



Advancing Human Rights Worldwide

The EU Leading by Example

“Human security, democracy, and prosperity can only be achieved in societies where fundamental human rights are respected. Humanity will not enjoy security without development; it will not enjoy development without security; and it will not enjoy either without respect for human rights.”

—Benita Ferrero-Waldner,
EU Commissioner for
External Relations and
Neighborhood Policy

Every day throughout the world, human rights are in jeopardy. Authoritarian regimes deny rights to their citizens in their misuse of power. Vulnerable populations and minorities are abused, particularly in conflict-ridden regions. Even in democratic societies, capital punishment, unlawful detention, and torture are employed when fear and insecurity override the enlightened application of the rule of law.

Respect for human rights lies at the heart of the European Union. Bringing together the voice and influence of 27 European nations, the EU is a leader in global efforts to protect human rights. After more than 50 years of peace and prosperity in Europe, the EU is proof of the profound and lasting benefits that can flow from respect for human rights, democracy, and the rule of law.

Every one of the EU’s 27 Member States must commit to respect human rights as a prerequisite for a peaceful, secure, and just union. This commitment is embodied in EU treaties and actions and is reinforced by the EU’s Charter of Fundamental Rights, which consolidates the entire body of civil, political, economic, social, and cultural rights enjoyed by EU citizens and residents.

Nations seeking to become EU members must first demonstrate respect for human rights in both law and practice, a requirement that has prompted significant reform in candidate countries. The EU also offers its immediate neighbors a privileged relationship built on a commitment to common values.

Human rights concerns underpin every internal and external EU policy, including external assistance, development cooperation, and trade. Special attention is paid to the rights of women, children, and minorities, and to the protection of human rights defenders. Most EU agreements include a human rights clause, requiring partners to respect human rights and democratic



principles, and providing for targeted restrictive measures if such principles are breached.

The EU pursues human rights goals multilaterally, working with the United Nations, the International Criminal Court, the Council of Europe, and the Organization for Security and Cooperation in Europe; coordinating directly with important partners such as the United States; and supporting the work of non-governmental organizations (NGOs).

Through the European Instrument for Democracy and Human Rights, now in its 15th year, the EU devotes substantial funding to support actions that promote human rights and democratic principles. It also responds directly to situations where respect for democracy and human rights is at risk by providing peacekeeping and other stabilizing assistance in many of the world’s hot spots.

The EU’s global campaign against the death penalty, its key role in fighting torture, and its support for the work of the International Criminal Court are just some of the more visible applications of a potent EU commitment that influences the conduct of EU external relations.

inside

- 2 Developing and Implementing EU Human Rights Policy
- 3 International and Regional Organizations
- 4 The EU’s Global Reach and Influence
- 6 Championing Human Rights Causes
- 8 Human Rights and the Fight against Terrorism

Developing and Implementing EU Human Rights Policy

EU Human Rights Guidelines

- **Death Penalty.** The EU opposes capital punishment in all circumstances and strives for its universal abolition, seeking a moratorium as a first step.
- **Torture and other Forms of Ill-Treatment.** The EU supports the unconditional prohibition of all forms of torture and ill-treatment and aims to persuade non-EU countries to outlaw such treatment, to rehabilitate torture victims, and end the impunity of those responsible.
- **Human Rights Dialogues with Non-EU Countries.** The EU engages in human rights dialogues with countries such as China, Turkmenistan, and Uzbekistan, and raises human rights issues in its broader discussions and agreements with other partners.
- **Children in Armed Conflict.** The EU acts to persuade state and non-state actors to end the use of children in armed forces, protect children from the impact of armed conflicts, and rehabilitate children who have been victimized.
- **Human Rights Defenders.** The EU supports the free operation of human rights defenders and employs a range of tools to support them abroad.
- **Promotion and Protection of the Rights of the Child.** The EU encourages other countries to fulfill their obligations and commitments to promote and protect all rights of the child.
- **Combating Gender Discrimination and Violence against Women and Girls.** The EU seeks to prevent violence against women, protect and support victims, and prosecute the perpetrators.

