compliance with the Paris Principles. In December 2016, with the adoption of the new Budget Law, it set aside the necessary funds to launch consultations to that end.

In 2016 the EU, through its Delegation in Barbados, continued to engage with local authorities on human rights issues, including the abolition of the death penalty and the enhancement of reporting mechanisms linked to international human rights conventions. Formal outreach was carried out in the context of the UNGA Third Committee.

The country benefits directly from three of the projects funded under thematic budget lines of the EIDHR and the Civil Society Organisations programme – two of which are targeting domestic violence whilst the other, recently agreed, aims to enhance sustainable livelihoods for vulnerable rural farmers in Grenada.

Republic of Guatemala

Human rights defenders (HRDs), and in particular journalists, trade unionists and justice operators, have suffered increased violence in 2016 (14 activists killed compared to 10 in 2015). Trends towards the criminalisation of HRDs and justice operators involved in trials were another matter of concern, and respect for freedom of association, rights of indigenous peoples (60% of the population), and women's and children's rights remaining crucial outstanding issues. Gang violence and organized crime remain two major causes for the precarious security situation of the country. On a more positive note, progress was made in 2016 in the fight against corruption.

The EU's key human rights priorities in Guatemala include fostering a comprehensive agenda to promote economic, social and cultural rights; promoting full implementation of international conventions and ratification of pending conventions; supporting effective implementation of the existing legal framework to prevent and punish violence against women and children; providing targeted support for the justice system (which has grave problems relating to impunity, access to justice, prison conditions etc.), including transitional justice; providing support to human rights defenders.

Threats directed against the Prosecutor General, the International Commission Against Impunity in Guatemala (CICIG)'s Commissioner and anti-corruption judges, plus the growing trend to criminalise HRDs, were particular concerns in 2016. The complaint introduced in 2012 by trade unionists concerning Guatemala's failure to respect freedom of association remained under the scrutiny of the International Labour Organisation, which was to decide in 2017 on the establishment of a Commission of Inquiry. The situation of indigenous people, women and children, which are the most vulnerable groups in Guatemala, has remained a matter of serious human rights concern, and relates to racial discrimination, femicide, prostitution and trafficking in human beings. The ongoing trial of former dictator, Ríos Montt, indicted for genocide and crimes against humanity, continued to face significant delays, as did other important transitional justice cases, such as the Creompaz and Diario Militar cases and the Marco Antonio Molina Theissen enforced disappearance case.

As Guatemala is one of the countries with the lowest ratio of tax to GDP in the world (approx. 10%), lack of financial resources remains a major challenge in terms of ensuring basic economic, social and cultural rights in the country.

A renewed commitment to the fight against corruption was seen in 2016, through a combination of decisions by President Jimmy Morales, who extended the CICIG's mandate to 2019, the Congress, which approved new legislation on fiscal transparency and financing of political parties, and the judiciary, i.e. the Prosecutor General jointly with the CICIG and anti-corruption judges, who unveiled and started legal procedures in many other corruption cases. Another important positive development in 2016 was the launch of a national dialogue and consultation process on justice reform, whose legislative outcomes will be discussed by the Congress in 2017, since a qualified majority was not attained in 2016. Decisions in 2016 to bring new transitional justice cases to trial, such as the 'Creompaz' case, which is claimed to be the largest forced disappearance case in Latin America, also represented a step forward for justice in Guatemala. Legislation to abolish the death penalty (currently there is a de facto moratorium) is pending in the Congress.

Respect for human rights and democracy remained high on the EU's agenda in Guatemala in 2016, and regular political dialogues were held with all stakeholders, including the executive, legislative and judicial powers, as well as civil society and the social partners. The EU also engaged in human rights issues in international fora such as the ILO and the World Trade Organisation (WTO), where it issued statements recalling the need for Guatemala to do more to comply with core international standards on human rights, including labour rights.

In 2016, the EU continued its work on supporting HRDs through the 'Filter Group', cooperation with its Member States, the UN Office for the High Commissioner for Human Rights, Switzerland and Norway, discussing the most problematic cases and alerting the authorities at the highest level. The EU also reacted to the upsurge in assassinations of human rights activists by issuing two statements (one local statement by the 'G13' donor group and one by the HR/VP's Spokesperson) condemning these acts and calling for efforts to combat impunity to be stepped up. The visits to Guatemala in February, by the European Parliament Subcommittee on Human Rights (EP DROI), and in June, by the EU Special Representative for Human Rights Stavros Lambrinidis , showed the importance the EU attaches to human rights and provided an opportunity to address some major shortcomings, including the need for a legal framework to protect HRDs, and for respect for freedom of association and indigenous peoples' rights, including the right to prior consultation as per ILO Convention 169, and the importance of guaranteeing a structured dialogue on human rights between the state and civil society.

In 2016, through the Development Cooperation Instrument (DCI), the EU renewed its financial support to the CICIG and provided support for anti-corruption (census of public servants) and programmes on prevention of violence against women and children. In addition, the EU continued to financially support programmes to develop a public policy on protection of human rights defenders with civil society organisations and the Presidential Commission for Human Rights. Emergency funds were also mobilised to address the situation of human rights activists in acute danger.

Protection of life and of the physical integrity of HRDs, and prosecution of those responsible for past killings, including of trade unionists, should be a priority. Police conduct, prison conditions and allegations of torture need to be investigated.

Co-operative Republic of Guyana

In 2016, the overall human rights and democracy situation in Guyana was marked by continued challenges combined with progress in certain areas. Death penalty legislation, criminalisation of male same-sex relations, domestic and sexual violence and corporal punishment remained unchanged. The death penalty is still provided for in Guyana's national law. The last death sentence was issued in July 2016, however, there is a de facto moratorium since 1997. President Granger issued a public announcement that he would not approve any executions during his mandate. Another positive development is the holding of local government elections on 18 March 2016 (last elections in 1994).

Priorities for the EU's action on human rights include abolition of the death penalty; discrimination, including the human rights of LGBTI persons, women's rights and children's rights.

Following the 2015 general elections, positive political developments were registered, such as the end of the prorogation of the National Assembly and holding of local government elections. However, the panorama in 2016 was still marked by some remaining challenges linked to the fragility of the coalition government, lack of cooperation between the government and the opposition and reduced frequency of meetings.

A major negative development was the tragic prison fire in March 2016 in which 17 inmates were killed. The incident was initiated as a protest against inordinate pre-trial detention periods, overcrowding, and other living conditions in the prison. Allegations were made of police locking prisoners in or hindering their escape from the fire. The Inter-American Commission on Human Rights (IACHR) condemned the deaths and urged due investigation and guarantees of non-recurrence.

The EU continued to engage in human rights and democracy discussions with Guyana in various settings, and in particular during the fourth round of the EU-Guyana political dialogue in the framework of Article 8 of the ACP-EU Cotonou Agreement held in Georgetown in July. EU-Guyana dialogue on human rights continued and discussions were held on the death penalty, LGBTI issues, domestic violence and children's rights. In addition, a Judicial Colloquium on the Abolition of the Death Penalty was held in Guyana on 20 July 2016. Locally, the EU carried out numerous public diplomacy activities on human rights, including op-eds, letters to the editor, press releases, and public events on issues such as the death penalty, the Sakharov Prize, the World Humanitarian Summit, the International Day against Homophobia, Transphobia and Biphobia, the International Day for the Elimination of Violence against Women and Children, 16 days of activism against gender-based violence etc.

In 2016, the EU continued to provide financial support to projects funded through the EIDHR, in particular Project Hope – support to victims of domestic violence in the Sophia area; empowering children in difficult circumstances; modelling of domestic violence; empowering civil society to combat discrimination in the enjoyment of economic, social and cultural rights.

In December 2016, Guyana supported a UN resolution to block the mandate of the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. The Foreign Minister later claimed that this was due to procedural concerns rather than the mandate itself.

Challenges ahead include women's and children's rights, including domestic violence, child abuse and corporal punishment; discrimination (LGBTI people, indigenous communities, other vulnerable groups); prison conditions, mistreatment and overcrowding; and the death penalty.

