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**CHECK AGAINST DELIVERY**

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GENERAL/HIGH REPRESENTATIVE FOR HUMAN RIGHTS,  
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**TITLE: "THE EUROPEAN UNION GUIDELINES ON HUMAN  
RIGHTS DEFENDERS"**

## 1. INTRODUCTION

Minister, Excellencies, Human Rights Defenders, Ladies & Gentlemen,

It is a great pleasure for me, as the Personal Representative for Human Rights of Javier Solana, the European Union's High Representative for the Commons Foreign and Security Policy, to be here today in Dublin Castle to address the Third Dublin Platform for Human Rights Defenders. I would like to thank the organizers, Front Line – the International Foundation for the Projection of Human Rights Defenders – for having invited me to this important gathering and for giving me the floor at the opening session. It is an honour to speak immediately after the Irish Minister for Foreign Affairs, and who recently played an important role as one of the Special Envoys of the UN Secretary General in the run up to the UN Summit in New York in September.

“We will not enjoy development without security, we will not enjoy security without development and we will not enjoy either without respect for Human Rights”. This key statement in Kofi Annan's report in larger freedom is very much supported by the European Union. This is why the European Union has been a very active player supporting reforms in the EU system, including in the field of human rights. After the recent UN summit in New York, the European Union is actively pursuing the implementation of key elements of the summit outcome. The speedy creation of an efficient and credible Human Rights Council and more resources to the Office of the High Commissioner for Human Rights will be crucial.

One of the key objectives of EU foreign policy is to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms. With its peace and prosperity, the EU is living proof that respect for human rights, democracy and the rule of law benefits everyone. The enlargement process is helping to spread those benefits ever wider on the European continent. The EU, with 25 Member States and 450 millions inhabitants, is now a global

actor and has an obligation to create the conditions for a safe, secure and peaceful world, where human rights and fundamental freedoms are fully respected.

One way of making this objective more operational has been the adoption by EU Foreign Ministers of guidelines over the last seven years. The EU now has guidelines concerning human rights in the following five fields:

- death penalty
- torture
- human rights dialogues with third states
- children and armed conflicts
- and last but not least: human rights defenders.

These guidelines serve as a framework for protecting and promoting human rights in third countries. They also draw together the range of tools at the EU's disposal for promoting human rights.

Another and recent element has been the creation of my position, the Personal Representative of the Secretary General/High Representative for Human Rights, a post which was created in December 2004 and to which I was appointed in January this year. My mandate is to "contribute to the coherence and continuity of the EU's human rights policy". I do this by working closely together with the European Commission, the EU Presidency and the 24 other Member States, as well as with the European Parliament, international organization and NGO's.

## 2. EU GUIDELINES ON HUMAN RIGHTS DEFENDERS

The guidelines on human rights defenders were adopted by the Council of EU Foreign Ministers in June 2004, that is under the last Irish Presidency of the European Union. I believe Front Line also played an important role during the Irish Presidency in order to ensure that the views of human rights defenders were taken into account in these important guidelines. The purpose of the guidelines is to provide practical suggestions for enhancing EU action in this field.

Let me thank the Irish government and the Irish officials who were involved in producing these guidelines and getting them adopted by the Council. Let me make it clear that the European Union did support human rights defenders also before the adoption of the Guidelines. However, with the guidelines we hope to be able to do this in a more pro-active, systematic and efficient manner.

The guidelines is a rather short text divided into 4 chapters (purpose, definition, introduction and operational guidelines), as well as an annex.

As regards the definition of human rights defenders the EU has decided to draw on the definition contained in the UN Declaration on Human Rights Defenders from 1998, which is attached as an annex to the guidelines. This underlines that the EU is supporting the UN Declaration and wants to reinforce it by including it in its own guidelines.