The promotion of human rights plays a central part in the EU's Common Foreign and Security Policy (CFSP), and the EU pursues an active external human rights agenda to help promote stability, security, and prosperity around the world.

EU human rights actions are steered by guidelines issued by the Council of the EU on such issues as the death penalty, torture, and human rights defenders, as well as by international human rights norms and standards. The EU supports effective multilateralism and adheres to long-standing international and regional human rights standards established, promoted, and practiced by the Council of Europe (COE), the Organization for Security and Cooperation in Europe (OSCE), and the United Nations (UN).

The three principal EU institutions each have important roles in defending, supporting, and promoting human rights abroad:

- The **Council of the EU** defines and implements foreign policy objectives in line with the broad political guidelines set by the European Council (EU heads of state and government). The Council's Working Party on Human Rights (COHOM) is responsible for addressing human rights issues, while EU foreign ministers meet regularly to consider issues that have arisen in the context of CFSP, trade, or development policies. Since 2005, the Council's Secretary-General/High Representative has appointed a Personal Representative on Human Rights to ensure the coherence and continuity of the EU's human rights policy.
- The **European Commission**, the executive arm of the European Union, partners with the Council to develop and implement the Common Foreign and Security Policy and actively contributes to the formulation of EU policies and positions on human rights and democratization. Its network of more than 130 external delegations plays a vital role in promoting the EU's human right policies and programs, and in monitoring project funding.
- The directly-elected **European Parliament** advocates for human rights issues through its resolutions, reports, missions abroad, inter-parliamentary assemblies, participation in election observation missions, and its Subcommittee on Human Rights. Annually, the European Parliament presents a prestigious human rights award—the Sakharov Prize for Freedom of Thought.

Drawing from traditional diplomacy, the Union issues declarations, démarches (formal diplomatic exchanges through which the EU explains its positions on specific human rights issues), and resolutions. The EU also promotes human rights and democratization by agreeing on common strategies, common positions, and joint actions (CFSP mechanisms) among its Member States.

Through structured human rights dialogues and consultations with non-EU countries, the EU raises specific issues, recommends improvements, measures progress, and promotes reform through training, projects, or other forms of cooperation. These exchanges take place with some 30 partners worldwide, including China; Russia; the African Union; nations in central, southern and southeastern Asia; and the European Neighborhood countries that ring the Mediterranean and border the EU to the east. The establishment of new human rights dialogues with several Latin American countries is currently under discussion.

The EU provides direct funding for human rights and democratization through the European Instrument for Democracy and Human Rights (EIDHR). Launched in 1994 as the European Initiative for Democracy and Human Rights, EIDHR's annual budget of €155 million supports activities including global campaigns against the death penalty, the rehabilitation of torture victims, assistance for human rights defenders at risk, and support for free media organizations. More than 90 percent of EIDHR partners are local and international civil society organizations; the remainder are international intergovernmental bodies with special expertise, such as the Office of the UN High Commissioner for Human Rights and the Council of Europe.

Additional EU funding supports projects with partner governments to improve the implementation of human rights in areas such as police training and prison and judicial reform.

On the Web: EU Human Rights Guidelines

http://ec.europa.eu/external_relations/human_rights/guidelines

International and Regional Organizations

Helping Countries Live Up to Their Human Rights Obligations

The EU strongly supports multilateralism in the promotion of human rights, and it encourages other nations to sign, ratify, and effectively implement the major UN human rights conventions and to respect Council of Europe or OSCE commitments.

United Nations (UN). EU Member States and the European Commission meet regularly to coordinate common positions in UN forums. The EU plays an active role in the UN Human Rights Council and the UN General Assembly's Third Committee (social and humanitarian issues), introducing resolutions and making statements to protect and promote human rights and fundamental freedoms at both the international and country levels. The European Commission has had permanent observer status at the UN since 1974.

Council of Europe (COE). The COE's membership consists of 47 democratic European countries, including all EU Member States, plus five observer nations, including the U.S. The COE promotes and protects human rights and the rule of law in Europe on the basis of the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms. Article 6 of the Treaty on European Union requires its members to respect the rights guaranteed in this Convention "as general principles of Community law."

