

## **Report on implementation of the joint pledges of the European Union and its Member States made on the occasion of the UN General Assembly High-level Meeting on the Rule of Law at the National and International Levels on 24 September 2012**

### **Overview**

The EU and its Member States have taken various measures to implement the pledges made jointly on the occasion of the UN General Assembly High-level Meeting on the Rule of Law at the National and International Levels on 24 September 2012. The process of ratification of the UN conventions and protocols mentioned in the pledges by EU Member States is ongoing. Several EU Member States have ratified these conventions and protocols and other EU Member States have made efforts towards ratification or accession to these conventions and protocols.

As regards improving delivery of justice, the EU promoted the rule of law and administration of justice in bilateral relations with third states, at the UN level (e.g. UN Human Rights Council) and the EU and EU Member States' diplomats engaged in trial monitoring. The EU is committed to ensuring coherence and consistency between the EU's external and internal human rights policies, including through exchanges among EU Member States on the implementation of international human rights treaties, follow-up to recommendations of UN human rights treaty bodies and in the framework of the UPR addressed to the EU Member States. The EU adopted new legislation to improve access to justice and to strengthen procedural safeguards in the area of criminal law – a directive on procedural rights for suspects and accused persons and a directive establishing minimum standards on the rights, support, and protection of victims of crime. The EU's Framework to strengthen the rule of law describes how the European Commission will act in situations where a systemic threat to the rule of law emerges in an EU Member State. Complementary to the actions of the European Commission, a political dialogue on the rule of law will take place among EU Member States within the Council of the EU once a year, starting from 2015. In civil and commercial matters, all judgements will be recognized in other EU Member States without further proceedings as of January 2015. Since 2013, the EU Justice Scoreboard assists by providing objective, reliable and comparable data on quality, independence and efficiency of justice systems in all EU Member States.

To support peace and security in conflict and post-conflict situations, the EU is developing a policy paper on transitional justice and carries out various actions to enhance support to UN peacekeeping, e.g. in area of civilian capacities, planning and conduct of EU civilian missions deployed in support of UN operations, strengthening the EU-UN coordination on assistance to African Union, training and lessons learned and development of a general framework between the EU and the UN on operational aspects of cooperation in peacekeeping/crisis management.

In 2014, the European Commission published the first EU Anti-Corruption Report with evaluation of the situation in the EU Member States and suggestions for how to move forward.

On the ICC, the EU and its Member States are active on achieving universality of the ICC Rome Statute by various instruments. The EU has drawn up a list of experts to provide technical assistance to third countries. The European Commission supports the civil society organizations working to promote the ICC, as well as training of lawyers on the ICC List of

Counsel and development of the ICC Legal Tools Database. The EU supports the principle of complementarity by promoting sector-wide justice reforms at the national level and has developed operational guidelines for EU staff on how to make the principle of complementarity work at the national level, while respecting the Rome Statute.

On counter-terrorism, the EU supports the implementation of the UN Global Counter-Terrorism Strategy through political dialogues with third countries and capacity building measures, in particular in the Horn of Africa/ Yemen, Sahel/West Africa, Maghreb, Turkey and South Asia. The EU has been a strong supporter of the Global Counter-Terrorism Forum where it co-chairs the Horn of Africa Capacity-Building Working Group. The EU supported the establishment of the Hedayah Centre of Excellence on Countering Violent Extremism in Abu Dhabi, the International Institute for Justice and the Rule of Law in Malta and the Global Community Engagement and Resilience Fund. The EU has developed a range of measures that aim at cutting off terrorists' access to funding and promoted implementation of the Financial Action Task Force (FATF) standards. The EU also focused on countering radicalisation into violent extremism and recruitment and addressed the issue of foreign fighters in Syria and Iraq. The EU strengthened the rights of victims of terrorism. It developed an operational guidance to ensure consideration of human rights in the planning and implementation of counter-terrorism assistance projects with third countries.

The EU and its Member States implemented actions under the EU Policy Cycle for organised and serious international crime. The EU provided assistance to third countries on drug trafficking (e.g. in the framework of the Cocaine Route Programme, the Heroin Route Programme and several programmes and projects in Central Asia) and trafficking in firearms (including support of the Arms Trade Treaty, the UNODC's Global Firearms Programme and various projects to reduce and control the Small Arms and Light Weapons (SALW) in Western Balkans, OSCE region, Africa and Central America). The EU supported an Interpol initiative to develop a database for tracking and tracing lost, stolen, trafficked and smuggled firearms (iARMS) and created a complementary global reporting mechanism on illicit SALW and other conventional weapons (iTrace). The EU continued to support efforts to counter piracy and armed robbery at sea, namely in the Horn of Africa and the Gulf of Guinea. The EU has actively been monitoring implementation of the EU directive on preventing and combating trafficking in human beings and supported a number of anti-trafficking projects, including national referral mechanisms to ensure early identification, protection and assistance to victims of trafficking. The EU also enhanced its support to actions against trafficking in human beings in external relations, including through a pilot project along the Heroin route and the EU-Horn of Africa Migration Route Initiative.

On empowering women and children, several EU Delegations have developed their own country strategies on implementing the EU Guidelines on Violence against Women and Girls and Combating All forms of Discriminations against them. The EU also funded projects on promotion and protection of the rights of the child.

The EU has intensified its rule of law dialogues with enlargement countries, putting the rule of law at the heart of the accession process to the EU. The EU stepped up its efforts to promote the rule of law in the Eastern Neighbourhood through the Eastern Partnership initiative, including through association agreements, support to judicial reforms, anti-corruption measures, visa liberalisation, mobility partnerships, human rights dialogues and Eastern Partnership thematic platform to promote democratic principles, good governance and

stability. In Southern Neighbourhood, the EU enhanced its support to civil society and governments who pursued political and economic reform and democratic transition. It was implemented through bilateral and regional projects and programmes, in collaboration with the League of Arab States and also in the framework of the Union for the Mediterranean. In the framework of the EU-Central Asia Rule of Law Initiative the EU supports the Central Asian States in core legal reforms, including reform of the judiciary, in drawing up effective legislation and enhancing implementation capacities.

## **Detailed report**

### **A. Strengthening the rule of law at the international level**

1. The EU Member States reiterate their pledges made at the 31<sup>st</sup> Conference of the Red Cross and Red Crescent (Geneva, 28 November – 1 December 2011) to consider ratification of the 2006 Convention for the Protection of All Persons from Enforced Disappearance and the principal international humanitarian law instruments and other relevant legal instruments which have an impact on international humanitarian law to which they are not yet all party, namely:

- Additional Protocol III to the Geneva Conventions;
- The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its First and Second Protocols;
- The Optional Protocol to the UN Convention on the Rights of the Child on the involvement of children in armed conflict;
- The Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines;
- Protocol II, as amended on 3 May 1996, and Protocol V to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;
- The Convention on the prohibition of military use of environmental modification techniques.

The 2006 Convention for the Protection of All Persons from Enforced Disappearance has been ratified by Lithuania (14 August 2013), Portugal (27 January 2014) and Slovakia (15 December 2014) since September 2012. Several EU Member States have undertaken steps towards ratification of this Convention.

Regarding the above mentioned international humanitarian law instruments, since September 2012 the Additional Protocol III to the Geneva Conventions has been ratified by Portugal (22 April 2014) and Sweden (21 August 2014), the Optional Protocol to the UN Convention on the Rights of the Child on the involvement of children in armed conflict by Estonia (12 February 2014) – with this ratification all EU Member States are parties to this Optional Protocol, the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines by Poland (27 December 2012) – with this ratification all EU Member States are parties to the Ottawa Convention, and the Protocol V on Explosive Remnants of War to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects by Greece (21 October 2014). Other EU Member States made efforts towards ratification or accession to these conventions and protocols.

The EU Member States pledges made at the 31<sup>st</sup> Conference of the Red Cross and Red Crescent also contained a pledge on the negotiation of a strong and robust Arms Trade Treaty with the highest possible legally binding standards which would prevent conventional weapons from being used to violate international humanitarian law. The Arms Trade Treaty, adopted by the UN General Assembly on 2 April 2013, was ratified by 23 EU Member States as of 14 November 2014. The ratification process is ongoing in the remaining EU Member States, who all signed the Arms Trade Treaty.

2. The EU Member States which have not yet done so will consider ratifying or acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Since September 2012, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has been ratified by Austria (4 December 2012), Portugal (15 January 2013), Italy (4 April 2013), Lithuania (20 January 2014), Greece (11 February 2014) and Finland (8 October 2014). EU Member States which have not yet signed and ratified the Optional Protocol made efforts in the process of its ratification.

3. The EU Member States which have not yet done so will consider accepting the right of individual complaint under the UN Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the UN Convention on the Rights of Persons with Disabilities.

The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities was ratified by Denmark on 23 September 2014. The EU Member States which have not yet done so considered the possibility of accepting the right of individual complaint under the above mentioned conventions and optional protocols thereto.

4. The EU Member States which have not yet done so pledge to address the issue of statelessness by ratifying the 1954 UN Convention relating to the Status of Stateless Persons and by considering the ratification of the 1961 UN Convention on the Reduction of Statelessness.

Portugal acceded to the 1954 UN Convention relating to the Status of Stateless Persons on 1 October 2012. Portugal (1 October 2012), Lithuania (22 July 2013) and Belgium (1 July 2014) acceded to the 1961 UN Convention on the Reduction of Statelessness.

## **B. Strengthening the rule of law at the national level**

### **1. Improving delivery of justice**

5. The EU will conduct a worldwide campaign on justice, focusing on the right to a fair trial, with a view to achieving results by 2014.

Given that some of the envisaged campaigns were not pursued in 2013/2014, the European External Action Service (EEAS) has focussed on stock-taking and would propose to develop a broader activity on Administration of Justice / Fair Trial under the Action Plan 2015/16, building on on-going activities to date:

In its bilateral relations with third countries, the EU promoted the rule of law and raised issues pertaining to the administration of justice, including the functioning and resourcing of the justice system, the organisation and independence of the judiciary, the right to a fair trial and rights of defendants. Where relevant, the EU encouraged and supported legislative and institutional reforms, for instance of criminal codes and the penitentiary system, as well as capacity building and activities aimed at improving access to justice, including for women.

Support to the justice sector and the rule of law more broadly is also an important and growing area of cooperation in many countries benefiting from EU assistance. It is closely connected to the promotion of democratic governance, human rights, gender equality, citizen security and socio-economic development.

EU Member States also supported the UN Human Rights Council resolution on "Human rights in the administration of justice", initiated by Austria. The EU also supported the work of the UN Special Rapporteur on the independence of judges and lawyers.

EU diplomats around the world also engaged in trial monitoring, in line with the EU guidelines on human rights defenders, to send a clear and visible signal to the authorities or the partner country and to the general public that the administration of justice in the country in question and the treatment of the human rights defender concerned is under the scrutiny of the international community. The monitoring of judicial proceedings by EU diplomats was usually carried out on a burden-sharing basis, with the involvement of representatives of EU delegations and EU Member States' missions, with support by the EEAS.

6. As demonstrated in the EU Strategic Framework and Action Plan of 25 June 2012, the EU and its Member States seek to be exemplary in ensuring respect for human rights within their respective competency areas, as well as seeking to promote human rights and the Rule of Law worldwide. With a view to ensuring full coherence and consistency between the EU's internal and external human rights policies, the EU and its Member States are committed to raising recommendations of the Human Rights Council's Universal Periodic Review which have been accepted, as well as observations and comments of treaty monitoring bodies and UN Special Procedures, in their relations with all third countries; the EU Member States are equally determined to implement or consider seriously such recommendations, observations and comments within their own borders.

The EU systematically raises in Human Rights dialogues with third states recommendations of the Human Rights Council's Universal Periodic Review which have been accepted by the relevant state, as well as concluding observations of treaty monitoring bodies and UN Special Procedures. The EU is committed to ensuring coherence and consistency between the EU's internal and external human rights policies. Efforts to achieve this goal include regular exchanges among EU Member States on the implementation of international human rights treaties, including the follow-up to recommendations and observations of UN human rights treaty bodies and in the framework of the UPR addressed to EU Member States.

7. By 2014, the EU will develop specific actions to improve access to justice, to strengthen judicial cooperation, to ensure the free circulation of judicial decisions within the EU and to enhance legal certainty. The EU will fast-track growth enhancing measures which aim at removing barriers to cross border trade, cutting unnecessary administrative burden and bringing business the legal certainty they need.

To improve access to justice and to strengthen procedural safeguards in the area of criminal law, the EU has adopted in 2013 a Directive on procedural rights for suspects and accused persons by allowing the access to a lawyer and communication with relatives and consular authorities when arrested and detained. EU Member States have until 27 November 2016 to implement this directive. In November 2013, the European Commission presented three further proposals for directives, being discussed by the EU Council and European Parliament: on presumption of innocence; special safeguards for children suspected or accused in criminal proceedings; and provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European Arrest Warrant proceedings.

The EU Directive establishing minimum standards on the rights, support and protection of victims of crime of 25 October 2012 will ensure that victims are recognised, treated with respect and receive proper protection, support and access to justice. The Directive considerably strengthens the rights of victims and their family members to information, support and protection as well as their procedural rights when participating in criminal proceedings. It also includes provisions that will ensure that professionals are trained on victims' needs and encourage cooperation between Member States and awareness raising on victims' rights. The EU Member States have to implement the provisions of this Directive into their national laws by 16 November 2015.

The EU's capacity to intervene in rule of law crises in Member States has been strengthened by a new EU Rule of Law Framework. As Guardian of the Treaties, the European Commission has the power to launch infringement proceedings against a Member State in case of a breach of EU law. In addition, the Communication of March 2014 *"a new EU Framework to strengthen the Rule of Law"* describes how the European Commission will act in situations where a systemic threat to the rule of law emerges in a Member State. The EU Rule of Law Framework allows the European Commission to enter into a political dialogue with the Member State concerned to prevent that an emerging systemic threat to the rule of law further escalates. If this dialogue does not lead to results, Article 7 of the Treaty on European Union - which at its most severe allows for the suspension of voting rights of a Member State in the Council of the EU - will always remain the last resort to uphold the values of the Union. Complementary to the actions of the Commission, the General Affairs Council of the EU adopted Conclusions on 16 December 2014 establishing a political dialogue among all EU Member States to promote and safeguard the rule of law within the EU. This dialogue, which seeks to promote a culture of respect for the rule of law, will take place once a year within the Council, starting from 2015.

To strengthen judicial cooperation, the EU's principal achievement is the mutual recognition; in most disputes in cross-border trade, EU citizens and companies know which court to go to, which law that court will apply and they know that the resulting judgment will be recognised and enforced in all Member States. In this respect, in civil and commercial matters, all

proceedings making a judgement given in one Member State enforceable in another (so-called exequatur) will be abolished as of 10 January 2015. Exequatur has already been fully abolished in the area of maintenance and for recovering small or uncontested claims.

Since 2013, the EU Justice Scoreboard assists the EU and Member States by providing objective, reliable and comparable data on the quality, independence and efficiency of justice systems in all Member States. The 2014 Scoreboard focuses on civil and commercial justice and administrative justice.

## **2. Supporting peace and security in conflict and post-conflict situations**

8. The EU will develop a policy on transitional justice, so as to help societies to deal with abuses of the past and to fight impunity, covering issues such as truth and reconciliation commissions, reparations and the criminal justice system, ensuring that such policy allows for tailored approaches to specific circumstances, by 2014.

Work is underway on an EU policy paper on transitional justice. It has been consulted with EU Member States and civil society. It is likely to be adopted in early 2015.

9. The EU will enhance its support to the UN engagement in conflict and post-conflict situations in the rule of law area, in particular it will:

- Define a list of civilian capacities, including rule of law capacities, the EU Member States can potentially put at UN disposal for peacekeeping operations by the end of 2012;

For further progress on EU-UN coordination on civilian capabilities, the EU has made several proposals to facilitate advancement in this area:

- The EU is willing to share the EU Catalogue of Standard Job Descriptions. This will facilitate the comparison/alignment of EU and UN job descriptions and the recruitment process of civilian personnel at both EU and UN level;
- The EU is willing to open the Goalkeeper-Schoolmaster platform to have information on UN training opportunities uploaded to the system.

Discussions are ongoing on these proposals.

- Provide political support for operation of a "One UN approach" to rule of law assistance at the country level;

- Create a policy framework on EU providing a component to a UN peacekeeping operation and establish modalities for coordination between the EU and UN during planning and conduct of EU civilian missions deployed in support of UN operations by 2013;

The EU proposed a Clearing House Model to create a mechanism on the EU facilitating coordinated EU Member States' contributions to UN operations. UN official confirmation is awaited.