Republic of Haiti

In 2016 major human rights concerns continued to plague Haiti, and the overall human rights situation remained largely unchanged. Continued political crisis, dysfunctionality and institutional weakness contributed to hindering any significant advances. In terms of democratisation, 2016 saw the holding of long-delayed presidential and legislative elections that were judged positively by national and international observers - they were free of serious irregularities and violence, and enabled voters to express their choices, even though the

chronic very low level of voter participation continues to be a major concern, and the almost complete absence of elected female representatives remains an appalling fact.

In 2016, the EU's main political focus was on the elections. The EU also continued action to support the rights of particularly disadvantaged groups in Haiti, with projects covering the rights of persons with disabilities, LGBTI people and children, as well as work to strengthen the ability of civil society organisations to hold the authorities to account. The EU is closely involved with the issue of migration, notably Haitian returnees from the Dominican Republic, and has a number of projects aimed at ensuring respect for their fundamental rights.

Haiti's principal challenges are rooted in its institutional, political and economic problems and fragility. Throughout 2016 the legislative and executive branches of government were only partially functional, and unable in practice to focus on long-term structural issues facing the country – including those relating to human rights. Widespread and extreme poverty and sheer inequality are both a long-term cause and a consequence of human rights issues in Haiti, impacting in particular on economic and social rights, where the key indicators such as life expectancy, education and health are very negative.

Natural disasters, most recently Hurricane Matthew, regularly impact negatively on Haiti. The justice sector raises serious concerns on account of its lack of independence and inefficiency. One consequence of this is a detention sector which is overloaded, underfunded and a source of human rights violations, not least owing to the high percentage of prisoners in pre-trial detention, often for a number of years. Widespread corruption, including high-level corruption, collusion and impunity, compounds the picture.

In addition to the holding of elections, the main improvement to note is the country's cooperation with the Universal Periodic Review (UPR), held in November 2016, for which Haiti submitted all the relevant reports and cooperated fully, demonstrating a commitment to improving its human rights situation despite the interim period politically.

In spite of the lack of a formal political dialogue during the protracted electoral crisis, the EU was able to continue to voice concerns in speeches and through statements on various occasions, including at an event to celebrate Human Rights Day, held jointly with the UN on 9 December. Whilst HRDs were not a particular focus for the EU in 2016, the EU reacted swiftly to offer support to a prominent human rights defender at the end of the year; the person had received threatening mail and the related discussions are ongoing.

Apart from the mainstreaming of gender issues and the protection of women across all its programmes (including relevant indicators), the EU provided financial support to projects funded through the Instrument contributing to Stability and Peace (IcSP) and the EIDHR. In addition, the EU has been working on migration and human rights projects aimed at Haitians who are being returned from the Dominican Republic. The IcSP funded a EUR 0.75 million project centred on peacebuilding at community level and including strengthening of the role of women.

The EU funded seven projects worth a total of EUR 0.9 million, supporting justice for victims of past crimes against humanity; promoting the human rights of LGBTI persons; promoting

the rights of children in conflict with the law; supporting the rights of disabled people; setting up a monitoring body within civil society to hold the authorities to account; supporting better organisation of civil society groups in rural zones; and supporting social cohesion and advocacy of human rights issues with local authorities.

Since its last UPR in 2011 Haiti has made some progress on the recommendations it received, but given the lack of a functioning legislature it was not able to ratify international instruments in 2016 (these include the Convention against Torture and the International Convention on the Protection of Migrant Workers, and the inter-American conventions against racism and discrimination).

The UPR held in November 2016 saw the adoption of Haiti's report and the immediate acceptance by the Haitian government of 175 of the 213 recommendations made, whilst it noted a further 33. Haiti committed to responding to the final five recommendations by March 2017 at the time of the formal adoption of the report.

The likely end of the UN Stabilisation Mission in Haiti (MINUSTAH) in 2017 will add to the difficulties that Haiti faces – not least in the justice and detentions sector, which is of particular concern.

Republic of Honduras

In 2016, the human rights situation in Honduras came under the international spotlight following an increasing number of assassinations of human rights and environmental defenders, including the murder of a well-known environmental activist Berta Cáceres. In turn, this deterioration encouraged efforts to make progress on some human rights policies such as the National Mechanism for Human Rights Defenders (HRDs), precautionary measures and ILO Convention 169. However the implementation of key human rights policies and mechanisms remained limited. On a positive note, the United Nations High Commissioner for Human Rights officially opened the organisation's office in the country and some important electoral reforms were adopted.

The EU's key focus areas in Honduras include protection of HRDs, including through strengthening the national human rights protection system; building bridges between the state and civil society to foster trust and promote space; promoting gender equality and the human rights of LGBTI persons; strengthening the rule of law and democratic structures, including through implementation of the recommendations issued by the 2013 EU Election Observation Mission; and supporting the fight against corruption and impunity.

Major challenges included protection of HRDs and vulnerable groups, such as indigenous peoples, journalists, women and the LGBTI community. Land-rights disputes involving indigenous peoples have resulted in local conflicts in many parts of the country and, in extreme cases, the assassination of community leaders. Other human rights problems include the conditions in detention centres, which are notoriously overcrowded. While human rights legal frameworks and policies are theoretically in place, implementation remains limited. A frail economic and social fabric nourished by poverty and substantial inequality, combined with corruption, generalised violence linked to drug trafficking and crime, and widespread impunity continued to tarnish the human rights situation. Police conduct, the use of torture

and mistreatment, and collusion all remain major and alarming problems. However, it should be noted that the government has made a serious attempt at police reform in the course of which close to 4.000 policemen have been discharged and the formation and training of the officers improved.

The agreement in 2016 on the deployment of an mission from the Organization of American States (OAS) to support the fight against corruption and impunity in Honduras ('MACCIH' is its Spanish acronym) represented an opportunity to strengthen the fight against endemic corruption in Honduras. Positive steps included the adoption of the law regulating political campaign financing, which was one of the key recommendations issued by the 2013 EU EOM; the government's decision to invite into the country an enhanced presence of the UN Office of the High Commissioner for Human Rights, which opened its doors in 2016; and the adoption of the legal regulation covering protection of HRDs, journalists, social communicators and justice operators. The national protection mechanism brought some initial results.

The EU continued to engage in human rights and electoral reform discussions with Honduras in various settings, including formal demarches and through the local EU platform for dialogue with civil society and HRDs, called 'Grupo Enlace'. Issues discussed in this setting include the case of Berta Cáceres, the implementation of ILO Convention 169, the drafting of a new Penal Code and the national protection mechanism for HRDs. The role of the EU in promoting human rights and key electoral reforms has been widely recognised. In 2016, the EU was granted the highest award by the LGBTI community called 'Pergamino Rosa' in recognition of its work.

Throughout the year the EU maintained an open door policy for HRDs and human rights organisations and occasionally provided emergency funding to activists in acute danger. The EU also reacted publicly to human rights violations through statements issued locally or by the HR/VP Spokesperson, press releases, speeches and interviews to encourage the government to ensure full respect for human rights and the ending of impunity. The visit of the EU Special Representative for Human Rights Stavros Lambrinidis underlined the importance the EU attaches to the improvement of human rights in the country. This visit was an opportunity to convey at the highest level, including to the President of Honduras, EU political support for an independent international investigation into the murder of Berta Cáceres (upon a request from the government) and to reiterate the EU's position on the urgent implementation of the Law on the Protection of HRDs and the establishment of a consultation mechanism as foreseen under ILO 169. Additionally, the EU, in close coordination with EU Member States, conducted outreach initiatives aimed at the authorities in several human rights-related judiciary cases. These included dismissals of judges and magistrates in the aftermath of the 2009 coup, and dismissals which the Inter-American Court of Human Rights considered not to be in line with the American Convention on Human Rights.

In 2016, the EU continued to provide financial support to projects funded through the EIDHR as well as through broad-based bilateral programmes financed by the Development Cooperation Instrument (DCI). The Programme for the Support of Human Rights in Honduras (PADH, EUR 5.5 million) continued to strengthen the national human rights protection mechanism, which became operational in 2016 and showed some initial positive results. Access to a fair and transparent justice system was also promoted through the EuroJusticia (EUR 31 million) programme. The negotiations for a voluntary partnership agreement between the EU and

Honduras in the forestry sector helped to set up the legislative measures needed to safeguard indigenous rights, in line with ILO Convention 169.