The Convention's rights and freedoms include the right to life; to protection against torture and inhuman treatment; to freedom and safety; to a fair trial; and to freedom of expression. Additional Protocols in the Convention abolish the death penalty. Enforcement is provided by the European Court of Human Rights, and all COE contracting parties are required to submit to its jurisdiction. Individuals may appeal directly to the Court in the event of a Member State violation of rights.

Organization for Security and Cooperation in Europe (OSCE). Established during the Cold War to contribute to conflict prevention and crisis management in Europe, the OSCE's comprehensive security activities encompass the promotion of human rights, democracy, and the rule of law. The EU and OSCE's common agenda underpins a mutually supportive relationship; all EU countries are OSCE participating states.

International Criminal Court (ICC). Established in 2002, the ICC is the first permanent international court with jurisdiction over individuals accused of committing genocide, war crimes, and crimes against humanity. The Hague-based ICC is independent and based on a treaty (the Rome Statute) signed by 108 countries, including all but one EU Member State. The U.S. is not a signatory. The EU has consistently provided strong political, financial, and technical support to help the ICC function effectively.

UN Universal Declaration of Human Rights

December 2008 marked the 60th anniversary of the UN Universal Declaration of Human Rights (UDHR), considered the foundation of international human rights law and a guiding principle in international relations. It has also inspired numerous treaties and declarations, including the Council of Europe's European Convention on Human Rights and the European Union's own Charter of Fundamental Rights. The UDHR elaborates a number of specific rights, including the rights to life, liberty, and security; the right to be free from slavery; the right to a fair and public trial; the right to own property; the right to peaceful assembly; the right to work; and the right to education.

"We have a unique moment to renew multilateralism, working with the United States and with our partners around the world. For Europe, the transatlantic partnership remains an irreplaceable foundation, based on shared history and responsibilities."

—Council of the European Union
December 11, 2008

2008 Sakharov Prize

For the past 20 years, the European Parliament has awarded the annual Sakharov Prize for Freedom of Thought to individuals or organizations for important contributions to human rights or democracy. Recipients demonstrate the courage, patience, and inner strength required to defend human rights; most have been persecuted, jailed, or exiled. Nelson Mandela was the first prize recipient.

The 2008 laureate, Hu Jia, has been active for two decades in the Chinese democracy movement. He is also known for his pioneering ecological activism, work with AIDS victims, and contributions to the "barefoot lawyers movement" that mobilizes legal experts, lawyers, and academics in upholding individual rights and combating injustice in China. Currently, he is serving a prison term for "subversion of state power."



The EU's Global Reach and Influence



EUPOL Afghanistan: Completion of the Herat training course for policewomen, December 2008

“Through political dialogue, we encourage partner countries to integrate human rights and democratic principles as part of the development plans. Indeed, we have “mainstreamed” democratic principles in all our development instruments. It has to be done in an intelligent, articulated way, but it should always be done.”

—European Commission President
José Manuel Barroso

In addition to being an integral part of the EU's Common Foreign and Security Policy (CFSP), the EU's human rights agenda is integrated into all of its policies, including government-to-government relationships, EU accession criteria for prospective Member States, the European Neighborhood Policy, peacekeeping and crisis management activities, and trade agreements.

Government-to-Government Relationships

EU-China Human Rights Dialogue. Supporting China's transition to an open society based on the rule of law and respect for human rights is central to EU-China relations. The EU engages China in constructive discourse on human rights through regular political discussions as well as a specific human rights dialogue. Since 1995, China and the EU have participated in twice-yearly human rights meetings that allow participants to raise issues of concern, such as the death penalty, labor camps, minority rights, and civil and political freedoms. The human rights dialogue is complemented by a legal seminar attended by Chinese and European academics and civil society representatives.

EU-Russia Consultations on Human Rights. The EU actively supports international human rights initiatives in Russia in partnership with the United Nations and the Council of Europe. Since 2005, Russia and the EU have held biannual consultations on human rights. Topics of continuing EU concern include freedom of the media, of expression, and of assembly; the functioning of civil society; minority rights; and the rights of women and children.

