



Reference: **B2013**

**To: Prime Minister**  
**Dr. António Costa**  
Rua da Imprensa à Lapa,  
1200-888 -Lisboa

*Cc:*  
*Mr. Augusto Santos Silva, Minister of State and Foreign Affairs,*  
*Mr. Eduardo Cabrita, Minister of Internal Administration*

18 December 2020

## Amnesty International recommendations to the Portuguese Presidency of the Council of the European Union

Dear Prime Minister Costa,

As the Portuguese government prepares to assume the Presidency of the Council of the European Union (EU), Amnesty International calls on you to ensure that human rights are at the forefront of your mandate. The Portuguese presidency comes at a time of ongoing challenges in Europe, further exacerbated by the COVID 19 crisis. Now, more than ever, robust action must be taken to ensure the full protection of human rights in Europe and beyond.

Portugal is in a unique position during the next six months to take a firm stand in support of human rights and show leadership in this regard. We would welcome the possibility of meeting with you and the Ministers of Foreign Affairs and Interior respectively to discuss our recommendations in person.

Amnesty International encourages you to:

- 1. Ensure actual progress on protecting and promoting human rights and the rule of law within the EU**, in particular regarding the ongoing Article 7 TEU proceedings and accession to the European Convention on Human Rights and the Istanbul Convention;
- 2. Put human rights at the centre of EU foreign policy by prioritizing human rights in relations with third countries including China, India and African countries, stepping up collaboration in defence of key human rights gains in multilateral fora and strengthening EU and member state support to Human Rights Defenders (HRDs)** through the adoption of annual Foreign Affairs Council Conclusions on HRDs. Likewise, lead efforts to develop innovative, country specific HRD strategies and to step up EU communications on human rights and HRDs as key actors in safeguarding international human rights protections;
- 3. Lead on asylum and migration policies centred on solidarity and human rights**, by steering the measures implementing the new **EU Pact on Asylum and Migration** towards guaranteeing effective access to asylum in EU countries, ensuring accountability for human rights violations at EU borders and establishing fully functioning solidarity and disembarkation mechanisms. The rights of migrants and asylum-seekers should be central to the negotiation and implementation of any migration cooperation agreement with non-EU states.

Please find enclosed with this letter an annex providing further analysis and recommendations to the Portuguese Presidency.

We look forward to working closely with our Portuguese counterparts during the Presidency and beyond. We stand available to provide any further information required and discuss how the Portuguese Presidency can act upon the above recommendations.

Thank you in advance for your action to deliver on the EU's human rights commitments at this crucial time.

Yours sincerely,

Eve Geddie



Head of Office and Advocacy Director  
European Institutions Office  
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Pedro Neto



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# ANNEX: Amnesty International's recommendations to the Portuguese Presidency of the EU by thematic area

## 1. Rule of law, human rights and shrinking space within the European Union

The Portuguese Presidency comes at a crucial time in which the founding principles of the EU continue to be under severe pressure. Human rights and the rule of law, as well as civil society standing up for them, face sustained attack. During the COVID-19 pandemic, certain member states have adopted policies and measures that actively go against the EU's principles. The Council plays a central role in the EU response and it is therefore imperative that the Portuguese Presidency does all within its power to move the Council forward and find adequate solutions to these threats.

In particular, Amnesty International calls on the Portuguese Presidency to:

- **Ensure actual progress on the Article 7(1) TEU proceedings with regard to both Poland and Hungary** by proposing a meaningful way forward for hearings and further steps in both cases. It is imperative that member states continue to hold Polish authorities to account within the framework of the Article 7.1 TEU procedure. Within this process, the Council should continue to debate ongoing developments and urge Polish authorities to urgently address all of the Commission's recommendations, fully implement decisions by the Court of Justice of the EU and immediately halt the harassment of judges. We urge your Presidency to move the Council to address Poland's deteriorating rule of law situation and its impact on the human rights of its people, and to act firmly against the Polish authorities' increasing contempt for the founding values of the EU, in cooperation with the other institutions and as requested by the European Parliament in the September 2020 resolution.<sup>1</sup>

For Hungary, it is high time to continue with the examination of the issues raised in the reasoned proposal of the European Parliament (EP). The abuse of the pandemic to further tighten the authorities' grip has shown Hungary's determination to move ever further from core EU principles. The ban on legal gender recognition for transgender and intersex people, the prohibition of adoption for non-married couples and the amendment of the Constitution stating that "mother is a female and father is a male" and that Hungary "protects self-identity of the children's sex by birth" are further evidence of the continued attack on sexual minorities in Hungary. The Council should swiftly restart the hearings with Hungarian authorities, based on the data provided in the EP report as well as up-to-date information which could be provided by sources quoted in this report, such as EU, Council of Europe and United Nations bodies and institutions. To adequately address all relevant concerns, a schedule of hearings could be proposed indicating when the different topics will be discussed, giving all relevant actors, including civil society, adequate time to provide input.