The "Modalities for coordination during the planning phase of missions and operations" were endorsed between the EU and the UN (DPKO/OROLSI and DPA) in November 2013. They focus on situations where the UN and the EU are stepping up their activities in a country, in particular through the potential deployment of respective missions. It takes account of the fact that such close coordination is relevant in a variety of scenarios, including where:

- Both UN and EU are setting up a new mission/operation;
- A new EU effort is to complement an existing UN mission's effort;
- The UN or the EU takes over the engagement from the other;
- The EU provides a bridging mission/operation until the UN takes over;
- Either party seeks support from the other.

"Modalities for coordination during the conduct phase of missions and operations" should be finalised shortly.

- Strengthen the EU-UN coordination on assistance to African Union and other regional organizations in respect of peacekeeping operations by 2013;

The Joint EU-UN Support Action in SSR "Building African Union Capacities in Security Sector Reform (SSR)", launched in May 2013, continued its implementation of main activities, including the hiring of the final SSR expert for the AU Defence and Security Division, the finalisation of the drafts of the 'Operational Guidance Notes' developed by the African Security Sector Network (ASSN) on 1) Gender and SSR 2) Development of National Codes of Conduct for African Security Institutions; and 3) SSR Needs Assessment Missions. The first of the five joint assessment missions foreseen by the project was carried out in the Central African Republic from 19 to 24 May 2014. Cooperation also includes close coordination in the field, for example the UN-AU Mission on the AMISOM review in August 2013 was strengthened by an EU Military Adviser.

- Establish technical arrangements on cooperation in training and in the area of Lessons Learned, including rule of law missions, by 2013;

The work on the modalities for coordination on Training and Lessons Learned have seen very good progress. Three drafts on "Modalities for coordination between the EU and the UN" in these respective fields were agreed with UN staff and will have now to be formally approved on both sides. The main objective is to formulate modalities for coordination at staff level in order to facilitate and ensure mutual and effective support between the UN and the EU in developing cooperation on training and lessons learned.

Courses of the European Security and Defence College have welcomed also UN participants. Furthermore, the EU has contributed intensely to the elaboration of the UN Guidance Framework for International Police Peacekeeping. The EU and UN have mutually shared their lessons learned on SSR, Justice, Corrections, Rule of Law, Human Rights and Gender. UN officers participated in the EU exercise MILEX 14.

In this regard, the EU wants to draw special attention to its work to support, promote and implement the UN Security Council Resolution 1325 (2000) and its follow-up resolutions. The EU has been a strong supporter of the women, peace and security agenda since its inception. The EU monitors its own progress on implementing the 1325 agenda through 17 indicators developed in consultation with member states and civil society. The second report evaluating progress made towards achieving the indicators was published in February 2014. Specific achievements relating to EU's support to UN peacekeeping operations and CSDP missions and operations include that the majority of CSDP missions now have gender advisers or focal points; gender and human rights are an integral part of most pre-deployment trainings for CSDP missions and operations; and EU's Crisis Management Procedures call for systematic mainstreaming of gender and human rights, including of UN Security Council resolution 1325 and its follow-up resolutions. The EU is also taking steps to further its engagement on ending sexual violence in conflict following the Global Summit on this issue in London in June 2014. The EU is preparing for the high-level review of the 1325 agenda in cooperation with Member States and civil society and through its cooperation agreement with the UN Women. 17 EU Member States have adopted national action plans with the aim of strengthening their action on UNSCR 1325, including participation of women in peacekeeping and peacebuilding and protection of women and girls from violence, including sexual violence.

- Develop a General Framework between the EU and the UN on operational aspects of cooperation in peacekeeping/crisis management by 2014.
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Work on developing a General Framework between UN and EU on operational aspects of cooperation in peacekeeping/crisis management constitutes an assemblage of the other actions of the Plan of Action to enhance EU CSDP support to UN peacekeeping. This process will continue after the completion of the Plan of Action to enhance EU CSDP support to UN peacekeeping which comes to its end at the end of 2014.

### **3. Fostering an enabling environment for sustainable human development**

#### **3.1 Fighting corruption**

10. Starting in 2013, the European Commission will publish every two years the EU Anti-Corruption Report, accompanied by country analyses for each Member State including tailor-made recommendations. It will also facilitate the exchange of best practices, identify trends and stimulate peer learning among Member States. The report will make use of all available sources, including the existing monitoring mechanisms (GRECO in the Council of Europe, OECD, UNCAC) independent experts and researchers, stakeholders and civil society. At the same time, it will ensure that the existing gaps of the international and European monitoring
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tools are being addressed and will allow the EU meet its legal obligation of self-assessment as a party to the UN Convention against Corruption.

The Anti-Corruption Report was adopted on 3 February 2014. The Report is a first step. It is the first time the European Commission completed an overview at EU level of the situation in all Member States, and a set of suggestions for how to move forward. No other monitoring mechanism in this area publishes such evaluations on 28 countries at once. The Commission will put into motion this year an experience sharing programme to support Member States, local NGOs and other stakeholders follow-up the suggestions of the Commission.

In 2016, the next EU Anti-Corruption Report will take stock of the progress. Preparations of this second exercise will start soon. The Commission can now build on experiences with the preparation of the first report, will aim at an even more exhaustive, second report.

### **3.2 Birth registration and civic records**

11. The EU will develop a framework for raising issues of statelessness with third countries by 2014.

The European External Action Service (EEAS) is finalizing in cooperation with the European Commission a framework for raising issues of statelessness with third countries. The EEAS has consulted the UNHCR and civil society experts on this issue. On the basis of the information received EEAS is drafting a list of priority countries on the issue of statelessness and also on arbitrary detention of migrants. The aim is to issue a guidance note to desk officers in the EEAS and the European Commission (Directorate General for Home Affairs), and EU Delegations in the countries concerned, which will be accompanied by a background information and key advocacy points on each of the priority countries. It will complement campaigns on both issues that have been launched by the UNHCR.

## **C. Strengthening the nexus between the national and international levels**

### **1. The International Criminal Court**

12. The European Union and its Member States refer to the pledges concerning the International Criminal Court made at the Review conference of the Rome Statute of the International Criminal Court (Kampala, 31 May – 11 June 2010) and at the 31<sup>st</sup> International Conference of the Red Cross and Red Crescent (Geneva, 28 November – 1 December 2011) and they pledge to promote the greatest possible participation in and implementation of the Rome Statute of the International Criminal Court, the development and maintenance of an effective court and the realization of the principle of complementarity. To these ends, the EU and its Member States will particularly emphasize the ratification and acceptance of the Statute in negotiations and political dialogues with third countries, regional organisations and other regional groups, include provisions concerning the ICC and the international justice into EU agreements with third countries, promote dissemination of the values expressed in the Statute and cooperation with other states, international organizations and representatives of civil society. The EU and its Member States will facilitate technical assistance to interested states by supporting legislative work for the accession to the Statute, supporting their participation in the ICC and their access to the instruments of the ICC.

The realisation of this objective requires the use of a variety of instruments such as political dialogue, demarches or other bilateral means, statements in the UN and other multilateral bodies and support for the dissemination of the ICC principles and rules. It may also be important to assist countries which have the necessary political will but may encounter difficulties with ratification, accession or implementation of the Statute. This may involve, inter alia, concrete expert assistance, financial support and/or access to relevant information.

Achieving the widest participation in the Rome Statute is also an EU objective during enlargement negotiations and the accession phases of countries with an EU perspective, as adherence to the values of the Rome Statute and its ratification are part of the "acquis communautaire" to be fulfilled prior to becoming a member of the EU.

Since 2002, the EU has carried out over 430 demarches targeting more than 130 countries and international organisations, at the rate of approximately 35 to 45 per year. These demarches encourage the ratification and implementation of the Rome Statute, as well as ratification of the Agreement on Privileges and Immunities, and highlight, wherever appropriate, the EU guidelines on bilateral non-surrender agreements. The EU's action has contributed to increase the number of States Parties.

The importance of supporting the ICC is also raised with third countries as appropriate at political dialogue meetings and Summits.

The EU systematically seeks the inclusion of a clause supporting the ICC in negotiating mandates and agreements with third countries.

So far the revised Cotonou Agreement of 2005 which applies to 76 African, Caribbean and Pacific countries is the only binding legal instrument including an ICC-related clause. This clause is a good starting point to be followed when negotiating other agreements, although it is necessary to adopt a case-by-case approach.

To date, ICC clauses have been agreed in the Partnership and Cooperation Agreements (PCAs), Trade Cooperation and Development Agreements (TDCAs) and Association Agreements (AAs) with Indonesia, Iraq, Republic of Korea, Mongolia, The Philippines, South Africa, Thailand, Ukraine, Georgia, Moldova, New Zealand, Canada, Kazakhstan, Singapore and Vietnam as well as the Andean Community and Central America. The ratification process of these agreements is on-going.

In the framework of the European Neighbourhood Policy (ENP), ICC clauses are included in the Action Plans with the following countries: Armenia, Azerbaijan, Egypt, Georgia, Jordan, Lebanon, Moldova and Ukraine.

The relevant framework for the provision of technical assistance to interested states is set out in the EU Action Plan. Diverse forms of assistance are envisaged.

The EU has also drawn up a list of experts to provide countries with technical assistance. The EU experts may be mandated to provide technical assistance on behalf of the EU, including tasks such as:

- co-operation with requesting third states on any technical issue related to the participation in and implementation of the Rome Statute and its instruments as well as any form of co-operation with the ICC;
- participation in seminars, symposiums, conferences or any other national or international events either of an academic or an official character as well as in relevant civil society events as necessary for the widest possible dissemination of the values, principles and provisions of the Rome Statute and related instruments, implementation of the Council Decision, and co-operation of the EU with the ICC.

Since 1995, the EU, through the European Commission, has funded civil society organisations working to promote the adoption of the Rome Statute and its subsequent entry into force under the European Instrument for Democracy and Human Rights (EIDHR). Since 2003, after the Rome Statute came into force, the EU has provided funding of more than € 30 million to the global ratification campaigns undertaken by civil society organizations and to projects of the ICC.

In this way, the European Commission has been the principal financial supporter of many of these organizations whose work has gone a long way in increasing the ratification rate of the Rome Statute and awareness of the mandate of the Court and to promoting the principle of cooperation and especially the principle of complementarity. One of the current civil society beneficiaries is, for instance, the Coalition for the International Criminal Court (CICC), which includes 2,500 civil society organizations in 150 different countries working in partnership to strengthen international cooperation with the ICC. Another beneficiary is the NGO Parliamentarians for Global Action (PGA), a network of over 1300 members from 131 Parliaments around the globe who, in their individual capacity and using their prerogatives as law-makers, undertake initiatives to support the ICC and the rule of law.

In 2012 the European Commission organized a call for proposals (CfPs) under the EIDHR on the issue of impunity with a total budget allocation of €6 million to promote the effective functioning of the ICC and the Rome Statute system through civil society actions. Through this CfPs four global projects and regional projects have started their activities in 2013.

Since 2004 the European Commission has directly supported the ICC's Internship and Visiting Professional's Programmes with grants more than € 6 million. This has strengthened awareness of the Court's mandate and proceedings among key personnel from national ministries and legal communities and enhanced the practical implementation of the principle of complementarity. A number of participants in previous programmes are reported by the Court to have already contributed substantially to stimulating ratification processes in their respective countries.

Annual seminars and training of lawyers on the ICC List of Counsel is a follow-up program which substituted the ICC Internship and Visiting Program in order to better respond to the new priorities and challenges in the international arena. Launched in 2010, the project is a manifestation of the Court's commitment to engage legal professionals with its work and its progress establishing a mutually beneficial dialogue. So far, the EU contribution amounts to € 4 million. Until now, this project has brought together more than 550 Counsels from state and not state parties to the Rome Statute in The Hague.

A further project, the ICC Legal Tools Project, seeks to be a practical and sustainable vehicle for legal information, knowledge transfer and legal empowerment, aimed at strengthening capacity, primarily at the national level, to work more effectively and professionally on core international crimes as enshrined in the Rome Statute and national legislation.

In 2014 the database of the Legal Tools projects received 1.605.834 hits. The number of visible documents in the collections of the database will surpass 70,500 selected documents, 21,118 public ICC documents. Both the number of visitors from non-European countries and documents in the database are constantly on the rise. Among the estimated results five countries will receive in-depth user training for the new ICC Case Matrix, one in Latin America, two in Africa, one in Asia, and one in Eastern Europe.

Future support to ICC will be focused on broadening the understanding of and knowledge about the ICC and Rome Statute amongst target groups and to strengthen ties with the target groups by getting them involved in organising, promoting or otherwise supporting initiatives in the interest of the ICC as well as to continue providing free access, training and coaching to legal information in international criminal law, legal digests and specialised software to work with such law. The Court has extensive investigation and prosecutorial experience and expertise on the national judicial system. This provides opportunity to share, within the framework of the Rome Statute, information and assist national jurisdictions by involving national legal professionals in the practical work of the ICC.

In accordance with the Decision and Action Plan, the EU is committed to promoting the implementation of the Rome Statute.

All EU Member States have put in place legislation necessary to implement the Rome Statute and exchange information on their experience with this legislation on a regular basis.

The European Commission (EC) and the EEAS have established a Joint Staff Working Document (SWD) on Advancing the Principle of Complementarity - Bridging the gap between international & national justice, which was transmitted to the Council on 31 January 2013. The Joint SWD on Advancing the Principle of Complementarity is in line with the Council Decision on the ICC according to which the "Union and its Member States shall, as appropriate, take initiatives or measures to ensure the implementation of the principle of complementarity at national level." The EU Action Plan on the ICC further provides that "the EU will carry out work to establish a complementarity toolkit which will describe how the application of the principle of complementarity can be strengthened through existing and future justice and rule of law assistance. The EU and its Member States will endeavour to work together in the development of the toolkit and use it as appropriate". As an internal tool, the Joint SWD offers operational guidelines to EU staff in EU Delegations and at HQ on how to make the principle of complementarity work at the national level, while respecting the Rome Statute. It also suggests operational entry points for intervention in the area of criminal justice and the rule of law in order to promote the principle of complementarity in country-specific situations in line with the Decision and the Action Plan mentioned above. The Joint SWD addresses the legal, political and development dimension of the principle of complementarity; shows how complementarity can be made work in practice; and highlights relevant areas of intervention.

The EU strongly supports the principle of complementarity by promoting sector-wide justice reforms at national level as a part of bilateral programmes on governance. This will further continue during the next programming period 2014-2020. Under the EIDHR, the European Commission provides continuous funding to CSOs to implement Council Conclusions of 2011. It also envisages in its new Multiannual Indicative Programme 2014 - 2020 as a part of the fight against impunity support to transitional justice processes at country level.

A first EU-ICC roundtable took place in July 2014. It is based on 2006 Agreement between the ICC and the European Union (EU) on cooperation and assistance. According to the Agreement the EU and the ICC are to, inter alia, cooperate closely with each other and consult each other on matters of mutual interest (Art. 4) as well as ensure the regular exchange of information and documents of mutual interest (Art. 7). According to the 2011 Council Decision on ICC and EU Action Plan on the implementation of the Council Decision, the EU shall establish regular contacts with the ICC to assess the implementation of the 2006 Agreement on cooperation and assistance.

## **2. Addressing transnational threats**

### **2.1 Counter-terrorism**

13. The EU pursues a civilian approach addressing counter-terrorism globally on the basis of criminal justice and the rule of law while protecting human rights. The EU promotes confidence building through regular counter-terrorism and security political dialogues and assists countries in need in their efforts via capacity building measures.

In the field of prevention and fight against terrorism, the EU will continue to support an overall rule of law approach, the development of effective institutional and legal frameworks, national and regional counter-terrorism strategies and to strengthen the capacities of law enforcement and judicial institutions in partner countries in the Sahel, Horn of Africa and South Asia, including Pakistan. Furthermore, the EU will continue its effort in promoting the UN conventions and resolutions related to terrorism, in particular the UN Global Counter-Terrorism Strategy, and will engage actively in multilateral initiatives, such as the Global Counter-Terrorism Forum.