The EU also fosters a culture of human rights and democracy in Russia by sending observation missions to certain trials, organizing conferences and seminars, and supporting Russian human rights projects through EIDHR funding. Since 1997, the EIDHR has provided direct funding for more than 250 projects undertaken by non-governmental organizations or higher educational institutions.

EU-Iran Human Rights Dialogue. The EU and Iran pursued a human rights dialogue between 2002 and 2004, as the EU embarked on negotiations for a bilateral trade and cooperation agreement with human rights conditions. Despite EU willingness to proceed, the dialogue stalled in 2004 due to Iran's lack of engagement.

Through bilateral diplomatic channels and public declarations, the EU takes action on human rights violations in Iran. In a December 2008 statement, the EU referred to multiple human rights violations by the Iranian authorities that “testify to the erosion of the rights of the individual there.”

African, Caribbean, and Pacific (ACP) Nations. ACP countries benefit from trade preferences contingent on their respect for human rights, and human rights consultations take place through political dialogue with the 78 African, Pacific, and Caribbean nations that are party to the Cotonou Agreement.

U.S., Canada, Japan, and New Zealand. Based on broadly converging views on human rights, the EU participates in regular meetings with countries including the U.S., Canada, Japan, and New Zealand, to develop common areas of interest and international cooperation.

EU Membership and the European Neighborhood Policy

Prospective EU Member States must meet specific conditions—the “Copenhagen Criteria”—to be considered for EU membership. Applicant countries are required to have stable institutions that guarantee democracy, the rule of law, human rights, and respect for and protection of minorities. They also must be able to assume the obligations of membership, which includes compliance with EU Treaty provisions like adherence to the European Convention on Human Rights.

In addition, the EU offers its neighbors to the east and those ringing the Mediterranean a privileged relationship, which builds upon a mutual commitment to common values, including democracy, human rights, the rule of law, good governance, market economy principles, and sustainable development. Neighbors interested in reforming their democracy and human rights standards have the opportunity to develop a tailor-made Joint Action Plan with the EU, and can look forward to substantial benefits in the form of technical assistance, political support, and aid money.

Ukraine. EU assistance and training supports Ukraine's efforts to build upon and further strengthen the achievements of the Orange Revolution in the areas of democratization, human rights, and the rule of law.

Jordan. By strengthening the role of Jordanian civil society organizations, the EU helps promote gender equality, democratization, and human rights. The

EU also provides direct support to promote women's participation in political and economic life, labor rights, and human rights advocacy.

ESDP and Crisis Management

The European Security and Defense Policy (ESDP), a component of EU foreign policy, is designed to manage crises in regions emerging from conflict and/or transitioning toward democracy. Human rights considerations are fundamental to ESDP operations. ESDP personnel in both military and civilian operations receive specific human rights training, particularly on the situation of children affected by armed conflict and on the protection of women in conflict situations and the role of women as peace-builders.

EUPOL Afghanistan fosters sustainable and effective civil policing arrangements in Afghanistan, and aims to develop a trusted police service that interacts appropriately with the Afghan criminal justice system and respects the rule of law and human rights. The mission consists of about 400 law enforcement and judicial personnel.

EUJUST LEX Iraq aims to strengthen the rule of law and promote a culture of respect for human rights in Iraq. The operation provides professional development opportunities for senior Iraqi officials to foster confidence, mutual respect, and operational cooperation among the Iraqi police, judiciary, and prison systems.

Election Observation Missions

Credible and fair elections are vital to democracy, the rule of law, and respect for human rights, and EU election observation missions (EOMs) assess whether the electoral process conforms to international standards for democratic elections. Observers examine whether political parties can participate freely and openly in the electoral process; the level of access candidates have to the media; voter education; and the safety and security of voters.

EU election observation also involves an assessment of the strengths and weaknesses of an electoral process and the presentation of recommendations that help determine appropriate post-election assistance. Since 2000, the EU has deployed more than 70 long-term election observation missions in nearly 50 countries.