Putting an end to assassinations of activists and bringing those responsible to justice should be a clear top priority, and is closely linked to the fight against corruption, collusion and impunity. Challenges include the implementation of the law on protection of HRDs, journalists, social communicators and justice operators with the necessary financial and human resources and political support. Support from Honduras to the MACCIH will also be needed to enable the mission to fulfil its mandate of combating impunity and corruption. Other key areas for further progress include the establishment of an efficient mechanism for free and informed prior consultations, as provided for under ILO Convention 169, and improved application of precautionary measures.

Jamaica

In 2016, excessive police use of force and poor conditions in prisons remained major concerns for the country. There were high expectations from the Commission of Enquiry set up to investigate the 2010 security forces' actions in West Kingston. The outcome of the CoE and the recommendations made were positive steps in terms of advancing citizens' rights and acknowledging their basic human rights. Other human rights problems include discrimination based on sexual orientation, disabilities and class. The antiquated Buggery Act criminalises anal sex in general; it is in practice predominantly enforced against men. Jamaica retains the death penalty in its legislation although the last execution took place in 1988. Other concerns relate to court backlogs and trafficking in human beings.

Priority challenges for the EU in Jamaica are tackling rising crime and violence, including extrajudicial killings by the security forces, in particular the police, and ensuring the accountability of state institutions. Other high priorities include improving access to justice and modernisation; challenging discrimination against vulnerable groups including LGBTI persons; curbing violence against women and girls; and working towards abolition of the death penalty.

Crime and violence remains a major threat to Jamaica. According to official figures 1 325 persons were murdered last year, 11 per cent more than in 2015, and there was a marked increase in the incidence of violence against women and girls in 2016. Of special concern is the high level of impunity for, and acceptance of, gender-based violence in some areas. Over-stretched police and an overburdened and under-resourced justice system hinder access to justice, especially for the poor and vulnerable. The government has made justice sector reform a national priority and the EU is supporting these efforts.

In February 2016, the Jamaica Labour Party, led by Andrew Holness, narrowly won the general election by a one seat majority. Although there were a few incidents of violence and deaths in the week of the election, it was declared largely free and fair by observers from the Organisation of American States.

The EU and EU Member States raised human rights concerns with the government, including formally through the annual official Article 8 Political Dialogue and through public diplomacy (e.g. on International Human Rights Day) and within the EU's cooperation programmes. The EU supported public anti-discrimination education and behaviour change initiatives such as the

HeForShe campaign, activities to mark International Women's Day and the 16 days of activism, and provided financial support to the justice sector. The EU has continued to engage in public diplomacy aimed at combating the death penalty and at promoting effective rehabilitation and reintegration of prisoners, which is expected ultimately to reduce support for capital punishment.

In addition, the EU continues to voice its human rights concerns through speeches, statements and social media, including on special days and at special events, and through joint campaigns. Support is being provided to a human rights organisation called J-FLAG, to advance its work in protecting the human rights of LGBTI persons in Jamaica.

Support for projects was provided under the European Development Fund (EDF) and the EIDHR. The EU continued its support for the Independent Commission of Investigations (INDECOM), the oversight body tasked with investigating excesses and abuse by agents of the state. Amnesty International reports that the number of police-related killings is trending down and credits INDECOM for this positive achievement, while still stressing the general need for substantial police reform. Significant EU support is being provided under the Justice, security, accountability and transparency (JSAT) project and the EUR 24 million budget support programme signed in 2016, which will contribute to justice sector reform, and more specifically to improving access to justice for vulnerable groups; and advancing implementation of the Child Diversion programme. The reform will also improve the treatment of children in conflict with the law, and mainstream restorative justice in the criminal justice system. Resources will be provided to modernise and improve justice sector infrastructure including courts and remand facilities. Under its Poverty Eradication Programme, the EU assists vulnerable communities through infrastructure development, such as building and refurbishing schools and community centres, and improving water supplies, roads and sanitation systems as part of an overall strategy to improve living conditions.

Under the EIDHR, support has been provided for prisoners' education and for development of livelihoods; rehabilitation and reintegration of boys currently in correctional facilities; protection of the rights of children in correctional and remand centres; and training of government officials and community members in prevention of corruption.

Jamaica has ratified several major international human rights conventions and covenants. The government has pledged to establish the long-promised National Human Rights Institute in the first quarter of 2017. It also expressed a commitment to consider accession to the Convention on Torture.

Challenges ahead include prison conditions, continued court backlogs, child abuse, gender violence and inequality, discrimination against vulnerable groups (including LGBTI people) and trafficking in in human beings, as well as police and judicial reform and accountability of reports on extrajudicial killings, unlawful use of force and ill-treatment. Ratifying and implementing international and domestic legislation remains a transversal challenge.

United Mexican States

Over the reporting period, and despite efforts from many quarters, Mexico increasingly suffered from major human rights challenges including extrajudicial killings, torture and forced

disappearances, alleged police and military involvement in such abuses, violence against HRDs (at least 15 journalists killed), and violations linked to organised crime, corruption, collusion and impunity. There were reports of arbitrary detentions, poor prison conditions, abuse of migrants and domestic violence. Protests by teachers' associations in Oaxaca, Chiapas and Guerrero were marred by violence, which claimed several lives.

On the other hand, at a multilateral level, Mexico pursued its proactive role in international human rights fora, advancing topics of common EU-Mexico interest, including business and human rights, the fight against terrorism, abolition of the death penalty, anti-bullying, and the 2030 Agenda.

Well-established NGOs released critical reports on the use of torture and on sexual abuse, on the precarious situation faced by migrants and on alleged crimes against humanity in the war against drugs. Furthermore, the National Commission on Human Rights released a critical report related to a case of extrajudicial executions in the state of Michoacán.

In December 2016, the National Human Rights Commission made a joint study trip with the local office of the OHCHR to Guerrero, after which they demanded that the state and federal authorities take clear and coordinated measures to end impunity.

Following a 2015 visit by the Inter-American Commission on Human Rights (IACHR), a report on the human rights situation in Mexico was published on 2 March 2016. While acknowledging significant improvements in the legislative and institutional field, the IACHR report also pointed to the pervasive impunity (98 percent), widespread violence (often linked to the presence of military forces in areas with a higher incidence of organised crime, drug trafficking and conflict) and the enforced disappearance of persons in many parts of Mexico.

Investigations and judicial proceedings in high-profile cases (Iguala, Tlatlaya, etc.), are largely seen as falling short of expectations, with reports casting doubts over the authorities' versions of the events and calling into question the judicial processes.

Against this backdrop, the Mexican authorities appeared increasingly frustrated with critical reports from international human rights bodies, since the scrutiny, in their view, did not sufficiently recognise the government's reforms and initiatives aimed at improving the human rights situation.

On 24 April 2016, the final report of the Interdisciplinary Group of Independent Experts (IGIE) on the Iguala case dismissed the official narrative over the fate of the 43 missing students from Ayotzinapa and put forward recommendations. In a subsequent statement, the spokesperson for the EU HR/VP noted the thorough work carried out by the IGIE, trusting that the recommendations would be taken on board by the Mexican authorities and that a robust monitoring mechanism would be established in consultation with the IACHR. On 9 September 2016, the modalities of the IACHR involvement in the Iguala investigation were agreed. The new mechanism, coordinated by the IACHR Rapporteur for Mexico, Commissioner Enrique Gil Botero, made a first visit to Mexico in November 2016. The launch of the follow-up mechanism, fully financed by Mexico, can be seen as a positive development, albeit somewhat limited in scope.

On the national legislation front there were a number of positive developments, such as the entry into force of the new criminal justice system, the National Law on the Comprehensive Criminal Justice System for Adolescents, and the National Criminal Execution Law. In addition, the National Anti-corruption System was adopted. These measures are aimed at addressing major public security concerns and the fight against organised crime, impunity and corruption as well as tackling human rights challenges.

Against this background, the EU redoubled its efforts and managed to maintain fruitful interaction both with the Mexican authorities and with civil society organisations. The EU's human rights priorities include the fight against forced disappearances and torture; protection of HRDs and journalists; women's rights and vulnerable groups; the economic, social, cultural and environmental agenda including business and human rights; and enhancing civil society space.