The EU pledges to increase its support for counter-terrorism capacity building measures, and by 2014, to support the enhancement of partner countries' capacity to:

- promote the criminal justice systems based on the full respect for rule of law and human rights;
- ratify and implement all the UN conventions on terrorism;
- support resolutions related to terrorism, especially the UN Global Counter-Terrorism Strategy with all the overall approach it embodies;
- exchange information, also at regional and international levels;
- anticipate a terrorist act;

- formulate appropriate response measures;
- conduct policies on countering violent extremism;
- conduct investigation and prosecution of terrorist cases based on the full respect for rule of law and human rights, while enhancing inter-agency and regional collaboration.

In response to the existing terrorist threat, the EU and the UN have introduced specific counter-terrorism strategies contributing to global security. The EU CT strategy, adopted in 2005, to combat terrorism effectively proposes to organize its actions around four objectives: prevention, protection, pursuit and response. The EU Counter-Terrorism Strategy strives to resolve conflicts and promote good governance and democracy. These are essential elements of the Strategy, as part of the dialogue and alliance between cultures, faiths and civilisations, in order to address the motivational and structural factors underpinning radicalisation into violent extremism. International terrorism poses a highly significant threat to peace and security.

The EU has a particular commitment through the Lisbon Treaty to support the UN and an international system based on the rule of law. The EU fully supports the UN's key role in the prevention and fight against terrorism and promotes compliance with international law and human rights. The UN Global CT Strategy with its four pillars is a cornerstone for the EU and its Member States, with regard to both their national efforts and their worldwide partnerships. Implementation of the UN Global CT Strategy remains central to the efforts of the EU which attaches great importance to the Strategy's global CT framework, prescribing a holistic approach to tackling terrorism, including not only rule of law, law enforcement and other security measures, but in particular respect for, and promotion of, human rights.

While fully subscribing to all four pillars of the UN Global CT Strategy, the EU places particular significance to the implementation of Pillar IV on measures to ensure respect for human rights for all as well as the rule of law as the fundamental basis of the fight against terrorism. Effective CT measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing. The strong human rights element within the UN Global CT Strategy is a key reason for supporting the project with the UN's Counter Terrorism Implementation Task Force (CTITF) on implementation of the Global CT Strategy in Central Asia. Its first phase has been completed and the second phase is in the process of being implemented. In addition, the EU stresses the need to promote and protect the rights of victims of terrorism.

#### Promoting Dialogue, Creating International Consensus and Enhancing International Efforts Political engagement with third countries on Counter-Terrorism:

The EU's key objectives at global level remain to deepen the international consensus and enhance international efforts to combat terrorism. As part of a comprehensive approach, the EU has developed CT Political Dialogues with many key partners and international organisations. They contribute to deepening the bilateral and international consensus and enhancing international efforts to prevent and fight terrorism. They form part of our overall approach to build confidence and trust with key partners which requires a continuous engagement on both sides. Specific dialogues were held with the UN and its agencies

(including UN CTED, UN CTITF and UNODC) and the United States (both six-monthly), Canada, Turkey, Pakistan, the Kingdom of Saudi Arabia, the United Arab Emirates and Australia (all on an annual basis). There was also to be a dialogue with the Russian Federation, which however had to be postponed due to recent events.

Terrorism related issues are also discussed in several other EU political dialogue meetings including foreign policy security dialogues. The main focus of these political dialogues is placed on joint assessments of counterterrorism threats, regional/international cooperation, counter-radicalisation into violent extremism and recruitment as well as terrorist financing. The political dialogues also consist of an exchange of views on key counter-terrorism developments and are an important platform to raise critical issues at stake. In this context, one of the key topics raised in political dialogues has been the issue of Foreign Fighters in Syria or Iraq: those travelling from abroad to fight with terrorist groups in Syria or Iraq, becoming (further) radicalized into violent extremism there, and on return to their home countries posing a possible threat by committing acts of terrorism or acting as catalysts for it. The dialogues also serve to address counter-terrorism issues in the wider security context linked with political, social and economic developments.

Priorities for capacity building measures are discussed at the CT political dialogues. They facilitate coordination efforts with donors and recipients at headquarters and field level and also support the implementation of the relevant EU CT strategies and Action Plans. The political dialogues have illustrated clearly that these regular exchanges have increasingly contributed to formulating, planning and implementing counter-terrorism strategies. They are therefore a strategic, long-term instrument of EU's counter-terrorism engagement. Relevant EU institutions and agencies are engaged in the activities of third countries.

#### The Global Counter-Terrorism Forum (GCTF):

The EU has been a strong supporter of the GCTF, a civilian, multilateral counter-terrorism grouping of 30 founding members (29 countries plus the EU) launched in 2011. The GCTF identifies urgent needs, devises solutions, and mobilizes resources for addressing key CT challenges facing civilian institutions with a primary focus on countering violent extremism and strengthening criminal justice and other rule of law institutions dealing with terrorism.

Since the establishment of the GCTF, the EU has made substantive contributions to the GCTF by participating in the Forum's and working groups' meetings as well as functioning as the co-chair (with Turkey) of the Horn of Africa Capacity-Building Working Group, one of the five (three thematic and two regional) GCTF Working Groups. Following the inaugural meeting in Dar es Salaam, Tanzania, in 2012, the Horn of Africa Working Group Plenary was convened in Addis Ababa, Ethiopia, in March 2013 focusing on anti-money laundering and countering the financing of terrorism. In May 2013, the Horn of Africa Working Group launched a Capacity-Building Assistance Coordination Platform in Nairobi, Kenya fostering local coordination between donors and recipients. The GCTF Horn of Africa Working Group Plenary meeting in Nairobi on 11-13 March 2014 focused on CT capacity building coordination in the Horn of Africa and Yemen in particular in the areas of law enforcement, countering financing of terrorism and countering violent extremism. At the GCTF Ministerial in New York in September 2014, both EU and Turkey re-confirmed their commitment to continue as co-chairs of the GCTF Horn of Africa working group. The EU supported the establishment of the Hedayah Centre of Excellence on Countering Violent Extremism in Abu Dhabi as well as the International Institute for Justice and the Rule of Law (IIJ) in Malta. The

EU has contributed, and will continue to do so, to the establishment in June 2014 and curriculum development of the Institute, by supporting an extensive stock-taking assignment of CT-related criminal justice reform and training needs.

It also supports the establishment and operation of the Global Community Engagement and Resilience Fund (GCERF). This fund is meant to support current and future efforts of governments and community-based organizations to address violent extremism and foster resilience to violent extremist agendas in a complementary way. Its added value will be in multi-sectoral participation (non-government, municipal government, private sector) and an approach to develop solutions to the local causes of radicalization and recruitment to terrorism. This way it will be possible to support smaller initiatives/projects without unnecessarily cumbersome administrative procedures for each and every project. On 16 July 2014, the EU organised a GCTF event with a session on Horn of Africa WG dedicated to a regional mapping exercise and another one on GCTF inspired initiatives, especially GCERF and the IJJ. As of 2014 the EU has committed support to related GCTF initiatives on building capacity in third countries on countering violent extremism (CVE) through the Hedayah CVE Centre of Excellence in UAE (€5m), and contribution to the GCERF (€2m), to be implemented in 2015, and to the IJJ.

In addition, the EU supports regional CT cooperation efforts by the African Union, the Council of Europe, the Organisation for Security and Co-operation in Europe (OSCE), ARF, the G8/7 and the FATF work.

#### Building States' Capacity to Efficiently Combat Terrorism

The EU has strengthened its capacity-building programmes and sees, in particular with respect to the review of the implementation of the UN Global Counter-Terrorism Strategy, an increased need to deepen bi- and multilaterally and prioritise the coordination, funding and implementation of capacity-building programmes.

The EU is a key supporter of non-EU countries in their fight against and prevention of terrorism. The EU capacity-building measures primarily assist law enforcement and judicial cooperation, countering terrorist financing and counter-radicalisation into violent extremism measures as well as the amelioration of conditions conducive to the spread of terrorism. It acknowledges the nexus between development and security, protection of human rights and promotion of the rule of law. EU CT assistance has primarily focused regionally on the South Asia region (in particular Pakistan, Afghanistan), Sahel (Mauritania, Mali, Niger), Nigeria, the Horn of Africa and Yemen, as well as thematically on the implementation of global UN standards on counter-terrorism.

The EU supports and promotes multilateral and regional CT cooperation. In its cooperation with other countries and regions, the EU has started to develop comprehensive CT strategies, in particular in the Sahel, the Horn of Africa/Yemen and Pakistan. These strategies as well as the EU-Sahel strategy on development and security and the Maghreb Communication of December 2012 are the basis for EU CT actions in the regions concerned. On 20 October 2014 the FAC approved a CT/foreign fighters' strategy for Syria and Iraq which aims at political outreach towards third countries and at finding the right programmes to be implemented on the ground. These strategies reflect our long-term engagement building on national and regional CT approaches which in turn ensure ownership and participation. The

EU has been providing financial support to CTED, UNODC, CTITF and INTERPOL in this regard.

#### The Horn of Africa / Yemen:

In January 2013, the Foreign Affairs Council adopted the CT Action Plan for the Horn of Africa and Yemen, implementing the CT strand of the EU Strategic Framework for the Horn of Africa of November 2011. Its implementation is progressing. As part of the implementation of this Action Plan the EU developed three key initiatives in the Horn of Africa region/Yemen:

- Strengthening Resilience to Violence and Extremism (2m €), focussing especially on Kenya, Somalia and Ethiopia, aims to support the regional capacity of security sector and law enforcement to fight violent extremism; strengthen the capacity of women's organisations in Puntland and Somaliland to fight violent extremism; develop an understanding of the challenges faced by EU-born Somali youth in Somaliland, and increase the understanding of the drivers of radicalisation into violent extremism among youths in Kenya.
- Countering the Financing of Terrorism (6m €), covering Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda as well as Yemen, aiming to improve national (focusing mainly on Ethiopia and Kenya, but also Somalia) and collective efforts to effectively meet international standards on anti-money laundering and CT financing in the sub- region.
- Building Law Enforcement Capacities in the Horn of Africa/Yemen in particular in Somalia and Kenya (€11m to be implemented in 2015).
- Regional Law Enforcement – Horn of Africa (11m €) with the objective to enhance the capacity and capabilities of intelligence and law enforcement officials and prosecutors in the Horn of Africa Region (IGAD + Yemen) to disrupt acts of terrorism and take legal actions against terrorism suspects guided by the rule of law and with due respect for human rights.

The EU HR/VP Ashton together with the President of Somalia hosted the Somalia Conference in Brussels on 16 September 2013. The EU remains concerned about the continuous threat which terrorism poses to Somalia, the wider region and at global level. The EU has committed itself to help build regional capacities to tackle the threat of terrorism, to support regional law enforcement cooperation and counter violent extremism, including through the work of the GCTF, working with regional bodies, national governments in the Horn and in Yemen, and with key partners, such as the UN and the AU. In order to better coordinate the separate efforts by different stakeholders and create synergies, the EU and its partners have agreed to establish national donor platforms in the region.

#### South Asia:

Pakistan: Following the May 2013 elections in Pakistan, the EU reaffirmed its intention to intensify its work with the new government on the 5-Year Engagement Plan. The EU-Pakistan CT strategy (agreed in June 2012) was followed up by a draft EU-Pakistan CT Action Plan still under negotiation following the May 2013 elections. The EU has affirmed the need to enhance efforts on countering violent extremism and strengthening the rule of law. The EU already supported Pakistan on law enforcement and criminal justice (a first law enforcement programme [10m €] ended in February 2012 and a counter terrorism forensics programme started in 2013, [1,8m €]). In 2014, the EU launched a CT programme (5m €) addressing the prevention of terrorism, in particular radicalisation into violent extremism and

recruitment for terrorism in Pakistan. This programme is concentrating on Countering Violent Extremism (CVE). It is named STRIVE, Strengthen Resilience to Violent Extremism.

Afghanistan: Afghanistan is a recipient of one of the largest EU development programmes (€200m a year). In addition, the EU supports EUPOL Afghanistan, launched in 2007, which aims at helping to establish sustainable and effective civil policing arrangements in Afghanistan. The mission was extended until end in 2016.

#### Sahel/West Africa:

The Strategy for Security and Development in the Sahel (2011) is the first comprehensive regional strategy for security and development. It is built around four pillars: governance, development and conflict resolution; security and the rule of law; prevention of radicalisation; and political engagement. In the Sahel the EU is supporting (under the Instrument contributing to Stability and Peace – Long Term component) a five-year EUR 8.7 million Counter-Terrorism programme in the Sahel region, covering Mali, Mauritania and Niger. The CT Sahel Programme aims to strengthen national capacities of law enforcement (police, gendarmerie and garde nationale) and judiciary to fight terrorism and organised crime, as well as to support the progressive development of regional and international cooperation against these threats. The project engages at both the national and regional level: specific trainings on information sharing aim to strengthen national capacities to anticipate and respond to terrorist attacks; at the regional level, cooperation is encouraged through the 2012 establishment of the Sahel Security College (CSS). This 'virtual' college acts as an Africa-led regional hub for training and exchange and provides a common regional institutional framework within which cooperation can be fostered.

Under the so-called Cocaine Route Programme, funded since 2009 under the IcSP long-term component, and aimed at fighting organised crime and drug trafficking along the cocaine route from Latin America to West Africa, specific actions are targeting Niger and Mali. These include the Airport Communication Project (AIRCOP) aimed at setting-up interdiction task forces in selected international airports in Africa and Latin America and connecting them to international law enforcement databases; and the West African Police Information System, (WAPIS), to support in a few pilot countries the set-up of national and eventually regional databases to collect relevant police information

The civilian CSDP mission EUCAP SAHEL Niger aims at strengthening capacities in Niger to fight terrorism and organized crime. The Mission's primary tasks are to (a) advise and assist in the implementation of the security dimension of the Nigerien Strategy for Security and Development; (b) support the development of a comprehensive regional and international coordination in the fight against terrorism and organized crime; (c) strengthen the rule of law through the development of criminal investigation capacities; develop and implement adequate training programs.

Other EU programmes support Mali in its administrative efforts in Northern Mali. On 18 February 2013 the EU launched its training mission in Mali (EUTM Mali) with training of military on rule of law, justice, gender and security issues. The objective of the mission is to support the training and reorganisation of the Malian Armed Forces. The operation is an integral part of the EU's comprehensive approach to the situation in Mali and the Sahel. It is intended to help improve the military capacity of the Malian Armed Forces in order to enable them, under civilian authority, to restore the country's territorial integrity. The mission

provides training support for the benefit of the Malian Armed Forces unit capabilities; training and advice in command and control, logistical chain and human resources as well as on international humanitarian law, the protection of civilians and human rights.

As part of its wider engagement, the EU finances the deployment of civilian human rights monitors from the African Union, ECOWAS and the UN. On 15 May 2013, the EU and France in close collaboration with Mali held the Donor Conference for Development in Mali (“Together for a New Mali”). The aim was to mobilise and coordinate support from the whole international community for Mali’s development.

On 15 April 2014 the Council established a civilian CSDP mission to support the internal security forces in Mali. EUCAP Sahel Mali is an additional contribution to the EU's overall support to stability, institutional reform and the full restoration of state authority throughout the country. The mission will support the Malian state to ensure constitutional and democratic order and the conditions for lasting peace as well as to maintain its authority throughout the entire territory. The mission will deliver strategic advice and training for the three internal security forces in Mali, i.e. the police, Gendarmerie and Garde Nationale, and coordinate with international partners.

The EU has also supported improved cooperation between states in West Africa and the Sahel, for example, by supporting the WAPIS, the creation of the Sahel Security College mentioned earlier, and the ECOWAS drugs and crime action plan. Mauritania is one of the strongest CT performers in the region, and the government has shown its determination to tackle the threat. The EU has a number of projects either active or in the pipeline, focusing on judicial capacity-building. Work is also underway on a €13m project to bolster the security sector (including military) and its capacity to address CT. Nigeria is a country of increasing concern regarding the terrorism threat. The EU has financed a study on the Boko Haram movement to increase understanding of its drivers, strategy and aims. The results of the study have been shared with the Government of Nigeria as part of an on-going dialogue on the security situation. The EU has also a long-term project underway with Nigeria to report on the nature of Boko Haram and measures to counter radicalisation and recruitment to it. More specifically, a CT scoping mission in December 2012 led to a CT package (18 months/9.9m EUR in total) with 2 components:

- Cooperation in the UNODC/CTED initiative to strengthen Nigeria’s criminal justice response to terrorism through a training programme for law enforcement agencies entitled "Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multi-dimensional security (Terrorism)" (Total: 1.75m €).
- Technical assistance to the Office of the National Security Advisor (ONSA) which is currently heavily focused on counter-radicalisation/CVE, support. This also comprises possible facilitation of a table-top exercise as a training component for new staff of the CT unit recently created in the ONSA, to test and help with the implementation of Nigeria’s new CT crisis management procedures and CT Strategy (NACTEST) and training/best practice on the use of intelligence in a multi-agency context, as well as the development of a human rights component to standard law enforcement training curricula (Total: 7.65m € plus 0.5m € for equipment).

