

Convention on the Future of Europe

3rd OMCT contribution-*The EU and the Human Rights in the World*

Summary

OMCT welcomes the pro-active approach to human rights as defined in the report of the Working Group VII on External Action, defined not only as a legitimate parameter, but also implying an active promotion of human rights. Nevertheless, OMCT is worried about the overall approach followed by the Convention in dealing with the reform of the EU external policy. OMCT notably regrets until now **only a limited debate has been launched on contents**, that is not only the values and the objectives on which the EU intends to base its external action, but also a critical assessment of the concrete impact of the EU external action on the international arena. And yet it is not possible to make an efficient reform of the functioning of the institutions without having clearly defined the values, objectives and concrete policies they must reach and serve.

OMCT therefore welcomes the new proposal on **principles and objectives** of the EU external action of the Working Group VII. Integrated in the Revised Draft Report. Moreover, OMCT wishes the legal bases of the European Union external action to be set up in a clearer way. In particular, the human rights policy of the EU towards third countries should be mentioned in the Treaty besides Trade Policy, Development Policy, the CFSP and the Crisis Management Policy.

To overcome the lack of **coherence** of the EU external action, OMCT suggests the full incorporation of the CFSP into the community pillar in the long run. In the short run, a new clause should foresee that consistency shall be guaranteed not only between the EC Development Policy, the Human Rights Policy, the Trade Policy and the European Common Foreign and Security Policy, but also among the different policies carried out within the community method and the EU internal and external action. Member States should also be bound to act in consistence with the EU external action. In order to improve **efficiency**, a systematic and formalised assessment of the impact of the EC and the EU policies on human rights should be ensured.

OMCT urges the Convention to improve the use of the **human rights clause** by integrating it also in the "sectoral agreements" and by approving an Annual Report on the human rights clause in order to better assess its practical implementation.

In order to enhance **accountability** in the EU external action, OMCT encourages the Convention to provide for EP consultation on all CFSP/ESDP instruments, including common strategies and main guidelines, as well as the new "joint initiatives" of the EU External Representative and the Commission. The EP should also be competent to monitor the implementation of the CFSP/ESDP.

To improve **transparency** in the EU external action, human rights should become a systematic point of the agenda of the General Affairs Council and the COHOM Working group should ensure the availability of agendas in due time to enable the civil society to contribute to the setting up of foreign policy objectives. Finally, regular and transparent consultation on a more systematic and formalised base shall be ensured with third parties and particularly with NGOs and civil society.

As to the **external representation of the EU**, the person in charge should also have in his mandate the responsibility of representing the EU on human rights issues with third countries. Finally, a systematic and direct cooperation should be set up between the EU Representative and the other EU bodies in charge of human rights.