The HR/VP discussed human rights issues during her visit to Mexico City on 24-25 May 2016 and whilst opening the second round of the EU-Mexico high-level security and justice dialogue, which addressed security and broader rule of law issues, the fight against organised crime and criminal justice reform. The sixth high-level dialogue (HLD) on human rights between the EU and Mexico, co-chaired by EU Special Representative for Human Rights Lambrinidis and the Mexican Vice-Minister for Multilateral Affairs, Ruiz Cabañas, took place in June 2016 in Brussels. Discussions were open, frank and productive, addressing issues relating to torture, disappearances, the illegitimate use of force and protection of HRDs.

The HLD was preceded by the Fourth EU-Mexico civil society seminar which provided the opportunity for interactive dialogue on four themes: strengthening the rule of law, vulnerable groups (migrants and IDPs), business and human rights, and protection of human rights defenders and journalists. The participants drew a number of conclusions and drafted recommendations, which were presented at the beginning of the HLD. Both parties agreed to follow up at a technical level.

The EU Delegation to Mexico strengthened its engagement with non-governmental organisations, including on issues such as arbitrary detentions, forced disappearances, torture and the protection of journalists/human rights defenders. Under local relevant guidelines, the EU Delegation and Member States' missions continued their regular engagement with HRDs. Meetings were also held with high-level representatives of the federal authorities from the Ministries of Foreign Affairs and the Interior.

The case of Jyri Jaakkola, a Finnish citizen and supporter of local human rights defenders, killed in Oaxaca in 2010, was raised by the EU Delegation in cooperation with the Embassy of Finland. The EU Delegation and EU Member States issued two local declarations: in February, condemning the murder of journalist Anabel Flores, and in December, condemning the murder of journalist Jesús Adrián Rodríguez Samaniego, whilst deploring the murder of 14 other reporters throughout the year. A seminar on freedom of expression and protection of journalists was organised by the Swedish Embassy, in collaboration with the EU Delegation and the Nordic countries.

Several articles and statements were published in the press and social media on important occasions such as the Human Rights Day and the Day for the Elimination of Violence against Women.

The protection and promotion of human rights also remain a priority in EU-Mexico thematic cooperation. In the framework of the HLD on human rights, the EU and Mexico agreed to strengthen their collaboration in five areas: prevention and the fight against torture (capacitation and certification of experts for the application of the Istanbul Protocol); forced disappearances (extension of databases); protection of human rights defenders and journalists (development of the existing mechanism); human rights of children and adolescents; and human rights and business. The EU Delegation has been cooperating with CSOs in these five areas through various calls for proposals and within the scope of the Social Cohesion Laboratory II.

Areas where progress is needed include protection of HRDs and citizens against extrajudicial killings, enforced disappearance, torture and mistreatment, and the combating of criminal activities and effective prosecution of those responsible. Other challenges include the fight against corruption, collusion and impunity, the conduct of the security forces and public officials, judicial process, violations of women's and children's rights, trafficking in human beings, and the rights of vulnerable minorities. Developing and, in particular implementing, appropriate legislation remains a key and urgent pending challenge.

Republic of Nicaragua

In 2016 the good progress made in a number of areas, including on socio-economic rights and citizens' security, was marred by shortcomings in the organisation of the presidential and legislative elections. The absence of international election observers and the judicial rulings that barred some political groups from participating in the elections were criticised. On the other hand, the electoral reform requiring half the candidates from each party for the parliamentary elections to be women was a positive step towards gender equality. Likewise, the opening of a dialogue between the Organisation of American States (OAS) and the government of Nicaragua on the strengthening of democratic institutions after the elections was welcomed as a positive step.

The EU's priorities on human rights and democracy in Nicaragua are to support efforts on further improving the rule of law (transparency, efficiency, accountability); to promote gender equality and the human rights of LGBTI persons and fight against gender-based violence and discrimination; to encourage civil society actively on promoting and protecting human rights and engaging in policy discussions on the national development agenda; to further promote the social, education and health rights of the most vulnerable groups through development cooperation; and to support initiatives on capacity building and increasing social awareness among young people and on protection of children's rights.

Allegations of restrictions on freedom of expression were denounced by certain civil society organisations (CSOs), which also complained of an increased concentration of the media and alleged excessive use of force by security forces during demonstrations. Indigenous peoples' rights continued to be a matter of concern in relation to the situation of Miskito communities, who were granted additional protective measures by the Inter-American Commission on Human Rights (IACHR) in 2016. The office of the new national Prosecutor for Human Rights organised some significant activities contributing to dialogue, understanding and the prevention of any further incidents. The impact of infrastructure projects on farmers' lands is a source of concern for several CSOs and rural communities. Gender violence continues to be an issue.

Citizens' security is continuing to be successfully ensured through a community system based on prevention and dialogue. Efforts deployed by the authorities to contain criminality in the region have proven to be remarkably efficient, particularly when compared to neighbouring countries. Significant progress has also been registered on several key socio-economic rights, including health and education.

The EU continued to use all possible channels to engage in human rights and democracy dialogues in Nicaragua. On the judicial decisions affecting the electoral process, the HRVP Spokesperson issued a public statement underlining the importance of the rule of law, democratic pluralism and freedom of expression[88]. Another statement was issued on the final results of the elections, in which the EU regretted the fact that the electoral process had not provided for an unrestricted participation of all political forces in Nicaragua and criticised the absence of electoral observation missions[89].

Support to human rights defenders has been provided through regular contacts with activists in Nicaragua and in Brussels.

In 2016, the EU continued to provide financial support for projects financed under the EIDHR and the Development Cooperation Instrument (DCI) thematic programme on non-state actors and local authorities (NSA-LA). Three calls for proposals were published with a view to selecting projects related to sustainable development at local level and the fight against violence and discrimination. A total of 45 projects are ongoing and address the following issues: citizens' participation, juvenile restorative justice, the rights of people with disabilities, human rights promotion focused on the Caribbean coastal region, women's and the human rights of LGBTI persons, and children's rights.

Nicaragua has signed up to most universal human rights legal instruments, and generally supports multilateral action to promote human rights. However the non-implementation of protective measures granted by the Inter-American Commission on Human Rights (IACHR) and the absence of government representation in IACHR hearings in 2016 showed Nicaragua's reticence vis-à-vis that body. Nicaragua has not signed, ratified or acceded to the Rome Statute of the International Criminal Court (ICC).

Challenges for further progress include an additional improvement of the democratic framework to provide for free participation of all political forces in electoral processes, in particular with a view to the 2017 municipal elections, enhanced institutional support to victims of gender violence, children's rights, and maintaining respect for freedom of expression and peaceful demonstration rights.

Republic of Panama

Human rights are generally respected albeit with some remaining important challenges. Panama is a fully fledged and solid democracy with an active civil society. Elections are held regularly and are considered free and fair.

88. EU External Action Service, Statement by the Spokesperson on the recent judicial decision in Nicaragua, 16 August 2016
89. EU External Action Service, Statement by the Spokesperson on the final results of the elections in Nicaragua, 9 November 2016

The constitutional and legal framework regarding human rights protection is generally adequate. The country has a similar approach to the EU on these subjects. However a number of significant shortcomings remain, including matters concerning the rights of vulnerable groups, socio-economic rights, corruption, judicial delays and prison conditions.

Prison and detention conditions present significant challenges in Panama. According to the UNODC, 70% of persons deprived of liberty in Panama have not been sentenced. This is mainly due to judicial delays and extensive use of pre-trial detention, which in some cases is longer than the maximum sentence for the alleged crime; moreover there is an urgent need to reduce overcrowding (the country's adult prison population greatly exceeds the capacity of its prisons) and to improve prison conditions. Complaints focus on medical assistance, hygiene, abusive treatment by officials and lack of opportunities for social reintegration. The working conditions of prison officials also require improvement.

However, there have been efforts to improve the situation. The accusatory system of criminal justice – the main novelty of Panama's penal law system - has already reduced judicial delays. A reform of the prison and detention rights system based on respect, safety and reintegration is ongoing. A working plan has been agreed; swift and effective implementation will be necessary.