#### Maghreb:

The Maghreb as a region in transition and within Europe’s immediate neighbourhood is a priority region for the EU. The EU is further looking to support the Maghreb region with

respect to security sector reform in the countries in transition, as well as CT assistance in the fields of rule of law and human rights, judicial cooperation, law enforcement, CVE and other areas of common interest. With Maghreb and its countries in transition being a key region for Europe, the EU published a Joint Communication in December 2012 entitled "Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia". This Communication is part of the overall EU response to the changes in the Southern Neighbourhood. In an effort to implement the Joint Communication, the EU is providing support to the UNODC and CTED "Global Initiative in effective counter-terrorism investigations and prosecutions while respecting human rights and the rule of law" by funding (3 m €) a joint UNODC-UN CTED project promoting rule of law compliant investigations and prosecutions in the Maghreb. For the year 2016, a CT programme on law enforcement, criminal justice, and rule of law cooperation in the Maghreb and Middle East (also to encompass the terrorist threat emanating from Syria) is planned, endowed with € 11 m, to be agreed in 2015. There is also a programme on CT aviation security standards in North Africa (€7m, to be implemented in 2015).

#### Turkey:

The EU has been engaging closely with Turkey to further enhance our cooperation in the fight against terrorism, both through political CT dialogues, as well as through joint programmes and information sharing, as in the case of foreign fighters. We also organise regular sessions through Eurojust, where investigators and prosecutors from both EU and countries and Turkey get together to exchange experiences and practices.

#### South East Asia:

The EU is funding a project implemented by UNODC to support counter terrorism efforts in the South East Asia countries including the promotion of regional law enforcement and criminal justice cooperation. The implementation of this project started in 2012.

14. The EU also pledges to implement measures on countering violent extremism (CVE), as well as on countering terrorist finance (CFT) and illicit financial flows by promoting anti-money laundering framework, especially FATF recommendations, by 2014.

#### Combating Money Laundering and Countering the Financing of Terrorism

Countering the financing of terrorism is a core component of the EU's CT strategy. As terrorists and their supporters constantly modify their ways to raise, move and gain access to funds, we need to adapt instruments and measures to deprive them of the possibility to engage in criminal activity. This includes taking a proactive stance against the increasingly prominent and lucrative concept of conducting kidnaps for ransom payments, and also identifying best practices with the aim of integrally tracking financial flows. The EU has developed a range of measures that aim at cutting off terrorists' access to funding, and we are committed to the implementation of the Financial Action Task Force (FATF) standards. The EU actively contributes to the work of the FATF as well as to the implementation of the FATF Recommendations in the EU and in third. Relevant initiatives include support provided under the IcSP – long-term component to a number of actions, such as a grant to the GAFISUD organization to support its member states' anti-money laundering efforts, the AML-WA project to encourage Inter-Regional and International effort in anti-money laundering with financial intelligence units and Law enforcement officers from four West African countries (Nigeria, Senegal, Cape Verde and Ghana) and to contribute to the development of a West African Asset Recovery Network; and CFT Horn of Africa. This initiative (€ 5.9 m) will

contribute to the national and regional efforts to effectively meet international standards on anti-money laundering and counter-terrorist financing in the Greater Horn of Africa region.

In addition, relevant UN Resolutions, the UN Convention for the Suppression of the Financing of Terrorism and Council of Europe instruments play an important role in countering terrorist financing. The EU-U.S. Counterterrorism Finance Workshop, held in Brussels in December 2013, focused on assessing the terror finance threat in the Maghreb region, contextual challenges of the illicit finance environment in the Sahel-Maghreb regions, Kidnapping for Ransom (KfR), and identifying existing capacity-building programs and gaps therein. Another EU-US workshop in Athens on 22 May 2014 targeted financial flows to the conflict in Syria/Iraq and the role of neighbouring countries. On 9 November 2014 there was an Experts Meeting in Bahrain on CFT, with participants of the Paris International Conference on Peace and Security in Iraq, to discuss ways of enhancing efforts to combat the funding of terrorist organisations both within and outside of the Middle East and North Africa (MENA) region. An “Experts Declaration” was agreed to in this framework. Main focus of the meeting was on how to reinforce effective implementation of FATF recommendations (in particular REC 5,6 and 10) in relation to the UNSCR’s in the fight against terrorism financing and how to match EU response to new TF resources coming from smuggling oil, KfR, Extortion and control of territory as well as Private donations in order to safeguard the global financial system and prevent ISIL (and other terrorist organisations) to operate through the International financial system.

#### Countering Radicalisation into Violent Extremism and Recruitment

The UN Global Counter-Terrorism Strategy’s Pillar II on measures to prevent and combat terrorism is one of the key priorities for the EU in its internal and external counter-terrorism policies. In June 2013, The European Council concluded to update the EU Strategy for Combating Radicalisation and Recruitment to Terrorism in order to meet current, emerging or future needs in the context of preventing people from being drawn into terrorism. In January 2014, the European Commission presented a Communication to strengthen the EU’s response to radicalisation and violent extremism, identifying ten areas in which Member States and the EU are called to reinforce their actions to prevent all types of extremism that lead to violence. This Communication has contributed to the revision of the EU Strategy for Combating Radicalisation and Recruitment in the summer of 2014. The existing Radicalisation Awareness Network (RAN) is functioning as a good tool to assist local practitioners and to facilitate the exchange of experiences and best practices between them. RAN is flourishing and managed to create a Knowledge Hub to foster cooperation on CVE issues among experts. In November 2012, the EU organised an international conference on external aspects of radicalisation and recruitment to terrorism/countering violent extremism in Brussels. The key issue was to develop capacities on how to develop relevant interventions and on how to better support third countries in their CVE efforts. Discussions focused on the Horn of Africa and Pakistan. The first projects in this field have been launched, starting with the Horn of Africa (2m €).

The EU also conducted a number of regional CVE training workshops in Nairobi, Dakar, Abu Dhabi and Rabat to improve the capabilities of EU staff and EU Member States embassies in developing specific interventions. These workshops took place in 2013/2014.

#### Foreign Fighters

One of the key concerns has been the issue of Foreign Fighters in Syria and Iraq: those travelling from abroad to fight in Syria and Iraq (territories controlled by the Islamic State of Iraq and the Levant /ISIL/), becoming (further) radicalized there, and on return to their home countries posing a possible threat by committing acts of terrorism or acting as catalysts for it. There are estimated to be Foreign Fighters from around 70 countries currently in Syria and Iraq, with a substantial contingent from the EU.

This poses a significant risk to European security, as well as to the regional situation. Sharing our analysis of the threat, and co-ordinating policy responses, has been a central element of counter-terrorism dialogues with 3<sup>rd</sup> countries.

Many of these are fighting with groups, both indigenous, such as Jabhat al-Nusra (JaN), or foreign, like Islamic State of Iraq and al-Sham (ISIS or also called ISIL), which subscribe to a violent extremist ideology. On their return to their home countries, these Fighters – whether acting on their own initiative, or tasked by AQ and its associates - pose a significant and growing threat to their home countries and to Europe and the wider region.

In 2013, the EU has recognised the threat and taken action to mitigate its effects. Following deliberations within the EU Council working groups on the phenomenon and after the adoption of 22 recommendations for action, a non-paper entitled "Terrorist Threat Emanating from Syria: External Action" was developed. The EU's objective regarding external action on the foreign fighters' issue is to ensure that we engage systematically and comprehensively with countries along the key transit routes and with the source countries, in order to engage systematically and comprehensively with those priority countries who can help us achieve our objectives ('multipliers'), and enable political engagement and support to allow more detailed project-based delivery priorities. The EU has established a strategic Engagement Plan to address internal and external aspects of this CT cooperation. Concerning an external outreach, the EU considers it vital to raise the awareness of this issue and consult with all key partners in the region as well as at international level.

In October 2014, the EU Council endorsed the EU's counter-terrorism/foreign fighters strategy for Syria and Iraq. The EU is committed to tackling in a comprehensive and coordinated manner the regional threat posed by terrorism and violent extremism and addressing the underlying instability and violence which has given ISIL / Da'esh and other terrorist groups a foothold. The EU supported efforts by more than sixty States to tackle the threat from ISIL / Da'esh, including military action in accordance with international law. It notes that military action in this context is necessary but not sufficient to defeat ISIL / Da'esh and it is part of a wider effort comprising measures in the political/diplomatic, counter-terrorism and terrorism funding, humanitarian and communication field. The EU called on all partners to enforce relevant United Nations Security Council Resolutions, including 2170 and 2178 and to step up efforts at national level to deny ISIL / Da'esh the benefits of illicit oil sales and other goods. Non-inclusive policies in Iraq, and instability in Syria caused by the Assad regime's brutal war against its own people, massive human rights violations and systematic obstruction against democratic reforms, have allowed ISIL / Da'esh to flourish. As a consequence of its policies and actions, the Assad regime cannot be a partner in the fight against ISIL / Da'esh.

The EU takes immediate and long term action to deny ISIL / Da'esh the benefits of its sources of funding and supply, and to enhance its counter terrorism and security cooperation with

countries neighbouring Syria and Iraq in line with the EU counter terrorism / foreign fighters strategy.

#### Strengthening the Rights of Victims of terrorism

The EU has strengthened the rights of victims, including the victims of terrorism, by adopting in October 2012 the Directive establishing minimum standards on the rights, support and protection of victims of crime, which establishes minimum standards for the level of protection, support and access to justice for victims in all EU countries. The EU has set up a European Network of Associations of Victims of Terrorism (NAVt) aiming at stimulating trans-national cooperation between associations of victims of terrorism and enhance the representation of victims' interests at the EU-level. The criminal justice approach towards terrorism is not only effective, but also by a public court hearing provides visible justice to the victims and their families. Our support to victims to meet their needs must remain a priority, as well as our commitment to actively promoting a policy of international solidarity. Victims and their associations can also contribute to preventing terrorist radicalisation and send a powerful appeal to non-violence and reconciliation. Their testimony is indispensable for the global recognition of the dangers that terrorism presents to human life, welfare and our way of living

15. By 2014, the EU will develop operational guidance to ensure the consideration of human rights, and where applicable international humanitarian law, in the planning and implementation of counter-terrorism assistance projects with third countries, in particular as regards the respect of due process requirements (presumption of innocence, fair trial, rights of the defence).

In consultation with EU Member States the European External Action Service and the European Commission have finalised in 2014 an operational guidance document to ensure the consideration of human rights, and where applicable international humanitarian law, in the planning and implementation of counter-terrorism assistance projects with third countries.

## **2.2 Organised crime**

16. The EU pledges to continue fighting against the manufacture of drugs and its trafficking along the main Cocaine and Heroin Routes in Latin America and the Caribbean, West Africa, Central Asia, the Black Sea region and the Balkans by assisting partner countries in their efforts against this scourge.

By 2015, the EU pledges to support partner countries mainly by providing training and capacity building to allow local law enforcement, judicial and prosecuting authorities to:

- ratify and implement international conventions, in particular the UN conventions on drugs, the UN Convention against Transnational Organised Crime and its protocols, and by doing this to integrate international community;
- adopt an intelligence-led approach to countering drug trafficking and other forms of trafficking (human beings, small arms, etc.);
- carry out complex investigations at regional and trans-regional levels;

- improve the collection and analysis of data related to drug trafficking;
- improve information sharing and exchange also through the establishment of adequate databases and communication networks;
- develop inter-agency cooperation;
- strengthen existing capacities and procedures in asset laundering investigation and confiscation;
- increase regional and international cooperation.

The decision to establish an EU Policy Cycle for organised and serious international crime was endorsed by the EU Council on 8 and 9 November 2010. The key objective of the Policy Cycle is a concerted intelligence-based approach to fighting priority crime areas (i.e. the main serious and organised crime threats) in the EU. The Policy Cycle is established by the Member States, with involvement and support by Europol (EU's law enforcement agency), other EU Agencies, the Commission and the Council. It is constantly monitored and updated in regular intervals. The Policy Cycle is based on the concept that Member States volunteer to conduct specific actions under the leadership of one of them ("driver").

The EU Policy Cycle encompasses those crime areas that, based on Europol's analysis and specifically the Serious Organised Crime Threat Assessment (SOCTA), have been confirmed and adopted by the Council as the priority areas in the fight against organised and serious international crime. The Policy Cycle follows a four-year strategic planning cycle and features yearly evolving Operational Action Plans (OAP) which define, per priority area, suitable concrete action to tackle the crime phenomenon.

The EU Policy Cycle 2014-2017 features nine priorities (e.g. drug and firearms trafficking, irregular migration, cybercrime, property crime, counterfeit and sub-standard goods which are potentially dangerous to health and safety). The OAPs in 2014 are focused on trafficking in human beings, counterfeit goods, excise fraud, missing trader intra-community fraud, synthetic drugs, cocaine/heroin, card fraud, child sexual exploitation, cyber-attacks, firearms and organised property crime. Their progress is evaluated by the interim reports provided by the drivers of each priority.

Moreover, the EU's external assistance to third countries in the fight against drug trafficking is reflecting the EU Drugs Strategy principles (the current Strategy covers the period 2013-2020, adopted by the Council of the EU on 7 December 2012) for a balanced and evidence-based approach towards drug demand and drug supply reduction, while it also aims to promote coordination and international cooperation.

In recognising the trans-national nature of drug trafficking and complementing support provided under bilateral envelopes, the European Commission has focused on regional and trans-regional assistance to address this challenge, also in line with the European pact to combat international drug trafficking - disrupting cocaine and heroin routes (adopted by the Council of the EU on 3 June 2010). The support entails primarily technical advice and capacity building initiatives for competent authorities, coupled with the promotion of trans-regional cooperation while fully respecting human rights.

Several initiatives have been funded under different financial instruments at a bilateral, regional and trans-regional level aiming at enhancing the international cooperation capacities of law enforcement agencies in a number of countries along the respective drug trafficking routes as well as supporting prosecution authorities to this end.

Most indicatively, complementing initiatives funded under other instruments (EDF and DCI) in both Latin America and West Africa, since 2009, under the Instrument contributing to Stability and Peace (IcSP; formerly known as the Instrument for Stability), the European Union has committed almost €50 million (including AAP 2014 commitments) over 40 countries along the cocaine route through the flagship Cocaine Route Programme in efforts to fight against both organised crime and drugs trafficking.

By supporting partner countries' capacities, it is carrying out activities in three main domains, notably the interception of illicit flows of drugs, fight against money laundering and improve information sharing.

The Cocaine Route Programme (CRP) has undergone an independent mid-term review in the first semester of 2013. The review concluded that the CRP constitutes a response to a problem and to needs that have been widely recognized as urgent by stakeholders in the EU and in partner countries, notably the threats posed by transnational organized crime and drug trafficking and their impact on security and development, and provides the EU with a valuable and innovative tool to tackle them effectively.

The Cocaine Route Programme was the first of its kind to think strategically about the flow of drug trafficking and to convert such theoretical concept into a series of practical measures and ultimately provide mechanisms for West African, Latin American and European partners to cooperate and integrate in a way that could mirror the cooperation and high mobility of criminal networks over the three continents.

Although being composed of eight self-standing components, the results of the different projects are complementary, addressing both in and outflow of drugs, the investment of illicit profits and the organisation of trafficking operations. A good momentum has been gathered so far among many beneficiaries and partners, and as awareness is growing and connections are being made, the Programme “carries the promise of yielding exponential benefits in participating countries over time”. As such, “there is a real opportunity in the Cocaine Route Programme to contribute to the organisational development of local law enforcement agencies and to evolve into a platform for South-South cooperation.”

Most of the projects have come a long way in building up local and regional capacities by forming, training, equipping, in encouraging inter-agency cooperation and information sharing, in adapting national legal frameworks when needed, in promoting an intelligence-led approach to investigation, and in enhancing regional, and to a certain extent trans-regional, cooperation.