Incentives and Sanctions

The EU's long-standing preferential trade arrangements with the developing world ensure that beneficiary countries respect human rights. Agreements such as the Generalized System of Preferences (GSP/GSP Plus) and EU arrangements with 78 African, Caribbean, and Pacific (ACP) nations include measures to limit or suspend trade benefits in the event of serious human rights violations. GSP Plus also includes opportunities for the most vulnerable countries to reap additional benefits when they go the extra mile and abide by specified international human rights, labor, governance, or environmental standards.

A specific "human rights" clause is an essential element of nearly all EU agreements with non-EU countries and requires parties to respect human rights and democratic principles. If these principles are breached, the EU can suspend the agreement or impose targeted sanctions, as it did with Zimbabwe and Uzbekistan.

In addition to specific or general trade restrictions, sanctions may also include arms embargoes, financial restrictions, or visa and travel bans. Whether economic or diplomatic in nature, sanctions seek to change activities or policies such as human rights violations, and may target foreign governments, or non-state entities such as terrorist groups. Sanctions by the EU may be imposed either autonomously or to implement binding UN Security Council Resolutions.

"The EU's election observation activities are a vital part of fostering democracy development around the world. It is a practical and highly visible expression of the EU's foreign policy objectives: promoting human rights and democracy, peace-building and security reform."

—Benita Ferrero-Waldner,
EU Commissioner for External
Relations and Neighborhood Policy

Championing Human Rights Causes

Fighting Capital Punishment and Torture, Protecting the Vulnerable

Statistically Speaking

- In 1977, only 16 countries had abolished the death penalty for all crimes.
- By 2009, 93 countries had abolished the death penalty for all crimes.
- More than two-thirds (138) of all nations ended capital punishment in law or practice.
- Eighty-eight percent of all known executions in 2007 took place in five countries: China, Iran, Pakistan, Saudi Arabia, and the United States.

Source: Amnesty International

The EU vehemently supports the right to life and the right not to be subject to cruel, inhuman, and degrading treatment or punishment—standards recognized in the Universal Declaration of Human Rights, other international human rights agreements, and many national constitutions.

Death Penalty. The EU seeks the universal abolition of the death penalty, beginning with a global moratorium on the practice. The EU's opposition to the death penalty is rooted in the inherent dignity of all human beings, regardless of the crime committed. The EU considers capital punishment to be cruel and inhuman. It fails to deter criminal behavior and any miscarriage of justice—inevitable in any judicial system—is irreversible.

Abolition of the death penalty is a prerequisite for EU membership and an example of the transformative power of the promise of EU membership. All 27 EU Member States—as well as candidate countries Croatia, the former Yugoslav Republic of Macedonia, and Turkey—have abolished the use of the death penalty for all crimes. Potential candidate countries Albania, Bosnia & Herzegovina, Kosovo, Montenegro, and Serbia have renounced it as well.

Where capital punishment still exists, the EU campaigns for reduced use and insists that it is carried out transparently and according to the minimum standards specified by the UN: the death penalty should not be imposed on pregnant women, new mothers, the mentally ill, or those who were under 18 at the time the crime was committed. Under the EU's Charter of Fundamental Rights, no individual may be removed, expelled, or extradited to a country where there is a serious risk of being subject to the death penalty.

The EU addresses the death penalty in its dialogues with non-EU countries, issuing general démarches, particularly when a country's policy is in flux, with capital punishment likely either to end or to be re-introduced. The EU issues public statements condemning specific cases of individual death sentences that violate minimum standards, such as the execution of minors in Iran.

The EU is deeply concerned about the increasing number of executions in the United States since the reinstatement of the death penalty in 1976. Of the 1,136 executions carried out in the U.S. through 2008, more than half occurred during the last ten years. According to Amnesty International, more than 20 executions are already scheduled for the first half of 2009.

The EU communicates its views directly to American political leaders at the state and federal level and, when appropriate, petitions the judicial system, including filing amicus briefs before the U.S. Supreme Court in cases where the minimum standards are not respected. On a positive note, the EU congratulates New Mexico for its March 2009 decision to abolish the death penalty. However, New Mexico is only the second state after New Jersey to ban executions since the death penalty was reinstated by the U.S. Supreme Court.