The EU is supporting these efforts. Priorities include improvement of prison and detention conditions with a specific focus on pre-trial detention; human rights of minors in breach of the law, rehabilitation and reinsertion; gender equality, violence and discrimination; discrimination against vulnerable groups; international labour standards at state level and in the private sector (corporate social responsibility). The EUR 28 million EU-funded project 'Security cooperation in Panama (SECOPA)' will enhance capacities to provide rehabilitation and reintegration, improve the training system for prison staff, and support a professional career; it will finance the completion of an innovative centre for rehabilitation of minors in conflict with the law, and develop a modern penitentiary census.

Two other projects funded under the EIDHR were launched in December 2016, the first of which is to protect and promote human rights, rehabilitation and reintegration of minors whilst the second will focus on the rights and rehabilitation of minors from indigenous communities in conflict with the law. Panama is also one of the beneficiaries of the EU financed project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS and comply with reporting obligations'.

The increased influx of migrants, and the decision of Costa Rica not to let them in, has presented further challenges; while calling for stronger international support, Panama's president has pledged to provide for humane treatment of migrants.

Approximately 10% of Panamanians belong to indigenous communities. Although there are policies and legislation protecting these communities, there is still much work to be done to improve their living standards, their access to public services and equal treatment, especially in the health sector and on land tenure. Several specific programmes are being implemented. The EU is financing the bilateral project 'Apoyo a la Cohesión Social' (COHESAL – EUR 10 million), which contains several activities to support indigenous peoples and organisations,

and also aims indirectly to protect the economic and social rights of this community in the poorest areas of the country, through decentralisation and funding of local projects.

At the ILO, shortcomings in freedom of association continued to be scrutinised by standard supervisory bodies and were highlighted as extremely serious and urgent in November 2016.

Challenges and areas for further progress include the fight against corruption, improving prison conditions and pre-trial detention, socio-economic rights and guaranteeing the rights of vulnerable minorities, indigenous peoples, women and children.

Republic of Paraguay

Paraguay generally has a good formal basis for the protection of human rights. In recent years, the legal framework for access to information and transparency in the management of public affairs has been improved. However, the implementation of the national plan for human rights is lagging, thereby limiting the necessary institutional strengthening. The challenge remains to ensure that the human rights related legislation is implemented systematically and effectively.

In 2016, the EU has focused on strengthening awareness and advocacy, better protecting vulnerable groups, addressing gender issues and discrimination, and supporting the consolidation of democracy, including through improving electoral processes. Other priorities for the EU are promoting institutionalisation of human rights, judicial reform, preventing torture, improving the penitentiary system, fighting corruption and organised crime, and further enhancing transparency. The EU Delegation to Paraguay is one of the pilot delegations chosen to increase the coherence and effectiveness of EU support for democracy, in line with the EU Agenda for Action on Democracy Support.

Human rights concerns in Paraguay include, in particular, violence and discrimination against women, child labour, forced labour and the weak functioning of the justice system, including poor conditions in prisons and pre-trial detention. The protection of the rights of the indigenous minority also needs to be strengthened. Widespread corruption continues to be a concern.

In 2016, Paraguay took several steps aimed at further improving the human rights situation. After long delays, the parliament elected a new Ombudsman in November and adopted legislation on protection of women against violence in December.

The EU continued to engage in discussions on human rights and democracy with Paraguay in various settings, including in the context of monitoring Paraguay's human rights commitments under the Generalised System of Preferences (GSP+). Through its civil society partners, the EU Delegation also circulated the EU guidelines on human rights defenders and other relevant information regarding EU support.

The EU continued to engage with civil society organisations. In August it published a call for proposals to support CSOs' initiatives to improve participation in the political process, with a particular focus on enhancing the participation and representation of women, young people, indigenous people and people with disabilities.

In 2016, the EU continued to provide financial support through the DCI and the EIDHR. A call for proposals was launched in July under the EIDHR for a project worth EUR 0.9 million and targeting gender issues, in particular domestic violence and political participation of women. In October, the EU provided support to the Ministry of Women's Affairs by means of two studies on assessing the impact of national and regional care services for women who are victims of violence. Democracy, participation and institutional strengthening are also one of the priority sectors for the EU's bilateral development assistance to Paraguay in 2014-2020. In this context, a project started in July to provide capacity building to the electoral administration and strengthen participation and representation of vulnerable groups (women, youth, indigenous people and persons with disabilities).

Paraguay is one of the beneficiaries of the EU financed project under the EIDHR on 'Support for trading partners including GSP+ beneficiary countries to effectively implement ILS and comply with reporting obligations'.

In the multilateral context, Paraguay has ratified all core international and regional human rights conventions. The country cooperated closely with the January 2016 Universal Periodic Review (UPR) and accepted almost all 140 recommendations. Paraguay is a member of the UN Human Rights Council in 2015-2017.

Challenges for the future include setting up a participatory mechanism for consultation of indigenous peoples and pursuit of the return of land to indigenous communities in line with the three rulings by the Inter-American Court on Human Rights. Paraguay also needs to reduce the high proportion of inmates in pre-trial detention and improve the poor conditions in prisons. Further steps are also needed to strengthen the rights of women and children, eliminate forced labour and child labour, including unpaid domestic child labour (criadazgo), address high rates of teenage pregnancy and strengthen sexual and reproductive health and rights in general.

Republic of Peru

2016 was a year of democratic renewal in Peru with presidential and parliamentary elections. The EU supported the process with a successful Election Observation Mission. The election process triggered a lively debate in public and in the media but the results were democratically accepted. The overall conclusion of the EU EOM was that Peru had successfully passed the important democratic benchmark of completing its fourth consecutive democratic elections, a result it had never achieved before, but that a comprehensive and lasting political-electoral reform was needed to strengthen democratic governance and political parties, and to consolidate trust and confidence in the work of the electoral institutions.

The EU's human rights priorities in Peru continued to be economic and social rights, in view of the still large regional and social disparities in the country, and prevention of social conflicts, discrimination against women and minorities, in particular indigenous peoples and the LGBTI community, access to justice, human rights defenders – some of whom face intimidation, threats and other forms of violence –, as well as trafficking in human beings and child labour. Shortcomings in the implementation of core labour standards, in particular freedom of association, continued to be scrutinised by the ILO.

The technical dialogue with Peru continued in 2016, with the third consecutive meeting on human rights held in October with the new government. The issues discussed included the post-electoral reform process; the work plan of the new government on human rights including the drafting of the new human rights action plan; business and human rights and EU support for the drafting of a national action plan on corporate social responsibility; continuation of the exchange on gender violence; the situation of refugees and migration; and topics on the multilateral agenda. Work was also taken forward with a view to institutionalising the dialogue in 2017 through the adoption of formal terms of reference.

At local level, the EU Delegation kept close contacts with civil society organisations, the Office of the Ombudsman and government bodies on the human rights situation, human rights defenders and indigenous peoples. It maintained constant communication in order to follow up on individual cases.

EU funding under the EIDHR in 2016 amounted to EUR 1.2 million and covered four new human rights projects in Peru, with a focus on human rights defenders and gender violence.

Peru remained a reliable partner in international fora, and its voting was closely aligned with EU positions. Peru's next review under the UPR will take place in November 2017.

Federation of Saint Kitts and Nevis

Saint Kitts and Nevis is confronted with serious citizen security challenges, in particular gang-related crime, a relatively high homicide ratio, and comparatively high figures on rape and petty crimes. Steps were taken in 2016 to reinforce the protection of children and address poor prison conditions including overcrowding, which remain an enduring problem. Other key human rights concerns in Saint Kitts and Nevis involve violence against women, child abuse, LGBTI discrimination and the continued lawfulness of the death penalty. Improvements in the functioning of the judiciary are needed to address the significant court backlogs.

The government continued its efforts to strengthen child protection systems by reinstituting the Probation and Child Welfare Board. It also continued its annual programmes, such as the subsidising of St Christopher's Children's Home, the foster care programme and a child abuse prevention week. A draft Child Protocol is being reviewed by the Attorney General. The use of corporal punishment in schools is still legal in Saint Kitts and Nevis.