If Hungarian and Polish authorities continue their current path, this should lead to a determination that indeed there is a clear risk of a serious breach of the values listed in Article 2 TEU. Before reaching such a conclusion, the Council should work towards the **adoption of concrete timebound recommendations to the Hungarian and Polish authorities** to safeguard respect for human rights and the rule of law. The extent to which the recommendations are implemented should guide the Council in making the determination as requested by the European Commission and the European Parliament respectively.

- **Move forward on accession to the European Convention on Human Rights (ECHR) and the Istanbul Convention.** It was indeed under the previous Portuguese Presidency that the Lisbon Treaty was signed and this created a duty for the EU to accede to the ECHR. The reopening of negotiations with the Council of Europe in 2020 presents an excellent opportunity for you to once again show leadership on this issue. We call on you to ensure accession takes place in a manner that provides accessible and effective protection of the human rights of persons within the jurisdiction of the EU and of its Member States and finally closes the current accountability gap. Increased human rights protection is also urgently needed for women and girls across Europe. With a growing anti-gender movement and resistance to the Istanbul Convention, EU accession to this

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<sup>1</sup> European Parliament resolution of 17 September 2020 on the proposal for a Council decision on the determination of a clear risk of a serious breach by the Republic of Poland of the rule of law (COM(2017)0835 – 2017/0360R(NLE)), [https://www.europarl.europa.eu/doceo/document/TA-9-2020-0225\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0225_EN.pdf).

instrument is ever more important. The Presidency should work with civil society to find ways to break the deadlock.

- **Stand up for civil society in Europe**, by working to adopt measures at the EU level that protect civil society and by ensuring effective inclusion of civil society's views in Council processes, including those mentioned above. Where it is not possible to invite civil society to the table, consultations and (de)briefing sessions can be set up with civil society around important debates, particularly where human rights and rule of law are at stake. The Presidency should also actively stand up for civil society with condemnation of initiatives harming civil society and public expressions of support to civil society under pressure.

## 2. Put human rights at the centre of EU foreign policy

### 2.1 Strengthen EU support to human rights defenders (HRDs) and defend human rights gains at multilateral fora

Human Rights Defenders (HRDs) worldwide continue to be demonized, harassed, unjustly prosecuted and detained for who they are and what they do. Amidst the COVID-19 pandemic, HRDs have found themselves even more exposed to risks for their human rights work, due to the abuse of emergency measures by governments to crack down on dissent. **As key actors safeguarding international human rights protections and promoting an effective and human rights compliant response to COVID-19**, HRDs play a central role in guaranteeing the transparency and accountability of state authorities, both in times of public health crisis and beyond. Similarly, environmental HRDs are often at heightened risk as they work to expose the overlapping interests of big businesses and state officials.

Meanwhile, recent years have seen the widespread questioning of existing human rights norms with countries like China and Russia, increasingly challenging the universality of human rights and undermining existing gains at multilateral fora. As part of these efforts, state actors have sought to limit the space for civil society at multilateral fora and have even questioned the internationally agreed definition of a human rights defender. In the face of these challenges, **the EU will need to step up its collaboration with likeminded partners to defend existing human rights gains at multilateral fora** and bolster the meaningful participation of civil society organisations at all levels.

The EU and its member states possess multiple policies and instruments to counter the pushback on human rights and the widening crackdown on those who defend them, yet more can be done to embed these tools and actions on HRDs within a broader strategic vision. To help confront these rapidly evolving challenges, a more strategic, innovative and impact-oriented EU policy is needed.<sup>2</sup>

To strengthen the EU's policy and political commitment towards human rights and HRDs, Amnesty International calls on the Portuguese Presidency to strive towards:

- **Meaningful delivery on the new EU Action Plan on Human Rights and Democracy.**<sup>3</sup> The Portuguese Presidency should actively lead efforts to strengthen EU coherence and unity in multilateral fora, widen and deepen bilateral partnerships, and build new cross-regional coalitions. In this spirit, the Portuguese presidency should also support civil society organisations' meaningful participation in multilateral and regional human rights fora;
- **Annual Foreign Affairs Council Conclusions on EU actions to promote and protect HRDs.** These conclusions should provide a strategic vision outlining how the EU and its member states will support HRDs globally in light of the increasing challenges to their work. They should address the EU's key policy shortcomings and inconsistencies in the EU's HRD policy, mainstream HRD concerns across the EU's different policy areas and strengthen the EU's crisis response and contingency planning capabilities;

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<sup>2</sup> See Amnesty International, 'Defending Defenders? An Assessment of EU Action on HRDs', 24 September 2019, <https://www.amnesty.eu/news/defending-defenders-an-assessment-of-eu-action-on-hrds/>

<sup>3</sup> EU Action Plan on Human Rights and Democracy 2020-2024, 18 November 2020, <https://www.consilium.europa.eu/media/46838/st12848-en20.pdf>.

- **Results-oriented country level strategies for EU action on HRDs**, ensuring that EU and member state actions are tailored to country-specific circumstances.<sup>4</sup> These strategies should complement the global strategic vision developed in the annual Foreign Affairs Council Conclusions and outline steps to 1) promote and protect individual HRDs, 2) ensure an enabling overall environment and 3) support the human rights issues raised by HRDs;
- **Meaningful steps to align all EU external action on climate and the environment – including the Green New Deal – with EU policies and commitments on human rights and HRDs.** The Portuguese Presidency can play a crucial role in empowering environmental and other HRDs working on these issues, actively promoting environmental and human rights due diligence and engaging European businesses to uphold and promote human rights in their operations worldwide, in line with the UN Guiding Principles on Business and Human Rights and the EU and member states' commitments in this regard;
- **A global public communications strategy on HRDs**, with explicit guidance and benchmarks on content, timing and level at which communications should be made, how they can be coordinated between the EU and its member states, and how to enhance the impact and visibility of EU actions, including through targeted social media;
- **Cultivating a culture of innovation within the EU**, by designating a focal point in the European External Action Service (EEAS) and member state Foreign Ministries responsible **for identifying and propagating good practices** and seeking to promote innovative and adaptable approaches to supporting HRDs;
- **A strategy to support HRDs with intersectional concerns** and facing specific challenges and risks as a result. These include women HRDs, LGBTI defenders, indigenous HRDs, HRDs working on land/environmental/territory or business and human rights. To achieve meaningful impact, the EU HRD guidelines must be linked up with existing EU policies on women's rights, LGBTI rights, business and human rights, indigenous peoples and other policies on specifically targeted groups.

## 2.2. Strengthen EU engagement on human rights in strategic relationships with third countries

### EU-China relations

Amnesty International urges Portugal to engage China on human rights during its EU Council Presidency and beyond, and lead on the development of an ambitious, holistic and results-oriented EU strategy for human rights in China. This strategy should be based on the following **core priorities**:

- The **release of imprisoned human rights defenders** and others detained solely for the peaceful exercise of their human rights;
- An **end to arbitrary detentions and other discriminatory policies in Xinjiang and Tibet**, as well as allowing independent and unrestricted access to Xinjiang for fact-finding mission by international observers;
- The **abolition of the death penalty**;
- The **safeguarding of human rights in Hong Kong**.

Further, Amnesty International calls on Portugal to:

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<sup>4</sup> Mirroring already existing local HRD strategies, see for example the EU' local strategy for HRDs in Afghanistan: [https://eeas.europa.eu/sites/eeas/files/170115\\_final\\_eu\\_local\\_strategy\\_for\\_hrds\\_in\\_afghanistan.pdf](https://eeas.europa.eu/sites/eeas/files/170115_final_eu_local_strategy_for_hrds_in_afghanistan.pdf); Nepal: [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/droi/dv/201/201101/20110110\\_053euguidlinesonhrdnepal\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/droi/dv/201/201101/20110110_053euguidlinesonhrdnepal_en.pdf); and Turkey: [https://www.avrupa.info.tr/sites/default/files/2016-11/EU\\_local\\_strategy\\_on\\_HRD\\_draft\\_07012011\\_L-EN.pdf](https://www.avrupa.info.tr/sites/default/files/2016-11/EU_local_strategy_on_HRD_draft_07012011_L-EN.pdf)

