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EU-Africa Summit: Human rights commitments must be translated into action

At today's European Union (EU)-Africa Summit in Brussels, Belgium, Amnesty International calls on African and EU decision-makers to ensure that human rights underpin all discussions and decisions on all the issues on the agenda aimed at "Investing in People, Prosperity and Peace."

At this summit, Africa and the EU have the opportunity to ensure human rights shape many key areas of increasing cooperation: migration, response to conflicts and crises, and business and human rights. In these and all other areas of inter-continental cooperation, the universality of human rights must form the core of all dialogue and action.

Migration

Amnesty International has documented how restrictive migration policies lead to human rights violations, injury and death of people on the move between the two continents—many of them sub-Saharan Africans. These challenges in migration must be addressed explicitly from a human rights angle during the EU-Africa Summit, including recent incidents in Greece¹ and between Italy and Libya² and Spain and Morocco.³ Both continents must also confront the overall failure to protect and resettle Syrian refugees to date.⁴

It is legitimate for states to manage their borders. However, this should be done in a manner that remains in compliance with states' international human rights obligations. Where Africa and the EU cooperate on migration issues, human rights of migrants must remain the primary consideration in the negotiation and implementation of any agreement, including on readmission, as well as other cooperation tools such as mobility partnerships. In full respect of international human rights and refugee law, states must ensure that their migration control policies and practices do not cause, contribute to, or benefit from human rights violations.

Conflicts and crises-response

Similarly, EU-Africa cooperation in crisis response is another area where there is urgent need for coherent action on human rights. Amnesty International calls for the EU-Africa summit to discuss how human rights can be protected and promoted wherever the two continents collaborate in crisis responses. Recent cooperation between Africa and the EU and its member states in crises in Mali⁵ and Somalia⁶ has raised the

¹ "Amnesty International urges the Greek Government to carry out a transparent and thorough investigation into the circumstances which led to loss of life in the Aegean," 20 January 2014. <http://www.amnesty.org/en/library/asset/EUR25/002/2014/en/60426d8c-06a2-4c08-8908-71d53bffbe3c/eur250022014en.pdf>

² Scapegoats of Fear: Rights of Refugees and Migrants Abused in Libya" 20 June 2013.

<http://www.amnesty.org/en/library/asset/MDE19/007/2013/en/5310f0f7-1ff4-4acd-bfd8-e3e2c082d7d3/mde190072013en.pdf>

³ "Accountability urged for 'appalling' migrant deaths in Ceuta," 14 February 2014. <http://www.amnesty.org/en/news/spain-accountability-urged-appalling-migrant-deaths-ceuta-2014-02-14>

⁴ "An International Failure: the Syrian Refugee Crisis," 13 December 2013. <http://www.amnesty.org/en/library/asset/ACT34/001/2013/en/8a376b76-d031-48a6-9588-ed9aee651d52/act340012013en.pdf>

⁵ "Mali: An Agenda for Human Rights" 30 November 2013, <http://www.amnesty.org/en/library/asset/AFR37/006/2013/en/1558b2eb-004c-4357-98f7-a3498c7e0c52/af370062013en.pdf>; "EU must act to promote human rights in all its engagement in Mali," 5 December 2013. http://www.amnesty.eu/content/assets/Letters2013/B1503_HRVP_Mali_Agenda_for_Human_Rights_05_December_2013.pdf

⁶ "Somalia: No Place for the Displaced" 7 September 2013. <http://www.amnesty.org/en/library/asset/AFR52/010/2013/en/998458d1-c6d4-44dc-879d-2f64c6889d1c/af520102013en.pdf>; "Rape and Sexual Violence in Somalia: an Ongoing Epidemic," 30 August 2013.

<http://www.amnesty.org/en/library/asset/AFR52/009/2013/en/03eed775-84d9-4e3b-bd29-60dd56fafaed/af520092013en.pdf>; "The EU must foreground human rights at the New Deal for Somalia conference," 7 September 2013. http://www.amnesty.eu/content/assets/Letters2013/B1478_Letter_Ashton_New_Deal_conference_September_2013.pdf

question of how violations of international human rights and humanitarian law and abuses by all armed forces will be addressed in practice. Concerted commitments from members of the international community including the European Union (EU), the African Union (AU) and the United Nations (UN) are key to ensure effective protection of civilians facing increased violence on a daily basis in the Central African Republic (CAR). In particular, the EU, the AU and their respective member states must put an end to the impasse in delivering full financial, political and operational backing to the African Union-led International Support Mission to Central Africa (MISCA) and ensure that protection of human rights remains at the heart of their response to the ongoing crisis in CAR. The EU-Africa Summit will have a crucial role to play to ensure that human rights remain at the centre of African, European and joint responses to conflict and crisis now and in future.

Business and human rights

The EU and African states must likewise address human rights abuses connected with natural resources. Amnesty International research shows that companies operating in Africa cause or contribute to human rights abuses.⁷ At the 2010 International Conference on the Great Lakes Region (ICGLR), African Heads of State and Government pledged to fight the illegal exploitation of natural resources and approved a *Regional Initiative on Natural Resources*. The DRC and Rwanda have also adopted into law supply chain due diligence standards meeting requirements in OECD guidance.

On 5 March 2014, the European Commission published the legislative proposal on responsible sourcing of minerals originating in conflict-affected and high-risk areas. Despite NGO calls for mandatory supply chain due diligence obligations applying to all EU-based companies, and with a wide material and geographical scope, the Commission brought forward a voluntary opt-in self-certification scheme only available for companies importing processed or unprocessed minerals (tin, tungsten, tantalum (3Ts) and gold) into the European Market. This raises concerns that the proposal is likely to have minimal impact on the way in which a majority of European companies source natural resources. Evidence shows that companies do not carry out supply chain due diligence if not legally obliged.⁸ The EU's voluntary approach therefore creates a significant gap in the legal framework on supply chain due diligence. Amnesty International calls on both Africa and the EU to robustly support a mandatory regime, requiring all EU-based companies to conduct supply chain due diligence and having broad geographical and material scope.

For these and all discussions at the Summit, African and European leaders must uphold the universality and indivisibility of human rights, in policy and practice, irrespective of which country people live in. While discussion around international justice and Lesbian, Gay, Bisexual, Transsexual and Intersex (LGBTI) Rights should be welcomed between African and European partners, it is crucial that these exchanges remain framed by a joint commitment to the universality of human rights and do not take recourse to the rhetoric outside the international human rights framework.

Today, both EU and African states have adequate human rights instruments and commitments in place - it remains for decision-makers to translate these human rights commitments into action. Governments on both continents must now strive to achieve internal and external coherence on human rights, realising human rights at home and also in foreign policy, including in cooperation between Africa and the EU.

⁷ "Profits and Loss: Mining and Human Rights in Katanga, Democratic Republic of the Congo" 18 June 2013 <http://www.amnesty.org/en/library/info/AFR62/001/2013/en>

⁸ See the position paper endorsed by more than 60 NGOs, *Breaking the links between natural resources and conflict: The case for EU regulation* 16 September 2013 <http://www.business-humanrights.org/Links/Repository/1021992>