The Ministry of Health has developed a protocol on domestic abuse with assistance from the Pan-American Health Organisation (PAHO). The Department of Gender Affairs has also worked on a National Protocol covering domestic violence. This has been reviewed by the Attorney General and will be presented to cabinet for approval in 2017. The Protocol is intended as a resource and reference document and outlines the role and responsibility of all agencies concerned. It therefore covers the police, the Department of Gender Affairs, health institutions, social services, legal aid, the Ombudsman's office, NGOs and the court.

In March 2016, Prime Minister Harris revealed that a site had been identified for the construction of a new prison, which should alleviate the overcrowding and the dire conditions at the country's existing prison. Although the number of inmates has dropped, the occupancy of the facility still exceeds its capacity. About half of the prison population is on remand, as the

country experiences considerable backlog in the criminal justice system. The death penalty remains legal in Saint Kitts and Nevis although there have been no executions since 2008.

The EU has continued to engage with Saint Kitts and Nevis authorities on key human rights issues. Formal outreach was made through the UNGA Third Committee. EU projects funded under thematic budget lines such as the EIDHR programme and the Civil Society Organisations programme in the Eastern Caribbean are not currently specifically targeting Saint Kitts and Nevis, though the country may benefit indirectly from outreach and best practices developed by projects implemented in the region, especially in the area of domestic violence (e.g. persuasive game intervention that will be made available in education settings across the region to facilitate attitude and behaviour change; research findings; guidelines for domestic violence acts and/or action plans and harmonised protocols for reporting for key stakeholders; training materials and programmes for professionals).

Saint Lucia

In 2016, Saint Lucia saw a change of government following the elections held on 6 June. The issue of extrajudicial killings allegedly perpetrated by the police in 2010-2011 resonated prominently in the run-up to the vote. Ensuring follow-up and investigation of these allegations remained a key EU human rights priority in Saint Lucia in 2016. Other challenges include violence against women; discrimination against LGBTI persons; mental, physical, and sexual abuse of children; and the long delays in delivering justice. The death penalty is still on the law books. Police conduct remains an issue of concern.

The situation in the justice sector is negatively affected by the backlog of judicial cases and the failure to investigate the alleged extrajudicial killings. The newly elected Prime Minister Chastanet (June 2016) stated his intention to set up a three-member 'tribunal' to define a legally solid way of handling the case. He proceeded to fill two key positions in the judiciary - the vacant posts of Deputy Director and Director of Public Prosecution. Overcrowding remains an issue in the Bordelais Correctional Facility where about half of the inmates are awaiting trial. Saint Lucia has had a de facto moratorium on capital punishment since 1995 but there are no indications of moves towards its abolition.

Domestic violence, child abuse and violence against LGBTI individuals remain serious societal concerns. Victims are often reluctant to press charges due to fear of stigma, retribution or further violence. A separate juvenile unit was set up at the National Mental Wellness Centre for child psychiatric patients. Corporal punishment remains legal; this and other child- and youth-related concerns identified by the 2015 UN Universal Periodic Review (UPR) need to be addressed.

In January and in April, the Head of the EU Delegation accompanied by ambassadors of several EU Member States met former Prime Minister Anthony to advocate for due process regarding the alleged extrajudicial killings. The EU maintained its representations on this issue with the new government. Furthermore, a formal outreach on human rights was undertaken in the context of the UNGA Third Committee. Saint Lucia is among the countries benefiting from ongoing EU-funded projects under the European Instrument for Democracy and Human Rights that are combating domestic violence.

Saint Vincent and the Grenadines

While a Domestic Violence Act has been in place since 2015, a lot remains to be done to effectively curb gender-based violence, which remains a pervasive societal problem, as does child abuse. Full guidelines for implementation still need to be adopted. Although not strictly enforced, consensual same-sex activity remains illegal. The death penalty has been subject to a de facto moratorium, with the last execution having occurred in 1995. There is currently one prisoner on death row. Prison problems range from violence, understaffing, underpaid guards, uncontrolled weapons and drugs to growing incidence of HIV/AIDS and unhygienic conditions. Juvenile offenders are detained alongside adult convicts.

The main EU human rights priorities concern domestic violence; mental, physical and sexual abuse of children; discrimination and violence against LGBTI individuals; and issues related to the rule of law, including the continued lawfulness of the death penalty, judicial backlogs and poor prison conditions.

In 2016, the EU continued to discuss important human rights issues locally with the authorities. Demarches were carried out on repealing of the death sentence and on enhancing reporting mechanisms on international human rights conventions. Ongoing EU-funded projects under the European Instrument for Democracy and Human Rights and the CSO Programme in the Eastern Caribbean address domestic violence and facilitate inclusion of persons with intellectual disabilities. Although Saint Vincent and the Grenadines is not targeted directly by these projects, the country may benefit indirectly from the regional outreach and the best practices developed. Moreover, a new project was agreed in 2016 which will be directly implemented in the country and aims to create sustainable livelihoods for rural farmers.

In May 2016, Saint Vincent and the Grenadines underwent the second cycle of the Universal Period Review (UPR). 75 of the 128 recommendations were accepted and 53 were noted. The reviewing states welcomed the progress made particularly in the area of women's and children's rights but raised concerns over the legality of the death penalty, the use of corporal punishment against children, the criminalisation of homosexuality, violence and discrimination against the LGBTI community, violence and discrimination against women, and conditions in prisons. During the adoption of the UPR outcome in the Human Rights Council in September, the establishment of a National Mechanism for Reporting and Follow-Up to UN Human Rights Treaty Body Reports was noted by the speakers.

Republic of Suriname

In 2016, the overall human rights and democracy situation in Suriname was characterised by a combination of progress and setbacks. While there were certain advances, as recognised by the UN Universal Period Review (UPR), there were also negative developments.

The year was marked by the stay of the trial concerning the 1982 extrajudicial killings of 15 opponents, following the invocation of Article 148 of the Suriname constitution, which provides that the government may in specific instances give the Prosecutor General orders with regard to prosecution in the interest of state security. On the other hand, on 10 December 2016, Suriname inaugurated an Institute for Human Rights. This positive development has nevertheless been called into question due to concerns regarding its independence from the Ministry of Justice and Police.

The EU's priorities on human rights and democracy in the context of its relations with Suriname include: legal issues; domestic and sexual violence; trafficking in human beings and the human rights of LGBTI persons. There are also concerns about conditions in prisons and detention centres; widespread public corruption; cases of press intimidation; discrimination against women, Maroons, Amerindians and other minorities; and child labour.

The EU continued to engage in human rights and democracy discussions with Suriname in various settings, including during the fourth round of the EU-Suriname Article 8 Political Dialogue held in Paramaribo on 29 June 2016. The EU and Suriname discussed many human rights issues including exchanges of views on legal issues, LGBTI issues, domestic violence, children's rights and trafficking in human beings.

Following the stay of the trial on the 1982 extrajudicial killings, the EU voiced concerns, including through statements issued by the HRVP's Spokesperson and the EU Delegation[90], recalling the provision under the Cotonou Agreement for protection and promotion of human rights, democratic principles, and the rule of law, and urging the government to respect the rule of law and separation of powers. The EU Delegation also carried out public diplomacy activities on human rights, including the issuing of press releases on issues such as gender-based violence, the Sakharov Prize, the International Day against Homophobia, Transphobia and Biphobia, and the maintenance of regular contacts with human rights NGOs.

The EU continued to provide financial support to two programmes funded by the EIDHR: 'Awareness and advocacy on the rights of indigenous peoples in Suriname' and 'Building Suriname Civil Society Accountability for Human Rights and Good Governance'. The projects benefited, respectively, from funding amounting to EUR 95 000 and EUR 125 000.

Suriname underwent its second Universal Period Review (UPR) on 2 May 2016. The review highlighted positive achievements that had taken place since the first review e.g. the removal of the death penalty from the Penal Code; the establishment of a national human rights institution; reforms and programmes for women and children; the abolition of primary school fees; laws to reduce poverty; measures against trafficking in human beings; the amendment of the nationality and residency law and the conduct of transparent and democratic elections in 2015. Nonetheless, the reviewing states stressed that further progress was still required and issued recommendations on the need to abolish the death penalty from the Military Penal Code, to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights; to improve the justice system and ensure that perpetrators of the 1982 extrajudicial executions and the 1986 massacre were prosecuted; to sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; to ensure that the national human rights institution complies with the Paris Principles; to guarantee equal rights and protection for LGBTI persons; and to continue the efforts made to promote and protect women's and children's rights and to combat trafficking in human beings.