The EU also initiates multilateral resolutions in UN forums, particularly the Human Rights Council. In December 2007, the United Nations General Assembly adopted a Resolution on a Moratorium on the Use of the Death Penalty, the culmination of long-standing EU efforts and a landmark achievement in the global fight against the death penalty. In 2008, a second resolution on the establishment of a moratorium on capital punishment enjoyed even greater consensus.

The EU's political and diplomatic efforts are matched by substantial financial support. Since 1994, EIDHR funding of more than €24 million has supported more than 35 projects against the death penalty worldwide. Projects funded by EIDHR educate the public and influence public opinion in death penalty countries, conduct studies on nations' compliance with minimum standards, train lawyers, and help secure access to legal support for death row inmates.

EIDHR provided more than €860,000 in funding for a four-year American Bar Association study assessing how U.S. states' death penalty systems comply with minimum standards designed to protect due process and fairness. Findings, the last of which were published in 2008, highlighted serious deficiencies in states including inadequate protections to prevent wrongful convictions, a lack of adequate defense for the accused, and significant racial, geographic, and socio-economic disparities.

Torture. As a global leader in the fight against torture and other forms of ill treatment, the EU works to prevent and eliminate torture and to end the impunity of those responsible.

Through its Guidelines on Torture and Other Cruel, Inhuman and Degrading Treatment, the EU strives to persuade non-EU countries to produce and apply effective measures to outlaw torture. The EU also champions anti-torture initiatives in international forums, consistently raises its concerns with other

countries through political dialogue and bilateral démarches, and provides substantial funding for relevant projects by civil society organizations.

The EU played an instrumental role in the adoption of the 2002 Optional Protocol to the UN Convention against Torture (OPCAT), which helps prevent torture by establishing a system of national and international visiting mechanisms for the inspection of detention centers and other places where people are deprived of their liberty.

The EU considers the International Criminal Court (ICC) to be a major advance in the creation of an international justice system where perpetrators of international crimes—including torture—can be held accountable even if no action is taken at the national level. The EU strongly supports the ICC, and regrets that the United States has not only failed to recognize its jurisdiction and has undertaken measures to shield U.S. nationals from prosecution by the ICC, but has also encouraged other countries to do likewise.

Anti-torture programs funded by EIDHR prioritize the prevention of torture and the rehabilitation of victims. Between 2002 and 2007, EIDHR provided almost €60 million to fund projects including education and training for police and prison officers; the development of international mechanisms designed to prevent torture; prison monitoring by NGOs; the provision of legal aid for victims; the fight against impunity for those who commit acts of torture; and rehabilitation centers for torture victims. EIDHR currently helps fund torture rehabilitation activities in 41 countries worldwide, including 20 rehabilitation centers in 16 EU Member States, and one center in the U.S.

An EU regulation in place since 2006 prohibits the export or import of goods whose only practical use is to carry out capital punishment or inflict torture or other cruel, inhuman, or degrading treatment. The EU hopes that this innovative legislation will serve as a model for similar regulation by other countries.

Children's Rights. The United Nations Convention on the Rights of the Child, which encompasses a wide range of civil, political, economic, social, and cultural rights, provides the EU's blueprint for guarding children's rights. The Convention also includes two optional protocols: one on children's involvement in armed conflict and a second covering child trafficking, prostitution, and pornography. Countries that have ratified the convention are obliged to respect, protect, and honor the rights established, and the EU seeks to facilitate that process.

Children's rights are an important priority, and EU funding for projects that address child labor, child trafficking, and violence against children has increased dramatically. The European Commission's "Investing in People" program dedicates €90 million over seven years to support projects on children, and within EIDHR, the EU has earmarked €6.8 million to support projects on children during the same period.

EIDHR lends particular support to actions aimed at preventing the recruitment of children for armed conflicts and encouraging their release and reintegration. Previous projects have worked to rehabilitate former child soldiers in Angola, Ethiopia, and Sierra Leone, combat child trafficking in West Africa, combat sex tourism involving children, and eradicate female genital mutilation.