Good results have been also achieved in terms of interdicting illicit flows. For instance under AIRCOP – Airport Communication Project to strengthen detection, interdiction and intelligence capacities in several countries in Africa, Latin America and Caribbean (implemented by UNODC in partnership with Interpol and the WCO; appr. 8 MEUR over

2010-2016), 366.38 kg of cocaine, 268.19 kg of cannabis, 64.55 kg of heroin, 197.11 kg methamphetamine, 1,396 kg of counterfeit drugs. In addition, 449 kg of ivory were seized. From 2011 to 2014, a total of 190 seizures were made and 237 people were arrested.

Under the AMERIPOL-EU project which is enhancing the capacity for law enforcement and judicial cooperation in tackling transnational organised crime networks, by also supporting the AMERIPOL Police Community in Latin America (implemented by a consortium of EU MS, app. 3,7 MEUR over 2010-2014), cooperation between the law enforcement agencies of Ecuador and Colombia under the project's aegis contributed to the seizure of 11 tons of coca in 2012; another AMERIPOL-EU operation that involved Venezuela, Spain, Brazil and Argentina led to 13 arrests in 2013 and the seizure of 11 luxury cars, six yachts and cash related to drug trafficking.

Other ongoing initiatives with a regional scope include the Cooperation Programme on Drugs Policies between Latin America and the European Union (COPOLAD), a partnership cooperation programme between the EU and Latin America which since 2010 pursues the strengthening of information exchange and cooperation between authorities responsible for drugs policies in both regions. The EU also plans to support the ECOWAS Regional Action Plan on Illicit Drug Trafficking, Organised Crime and Drug Abuse in West Africa.

In addition, the EU has commenced in 2008 a trans-regional programme to fight organised crime and drug trafficking in the countries along the so-called "Heroin Route" which commences in Afghanistan and then has different routes bringing the final product mainly to European, US, Chinese and Russian markets. The programme expands across 15 countries in Asia, Central Asia, the Caucasus, the Black Sea and Western Balkans and since 2008 it has a commitment of approx. EUR 18,5 million. The first phase (2008-2014) focused on cooperation with the Member States of the Economic Cooperation Organisation (ECO) –in particular Afghanistan and Pakistan– and comprises of four components addressing the strengthening of regional anti-drug coordination platforms; the improvement of law enforcement information exchange and cooperation; the creation of a network of specialised border control cooperation units; and the establishment of a network of forensic laboratories in the ECO region. The second phase which has been running in parallel since 2012 (2012-2015) consists of stand-alone projects with an objective to provide a framework enabling involved countries to ally through a regional law enforcement community. One of the actions aims at strengthening information networks at an operational level particularly in Central Asia by enhancing inter alia the capacities of existing regional platforms such as the Central Asian Regional Information and Coordination Centre for combating the illicit trafficking of narcotic drugs, psychotropic substances and their precursors (CARICC). Another action is focusing in selected countries in the Black Sea as part of the global Container Control Programme (implemented by UNODC and the World Customs Organisations) which seeks to establish port control units in seaports and dry ports in order to promote an interagency concept of targeted risk profiling to intercept drugs and precursor chemicals as well as other types of contrabands. An independent mid-term review of the Heroin Route Programme that was finalised in 2013 pointed out that its trans-regional approach is "relevant and in coherence with the current routes", while it concluded that through its activities the Programme is supporting general EU development cooperation goals, including the promotion of good governance and the rule of law, bringing it therefore at the heart of the security-development nexus.

From a regional perspective, the multi-annual Central Asia Drug Action Programme (CADAP) provides support for the development of policies and measures aimed at reducing drug demand since 2001 with an allocation until 2013 of EUR 20,7 million. The overall objective of CADAP is the gradual adoption of EU and international good practices to contribute to the reduction of drug production and use and to strengthen the institutional capacity to fight the drug phenomenon in the Central Asian region. Building on the EU Drugs Strategy and the lessons learned from the more than 10 years of implementation of CADAP, the EU's continued commitment through this strategic framework is to support effective, balanced, integrated and evidence-based approaches in order to reduce drug trafficking and drug use with effective law enforcement, judicial mechanisms and harm reduction measures.

The EU generally recognises that, in addressing the counter-narcotics issue especially with regards to the situation in Afghanistan, any strategy must be multi-faceted including deterrence, law enforcement, the judicial system stimulating the licit rural economy, border management, education and health interventions. To this end, in the case of Afghanistan which remains the lead producer and cultivator of opium globally, the EU has applied a holistic approach that aims at structural reforms and capacity building in key relevant sectors, namely civilian police and the judiciary, border management, health and by supporting rural development, including cooperating on alternative livelihoods. Beyond that, the EU has been supporting the regional 'Heart of Asia' Process and its Confidence-Building Measures. Specifically under the priority of counter-narcotics, the EU is also supporting the Regional Programme for Promoting Counter Narcotics Efforts in Afghanistan and its Neighbouring Countries implemented by the United Nations Office on Drugs and Crime (UNODC). In fact, addressing the problem of narcotics and corruption are two cross-cutting priorities in the new EU Strategy for Afghanistan 2014-2016, endorsed by the EU Council in June 2014.

The challenge of drug trafficking is also tackled through integrated border management initiatives funded by the EU that assist the gradual adoption of modern, integrated border management methods in order to enhance border security and facilitate legal trade and transit. Indicatively, the multi-annual Border Management in Central Asia (BOMCA) initiative has been one of the biggest flagship assistance programmes of the EU in Central Asia with accumulated allocations of EUR 33,6 million from 2002 to 2013 with an objective to improve the effectiveness and efficiency of border management in the five Central Asian countries by introducing advanced elements of integrated border management and by assisting governments in developing and reforming their migration governance, mobility and trade facilitation policies, as well as strengthening the capacities of relevant border and migration agencies. In supporting a joint regional approach as well as by promoting cooperation, coordination, expertise exchange and standard/practice approximation between Central Asian countries and the EU, BOMCA has been contributing towards building sustainable capacities in the region, including the strengthening counter-drugs capacities in agencies working at borders.

Similarly, the purpose of the Border Management in Northern Afghanistan project (BOMNAF) has been to improve cross-border cooperation and the capacity to reduce crime thereby increasing legal trade, travel and commerce along Afghanistan's border initially with Tajikistan, and since 2014 also with Uzbekistan and Turkmenistan by supporting the construction of new border posts, the supply of security equipment and creation of new cross-border markets along the border. As a result the project aims to reduce illicit movement of goods and people and to increase the legitimate trade exchanges in the region.

17. With particular reference to small arms, the EU pledges to continue countering illicit transnational trafficking in firearms by strengthening the international normative framework. To this end, it will promote the ratification and implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, in third countries.

The EU has been active in promoting the issues related to Small Arms and Light Weapons (SALW) and their ammunition in all multilateral fora as well as in its political dialogue with third countries in the context of relevant international instruments, such as the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITI).

The adoption of an Arms Trade Treaty (ATT) in 2013 is a promising premise to complement and reinforce the work being done in UN instruments such as the PoA and the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (UN Firearms Protocol). The EU has advocated for the inclusion of SALW in the ATT's scope which introduces legally binding obligations and new norms for the regulation of legal transfers of SALW, which will further reduce the risk of SALW being diverted to the illegal market as well as complement and reinforce other relevant UN instruments such as the PoA and the Firearms Protocol. 23 EU Member States already ratified the ATT. In order to support the universalisation and full and effective implementation of the ATT, the EU adopted Council Decision 2013/768/CFSP of 16 December 2013 which will provide significant funding in support of the ATT. When widely and effectively implemented, the ATT can make a significant difference in making legal international arms transfers more responsible and transparent, and in combatting the illegal or unregulated trade in conventional arms.

Following the adoption on 8 March 2012 of the Regulation 258/2012, implementing article 10 of the UN Firearms Protocol, on 11 February 2014 the Council adopted a Council Decision for the conclusion of the UN Firearms Protocol. The entry into force of this ratification decision by the EU is as from 3 April 2014.

In general, SALW issues were included in the agenda of a number of the EU's regular political dialogues with third countries and cooperation with regional organisations. Also, in line with the Council Conclusions on the inclusion of a SALW element in agreements between the EU and third countries adopted in December 2008, further negotiations on the inclusion of SALW elements in relevant agreements have taken place, indicatively only in 2014 with Brunei, Japan, Kazakhstan and Malaysia. Inter alia, the negotiations effectively contribute to awareness raising on the EU's SALW policy, provide a forum for increasing mutual understanding of relevant positions, identify possible areas for future cooperation and encourage partner countries to make concrete headway with regard to the effective implementation of relevant international instruments on SALW control.

According to Article 20 of the Regulation 258/2012, a Coordination Group of Experts has been set up to examine any question concerning the application of the Regulation 258/2012.

The first meeting was held on 11 February 2014. The meeting was important to discuss problems occurred in implementing the Regulation. It was useful to understand the different procedures of the Member States and try to reduce as much as possible useless discrepancies.

In December 2013, the Council of the EU adopted the Multiannual Strategic Plan (MASP), which is composed by 5 strategic goals and a detailed operational plan. This plan includes among other actions: coordinated collection and sharing of information on firearms crime; police control operations to tackle the principal sources and routes of illegal firearms, including the Western Balkans; and a programme of joint police customs operations under the direction of Member States and Europol and with the participation of the Commission.

At the EU-Western Balkans Ministerial Forum on Justice and Home Affairs, 19-20 December 2013 in Budva, Montenegro, all parties agreed on the setting up of a regional experts' network to combat illicit trafficking in firearms, within which police, justice and customs services would be represented.

On 23 October 2014 a Joint Law Enforcement Action Plan between the EU and South East Europe partners has been adopted. The Action Plan lists actions on operational and training level to improve the cooperation between the law enforcement agencies of the two regions in the fight against the illicit trafficking in firearms.

The EU has also continued the implementation of a wide range of concrete, complementary projects having a regional, trans-regional and global dimension on combating or preventing the illicit trade and excessive accumulation of SALW and their ammunition. The detailed implementation progress is elaborated in the 6-monthly Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of Small Arms and Light Weapons (SALW) and their Ammunition which is endorsed by the Council of the European Union on a bi-annual basis.

At a trans-regional level, covering Latin America and West Africa, the EU has supported, through the long-term component of the Instrument for Stability, the establishment of UNODC's Global Firearms Programme. The project started in 2011 with the objective to promote the ratification and implementation of the UN Convention against Transnational Organized Crime and its Firearm Protocol by providing capacity building, as well as technical and legislative assistance to the targeted countries. To date, the project has provided tailored legislative support to project countries to assist them in amending or adopting new domestic legislation for the implementation of the Firearms Protocol's provisions, and also undertook numerous capacity-building activities, including training workshops for criminal justice practitioners from five project countries on investigation and prosecution of firearms trafficking, incorporating cross cutting themes related to human rights safeguards. In addition, the project has consistently sought engagement with regional civil society bodies and parliamentarians and organised capacity building workshops in order to raise awareness on SALW issues and enhance civil society participation and oversight in the implementation of firearms strategies.

#### Western Balkans

On 9 December 2013, the Council of the EU adopted Council Decision 2013/730/CFSP in support of SEESAC (South-Eastern and Eastern Europe Clearinghouse for the Control of

SALW) and its disarmament and arms control activities in South East Europe, building on the work that SEESAC had completed during 2010-2012 under Council Decision 2010/179/CFSP. The Council Decision is meant to support activities in Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, the Republic of Moldova, Montenegro, and Serbia. Inter alia, it will help to further increase stockpile security, destroy SALW and their ammunition, improve marking and tracing of SALW, foster closer regional cooperation on SALW issues, as well as support the collection of illegal SALW possessed by the population of South East European countries.

Specifically for Bosnia and Herzegovina (BiH), the EU has been supporting several small arms control projects for years. An ongoing action is funded by the Instrument contributing to Stability and Peace (IcSP) crisis response component, namely the Explosive Ordnance and Remnants of War Destruction Project (EXPLODE) which commenced in 2013 and is implemented by United Nations Development Programme with a view to provide assistance and support to the national authorities in addressing the threats and risks posed for individuals and local communities by large and uncontrolled presence of explosive remnants of war and ammunition. The project builds on the work and consolidates the results achieved in the previous Small Arms Control Programme which run from 2005 to 2011. It is estimated that BiH has over 24,000 tonnes of military ammunition stockpiles, of which over 17,000 tonnes are chemically unstable and represent a high risk of uncontrolled explosion which could possibly lead to human casualties and may have negative impacts for the region as well. The BiH Ministry of Defence does not possess sufficient capacities, capabilities and financial resources to ensure that appropriate standards are in place at the storage facilities and therefore relies on EU and international support to assist in expediting the clearance and destruction of unexploded ordnances and explosives remnants of war as well as ensuring better stockpile safety. In responding to the devastating floods that hit BiH in May 2014 and caused a significant civilian and humanitarian crisis with over 70 % of flood-affected areas suspected to contain mines and over 2,000 flood-induced landslides driving previously undetected mines into floodwaters and along river banks, the European Commission increased the funding of the project to accelerate post-flood clearance operations and to prepare for longer term recovery.

#### OSCE region

The EU has been supporting activities to reduce the risk of illicit trade in, and excessive accumulation of, SALW in the region covered by the Organisation for Security and Co-operation in Europe (OSCE) in the framework of the Council Decision 2012/662/CFSP. The work has focused primarily on security upgrades to SALW of stockpile depots of conventional weapons and ammunition in Belarus and Kyrgyzstan; the destruction of surplus SALW in Belarus and Kyrgyzstan to prevent their diversion to illegal trade; and the introduction of a SALW inventory management application to improve stockpile, record keeping, and tracing of SALW and conventional ammunition in several Participating States.

#### Africa

In recognising that the African continent is one of the regions most affected by the illegal trade and excessive accumulation of SALW, the EU adopted the Council Decision 2012/121/CFSP in support of activities to promote the EU-China-Africa dialogue and cooperation on conventional arms controls. The action has been aiming to increase awareness and in-depth dialogue amongst civil society, industry, and government representatives of

China, the EU, and African States on combating the illicit trade and excessive accumulation of SALW in Eastern Africa and the ATT process. Several regional conferences have been held, inter alia, under the aegis of the joint African-EU-Chinese Expert Working Group, forging greater dialogue and policy coordination among African, EU and Chinese officials on the practical actions needed to address illicit SALW and ammunition and help the implementation of the Nairobi Protocol for the Prevention, Control, and Reduction of SALW in Eastern Africa.

With funding from the long-term component of the Instrument contributing to Stability and Peace (IcSP), the EU continued the implementation of a project to support the fight against the illicit accumulation of and trade in firearms and ammunition in Africa, through the Regional Centre on Small Arms and Light Weapons Proliferation in the Great Lakes Region and Horn of Africa (RECSA), located in Nairobi. This project contributes to the implementation of the Peace and Security component of the Joint Africa-EU Strategy. Following the project's first phase that ended in June 2013, and supported inter alia the institutional structures and legislative capacities in several countries in East Africa, the project entered in its second phase in July 2013 with the objective to enhance the capacities of African countries to efficiently implement and coordinate their efforts against the proliferation and trafficking of illicit SALW. The main achievements of the first phase include the establishment of National Commissions on SALW in the Republic of Congo, the Central African Republic, Chad and Cameroon; the development of National Action Plans on SALW in the Republic of Congo, DRC and Malawi; as well as the strengthened legislative capacity in terms of harmonisation with SALW instruments in Zambia, Tanzania and Kenya. Currently the project continues a combination of institutional capacity-building activities coupled with a series of SALW effective management activities (arms marking, record keeping, stockpile management and destruction) and information generation.

In order to help the responsible authorities in Libya stop the further uncontrolled spread of conventional weapons and ammunition, which continues to fuel insecurity in Libya, its neighbouring countries and the broader region, the Council of the European Union adopted its Decision 2013/320/CFSP with the aim to provide up to 5 million euros in EU support for assisting the Libyan authorities in their task of securing their massive volume of stockpiles in conventional weapons and ammunition. The assistance provided in the framework of the Council Decision is part of the EU's comprehensive approach to support the transition process to democracy, sustainable peace and security in Libya. The Council Decision complements the efforts of the EU Border Assistance Mission in Libya to develop Libya's capacity for enhancing the security of their land, sea and air borders in the short term, and to develop a broader Integrated Border Management (IBM) strategy in the long term.