As regards the operational parts of the guidelines, they contain six important and practical elements. Let me quickly run through them and highlight what could be of particular interest to this audience:

- 1 “Monitoring, reporting and assessment”. This part explains how EU diplomatic missions (EU embassies and the Delegations of the European Commission) should monitor, assess and report back to the EU on the situation of human rights defenders in their country of residence. This reporting from EU missions, which can contain recommendations, is obviously a very important element in the EU human rights policy. We need as much and credible information as possible in order to be able to act. Obviously, EU missions are not our only source of information – we also draw on information from the UN, regional mechanisms, NGO’s and the press – but they are crucial.
- 2 “Role of EU missions in supporting and protecting human rights defenders”. This part explains which kind of concrete actions EU diplomatic missions can take. Let me next mention: to

receive human rights defenders in the missions or visit their area of work, to give visible recognition to human rights defenders (publicity, visits or invitation) as well as attending and observing trials of human rights defenders. All this has to take place in consultations with the human rights defenders themselves, as EU actions in certain cases could lead to threats or attacks against human rights defenders.

- 3 “Promotion of respect for human rights defenders in relations with third countries and in multilateral fora”. This part contains a list of concrete steps to take, such as for EU actors to meet with human rights defenders when they pay visits to third countries or raise individual cases with the host government, to include the situation of human rights defenders in political dialogues between the EU and third countries and regional organisations and promoting the strengthening of existing regional mechanisms for the protection of human rights defenders, such as the Inter-American Commission on Human Rights and the African Commission on Human and Peoples Rights.
- 4 “Support for Special Procedures of the UN Commission on Human Rights, incl. the Special Representative on Human Rights Defenders”. This part includes that the EU will encourage states to accept as a matter of principle request for country visits by UN special procedures and give financial support to the Office of the High Commissioner for Human Rights
- 5 “Practical support for Human Rights defenders, incl. through development policy”. This part includes support for the establishment and work of national bodies for the promotion and protection of human rights such as national human rights institutions, ombudsman’s offices and human rights commissions
- 6 And finally, “the role of Council working parties”, which is linked to the internal work in Brussels.

### 3. IMPLEMENTATION

As mentioned, the guidelines were adopted in June 2004, so a bit more than a year ago. Implementation has been going on from the start, but let me repeat that the EU's efforts to support human rights defenders did not start with the adoption of the guidelines. However, the fact that the guidelines were adopted at the level of EU Foreign Ministers and that they give very concrete and practical suggestions have made a difference. Among some of the important steps in the implementation, let me mention the following

- The promotion of all the five guidelines worldwide, both via our website and in a small booklet. The guidelines now exist in all EU languages and they have also been translated into Russian, Arabic and Chinese and will also be available in Farsi. All the language versions are available on our website. EU ambassadors in Brussels and EU diplomatic missions abroad as well as other important EU actors, such as European parliamentarians and EU Special Representatives, have been briefed about the guidelines, so they can apply them in their daily work in – or with - third countries. By also promoting the guidelines vis a vis governments in third countries, international organisations, NGOs and the human rights defenders themselves- like here in Dublin today- we hope to increase the awareness of their existence and thereby their concrete implementation.
  
- The Netherlands EU presidency last December organised a conference on human rights defenders and the EU guidelines. The participants included the UN Secretary General's Special Representative for human rights defenders, Ms. Jilani, who I understand will join us here in Dublin on Saturday and representatives from the regional human rights mechanisms and NGOs as well as EU diplomats. During the conference a number of concrete steps to implement the guidelines were discussed, not least best practices. These excellent ideas have now been collected in a handbook which the Netherlands are sending out to all EU diplomatic missions worldwide.

- We have also increased our cooperation with Ms. Hina Jilani. In July this year she had a very successful recent visit to Brussels, during which she met with all the EU Ambassadors, the European Commission and the European Parliament. This visit clearly drew the attention of relevant EU actors to the fate of human rights defenders worldwide and how the implementation of the EU's own guidelines could help them.