Women's Rights and Gender Equality. The 2008 EU Guidelines on Violence against Women and Girls formalized the EU's commitment to taking long-term action against one of the world's most endemic human rights violations. The European Union urges non-EU countries to support the protection and reintegration of victims, in close cooperation with civil society organizations and human rights defenders.

The EU actively supports UN Security Council Resolutions 1325 and 1820 on women, peace, and security, which concern protecting women in conflict situations and promoting their role as peace builders.

The European Union is committed to discussing gender equality issues with its partner countries and to mainstreaming gender issues in all its external actions. Annually, almost 35 percent of EU development aid supports projects that have a specific gender dimension.

Human Rights Defenders. Human rights defenders play a critical role in documenting abuses, seeking legal and medical remedies for victims, and working with governments to improve human rights practices. Because human rights defenders often become targets of violence and retribution, the EU helps protect individuals and groups by monitoring their situation through regular reporting and direct contact; ensuring their recognition by non-EU countries and international organizations; and intervening in cases where human rights workers are at risk.



Human Rights and the Fight against Terrorism

The EU and the U.S. Respecting their Creeds

Excerpts from the 2008 EU-U.S. Summit Declaration

The strategic partnership between the EU and the U.S. is firmly anchored in our common values and increasingly serves as a platform from which we can act in partnership to meet the most serious global challenges and to advance our shared values, freedom, and prosperity around the globe. We seek a world based on international law, democracy, the rule of law and human rights.... We will work together to ensure that the multilateral system takes action to protect the freedoms of individuals, and will hold all regimes that fail to protect the human rights of their people accountable.... We will ensure that efforts to combat terrorism comply with our obligations under international law, in particular international human rights law, refugee law, and humanitarian law.

Effective counterterrorism and the protection of human rights should be mutually reinforcing. Democratic societies can only overcome terrorism in the long-term if they remain true to their own values.

The EU's counterterrorism strategy is designed to combat terrorism globally while respecting human rights and fundamental freedoms, and is firmly committed to the prohibition of torture, or cruel, inhuman, or degrading treatment and punishment. The Union objects strongly to secret detention facilities where detainees are kept in a legal vacuum, a situation that does not conform to established international humanitarian or human rights law.

Both the EU and the U.S. are founded on core values that include fundamental and human rights, liberty and democracy, and the rule of law. In his inaugural address, President Obama rejected as false the choice between those ideals and the nation's security; within two days he issued executive orders to close the Guantanamo detention center within one year, to ensure lawful interrogations, and to review detention policy options.

The EU has applauded these decisive actions. European Commission Vice-President Jacques Barrot, responsible for Freedom, Justice, and Security, noted that in a country based on the rule of law, every person has the

right to defend him or herself according to the law. Of course, he continued, the fight against terrorism must remain a major priority for the U.S. and for Europe. We must be unified in this fight, he said, but always with absolute respect for human rights.

Together the EU and the U.S. work vigilantly to counter terrorism. By the third anniversary of 9/11, the EU and the U.S. had signed six groundbreaking agreements: two police cooperation agreements between Europol and U.S. law enforcement authorities, two agreements on judicial criminal cooperation (extradition and mutual legal assistance), one agreement on the transfer of passenger data, and one agreement on container security.

To ensure that there is no security gap between the transatlantic partners, the EU fosters an intense dialogue with the U.S., covering issues including terrorist financing, radicalization, travel document security, visa issues, and information sharing. A Policy Dialogue on Border and Transport Security, in place since 2004, has proven invaluable to resolving potential conflicts in the EU and U.S. approaches to counterterrorism. Senior U.S. officials also meet regularly with their EU counterparts.



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"We reject as false the choice between our safety and our ideals. Our Founding Fathers, faced with perils that we can scarcely imagine, drafted a charter to assure the rule of law and the rights of man—a charter expanded by the blood of generations. Those ideals still light the world, and we will not give them up for expedience's sake."

—U.S. President Barack Obama,
January 20, 2009



"... the good news about this new [American] administration is that they are closer to our European model and our European values."

—European Commission President
José Manuel Barroso

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