- Work bilaterally and via the EU to counter China’s efforts to undermine the international human rights system, including at the UN level, and mobilise support against such initiatives;
- Spearhead efforts to garner support for initiatives on Xinjiang at the UN Human Rights Council, including by conducting outreach towards other states – through the EU and bilaterally – for access for international monitors to the province;
- Ensure EU member states and third countries do not deport Uyghurs and other endangered ethnic minorities back to China, thereby running the risk of refoulement;
- Put the current human rights situation in Hong Kong front and centre of all engagements with the Chinese and Hong Kong authorities, including by:
  - Urging Hong Kong to stop using the National Security Law to disproportionately limit peaceful exercise of rights to assembly, freedom of expression and association, as well as other human rights;
  - Calling for an independent investigation into unlawful use of force by police in the context of demonstrations in Hong Kong;
  - Calling for an end of prosecutions of individuals peacefully exercising their human rights that are aimed at deterring participation in peaceful assembly and silencing critical voices.
- Dialogue with China regarding its response to COVID-19, including the human rights dimensions of the technological tools used and the response to whistle-blowers;
- Use the opportunity of the planned summit between EU heads of state and the Chinese president to organise open exchanges between Chinese and European civil society on key issues of shared concern, including on human rights;
- In light of concerns about the authorities’ use of mass surveillance technology and forced labour in Xinjiang, initiate a review of all EU member state companies currently operating in Xinjiang and other parts of China to conduct human rights due diligence to ensure they are not contributing to human rights violations.

## EU-India relations

Following the 15<sup>th</sup> EU-India summit on 15 July 2020, both sides affirmed their “shared principles and values of democracy, freedom, rule of law, and respect for human rights”.<sup>5</sup>

Still, the year 2020 has seen continued harassment and detention of India’s HRDs despite the emergence of the COVID-19 pandemic, as Amnesty International and others raised serious concerns about the deteriorating situation of HRDs in India ahead of the EU-India summit.<sup>6</sup>

On 30 September 2020, Amnesty International India was forced to close down its operations in a reprisal for its human rights work, after the freezing of its accounts earlier that month.<sup>7</sup> This crackdown on Amnesty International India is a grave breach of the rights to freedom of expression, peaceful assembly and association, as India has committed to as a state party to the International Covenant on Civil and Political Rights (ratified in 1979).<sup>8</sup> These

<sup>5</sup> Joint Statement - 15th EU-India Summit, 15 July 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/07/15/joint-statement-15th-eu-india-summit-15-july-2020/>.

<sup>6</sup> Amnesty International et al., Re: Request to raise serious concerns and urge progress on the situation of human rights defenders during the upcoming 15th EU-India Summit of 15 July 2020, 29 June 2020. <https://www.amnesty.eu/wp-content/uploads/2020/07/AI-CSW-FLD-HRW-FIDH-IDSN-MRG-OMCT-Letter-ahead-of-EU-India-summit-29-June-2020.pdf>.

<sup>7</sup> Amnesty International India Halts Its Work On Upholding Human Rights In India Due To Reprisal From Government Of India, 29 September 2020, <https://amnesty.org.in/news-update/amnesty-international-india-halts-its-work-on-upholding-human-rights-in-india-due-to-reprisal-from-government-of-india-2/>.

<sup>8</sup> Rajat Khosla, By kicking Amnesty out, India is betraying its founding ideals, *The Guardian* 1 October 2020, <https://www.theguardian.com/commentisfree/2020/oct/01/amnesty-india-tarnish-reputation>.

rights are also guaranteed in the Constitution of India.<sup>9</sup> The crackdown on Amnesty International India is also contrary to commitments made by India in recent years, including its election pledges when seeking membership of the United Nations (UN) Human Rights Council for the 2019-2021 term, namely to “continue to foster the genuine participation and effective involvement of civil society in the promotion and protection of human rights.”<sup>10</sup>

The UN High Commissioner for Human Rights issued a strong statement expressing dismay “at restrictions on human rights NGOs and arrests of activists in India” and highlighting the situation of Amnesty International India, which was “compelled to close its offices in India after its bank accounts were frozen over alleged violation of the Foreign Contribution Regulation Act (FCRA).”<sup>11</sup>

At this crucial moment, the Portuguese Presidency should lead on placing human rights at the centre of EU-India relations and act to:

- Ensure that the EU and its member states take India’s deteriorating human rights record thoroughly into account in EU-India relations;
- Adopt a robust, unified and public EU position calling on the Indian government to reverse its current assault on human rights organisations, activists and human rights defenders;
- Step up engagement accordingly with the Indian authorities up to highest level on the crackdown on organisations and individuals defending human rights – including Amnesty International India
- Call on the Indian government to:
  - Commit publicly to respecting and protecting the rights to freedom of expression, peaceful assembly and association, in line with guarantees in the Indian Constitution and its obligations under international human rights law, in particular the International Covenant on Civil and Political Rights, and other international commitments;
  - Take immediate measures to end all forms of targeted attacks, arbitrary arrest and harassment of civil society actors, including human rights defenders, human rights lawyers, journalists, and peaceful protesters;
  - Unfreeze Amnesty International’s bank accounts immediately and stop the ongoing harassment and intimidation of staff and board members of Amnesty International India and other human rights organisations and defenders;
  - End their use of repressive laws such as the FCRA, the Unlawful Activities (Prevention) Act (UAPA), Section 124A on Sedition in the Indian Penal Code, National Security Act, and Jammu and Kashmir Public Security Act to crack down on civil society space, urging them to amend and repeal these laws or bring them in line with international human rights law;
  - Take concrete steps to assist Amnesty International India and other civil society groups and organisations to carry out their human rights work freely and without fear of reprisals.

## EU-Africa relations

The EU and Africa stand at a key juncture as they jointly set the framework for intercontinental relations while human rights face ever more pushback worldwide. Amnesty International and other civil society organisations **urge the EU and**

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<sup>9</sup> The Constitution of India, Article 19, guarantees to citizens the right to freedom of speech and expression, assembly and association.

<sup>10</sup> Note verbale dated 29 August 2018 from the Permanent Mission of India to the United Nations addressed to the President of the General Assembly (A/73/394), 4 October 2018, <https://undocs.org/en/A/73/394>.

<sup>11</sup> Bachelet dismayed at restrictions on human rights NGOs and arrests of activists in India, 20 October 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26398&LangID=E>.



**Africa to explicitly place human rights at the centre of their relations**<sup>12</sup>, taking their shared commitments forward in policy and in practice by the EU, the African Union (AU), their member states and across their partnership:

- **Build human rights into the centre of the EU-Africa partnership** and explicitly **affirm the role of civil society and human rights defenders** in shaping EU-Africa relations;
- **Ensure unfettered civil society access to African and European institutions**. Past human rights progress on both continents has resulted above all from the meaningful interactions between civil society and international and/or regional human rights mechanisms. The AU, the EU and their member states must deliver full political and financial support to their respective human rights mechanisms and ensure that these, together with a strong and independent civil society, can guarantee delivery and further progress on human rights for all in Africa and Europe.<sup>13</sup>
- **Create an enabling environment for civil society** and address an increasing crackdown on human rights defenders (HRDs). Any jointly agreed policy on Africa-EU relations must explicitly affirm the importance of civil society and HRDs across EU-Africa relations, as has been affirmed by both sides in joint communiqués<sup>14</sup> following their last two EU-AU human rights dialogues;
- **Prioritise collaboration at multilateral human rights fora and act in defence of crucial human rights gains at multilateral level**. To this end, both African and EU decision-makers must ensure they have concrete strategies to counter the recent pushback on existing human rights norms at multilateral fora, including the universality and indivisibility of human rights.

### 3. Lead on asylum and migration policies centred on solidarity and human rights

The Portuguese Presidency will have on the agenda the implementation of the new Pact on Migration and Asylum which the European Commission published on 23 September 2020. This Pact offers an opportunity for a radical departure from the harmful migration policies and approaches based on containment, deterrence and outsourcing – all of which have failed asylum-seekers, refugees and migrants, and created toxic divisions in European societies.

Implementation of the new Pact should lead to solidarity and protection and reflect the positive role of mobility in our societies. It should promote a common European asylum and migration system that is based on: 1) responsibility-sharing within the EU and globally; 2) a commitment to improve and invest in adequate reception and integration; 3) accountability for human rights abuses and violations committed by authorities against migrants, refugees and asylum-seekers.