In 2016 the UNHRC published a report on its findings concerning human rights in Suriname, which included concerns about reports of arbitrary detention and ill-treatment of LGBTI persons, especially transgender women, by members of the security forces.

90. EU External Action Service, Statement of the Spokesperson on Suriname, 30 June 2016

The report recommended that the Surinamese government should guarantee adequate protection and compensation, including rehabilitation and the establishment of shelters for victims of human trafficking.

Republic of Trinidad and Tobago

In 2016, the overall human rights situation saw some progress on women's and children's rights, and less on prisoners and the LGBTI community. With regard to the death penalty, although some officials stated their intention to resume its implementation following a de facto moratorium since 1999, the situation has remained unchanged.

The EU prioritises the promotion and safeguarding of women's and children's rights; the abolition of the death penalty; improvement of prison conditions and respect for prisoners' rights; and combating of discrimination against LGBTI persons.

The EU continued its dialogue with key stakeholders on human rights issues throughout the year. The EU Delegation also maintained a close relationship with civil society organisations (CSOs). EU assistance to CSOs was made available not only through EIDHR-funded grants but also under the 11th European Development Fund (EDF) and the Civil Society Organisations and Local Authorities (CSO-LA) thematic budget lines, which aim to enhance CSOs' contribution to the governance and development process in Trinidad and Tobago.

On the occasion of Human Rights Day, the EU Delegation had an op-ed signed by all resident EU ambassadors and published in the three leading newspapers. The inaugural reception for the new EU Head of Delegation was conducted in conjunction with the International Day for the Elimination of Violence against Women. It received wide media coverage and was preceded by the publication of an op-ed in the national press.

In 2016, the EU Delegation continued to address its priorities through two ongoing EIDHR-funded projects supporting activities that aim to promote gender equality and to strengthen institutional capacity for elevating human rights protection. Actions of particular note under these projects included an awareness-raising session for the parliament on the death penalty, the launch of an International Human Rights Clinic, a panel discussion on gender-based violence and a training workshop on the human rights of LGBTI persons. In view of the pervasive issue of domestic violence in the country and the stagnation in securing the human rights of LGBTI persons, a further EIDHR call for proposals was launched in 2016 covering activities aimed at addressing gender equality and the human rights of LGBTI persons. Subsequently, two new contracts were signed in December whose implementation was to commence in 2017.

Trinidad and Tobago underwent its second Universal Period Review (UPR) on 10 May 2016. The review highlighted positive achievements that had taken place since the first review, e.g. the ratification of the Convention on the Rights of Persons with Disabilities, the adoption of the Trafficking in Persons Act, the adoption of the Children's Act, and legislative reforms to promote and protect women's rights. The majority of the recommendations focused on the need to continue the ongoing work on women's rights and gender-based violence, to repeal the laws against LGBTI persons, to abolish the death penalty, to reinforce the fight against trafficking in human beings and to ratify various international conventions including the Convention against Torture and the Optional Protocols to the Convention on the Rights of the

Child. Other major challenges ahead include the appalling prison conditions and overcrowding, as well as the protection of children against abuse and mistreatment.

United States of America (USA)

The United States is a strategic partner of the European Union in its efforts to advance human rights globally. The EU and the USA work together closely in international fora, in particular in the United Nations and the Human Rights Council. Regular dialogue on geographical and thematic issues of common concern enables synergies in pursuing the advancement of the human rights agenda around the world and reinforces the effectiveness of the outreach to the relevant parties on the ground, wherever necessary.

In 2016, the main challenges with regard to the USA included the death penalty, detainees' transfer from Guantanamo prison, women's rights and the human rights of LGBTI persons. Positive developments regarding the number of death sentences and executions in the USA and the number of prisoners remaining in Guantanamo were noted.

In 2015, juries returned 49 death sentences, the lowest number in the modern era of the death penalty. New death sentences have dropped even further this year, to 30. Executions are also down from last year's lows, to 20 – the fewest since 1991. The United States Supreme Court decided Hurst v. Florida, which invalidated Florida's capital punishment statute. In the wake of that case, the Delaware Supreme Court invalidated its own state's death penalty statute, holding that a unanimous jury must find every fact that is a precondition to a death sentence. More recently, after the Florida legislature enacted a new statute that did not require unanimity beyond the aggravator stage, the Florida Supreme Court again invalidated the statute.

In 2016, capital litigators had several other significant wins in the US Supreme Court, including Foster v. Chatman, Williams v. Pennsylvania, and Wearry v. Cain. In state courts, litigation teams won numerous reversals and stays of execution, including many in high-use states such as Alabama and Texas. Across the country, lethal injection litigation continued to play a large role in the record-low execution rates, with de facto moratoria holding throughout the year in Arizona, Arkansas, California, Ohio and Oklahoma, and contributing to several stays of executions in other states.

EU export bans on drugs for execution have continued to have a major impact on discussions on the death penalty. As mentioned during meetings with major organisations of the abolitionist community, the EU ban has significantly changed the public debate about execution in the last four years.

The efforts of the Obama Administration to close the military detention centre in Guantanamo Bay and transfer the remaining detainees remained largely blocked by the Congress. The plan submitted by the Administration in February 2016 failed to remedy conflicts between President Barack Obama's aspirations to shut down Guantanamo during his final year in office and legal restrictions imposed by Republicans in Congress that prevent the Administration from sending any of the remaining detainees to the USA.

Nevertheless, some progress was made in 2016 with regard to the transfer of detainees to third countries. Of the roughly 780 people who have been detained in Guantanamo, 729 have

been transferred and 42 remained (as of the end of December 2016). 32 of the latter are not eligible for transfer and have not been charged with any crimes, seven have been charged with crimes that are being tried in military commissions and three have already been convicted in military commissions. EU Member States have so far accepted a total of 40 former detainees from Guantanamo.

In June 2016, in the mass shooting targeting the LGBTI community at an Orlando-based gay club, an ISIL/Da'esh -inspired perpetrator killed 49 people. This put a spotlight on the ongoing problems, including hate crimes, faced by LGBTI persons.

Further progress was made in 2016 to reinforce the EU Delegation's networking with the main stakeholders on human rights issues, i.e. the Administration (State Department and National Security Council), Congress and civil society.

The EU Delegation, along with some Member States, continued its engagement with the USA on women's economic and political empowerment through the Equal Futures Partnership (EFP) initiative led by the Department of State and the White House. Equal Futures members (32 states and the EU) set ambitious national and EU commitments related to very specific gender policy priorities and then share knowledge and experience gained in that process through pairing initiatives or other multilateral projects and exchanges. The Equal Futures webpage (www.equal-futures.org) that was launched in June 2016 will serve to promote members' activities and facilitate closer cooperation between them.

Regular exchanges between the USA, the EU, Member States and NGOs continued to provide opportunities to share information on efforts to advance the human rights of LGBTI individuals, and discuss possibilities for coordination, including multilateral efforts, assistance, and country-specific situations. The meetings enabled occasional exchanges to be held on LGBTI-relevant questions, and progress to be made in multilateral fora.

In 2016, the EU issued four statements following executions in the USA and the EU Delegation made four demarches on behalf of individuals facing execution. Throughout 2016, the EU Delegation repeatedly called for the closure of the Guantanamo detention facility and regularly raised the human rights situation in Guantanamo with the Administration.

The EU Special Representative for Human Rights, Stavros Lambrinidis, conducted an official visit to the United States from 18-22 April 2016. During the visit, a strong focus was placed on public diplomacy.

Eastern Republic of Uruguay

Overall the human rights situation in Uruguay remains positive and stable, albeit marred by some notable deficiencies in the areas of gender violence, discrimination against Afro-descendants and the LGBTI community, trafficking in human beings and use of extended pre-trial detention. An additional concern is the situation in juvenile detention centres, where there are poor living conditions and a lack of rehabilitation and reintegration initiatives.