In addition, the Instrument contributing to Stability and Peace (IcSP) crisis response component has been funding since September 2012 a risk education project on SALW in Libya for the civilian population. This action aims at helping reduce the number of accidents related to, and the visual presence of, SALW. Activities include inter alia psycho-social support in schools, mine clearance and training courses for the Ministries of Interior and Defence. Another project in Libya that commenced in January 2014 works towards helping the decrease of humanitarian threat posed by explosive remnants of war (ERW) and promoting the adoption of safe practices and behaviour of communities affected by ERW and SALW.. Moreover, another initiative to build the crisis response capacities of Libyan authorities started also in 2014 with the specific objectives to (i) build national capacities to

map, assess and analyse interventions by government authorities in the security sector, and (ii) provide support to develop strategies and operational plans to address community safety, potentially including also security threats posed by SALW. However, the aforementioned EU projects have been temporarily suspended between October and December 2014, due to the political and security situation in Libya.

In recognising the urgent need for a comprehensive Demobilization, Disarmament and Reintegration across the Mano River and the Sahel Sahara regions in order to enhance security, and in order to support the Economic Community of West African States (ECOWAS) implement the ECOWAS Convention on Small Arms, Their Ammunition and Other Related Materials, the EU has financed in 2014 a project to fight the illicit proliferation of SALW - covering 6 countries, namely Northern Niger, Mali, and the Mano River Union. This action falls under the umbrella of the Programme "EU Support to ECOWAS Regional Peace, Security and Stability Mandate" through which the proposed pilot projects in Niger and Mali will complement other initiatives already being implemented within the European Strategy for Security and Development in the Sahel.

In the context of the EU's Sahel strategy, the EU adopted in December 2014 a Council Decision supporting SALW control assistance measures in the Sahel Region, focusing on increasing the physical security and stockpile management of arms and ammunition.

#### Central America

In Central America, the European Commission has been supporting the Central American Small and Light Weapons Control Programme (CASAC). Under the long-term component of the Instrument contributing to Stability and Peace, the project, which was previously implemented by UNDP, entered its second phase of support in September 2012 with the Security Commission of the Central American Integration System (SICA) as its implementing partner. This renewed support is directly provided to SICA to enhance its efforts to fight the illicit trafficking of firearms and explosive materials in Central America and neighbouring countries in order to establish the foundation for a regional structure and long-term strategy to this end both at national and regional level. SICA has initiated the process of developing the strategic plans of the National Multidisciplinary Committees in each country, which will support the construction of a multi-year common agenda for monitoring, reporting and the investigation programmes on firearms and violence prevention with firearms. In addition, the project through its expert group, which is integrated in the Intelligence and Arms Units of the 8 SICA member countries, has undertaken successful regional operations in 2012 and 2013, which according to SICA resulted in the arrest of 6,113 people and the confiscation of 8,863 weapons, 21,540 ammunition and 444 explosives. Further regional operations are planned to confiscate weapons explosives and ammunition. In coordination with the Forum of Presidents of Parliaments of Central America and the Caribbean (FOPREL), the result of a first regional meeting of Directors of Private Security Companies and Parliamentarians held in 2014 led to a draft regional law framework that is designed to update and harmonise the legislation of private security companies in the 8 beneficiary countries.

18. By 2014, the EU pledges to support the creation of an international database as a tool to register, trace and track stolen and lost firearms and to identify related trafficking routes. This will allow countries to have access to, insert, update and query a centralized international database for lost and stolen firearms.

Since 2011, the EU has consistently supported an Interpol initiative to develop and roll out of a database for tracking and tracing lost, stolen, trafficked and smuggled firearms (iARMS) via the Interpol I24/7 system. The creation of this system aims at facilitating regional and trans-regional information exchange and investigative cooperation between law enforcement agencies. Following the successful completion of the project's first phase (2011-2012) which focused on the creation of the database and the system's pilot testing in selected countries in West Africa, South America, the Caribbean, Europe and Australia, during the second phase (2013-2014) work has focused on enhancing the functionality of the system, increase the system's usability and enhance access methods to the iARMS database to support Business to-Business (B2B) interoperability with other databases, in particular Schengen Information System on lost and stolen weapons. The project also undertakes related capacity-building, training and criminal intelligence services on combating firearms-related crime. In 2014, 124 countries, including several EU Member States, had signed up to use iARMS, while the system has witnessed a significant increase in usability particularly with regards to tracing requests. A third phase is expected to follow up with the objective of consolidating the achievements of the first two phases, to foster the global usage of iARMS and to exploit synergies with related systems, in the EU and elsewhere.

Complementary to this initiative, in the context of the EU's political efforts at UN level as regards the promotion of more systematic tracing of SALW in conflict and post-conflict zones, the EU pursued the establishment of an accessible and user-friendly global reporting mechanism on illicit Small Arms and Light Weapons (SALW) and other illicit conventional weapons and ammunition ("iTrace") to reduce the risk of their illicit trade adopted (Council Decision 2013/698/CFSP of 25 November 2013). The system aims to track illicit SALW and other illicit conventional weapons and ammunition, plot specific weapon types, suppliers, transfer vectors and illegal recipients. Focused on conflict-affected regions and supplied with information from in-field research and already existing policy-relevant documentation on transfers of SALW and other conventional weapons and ammunition, iTrace is supposed to be the first global mechanism to monitor weapons trafficking systematically. It also seeks to help monitor ATT implementation, provide comprehensive information in support of ATT implementation reviews and strengthen the capacity of national governments to anticipate the impact of arms export licensing decisions.

### **2.3 *Maritime piracy***

19. The EU pledges to continue to support efforts to counter piracy and armed robbery at sea by paying particular attention to two of the most concerned regions in the world, namely the Horn of Africa and the Gulf of Guinea

The EU conducts the EUNAVFOR Atalanta operation off the coast of Somalia and supports seven African countries to enhance security and increase the safety of maritime routes in the Gulf of Guinea in accordance with the EU Strategy on the Gulf of Guinea of March 2014. The EU Maritime Security Strategy of June 2014 aims at securing the EU's maritime security interests against risks and threats in the global maritime domain, such as cross-border and organised crime, threats to freedom of navigation, the proliferation of weapons of mass destruction or environmental risks. The guiding principles of this strategy are its cross-

sectorial approach; rules-based governance of the global maritime domain; respect for existing instruments and competences, as well as maritime multilateralism. The EU chairs the Contact Group on Piracy off the Coast of Somalia (CGPCS) in 2014.

By 2015 (and beyond), the EU pledges to support partner countries by providing training and capacity building to allow local law enforcement, judicial and prosecuting authorities to:

- better respond to piracy and armed robbery attacks

This work is currently done through the EU Maritime Security Programme, which is supporting the implementation of Eastern and Southern Africa – Indian Ocean Regional Strategy and Action Plan, through the military operation Atalanta and the civilian mission EUCAP Nestor in Djibouti, Kenya, Somalia, Seychelles and Tanzania, which provides advice, mentoring, and training in three competence fields: legal, maritime and police.

- improve information sharing and exchange at the regional level with a view to ultimately enhancing regional maritime domain awareness

This work is done through the EU Critical Maritime Routes Programme, which has focused since 2009 on the security and safety of essential maritime routes in areas affected by piracy to help to secure shipping and trading lines of communication. Its long term goal is to improve maritime governance. A pilot project on Piracy, Maritime Awareness and Risks (PMAR) aims at capacity building for maritime security and counter-piracy in the Eastern and Southern African / Indian Ocean region.

- conduct effective investigation and prosecution of piracy cases and related financial crime;

This is done through the support to UNODC's Maritime Crime Programme and the EU's regional capacity building mission EUCAP Nestor.

- set-up and train a land-based coastal police force (in Somalia).

This is being done through the EU's regional capacity building mission EUCAP Nestor.

#### **2.4 Trafficking in human beings**

20. EU Member States will establish national referral mechanisms to better identify, refer, protect and assist victims of trafficking by the end of 2012. By 2015 the European Commission will develop a model for an EU Transnational Referral Mechanism which links national referral mechanisms to better identify, refer, protect and assist victims.

The EU has actively been monitoring implementation of the Directive 2011/36/EU on preventing and combating trafficking in human beings (THB) and protecting its victims (Anti-Trafficking Directive) and of the EU Strategy towards the Eradication of Trafficking in human beings 2012-16. The EU has published the overview "The EU rights of victims of trafficking in human beings", "Guidelines on the identification of victims of trafficking in human beings in particular for border guards and consular services" and the joint handbook with the EU Fundamental Rights Agency "Guardianship for children deprived of parental

care". The Commission further launched the EU Civil Society Platform against THB and the e-Platform for hundreds of civil society organisations working on THB.

For the first time at EU level, the European Commission collected statistical data on THB. In line with the EU Strategy, a Eurostat working paper on THB was published in April 2013, which includes data for 2008-10 on the total number of victims disaggregated by sex, age, form of exploitation, citizenship, and type of assistance and protection received. The second Eurostat working paper on statistics on THB (victims and traffickers) at the EU level, published in October 2014, contains data for the years 2010 – 2012 and covers 28 EU Member States, Montenegro, Norway, Serbia, Switzerland and Turkey.

Anti-trafficking projects are funded under a number of EU financial instruments (this includes projects not directly addressing trafficking, but other pertinent issues such as women's rights, integration of migrants, etc.); this reflects the importance the EU attaches to tackling this form of human rights violation. In line with the EU Strategy, the anti-trafficking website (<http://ec.europa.eu/anti-trafficking/>) is regularly updated with projects funded under various instruments and the Commission works to ensure that the inventory is complete. Streamlining information on funded projects is a key part of the work of the Commission's THB Inter-Service Group, where all relevant services contribute information.

The Anti-Trafficking Directive calls on Member States to set up appropriate mechanisms to ensure early identification, protection and assistance, including legal assistance in criminal proceedings, and a child-sensitive approach, with specific measures for child victims of trafficking. The Strategy specifies that Member States should maintain formal, functional national referral mechanisms (NRMs), describing procedures and criteria to better identify, refer, protect and assist victims. Such mechanisms should involve the widest possible range of actors, including all relevant public authorities and civil society organisations.

The EU has supported projects, actions and initiatives promoting better and early identification of victims with the EU legal and policy framework, as well as national referral mechanisms, details of which can be found on the EU's anti-trafficking website. Over half of the EU Member States have formalised NRMs to coordinate the actors involved in identification, assistance, protection and reintegration. Member States report broad participation in these systems, including by national ministries (health, justice, social affairs, employment, etc.), law enforcement authorities, border guards and consular services, civil society organisations, service providers and labour inspectorates.

<p>21. The EU will fund in 2012 a pilot project to strengthen regional cooperation on trafficking in human beings along routes from the East to the EU. In addition, under the Heroin Route programme, the EU will improve the collection and sharing of harmonized data on the actual numbers of people trafficked and improve the Criminal Justice Response on the trafficking in human beings cases.</p>
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As recognised in the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, which includes almost 40 concrete actions for the Commission, for EU Agencies and also for Member States to address, the aspect of external cooperation is key in addressing the scourge of trafficking in human beings (THB). THB constitutes one of the main elements of the Global Approach to Migration and Mobility (GAMM), which frames the EU external migration policy. In line with the GAMM, the EU has underlined the relevance of effectively

addressing this phenomenon both in the 2013 Commission Communication and subsequent Council Conclusions on “Maximising the Development Impact of Migration” which call for the establishment or upgrading of national and regional anti-human trafficking policies, as well as the reinforcement of cooperation on prevention, prosecution of traffickers and the protection of victims.

In order to create a more strategic EU approach towards third countries, the Council adopted in November 2009 the Action Oriented Paper (AOP) on strengthening the external dimension on actions against trafficking in human beings. EU Member States adopted in December 2012 in the second implementation report of the AOP a list of priority third countries and regions which are disproportionately affected by trafficking, with whom external engagement should be prioritised.

The above-mentioned pilot project is one of several examples of the EU’s engagement with priority third countries and regions and of numerous initiatives funded under different financial instruments at a bilateral, regional and trans-regional level to tackle THB. This pilot project, funded under Heroin Route Programme of the long-term component of the Instrument contributing to Stability and Peace, commenced in 2013 with the aim to improve systems of data collection, analysis and exchange at the national and transnational level; as well as to enhance national law enforcement capacities and trans-regional cooperation in addressing THB in priority countries along the “heroin route”. A follow-up phase has commenced in 2014 to allow for expansion of the project’s geographical scope from four Azerbaijan, Bosnia and Herzegovina, Moldova and Turkey) to six countries (inclusion of Albania and Pakistan) and focus on supporting them in setting up or improving victim-centred referral systems.

In line with the GAMM, the EU and African states agreed in November 2014 on the EU-Horn of Africa Migration Route Initiative (“Khartoum Process”), which will target THB and smuggling of migrants along the Horn of Africa and the main Mediterranean countries of transit (Libya, Egypt and Tunisia) through concrete cooperation.

### **3. Empowering women and children**

22. By 2015, 80% of the EU Delegations will introduce specific measures on the role of external assistance and development co-operation in their local strategies for the implementation of the EU Guidelines on Violence against Women and Girls and Combating All Forms of Discrimination against them. The EU thematic programmes and instruments will support non-state actors to implement the EU Guidelines on Violence against Women and Girls and Combating All Forms of Discrimination against them.

Several delegations have developed their own country strategies on implementing the EU Guidelines on Violence against Women and Girls and Combating All Forms of Discrimination against them.

The EU Delegation to Morocco, for instance, has its own strategy. A priority area for the EU in Morocco is to support the national plan on gender equality and the fight against VaWG and discrimination. There has been intense political and sector dialogue around this. EU budget support now includes indicators relating to VaWG. Examples of these are:

- Law on domestic violence
- Penal reform related to VaW

- 90% of regional action plans on gender equality elaborated
- Training of civil servants on VaW

The approach of the EU Delegation in Egypt provides a clear illustration of the variety of approaches adopted, and often of the importance of adopting a varied and balanced palette of interventions to tackle this:

- A local EU strategy for the Implementation of EU guidelines on VaWG and all discrimination was adopted by EU Heads of Mission in 2010. Since 2012, EU Delegation is supporting the strategy through the implementation of three interventions: "Support the National Council of Women Ombudsman office in Promoting women right and Increasing its Efficiency", "Abandonment of Female Genital Mutilation and Empowerment of Families", and "Securing Rights and Improving Livelihoods of Women" project.

Under European Instrument for Democracy and Human Rights (EIDHR), nine projects aimed at combating VaWG and discrimination.

There is dialogue with women's organizations and networks, which are invited to take part in the annual consultation process to define priority themes for annual Non-State Actors Call for Proposals. Promotion of women rights has been among the priorities of funding from EIDHR in 2012-14.

EU Delegations tackle the issue through sector dialogues, projects with non-state actors, campaigns (Malawi) and calls for proposals.

The EIDHR is a key instrument to implement programmes in such thematic areas. Human Right strategies are key processes and instruments through which to include initiatives to protect and promote women's and girls' rights (e.g. Benin) and human rights groups as instrumental to raising awareness. In a number of cases human rights defenders are engaged too on the issue of VaWG.

In Guatemala, the EU Human Rights Strategy has a specific approach to reduce and sanction violence against women and children. This priority is part of the bilateral political dialogue with the national institutions. As part of the EU's comprehensive approach, the EU applies a mix of tools to implement this strategy. On the one hand, the EU stepped up its political dialogue efforts on key human rights issues with judiciary, legislative and executive. On the other hand the EU continues its dialogue with human rights civil society organizations

In Bangladesh, a Human Rights focus is taken to tackle VaWG. Members of the EU Human Rights Task Force have at times investigated alleged cases of VaWG. The EU missions have supported reports and events concerned with the high levels of VaWG in Bangladesh.

From a development cooperation perspective, the Delegation has established, in its EIDHR CBSS (Country Based Support Schemes) country strategy for the period 2011-2013, to include among the specific thematic priorities, support for the implementation of a number of EU Human Rights Guidelines, among which the Guidelines on Violence and Discrimination against Women and Girls.

This will contribute to ensure more substantive support to women's rights and gender equality issues, as well as to other critical and related issues such as the collection of data and

development of indicators on VaW, combat impunity of perpetrators, promote access to justice for victims and promote effective rehabilitation and reintegration initiatives.

While the causes of discrimination remain, there is a growing concern that the financial and economic crisis could mean a further step backwards in what had already been achieved towards gender equality.

Despite this, the European Council required a renewed instrument to face these well-known challenges and in June 2014, it called upon the European Commission and the EU Member States to develop an “ambitious and robust successor to the current Gender Action Plan (GAP), focused on results and taking into account the post-2015 agenda. The new GAP, covering the period from 2016 to 2020, should build on the progress of the current GAP, apply lessons learned and address remaining shortfalls and challenges”.