Amnesty International calls on the Portuguese Presidency to:

- Implement the existing commitments and obligations **to always respect and uphold the right to seek asylum and the principle of *non-refoulement*** and reaffirm these commitments in Council Conclusions. In the context of the challenges posed by the current pandemic authorities should address public health concerns involving migrants, refugees and asylum-seekers through the same measures adopted for residents and citizens, implementing quarantines, isolation and testing in a non-discriminatory manner and ensuring continued access to basic services and treatment;

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<sup>12</sup> See the statement by the Steering Committee of the civil society seminar for the AU-EU human rights dialogue process, 'EU-African Union: Promoting and protecting all human rights globally', 6 May 2020, <https://www.fidh.org/en/international-advocacy/european-union/eu-african-union-promoting-and-protecting-all-human-rights-globally>

<sup>13</sup> Amnesty International, The state of African human rights bodies and mechanisms 2019-2020, 21 October 2020 <https://www.amnesty.org/en/documents/afr01/3089/2020/en/>.

<sup>14</sup> Joint Communiqué, European Union – African Union hold 16th Human Rights Dialogue, 11 December 2020, [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/90470/Joint%20Communiqu%C3%A9:%20European%20Union%20%E2%80%93%20African%20Union%20hold%2016th%20Human%20Rights%20Dialogue](https://eeas.europa.eu/headquarters/headquarters-homepage_en/90470/Joint%20Communiqu%C3%A9:%20European%20Union%20%E2%80%93%20African%20Union%20hold%2016th%20Human%20Rights%20Dialogue); Joint Communiqué, European Union and African Union hold 15th human rights dialogue, 19 October 2019, [https://eeas.europa.eu/headquarters/headquarters-homepage/69200/european-union-and-african-union-hold-15th-human-rights-dialogue\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/69200/european-union-and-african-union-hold-15th-human-rights-dialogue_en)



- Steer the measures implementing the new **EU Pact on Asylum and Migration** towards the development of true and effective solidarity mechanisms. At the global level, by expanding safe and regular pathways to Europe for people seeking safety, as well as by setting up regular mobility schemes enabling other people, wishing to move to Europe to improve their livelihoods, to access fair, effective and non-discriminatory opportunities to do so in safety and dignity. At the internal level, by reforming the Dublin system to ensure fair sharing of responsibility and prioritize family and wider links of asylum seekers with particular member states;
- Ensure that the proposed monitoring mechanism in the context of the Screening Regulation under negotiation fulfils the requirements of independence and transparency, in accordance with the joint statement published by Amnesty International and other human rights organisations ([Turning rhetoric into reality: New monitoring mechanism at European borders should ensure fundamental rights and accountability](#)), and contributes to accountability for violations that are being committed against migrants and refugees at the borders of Europe;
- Continue to work towards the setting up of a **fair and predictable disembarkation and relocation mechanism**, to avoid any further “disembarkation crisis” in the Mediterranean and beyond, and ensure that people rescued at sea are promptly disembarked in places of safety and never carried to countries where they are exposed to risks of serious human rights violations, such as Libya. The EU should ensure the upholding of international maritime and human rights law for people at sea, including by deploying a sufficient number of naval assets ready to rescue people at risk of drowning;
- Call for an **end of the criminalization of solidarity in Europe**, which includes any misuse of criminal, civil and administrative laws and measures to target and harass individuals and organisations working for the rights of refugees, asylum-seekers and migrants. Publicly recognize, promote and celebrate the role of these organisations and individuals as human rights defenders and protect their legitimate activities, which comprise a wide range of acts of solidarity – from reporting human rights violations, to the provision of humanitarian assistance, including rescue at sea, and basic services among others. Create the conditions for all individuals and groups working with asylum-seekers, refugees and migrants to operate effectively and safely in Europe;
- **Review and radically reform EU’s policies of cooperation with Libya**, which have facilitated the containment of people in a country where they have been exposed to indefinite arbitrary detention, torture, sexual violence, unlawful killings and other appalling abuse. Action should be taken immediately to ensure the release of all refugees and migrants unlawfully held in Libya’s detention centres; the resettlement in a safe country of thousands of refugees trapped in Libya; the prompt disembarkation in a place of safety, which cannot be in Libya, of refugees and migrants rescued in the Libyan SAR region; accountability for violations of human rights and humanitarian law; and the adequate assistance of all civilians, including refugees and migrants, facing abuses at the hands of militias and armed groups, displacement and the COVID-19 crisis;
- Ensure human rights-based migration cooperation with third countries, in order to avoid that they lead to harmful containment policies or to the return of individuals to countries where they would be at risk of serious human rights violations or of *chain-refoulement*. The rights of migrants and asylum-seekers should be central to the negotiation and implementation of any migration cooperation agreement with non-EU states.