The present British EU presidency is also actively involved in the implementation of the guidelines. They have chosen to focus these six months on freedom of expression and to explicitly support HRDs in this field. The theme for the annual NGO forum in December will be freedom of expression; I am sure that the incoming Austrian and Finnish presidencies will also have HRDs high on their human rights agenda. These are some of the steps in the implementation of the guidelines, which not least are linked to raising the awareness of their existence both within and outside the European Union. The role of the EU diplomatic missions is crucial. This is why much energy has been devoted to inform all EU diplomats world wide – and we are now 25 Member States – about their existence and how they could best be implemented. Let me also mention that the European Commission, through the budget line European Initiative for Democracy and Human Rights (EIDR) which amounts to approximately 100 million euro, is financing a number of projects to the implementation of the EU guidelines on human rights defenders.

Minister, Excellencies, Human Rights Defenders, Ladies & Gentlemen,

I have outlined the practical and operational elements in the EU guidelines and how we have tried to implement them over the last year. It is my impression that the implementation is going well:

- 1 EU diplomatic missions are reporting to Brussels and all EU capitals on the human rights situation, including on human rights defenders, and the missions are sometimes making recommendations for action. I can confirm that I see the traffic

coming in and the actions taken. However, a lot of good work is also going on without necessarily being reported back to HQs.

- 2 EU diplomatic missions are also meeting with human rights defenders either in the missions or by visiting them where they operate. EU diplomatic missions (and visiting EU actors) are raising the conditions of human rights defenders or specific cases with the governments of this region. This kind of activity will - for obvious reasons - not always be public, as confidential demarches in certain cases are more likely to yield a positive result. I have myself recently visited countries such as Kyrgstan, Guatemala and Mexico and have met with human rights defenders and raised their conditions with the governments concerned. Other EU actors, EU ministers and EU Secretary-General, Javier Solana, are doing the same
- 3 The EU is cooperating and supporting the work of the regional mechanisms, both politically and financially – such the Inter-American and the African Commission on Human Rights. Next Tuesday I will pay a visit to the Inter-American Commission and meet the Commissioners in Washington, as they will be in session next week.
- 4 The EU is supporting, not least financially, the establishment and work of national bodies for the protection and promotion of human rights. Recently, I was in Guatemala and Mexico and in both countries I met with the ombudsman and the national Human Rights Commission

However, more can no doubt be done to implement the EU guidelines. This is why this third Dublin platform for human rights defenders is so important. I am sure that the discussions here over the next three days will lead to more ideas and initiatives for the implementation of the EU guidelines world wide. We at HQ in Brussels and all EU diplomats worldwide who are engaged in implementing these guidelines need the input from you, human rights defenders who have the concrete experience from the ground.

#### 4. CONCLUSIONS

Ministers, Excellencies, Human Rights Defenders, Ladies and Gentlemen,

Let me pay a special tribute to you the human rights defenders who are here today. We know that you are defending, protecting and promoting the Universal Declaration of Human Rights in your countries in a very practical manner and you are doing this often under very difficult and even very dangerous circumstances. We in the EU are following your courageous work with admiration and we are doing all we can to support you in various ways. Obviously there are limits to what we can do and I know that the question of visas into EU countries, including transit visas is a difficult issue. This is an area which we need to study carefully.

Let me also commend Frontline, Denis O'Brien and Mary Lawlor for the outstanding work you are doing to protect and assist human rights defenders worldwide.

Let me conclude by stressing that the protection and promotion of human rights is a key objective in the external relations policy of the European Union. In order to make this more operational EU Foreign Ministers have adopted five set of guidelines. One of these, adopted during the Irish Presidency of the EU, concerns the human rights defenders. This morning I have tried to give you an outline of the guidelines stressing the most relevant elements. I have also attempted to explain how the guidelines have been implemented since their adoption by Ministers in June 2004. We in the European Union look forward to working with all of you in the further implementation of the guidelines world wide.

Thank you