The new ‘EU Action Plan on Gender Equality and Women's Empowerment in Development’ will have the overarching objective of providing tools for supporting the progress of the EU and its 28 Member States on the attainment of post 2015 development goals as well as those set out by CEDAW, the Beijing Platform for Action, and the Cairo Programme of Action by setting up and adopting a common process. At the same time, the second Plan of Action will reinforce the EU coordination and coherence regarding the realisation and integration of gender equality policies in its development cooperation activities.

#### The promotion of children's rights

Promotion and protection of the rights of the child have a central place in EU development policy and have been specifically addressed in the European Union’s 2008 Commission Communication A special place for children in EU external action and its Action Plan on Children’s Rights in External Action, the EU Guidelines for the Promotion and Protection of the Rights of the Child, the EU Guidelines on children and armed conflict and the EU agenda for the rights of the child.

Those documents refer to the core role of the EU in developing a comprehensive strategy for the respect of the rights of the child, as well as mainstreaming child rights. Combatting all forms of violence against children has been identified as a specific focus area for the current years, notably through addressing traditional harmful practices and social norms that affect children. Regarding budget support, it is clearly stated that ‘The objectives [...] should be clearly defined so as to address sector specific constraints, promoting sector reforms and improving service delivery to populations. However, assessment of governance in connection with EU sector budget support will need to be carefully balanced against the need to provide and protect the provision of vital basic services, in particular to the poor, women and children.’

Under the period 2008-2014, more than € 100 M have been disbursed for projects specifically targeting the comprehensive protection and promotion of child rights, both through the Investing in People (IIP) funding instrument and the European Instrument for Democracy and Human Rights (EIDHR).

The right to a legal identity, considered as child's first right, is a prerequisite of the utmost importance for children to enjoy other rights and access to healthcare, schools and later vote in elections. For that purpose, the EU is supporting UNICEF for the programme "Breaking with Broken Systems: Partnership for the Legal Identity of African and Asian Children" (Investing In People). The overall objective of the project is to trigger the transformation of civil registration in eight selected countries in Africa, Asia and Pacific regions, bringing immediate, universal registration service delivery to all their citizens.

Combating female infanticide (0 to 5 years old) as one of the worst forms of discrimination against girl infants is another issue the EU is engaged in through a 2013 call for proposals under the EIHDR (€ 5 M).

The toolkit for the integration of child rights in development cooperation has been completed and officially launched as the result of a great joint- effort between the EU and UNICEF. The toolkit is a practical guidance on how to take a rights-based, child-focused approach across all programmes of bilateral and multilateral development assistance. The toolkit is not only for the use of all EU development actors, but also all bilateral donors and other development actors (UN agencies, CSOs...).

Children rights have also been prioritized in more than 80 local human rights country strategies around the world where EU Delegations are carrying out activities relating to this issue.

#### **4. Accession and association process**

23. The EU will intensify its rule of law dialogue with countries of the Western Balkans, with the aim to strengthen preparations at earlier stages of the accession process. For Bosnia and Herzegovina a structured dialogue on justice was launched in 2011, a structured dialogue on the rule of law with Kosovo was launched on 30 May 2012. The EU will continue to support the rule of law projects in countries of the Western Balkans.

The EU has intensified its rule of law dialogues with enlargement countries, putting the rule of law at the heart of the accession process.

Specific dialogues on the Rule of Law were launched or continued with the countries which are not yet in accession negotiations, in line with the Council conclusions of December 2011.

The Structured Dialogue on Justice with Bosnia and Herzegovina (launched in 2011) has been broadened since March 2014 to additional rule of law priorities, including anti-discrimination policies and fight against corruption. In both these areas the EU has also foreseen the direct involvement of relevant civil society representatives. Relevant documents can be found on a dedicated section in the EUD webpage: <http://europa.ba/Default.aspx?id=87&lang=EN>

The "Structured Dialogue on the Rule of Law" with Kosovo(\*) (2012) is an important high-level dialogue on the issues of the fight against organised crime and corruption, the independence of the judiciary and fundamental rights. It is highly relevant in the context of the on-going visa liberalisation and of the transition of responsibilities from the EU Rule of Law mission (EULEX) to Kosovo.

(\*)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.

The “High Level Pre-Accession Dialogue” with the former Yugoslav Republic of Macedonia and the Enhanced political Dialogue with Turkey continued to include Rule of Law issues. In addition, the EU signed a readmission agreement with Turkey on 16 December 2013 (entry into force on 1 October 2014) and launched in parallel a Visa Liberalisation Roadmap (covering a broad area of rule of law topics including documents security, migration and border management, public order and security and finally fundamental rights) aiming at a visa-free regime for Turkey. At the EU-Turkey Association Council, held on 23 June 2014 in Luxembourg, the EU underlined that full and effective implementation by Turkey of the readmission agreement vis-à-vis all EU Member States is expected, and reiterated the crucial importance of the adequate implementation of existing bilateral readmission agreements.

A similar High Level Dialogue was launched with Albania in November 2013. In March 2014 Albania presented a roadmap, outlining its medium-term efforts in meeting the key priorities for the opening of accession negotiations. Joint Working Groups to structure work on the required reforms were established in September 2014, including judiciary, anti-corruption and fight against organised crime.

A new approach to the accession negotiations on the judiciary and fundamental rights and justice, freedom and security is being implemented since 2012 with Montenegro and since 2013 with Serbia. Building on lessons learned, it introduces the need for solid track records of reform implementation to be developed throughout the process. Key negotiating documents can be found here:

[http://ec.europa.eu/enlargement/news\\_corner/key-documents/index\\_en.htm](http://ec.europa.eu/enlargement/news_corner/key-documents/index_en.htm)

In the period 2007 – 2013, the EU has spent around 1 billion € to rule of law projects (including fundamental rights, justice and security related projects). Also under the new financial perspective (2014 – 2020), the EU fosters a result-oriented approach with a strong focus on investing in themes that address the values and principles of the European Union, such as the strengthening of democracy, the Rule of Law, media freedom, social inclusion, civil society organisations, protection and integration of minorities and building parliamentary capacities.

The annual EU progress reports evaluate in detail the progress made by each of the countries in the rule of law area. <http://ec.europa.eu/enlargement/>

## **5. European Neighbourhood Policy**

24. The rule of law will remain one of the key priorities of the European Neighbourhood Policy.

- As regards the Eastern neighbourhood of the EU, the Roadmap to the 2013 Eastern Partnership Summit includes several measures in the area of the rule of law, notably improved functioning of the judiciary, cooperation among law enforcement agencies, fight against corruption and fight against cybercrime.

- In the South Mediterranean, the EU is stepping up its technical and financial support for the rule of law, overseen by an efficient, impartial and independent judiciary, with

guarantees for equal access to justice and respect for due process and fair trial standards, as well as reform of the security sector for sustainable democratisation.

- The EU pledges to share with its neighbours the lessons learned and the best practices of its Member States which initiated processes of democratic transition and of building of the rule of law before they joined the EU.

## Eastern Neighbourhood

The Rule of Law is one of the core values that lie at the heart of political association and economic integration as envisaged in the Association Agreements with Ukraine (partially provisionally applied as from 1 November 2014), Georgia and the Republic of Moldova (both provisionally applied as from 1 September 2014). The Rule of Law (Judicial Reform, anti-corruption, administration reform and public service) takes a prominent place on the agenda of the first EU-Georgia Association Council on 17 November 2014. A similar approach is expected for the first EU-Ukraine Association Council on 15 December 2014 as well as for the EU-Moldova Association Council, envisaged for end of January/beginning of February 2015. The European Advisory Mission to Ukraine (EUAM) was launched in December 2014, in order to assist with the reform of the security sector, including police and the rule of law. It will provide strategic advice for the development of effective, sustainable and accountable security services that contribute to strengthening the rule of law.

In the Joint Declaration of the Eastern Partnership<sup>1</sup> Summit in Vilnius (28-29 November 2013), the participants of the Vilnius Summit set the following goals to be attained by the Partnership by 2015: Making further steps in strengthening democracy, guaranteeing respect of human rights and rule of law including through the pursuit of reform of the judiciary and strengthening law enforcement. This is reflected by the European Neighbourhood Instrument (ENI) programming for 2014-2017, where justice and the rule of law (including law enforcement) are a priority for the countries of the Partnership, except Belarus. In Ukraine, 2014 programmes have been operated as special measures.

Justice-related issues continued to be given prominence in several political and technical fora. In parallel, wide-ranging cooperation programmes to support judicial reforms were ongoing in all Eastern Partnership countries except Belarus. The focus was on supporting the reform of the justice systems on the basis of nationally-owned strategies where relevant, aiming at having a long-term impact on the rule of law and the right to a fair trial. Measures to improve the protection of human rights and anti-corruption measures were mainstreamed or integrated into the components of wider sectoral reform programmes dealing with those issues.

Some of the main results of the reforms are better access to justice (new court-houses, regional justice departments), better protection of the right to defence (more effective public defenders offices, School of Advocates), greater transparency (online publication of sentences and decisions), the introduction of specialised juvenile justice and better protection of human rights (including legislation on anti-discrimination). From the penitentiary perspective, among

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<sup>1</sup> The Eastern Partnership (EaP) is a joint initiative of the EU and six eastern European partner countries (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine) that aims to bring eastern European countries closer to the EU. It builds on existing bilateral relations between the EU and its partner countries and covers the eastern dimension of the European Neighbourhood Policy (ENP).

the main results are better rehabilitation and access to education and training and significantly improved healthcare in prisons and detention centres (clinics, medical sections). In addition to providing bilateral support, the EU is working with the Council of Europe to improve the judicial reform processes in the six partner countries and to bring them closer to Council of Europe and EU standards.

The first Eastern Partnership - Justice and Home Affairs Ministerial meeting took place on 7 (Justice session) and 8 October (Home Affairs session) 2013 in Luxembourg. The Home Affairs discussions focused on fight against corruption; fight against organised and transnational crime; cybercrime; and migration and mobility, and a Joint Statement was adopted.

For Moldova, Ukraine, and Georgia the visa liberalisation dialogues, and in particular the visa liberalisation action plans, proved to be key mechanisms for implementing further structural reforms in the area of justice, freedom and security, including those aimed at strengthening the protection of fundamental rights. Reform of the judiciary in order to ensure independence and efficiency and the fight against corruption in partner countries continued to be challenging. Preventing high-level corruption and ensuring that anti-corruption bodies are independent will remain a priority. Fighting illegal drugs continued to be high on the agenda and the EU Dialogue on Drugs with Eastern Partnership Countries has been organized.

Mobility Partnerships provide a sound basis for dialogue and cooperation between the EU and its Member States and between the EU and non-EU countries. The focus is on four areas: i) better organising legal migration and fostering well-managed mobility; ii) preventing and combating illegal migration and eradicating trafficking in human beings; iii) maximising the development impact of migration and mobility; iv) promoting international protection and enhancing the external dimension of asylum. The Mobility Partnerships signed with Moldova, Georgia, Armenia and Azerbaijan (this was signed on 5 December 2013) were implemented in past 2 years, with a number of new initiatives approved.

The human rights dialogues between the EU and eastern European partners cover various issues on a case-by-case basis, with certain priority issues on the agenda for every dialogue. These include the signing, ratification and implementation of international human rights instruments, adherence to international human rights procedures and mechanisms, combating torture, eliminating all forms of discrimination, children's rights, women's rights, freedom of expression and the role of civil society. In 2013 and 2014, human rights dialogues were held with Moldova, Georgia and Armenia. In November 2013, an ad hoc human rights experts meeting with Moldova took place, with the involvement of civil society organisations. Human rights were discussed in the justice, freedom and security sub-committee with Ukraine in May 2013 and in July 2014 and with Azerbaijan in February 2014. The human rights dialogues were complemented by joint civil society seminars in Armenia on anti-discrimination policy and in Georgia on the criminal justice system and labour law, in Moldova with a joint seminar for the authorities on combating impunity, and in Azerbaijan a meeting of Commissioner Füle with civil society organisations took place in September 2014.

The EaP multilateral dimension provides a new forum for exchange and cooperation, through four thematic platforms to exchange best practices on matters of mutual interest. They serve as forums for open discussion and include representatives from government ministries and agencies, parliaments, civil society, international organisations, international financial

institutions, the private sector, as well as economic and social partners. The Eastern Partnership thematic platforms meet twice a year to review and discuss next steps in a policy dialogue between the EU and EaP countries. Platform 1 aims to promote democratic principles, good governance and stability by improving key sectors of governance. In 2013, the platform's activities focused mainly on cooperation in the area of Common Security and Defence Policy (CSDP), public administration reform, asylum and migration, improving the functioning of the judiciary and the safe management of state borders (Integrated Border Management). Organisers of activities on electoral standards, judicial reform, good governance, the fight against corruption and concerted action against cybercrime continued to benefit from the advice of the Council of Europe.

### Southern Neighbourhood

Following the uprisings in the Arab countries in 2011, the EU revised its policy framework and enhanced its support to civil society and governments who pursued political and economic reform and democratic transition. In addition to the European Neighbourhood Policy that was revised in 2011, the EU adopted in 2012 a global Human Rights Strategy and Action Plan. EU efforts to promote the rule of law, human rights and democracy were reenergised at the political and technical level, in bilateral relations with the individual countries concerned, and through work with regional organisations. This was done through political and technical dialogues on this field which became more focused and through technical assistance projects.

At bilateral level, the instruments utilised were technical and financial assistance programmes in the framework of the European Neighbourhood Partnership Instrument, as well as the structure of committees and sub-committees under the Association Agreements and, in some cases like Egypt, the EU Special Representative for Human Rights (EUSR).

Regarding Bilateral, the review of the European Neighbourhood Policy took place in 2011 and was based on two communications of the European Commission "A new response to a changing Neighbourhood" and Communication "A partnership for democracy and shared prosperity with the southern Mediterranean". It introduced an approach based on differentiation and mutual accountability, and on positive incentives and reward for progress in democratic reforms ('more for more'):

*"Increased EU support to its neighbours is conditional. It will depend on progress in building and consolidating democracy and respect for the rule of law. The more and the faster a country progresses in its internal reforms, the more support it will get from the EU."*

The EU would further count on two mechanisms to foster rule of law:

- SPRING (now "umbrella Programmes" in ENI regulation")
- Justice and Rule of Law as a Priority sector of Bilateral Cooperation Programmes

The SPRING (Support for Partnership, Reforms and Inclusive Growth) programme for the Southern Neighbourhood (EUR 540 million in 2011-2013). and the 2014 " Multiannual Umbrella Programmes" ( 100M€), provide complementary support to those countries which progress towards deep and sustainable democracy. The assessment for the complementary allocations is based on annual Progress Reports

On the other hand, Multiannual Indicative Programmes 2011-2013 and Single Support Frameworks adopted in 2014 establish priority cooperation sectors per country. Rule of law was one of the main priority sectors of the Multiannual Indicative Programmes 2011-2013. In the period 2012-13, the allocations of European Neighbourhood and Partnership Instrument (ENPI until 2013) have been as follows: in 2012, Libya €10 million (reinforcement of rule of law), Tunisia €25 million support to the justice sector, in 2013 regional € 3 million to rule of law compliant investigation and prosecution in Maghreb.

In the ENI bilateral programming priorities in the period 2014-20 for the Southern partners, support related to the rule of law is one of the 3 focal sectors in the following countries: Algeria, Egypt, Jordan, Lebanon and Morocco. In Libya, Palestine and Tunisia, democratic governance is a focal sector. Priorities relevant to the rule of law also feature under the Regional East and Regional South programmes and Cross-Border Cooperation.

Finally, in 2014, justice sector reform programmes have been adopted in Algeria (€ 9 million), Morocco (€ 70 million) and Tunisia (€ 15 million).

The rule of law is not only present in the co-operation as a specific field of action but it is also mainstreamed in all programmes. In particular, the budget support programmes are conditioned on the respect of fundamental values that the Association Agreements are based on.

In Morocco, the EU has committed nearly 6 m€ under the 2012 and 2013 'Spring' allocations to develop two important new bilateral projects– 'Promoting and protecting human rights in Morocco' and 'Support to the Moroccan parliament's House of Representatives'. 'Promoting and protecting human rights in Morocco' will develop the institutional capacities to exercise their mandates of two key bodies, the National Council for Human Rights (CNDH) and the Inter-ministerial Delegation for Human Rights (DIDH). 'Support to the Moroccan parliament's House of Representatives' will provide assistance to the fulfilment of the lower house's 'Strategic development plan', adopted in 2013, and which is designed to reinforce the capacities of the lower chamber in the light of the greater powers conferred to it by the 2011 Constitution.

