COUNCIL CONCLUSIONS ON THE EU ACTION PLAN ON HUMAN RIGHTS AND DEMOCRACY 2015-2019: PLAN INTERNATIONAL EU OFFICE RESPONSE
Plan International welcomes the adoption of the Council Conclusions on the Action Plan on Human Rights and Democracy, which will guide the work of the EU on human rights for the period 2015-2019.

We note that the Action Plan is very comprehensive, covering many important human rights issues, and that, together with the Council Conclusions, the EU reconfirms its commitment to addressing human rights violations in partner countries. We are pleased that the principles the EU will apply in implementing the Action Plan on Human Rights and Democracy (HRAP/the Action Plan) include those of non-discrimination, gender equality and women’s empowerment and the mainstreaming of human rights in the external aspects of EU policies to ensure better policy coherence.

Policy coherence across a wide range of subjects, will be of paramount importance to ensure that the EU does not undermine people’s prospects of fulfilling their rights. For example, much more work is needed to ensure EU trade policy and trade agreements support human rights, and that ex-ante impact assessments cover the full range of human rights in sufficient detail.

**Leadership**

As democracy and human rights are guiding principles of the EU, it is critical that all the stakeholders, listed in the introduction to the Action Plan (the High Representative/Vice-President, the EEAS and European Commission, the Council and Member States) take responsibility for, and show leadership in implementing it. It is clear that strong leadership, political commitment and adequate resources - both financial and human – will be essential to ensure that the HRAP and associated commitments in the Council Conclusions are realised – that is, in order for the EU’s entire human rights and democracy agenda to be achieved.

We are concerned that this leadership is currently lacking and that those responsible have not shown the strong commitment to human rights which the Action Plan calls for. However, in addition to clear leadership from the top, it will also be necessary to ensure that those who are responsible for implementing the Plan on a day-to-day basis have clearly delineated roles and responsibilities and will receive the support they will need. The human rights focal points in EU Delegations, for example, must have sufficient seniority, capacity and power to implement such a comprehensive Plan.

**Resources**

Despite the ambitious nature of the plan, there is no clear allocation of resources within it. We welcome the fact that the review of the Action Plan will be undertaken in 2017, in order to align with the mid-term review of external financing instruments, but note that in practice few significant changes are made at this time to funding streams. We also question what will happen regarding funding allocations in the first two years. Given the importance of geographic funding, it will be key that the upcoming revision of the Human Rights Country Strategies is used to create synergies with the HRAP and that local funding then supports the Country Strategies.

Lastly, we are concerned that the Action Plan addresses too many topics and has resulted in a long, almost over-ambitious ‘shopping list’ of issues, with the concomitant outcome that the Action Plan is far less strategic than originally intended. Issues are siloed off one from the other whereas
they should be interlinked and cross-referenced. It is odd, for example that civil and political rights are not grouped more together (and that the EU picks and chooses which it might work on).

**Gender equality and girls’ rights**

It is regrettable that the action plan so clearly states that it will support women’s rights but only the empowerment and participation of girls. Girls often face far greater barriers to claiming their rights, which must be recognised and addressed by the EU in its actions. Furthermore, when addressing women’s empowerment, the Plan fails to refer to girls despite it being critical to recognise that empowering girls is key to ensuring women are empowered.

We are pleased to see that some aspects of gender equality have been mainstreamed into other areas of the plan, such as encouraging the participation of women in election processes, and supporting women’s organisations and Human Rights Defenders (HRDs) in their defence of the rights of women and girls.

However, gender equality should have been clearly mainstreamed throughout the entire Plan. All work on human rights and democracy must ensure girls and women have equal access to and are able to claim their human rights. For example, support to justice systems must ensure that all women and girls have access to justice and that human rights training for law enforcement agencies is gender sensitive, with gender sensitive and child friendly reporting mechanisms being put in place.

The Action Plan also fails to state clearly that HRAP activities should be coordinated with the revised Gender Action Plan – this key omission risks causing duplication or confusion, especially if different people are responsible for implementing different parts of the Plan. A case in point is the overlap between girls in the gender section and girls within the cohort of ‘children’.

**Children’s rights**

We very much welcome the rights-based approach taken to the points on children’s rights in the Action Plan, and congratulate the EU on having moved clearly towards more comprehensive child protection and a systems strengthening approach.

However, the inclusion of child labour under economic and social rights would be included within a child protection systems approach, and focus on specific issues must be in the context of a systems-strengthening approach. As mentioned above, the references to children affected by armed conflict should also be included within child protection, or at least cross-referenced, as a systems approach to child protection would encompass these issues.

Finally, the plan fails to incorporate the importance of child and youth participation, a key right, and one which would enhance their empowerment and provide them with valuable skills for becoming active citizens able to contribute to their societies.

**Recommendations for the Implementation of the HRAP**

- To ensure the Action Plan has the greatest possible impact, updated Human Rights Country Strategies must be aligned to this Plan. This process should be carried out in a fully transparent manner both in Brussels and locally, in line with the commitments made in this Action Plan. Ideally, civil society should have a role in reviewing the template that was used for the previous Human Rights Country Strategies to ensure it permits a comprehensive assessment of the human rights situation of a country: tick box exercises risk being inadequate. The final Country Strategy must be made public and available for all to access.
- Moving forward, relevant funding for external action and development cooperation provided both through thematic and geographic budget lines should support the priorities within the
Action Plan. Furthermore, immediate funding is needed – waiting to align funding through the mid-term review process in 2017 is too late for effective implementation of the Action Plan.

• The Action Plan has immediate implications for human resources. It is unclear how the current level of staffing dedicated to human rights could accomplish such an ambitious plan. We would therefore welcome more information on this crucial issue.

• Going forward, all impact assessments undertaken by the EU must take into account the full range of human rights issues.

• Regular, transparent monitoring and evaluation must be carried out on the impact of all sections of the plan.

• Lastly, it is key that all efforts towards improving the human rights situation in partner countries are joined up – for example, commitments within this Plan must be aligned to those in other strategies (for example, the revised Gender Action Plan) and other areas of work, such as implementing the SDGs framework.

Next steps for Point 14 - gender equality and girls and women’s rights

• Discrimination against girls and women is at the heart of the issues the EU seeks to address in this Action Plan and tackling gender based discrimination must be mainstreamed as a focus throughout all sections of its implementation.

• All data collected on the impact of the action plan must be disaggregated by gender and age at a minimum.

Next steps for Point 15 - children’s rights

• It is critical that the EU develops a specific implementation plan for the various strands of work, and undertakes to update the 2007 EU Guidelines on the promotion and protection of the rights of the child.

• The implementation activities of the plan must include supporting child and youth empowerment and participation.

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