The EU focus is on reform and modernisation of the criminal justice and prison system, strengthening the rights of women and children, reinforcing anti-discrimination policies and citizens' security.

Uruguay has a solid legal framework. However, implementation lags significantly in several areas. Despite the numerous actions addressing domestic violence, the number of reported cases increased in 2016. The government's 2016-2019 national action plan for life free of gender violence aims to tackle gender violence. Uruguay is also lagging behind on women's participation in political processes. Racial discrimination is another issue, since it affects the life chances of Afro-descendants right from their enrolment in school.

The government of Uruguay is taking various forms of action to improve the situation. This includes a draft law against gender violence, which contains guidelines and arrangements for emergency response and help for victims, as well as the establishment of specialised courts. A debate has been launched to set a minimum quota for candidate lists for future elections. The 2015-2020 racial equality plan for Afro-descendants will be revised annually. A comprehensive law against exploitation and trafficking of human beings has been sent to parliament. To combat trafficking in human beings more effectively, training is being provided to consular officials, civil society organisations and officials in border areas. A reform of the country's outdated Penal Process Code, not least to improve the situation regarding pre-trial detention and to address prison overcrowding, was approved and should enter into force in 2017.

The EU continues to engage the authorities and civil society organisation (CSOs) through bilateral and open action. In parallel, ad hoc meetings on relevant topics are held with the authorities, CSOs and other relevant stakeholders. Human rights defenders are able to operate in a stable environment, and CSOs can conduct their work freely. However they are financially dependent on the state, resulting in a loss of autonomy and critical vision.

In 2016, the EU provided funding to projects under the EIDHR and the DCI Uruguay Programme to support the reform of the Uruguayan criminal justice and penitentiary systems. In mid-2016 the EU Delegation launched a new call for proposals for human rights and civil society projects in line with its latest priorities. Seven projects on citizen security, women's and children's rights and social cohesion were still ongoing.

In the multilateral context, in January 2016 Uruguay was elected to a non-permanent seat at the UN Security Council, and stated that it would strive to integrate human rights aspects in the Security Council's agenda. In preparation for the 2016 Special Session of the United Nations General Assembly (UNGASS), Uruguay called for a debate on future drugs policies and expressed support for a policy based on health, human rights, gender and proportional justice.

The legal framework in Uruguay ensures effective protection of human rights and robust implementation of democratic principles. Where gaps remain, the authorities are addressing them. The challenge for the future will be to translate the standards and various action plans better into everyday reality.

Bolivarian Republic of Venezuela

In 2016, the political, social, economic and security situation in Venezuela had a negative impact on its citizens' enjoyment of human rights and fundamental freedoms.

The EU's priorities are to contribute to democracy, the rule of law and fundamental freedoms, protection of civil society space and human rights defenders, as well as gender equality, women's empowerment and children's rights.

In February 2016, Venezuela adopted a national human rights plan 2016-2019 to protect and guarantee the fundamental rights of citizens. The country also underwent and engaged actively in its second review under the UN Human Rights Council's Universal Periodic Review (UPR) in November 2016. 274 recommendations were made on a range of topics including freedom of expression, political prisoners, independence of public authorities, food security, access to healthcare, and extrajudicial killings.

In the area of civil and political rights, there were reported cases of public stigmatisation of human rights defenders, attacks against journalists, erosion of the independence of rule of law institutions and high levels of impunity. Concerns remained about jailed political opponents and their rights to a fair trial and due legal process. The EU followed the appeal by opposition leader Leopoldo López, but was not allowed to observe the hearings. ILO standard supervisory bodies examined freedom of association in Venezuela four times in 2016 and considered cases regarding the treatment of employers' representatives as extremely serious and urgent. At ILO Governing Body, the EU supported a constructive social dialogue in the country.

The difficult economic context, characterised by severe shortages of basic goods and medicines and hyperinflation, affected the economic and social rights of the population, in particular the rights to food, health and social security.

The EU does not have a formal and structured political dialogue with Venezuelan government, but ad hoc discussions on human rights took place between the EU Delegation, Member States' embassies and the Venezuelan authorities. There were also bilateral meetings at senior level. An annual consultation meeting was also organised with human rights defenders.

In 2016, the EU continued to provide financial support to projects funded mainly through the EIDHR. EU cooperation activities focused on support for democracy capacity building (technical assistance to the National Assembly, institutional capacity building in municipalities) and promotion of non-violence and democratic dialogue, women's rights and empowerment, gender equality, rights of indigenous people, human rights defenders, freedom of information and refugees. Public diplomacy events concentrated on the promotion of gender equality and non-violence ('lowering violence levels, living together in peace').

The EU is also involved in helping the country find a peaceful and democratic resolution of the crisis and supports the ongoing dialogue efforts.

List of Acronyms and Initialisms

ACP	African, Caribbean, and Pacific Group of States
ASEAN	Association of Southeast Asian Nations
ASEM	Asia-Europe Meeting
ATT	Arms Trade Treaty
AU	African Union
CEDAW	The Convention on the Elimination of All Forms of Discrimination
CFSP	Common Foreign and Security Policy
CoE	Council of Europe
CRPD	Convention on the Rights of Persons with Disabilities
CSDP	Common Security and Defence Policy
CSO	civil society organisation
CSW	Commission on the Status of Women
DCI	The Development Cooperation Instrument
DoP	Declaration of Principles for International Election Observation
ECOSOC	United Nations Economic and Social Council
ECHR	European Convention on Human Rights
ECOWAS	Economic Community of West African States
EDF	European Development Found
EEAS	European External Action Service

EED	European Endowment for Democracy
EIDHR	European Instrument for Democracy and Human Rights
ENI	European Neighbourhood Instrument
ENRTP	Programme for the Environment and Sustainable Management of
ENPI	The European Neighbourhood and Partnership Instrument
EOM	election observation mission
EU MS	EU Member States
EUAM	EU Advisory Mission to Ukraine
EUDEL	EU Delegation(s)
EUNAVFOR MED	European Union Naval Force – Mediterranean
EUSR	EU Special Representative
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed
FGM	female genital mutilation
FoRB	Freedom of Religion or Belief
Grulac	Group of Latin America and Caribbean Countries
GSP	Generalised Scheme of Preferences
GSP+	EU Generalised Scheme of Preferences (GSP) for developing countries
HRC	United Nations Human Rights Council
HRD	human rights defender
HRO	human rights organisation
HRVP	High Representative of the Union for Foreign Affairs and Security Policy
IA	impact assessment
IACHR	Inter-American Commission on Human Rights
ICC	International Criminal Court

ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
IcSP	Instrument contributing to Stability and Peace
ICTY	UN International Tribunal for the Former Yugoslavia
IDPs	Internally displaced persons
IGWG	Open-ended Intergovernmental Working Group on Transnational
IHL	international humanitarian law
ILO	International Labour Organisation
ILS	international labour standards
IOM	International Organization for Migration
IPA	Instrument for Pre-accession Assistance
HRDCS	Human Rights and Democracy Country Strategy
LA	local authorities
LGBTI	lesbian, gay, bisexual, transgender, and intersex
MEP	Member of the European Parliament
NGO	non-governmental organisation
NHRIs	national human rights institutions
NSA	non state actors
OAS	Organization of American States
ODIHR	Office for Democratic Institutions and Human Rights
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
OIF	Organisation internationale de la Francophonie
OSCE	Organisation for Security and Co-operation in Europe

PAG	Principal Advisor on Gender
PSC	Political and Security Committee (PSC) of the council of the European
RBA	rights-based approach
SADC	Southern African Development Community
SIA	sustainability impact assessments
THB	trafficking in human beings
UNCAT	United Nations Convention against Torture
UNDP	United Nations Development Programme
UNEA	United Nations Environment Assembly
UNGA	United Nations General Assembly
UNGPs	United Nations Guiding Principles on Business and Human Rights
UNHCR	United Nations High Commissioner for Refugees
UN HQ	United Nations Headquarters in New York, United States of America
UNICEF	United Nations Children's Fund
UNOCA	United Nations Regional Office for Central Africa
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations security Council
UNSCR	United Nations Security Council Resolutions