In Algeria, the Annual Action Programme 2014 includes the following actions:

A programme to help strengthen the rule of law and ensure a fair, impartial and high-quality justice system for all people who use the courts, so as to bolster citizens' confidence in – and the credibility of – the institutions and stakeholders of the Algerian justice sector. It is organised around three specific objectives: (i) modernisation of the running of the judicial system and its good governance; (ii) access to law and justice; and (iii) professionalisation of those working in the sector and of institutional support so that training establishments and human resources are managed more effectively. Expected results should be decongestion of the judicial system and measures to stop disputes reaching the courts; reinforcement of the independence and the impartiality of the judiciary; facilitated access to legal assistance for citizens; citizens better informed about their rights and access to justice; better defence of persons brought to trial; better assistance for victims of criminal offences; implementation of a new human-resources management system for the key State players in the justice sector; professionalization of court officers, lawyers, solicitors, bailiffs, auctioneers and legal experts; capacity-building for civil society associations active in the justice sector.

Twinning project "Renforcement des structures et du fonctionnement du Centre de Recherche Juridique et Judiciaire (CRJJ) en vue d'une mise en œuvre optimale de ses missions de recherche et d'expertise pour mieux légiférer" was carried out under 2011-2013 multiannual indicative programmes.

Since the end of 2012, the EU is implementing a programme for the reform of the justice sector in Tunisia which focuses on the strengthening of independence and efficiency of judiciary, better access to justice and penitentiary reform. The EU also supports the training institute for lawyers and the modification of the criminal procedure code to better supervise police custody etc.

Over the last two years the EU has delivered substantial financial and technical assistance to support the Libyan people in their transition towards democracy. The EU supported the Libyan High National Electoral Commission in the run-up to the two general elections which took place in 2014: Elections for the Constituent Drafting Assembly (February), and the election of the House of Representatives (June). Additionally the EU deployed an EU Election Expert Mission to cover the electoral process which preceded the CDA election in February; this was not possible for the June elections due to security constraints.

Human Rights remain a concern, especially the situation of detainees and refugees, migrants and IDPs, minorities and women. Many of Libya's human rights problems largely stem from the absence of an asylum space, weak state authority, the prevalence of non-state actors (militias), the lack of institutional capacities and continuing gaps in relevant legislation. To address these issues the EU has launched several programs on Protection of vulnerable groups by developing effective protection systems for minorities, people with disabilities, internally displaced people and migrants, and strengthening the capacity of national and local authorities and non-state actors to meet their particular needs. The EIDHR has funded activities in the areas of democratisation, women's rights, media training, support to torture victims, national reconciliation and capacity-building related to the elections.

The EU has assisted the Government in developing the border management and more broadly the law enforcement bodies through the EU Border Assistance Mission (EUBAM) in Libya initiated in May 2013.

A € 10 million program on justice and police reform was launched in 2013. The programme promotes rule of law in Libya through strengthening democracy, good governance and civilian culture in the security and justice sectors.

The violence which unfolded in Tripoli during July / August 2014 led to the closure of most embassies and the departure of international NGOs from the country. Subsequently some EU-funded programs have been suspended. However, an important number of programs working in the areas of governance (support to the Constitutional Drafting Assembly and to the Electoral Commission), reconciliation, human rights and protection and on support to civil society remain operational throughout the country.

There is a regular exchange with Egypt on human rights and democracy both at headquarters and on the ground in Egypt despite a practical standstill of the bilateral ENP framework since 2011. On a high level basis, apart from seven visits by the High Representative of the EU for

Foreign Affairs and Security Policy and Vice President of the European Commission Catherine Ashton since 2013, also the EUSR for Human Rights, Stavros Lambrinidis, visited Egypt twice in 2014 delivering messages on human rights and suggesting proposals on cooperation on democracy, such as with the Venice Commission regarding the NGO law. Other recurrent messages of the EU concern a review of the assembly law and the necessity of an inclusive political process. In this regard, the EU is also following closely the electoral cycle; by training local observers, monitoring the referendum on the Constitution and observing the presidential election in 2014 and giving recommendations on future elections. On the technical level however, the relevant sub-committees have not convened since 2011.

The EU support to civil society in Egypt significantly increased post-2011 to EUR 3.3 million per year on average (in 2010 EUR 1.9 M) largely thanks to the establishment of the Civil Society Facility as a key component of the EU response to the 'Arab Spring'. However the space for civil society has been shrinking over the last years. This issue of concern has been raised at different levels with the Egyptian authorities.

Thanks to the efforts of the EU, including through the political dialogue and development cooperation assistance, in the last two years, there were some positive developments in the field of Rule of Law, Human Rights and Democracy in Jordan:

Jordan advanced the political reform agenda, particularly through the adoption of new amendments to the constitution bringing it closer to international standard; it gained international recognition in promoting freedom of religion or belief; the country remained faithful to its commitment to the de facto moratorium on death penalty; the government established committees in charge of the elaboration of a new comprehensive strategy on Human Rights; Jordan signed with the EU and some of its Member States the joint declaration establishing a Mobility partnership on 9 October 2014 (similar Mobility partnerships the EU and some EU Member States concluded with Morocco on 7 June 2013 and Tunisia on 3 March 2014); and it decided to launch a security /counter-terrorism dialogue.

The EU has encouraged the Jordanian authorities to continue building a more consensual, inclusive and open political system; support the enhancement of freedom of expression, including on the Internet; strengthen Freedom of association and assembly shall be in order to give more weight and space for a thriving civil society and allow it to work in a favourable environment; continue implementing the recommendations endorsed by it at the conclusion of the Universal Periodic Review process, to which Jordan was subject in 2013; address the issues of the equal treatment of women and of the protection of children; continue efforts to eradicate torture and other cruel, inhuman or degrading treatment or punishment; work toward a fair and independent judiciary system as a key component of the rule of law and for the enhancement of trust in the institutions.

In terms of development cooperation tools, the EU provided institutional support to the recent established Independent Electoral commission; supported via grants participation in political life, promotion of gender equality, rising awareness campaigns on protecting children's rights and other civic awareness campaigns; strengthened the institutional and administrative capacity of the Chamber of Deputies; built up the capacity of civil society organisations and non-State actors at local as well as national level. The EU also provided technical assistance and equipment to the media sector and improved institutional capacity of the judiciary sector. An average of 30% of the total ENPI budget allocated between 2011-2013 (EUR 65 million)

went for projects and sector support in order to support Political reform, human rights, justice and cooperation on security and fight against extremism.

In Palestine, the EU continued to provide support through the EU Police and Rule of Law Mission for the Palestinian Territories (EUPOL COPPS), based and operational in the West Bank. The Mission assists the Palestinian Authority in building the institutions of a future State of Palestine in the areas of policing and criminal justice under Palestinian ownership and in accordance with the best international standards. EUPOL COPPS supports the reform and development of the police and judicial institutions so as to increase the safety and security of the Palestinian population in line with the domestic agenda of the Palestinian Authority in reinforcing the rule of law. The Mission also acts as a key coordinator of the efforts of the EU and the wider international community, in its area of responsibility.

In Lebanon, the EU remains committed to promoting human rights and to contribute to democratic and administrative reform in line with priorities defined in the Single Support Framework, the European Neighbourhood Policy Action Plan as well as in the country Human Rights Strategy. It contributes to enhancing the capacity of state institutions in various areas, for instance working with the Judicial Inspection, the State Council as well as with the elections management bodies inside the Ministry of Interior. When it comes to administrative reform, the EU programme "Policy Planning and Governance" will help in developing the institutional and technical capacities of the public administration in four pilot ministries. In addition to working with the government, the EU supports civil society activities that seek to foster human rights and democracy. A variety of projects have been funded under the EIDHR in the past years, for example aiming to prevent torture practices in Lebanon through increased public awareness as well as better access to justice. On transparency, the EU has granted funding for a Lebanese Advocacy and Legal Advice Centre from 2013 to 2015 that seeks to inform citizens about their legal rights and encourages victims and witnesses to take action against cases of corruption. Finally, the EU aims to foster Lebanon's capacity to abide by its international commitments, for example in working with the Office of the High Commissioner for Human Rights on the Universal Periodic Review given that the country will be subjected to the exercise for the second time in November 2015.

The Security and Rule of Law programme, started in 2007, has continued to build the institutional capacity of the justice sector with a top-up from the SPRING programme, and the programme 'Support to the Reform of the Judiciary' benefitted from additional resources under the same source. The 2014 Programme "Building National Stability" (€12 million) will improve the institutional capabilities of security agencies to fulfil certain functions in a coordinated and accountable manner.

At the regional level, the EU engaged in a closer collaboration with the League of Arab States, both politically and technically. Two EU-LAS Foreign Ministers' conferences were held, in 2012 and 2014 respectively. The ministerial declarations of these two meetings included significant commitments on a number of issues of mutual interest, including in the field of democracy, human rights and gender. In addition, in 2013, implementation of a joint programme of work began. Among the 8 fields of the work programme are human rights, women's empowerment, civil society, culture and election observation capacity.

For example, in the field of human rights promotion the following activities have been undertaken:

- Participation of LAS Human Rights Department in the annual EU NGO forum on the promotion of universality of human rights: the role of regional mechanisms and their cooperation with civil society (December 2012, in Brussels).
- Adoption of an EU-LAS concept note on cooperation on human rights identifying priorities for dialogue and exchange of experience for 2013-2015 Senior Officials Meeting held in November 2013 in Brussels.
- Meeting "EU – LAS cooperation and the EU response to changes in the Arab region: Views from civil society", in June 2013 in Malta.
- Visit of Arab Human Rights Charter Committee on 13 December 2013, to meet EU Special Representative for Human Rights Stavros Lambrinidis.
- Study visit of the Human Rights Charter Committee to the Council of Europe (CoE) in Strasbourg, on 17 February 2014.
- In implementing the EU-LAS MoU on human rights, a workshop on co-existence and acceptance of the “other” was held on 1-3 April 2014 in Cairo. It addressed the coexistence in multi-faith societies, with ethnic minorities, combating and criminalizing incitement to hatred in line with international standards.

In the framework of Union for the Mediterranean sector dialogue at ministerial level, ministers in charge of gender equality and women's rights met Paris, in September 2013 for their third Ministerial Conference on 'Strengthening the Role of Women in Society'. Following up on the two preceding conferences on the subject in Istanbul (2006) and Marrakech (2009), the ministers agreed on an important agenda of concrete measures to empower women politically, economically and socially; to fight against all forms of violence and discrimination against women and girls; and to change negative attitudes towards women and fight against stereotypes. Ministers also agree on a follow-up mechanism and to meet again to take stock in 2016.

The EU is engaged since many years with the promotion of rule of law in the region. While police and justice sectors' reform will necessarily differ by country and must be tailored to the political realities and specific circumstances of each state, the region remains bound by similar processes and mutual interests. Recently the EU has funded the fourth phase of the regional Euromed programs dealing with the rule of law (Justice IV and Police IV) with the aim to restore an effective framework for co-ordination, co-operation and exchange of experience through the establishment of a coherent and structured approach with a focus on dialogue, capacity building and provision of tailor-made expertise. The latter constitute a tool for building regional confidence and dialogue providing leverage for the implementation of justice and security programmes at bilateral level. Moreover, such programs focus on nascent democratic transformation and institution-building by addressing the needs of those institutions and actors which are key to build democratic societies, assisting security and justice sectors in developing expertise, accountability, transparency and professionalization. The close relationship and interdependence between both sectors will also be addressed through joint activities in order to address common challenges and to create synergies between police and justice actors in the broader concept of rule of law.

## 6. Central Asia

25. The EU will further intensify the Rule of Law Initiative for Central Asia, notably it will promote independent judiciaries, increased institutional capacities and modernising professional qualifications including through contributing to the implementation of the Council of Europe Neighbourhood Policy for Central Asia in these areas as well as modernisation of penal systems, with a special focus on the eradication of torture. The EU is ready to support the accession of Central Asian countries to the Group of States against Corruption (GRECO) of the Council of Europe and assist Central Asian efforts to accede to and to implement international anti-corruption and human rights conventions. The EU is also ready to strengthen counter-terrorism co-operation, including for follow-up to the agreed Joint Plan of Action for the implementation of the United Nations Global Counter-Terrorism Strategy in Central Asia.

The EU – Central Asia Rule of Law Initiative is one of the key elements of the European Union’s Strategy for a New Partnership with Central Asia. Within its framework, the EU supports the Central Asian States in core legal reforms, including reform of the judiciary, in drawing up effective legislation and enhancing implementation capacities. The new Outline for Future Orientations of the Strategy endorsed in June 2012 reconfirms the major importance of the cooperation in the area of the Rule of Law and further democratisation.

The Rule of Law Initiative is jointly implemented by the European Union and its Member States. It aims at a concerted regional approach in Central Asia, taking into account national situations. By promoting regional exchange and focusing on legal and judicial issues of importance for all Central Asian states, reforms can be facilitated through knowledge transfer and thus create an open region growing in unison. France and Germany have taken the joint lead in coordinating the Initiative.

At the third EU-Central Asia Ministerial Conference on Rule of Law in Brussels on December 6-7, 2012, the Ministers of Justice of the EU and Central Asia reconfirmed “the priority areas of co-operation of legal reforms and reform of judicial system such as the independence of judicial system, access to law, criminal justice, the Habeas Corpus principle, administrative law, commercial jurisdiction and law” and “decided to meet again in Central Asia in 2014 to discuss progress of the implementation of EU-Central Rule of Law Initiative, review the cooperation activities, and establish priorities and practical steps to continue the Rule of Law Initiative for the next period“.

The Fourth Conference of Ministers of Justice of the European Union and Central Asia was jointly organised on 14-15 October 2014 in Astana by France and Germany as coordinating countries with the support of the European Union. Four Central Asian countries participated at ministerial level. A joint communiqué was approved on this occasion.

The Astana conference took stock of the results of the regional seminars on “the Right to a Fair Trial” (Bishkek, April 4-5, 2013) and on “Constitutional Law” (Helsinki, September 17, 2014), of the national workshops on support to the justice reforms of the Kyrgyz Republic (Bishkek, December 9, 2013), Tajikistan (Dushanbe, March 5, 2013) and Kazakhstan (Astana, June 27, 2014), and the meeting of the working group on Judicial Capacity (Brussels, April 24, 2014) and recommendations in these areas. The conference also confirmed the main

thematic priorities and work programme of EU-Central Asia Rule of Law Initiative for 2015 and 2016, including regional seminars and seminars at national level on these matters. It will guide activities of the Rule of Law Platform – Central Asia.

Central Asia is part, together with the Neighbourhood South, of the CoE neighbourhood strategy. Cooperation, in particular through joint programmes financed by the EU has progressed, even though at an irregular speed during the past years. Cooperation has aimed at responding to specific needs (ex. Kyrgyzstan: support of the Venice Commission to the reform of the Constitution; Kazakhstan: a small project in the field of democratic citizenship and human rights education). The CoE (the Venice Commission in particular) has also played an important role at regional level in the field of rule of law, to support the EU Central Asia Rule of Law initiative. A regional joint programme in this field is now in its second phase ('Supporting Constitutional Justice, Access to Justice and Electoral Reform in the Countries of Central Asia').

The EU is supportive of the work of the CoE aiming at preparing the Central Asian partners to accede to CoE conventions in the fields of human rights and rule of law. The first Neighbourhood Cooperation Priority document for Kazakhstan focuses for instance on the preparation of this country to accession to a number of CoE conventions. Kyrgyzstan is working on a similar path as part of its cooperation with the CoE Parliamentary Assembly as part of its recently granted status of Partner for Democracy.

Over the past years, the EU has financially supported the UN programme on the implementation of the UN Global Counter-Terrorism Strategy in Central Asia and, in 2013, has decided to continue its funding of the programme's second phase which primarily focuses on four main components: (i) Implementation of deliverables as identified in the Joint Plan, including conflict prevention and dialogues to counter the appeal of terrorism; (ii) Series of workshops to build capacity in Central Asian countries to implement the Joint Plan of Action; (iii) High-level conferences on reviewing progress made on implementing the Joint Plan of Action and deliberating on ways forward; and (iv) Information collection and dissemination related to counter-terrorism actions in the region. The action funded under the EU's Instrument for Stability contributes to attaining the objectives of the EU Strategy for Central Asia, as well as the EU's commitment to globally address prevention and the fight against terrorism.