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REPORT

on the situation of fundamental rights in the European Union in 2015
(2016/2009(INI))

Committee on Civil Liberties, Justice and Home Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the situation of fundamental rights in the European Union in 2015 (2016/2009(INI))

The European Parliament,

- having regard to the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Charter of Fundamental Rights of the European Union of 7 December 2000 ('the Charter'), which was proclaimed on 12 December 2007 in Strasbourg and entered into force with the Treaty of Lisbon in December 2009,
- having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948,
- having regard to the UN treaties on the protection of human rights and fundamental freedoms and the jurisprudence of the UN treaty bodies,
- having regard to the UN Convention on the Rights of Persons with Disabilities, which was adopted in New York on 13 December 2006 and ratified by the EU on 23 December 2010,
- having regard to the Concluding Observations adopted in October 2015 of the UNCRPD Committee,
- having regard to the UN Convention on the Rights of the Child, adopted in New York on 20 November 1989,
- having regard to the following General Comments of the UN Committee on the Rights of the Child: No 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, No 7 (2005) on implementing child rights in early childhood, No 9 (2006) on the rights of children with disabilities, No 10 (2007) on children's rights in juvenile justice, No 12 (2009) on the right of the child to be heard, No 13 (2011) on the right of the child to freedom from all forms of violence and No 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration,
- having regard to the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to the Beijing Platform for Action, to its resolutions of 25 February 2014 with recommendations to the Commission on combating violence against women¹ and of 6 February 2014 on the Commission communication entitled 'Towards the elimination of female genital mutilation'², and to the Council conclusions of 5 June 2014 on preventing and combating all forms of violence against women and girls, including female genital mutilation,

¹ Texts adopted, P7_TA(2014)0126.

² Texts adopted, P7_TA(2014)0105.

- having regard to the 1951 UN Convention, and the 1967 Protocol thereto, relating to the Status of Refugees,
- having regard to the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- having regard to the UN Convention of 1949 for the Suppression of the Traffic in Persons and of the Exploitation or the Prostitution of Others,
- having regard to the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders,
- having regard to the report of 22 July 2014 of the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,
- having regard to the Regional Implementation Strategy of the Madrid International Plan of Acting on Ageing, 2002,
- having regard to the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the ‘Paris Principles’), annexed to UN General Assembly resolution 48/134,
- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the case law of the European Court of Human Rights, in particular cases 18766/11 and 36030/11, the conventions, recommendations, resolutions and reports of the Parliamentary Assembly, the Committee of Ministers, the Commissioner for Human Rights and the Venice Commission of the Council of Europe,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),
- having regard to the Council of Europe’s Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages,
- having regard to the Council of Europe Parliamentary Assembly Resolution 1985 (2014) – The situation and rights of national minorities in Europe,
- having regard to the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education,
- having regard to the Council of Europe Convention on Action against Trafficking in Human Beings,
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin¹,
- having regard to the Council Recommendation of 9 December 2013 on effective Roma

¹ OJ L 180, 19.7.2000, p. 22.

integration measures in the Member States¹,

- having regard to Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings²,
- having regard to Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law³,
- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation⁴,
- having regard to Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services⁵,
- having regard to Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation⁶,
- having regard to Directive 2010/13/EU of the European Parliament and of the Council on Audiovisual Media Services⁷ and the results of the Commission's public consultation held between July and September 2015,
- having regard to Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA⁸,
- having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA⁹,
- having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA¹⁰,
- having regard to the directives on procedural rights of persons suspected or accused in criminal proceedings,

¹ OJ C 378, 24.12.2013, p. 1.

² OJ L 132, 21.5.2016, p. 1.

³ OJ L 328, 6.12.2008, p. 55

⁴ OJ L303, 2.12.2000, p. 16.

⁵ OJ L 373, 21.12.2004, p. 37.

⁶ OJ L 204, 26.7.2006, p. 23.

⁷ OJ L 95, 15.4.2010, p. 1.

⁸ OJ L 101, 15.4.2011, p. 1.

⁹ OJ L 335, 17.12.2011, p. 1.

¹⁰ OJ L 315, 14.11.2012, p. 57.

- having regard to the Data Protection Package adopted in December 2015,
- having regard to the Regulation establishing a European Border and Coast Guard, and to the Asylum Procedures Directive,
- having regard to the Presidency conclusions of the Barcelona European Council of 15-16 March 2002,
- having regard to the European Pact for gender equality for the period 2011-2020 adopted by the Council conclusions of 7 March 2011,
- having regard to the Council conclusions of 15 June 2011 on early childhood education and care,
- having regard to the Council conclusions of the Justice and Home Affairs Council of 5-6 June 2014 on immigrant integration policy in the European Union,
- having regard to the Council conclusions of 19 June 2015 on equal income opportunities for women and men: closing the gender gap in pensions,
- having regard to the EU Presidency Trio declaration on gender equality of 7 December 2015,
- having regard to the Council conclusions on LGBTI equality, adopted on 16 June 2016,
- having regard to the Council conclusions on the Action Plan on Human Rights and Democracy 2015-2019,
- having regard to the Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education (Paris Declaration),
- having regard to the Guidelines adopted by the Foreign Affairs Council to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons of 24 June 2013,
- having regard to the European Union guidelines on Human Rights Defenders,
- having regard to the Eurobarometer survey entitled 'Discrimination in the EU in 2015',
- having regard to the Commission Communication entitled 'A new EU Framework to Strengthen the Rule of Law' (COM(2014)0158) and the Council conclusions entitled 'Ensuring respect for the Rule of Law',
- having regard to the European Commission's List of Actions to advance LGBTI Equality,
- having regard to the Commission's 2015 report on equality between women and men in the European Union (SWD(2016)0054),

- having regard to the Commission Communication entitled ‘Action Plan on the integration of third country nationals’ (COM(2016)0377),
- having regard to the Europe 2020 strategy, specifically its targets on poverty and social exclusion,
- having regard to the OECD/European Union publication entitled ‘Indicators of Immigration Integration 2015 – Settling In’,
- having regard to the Commission communication entitled ‘Towards Social Investment for Growth and Cohesion’ (COM(2013)0083) and its Recommendation on ‘Investing in children: breaking the cycle of disadvantage’,
- having regard to the Commission progress report on the Barcelona objectives of 29 May 2013 entitled ‘The development of childcare facilities for young children in Europe with a view to sustainable and inclusive growth’ (COM(2013)0322),
- having regard to the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 (COM(2012)0286), in particular the provisions on financing the development of guidelines on child protection systems and on the exchange of best practices,
- having regard to the Commission Communication entitled ‘An EU Framework for National Roma Integration Strategies up to 2020’ (COM(2011)0173) and the European Council conclusions of 24 June 2011,
- having regard to the Commission Communication entitled ‘Steps forward in implementing national Roma integration strategies’ (COM(2013)0454),
- having regard to the 2015 Commission Report on the Application of the EU Charter of Fundamental Rights (COM(2016)0265), and to the accompanying working documents,
- having regard to the 2013 Commission Report on EU citizenship entitled ‘EU citizens: your rights, your future’ (COM(2013)0269),
- having regard to the Commission Communication entitled ‘Assessing the implementation of the EU framework for National Roma Integration Strategies and the Council recommendation on effective Roma integration measures in the Member States’ (COM(2016)0424),
- having regard to the Commission's EU Anti-corruption Report (COM(2014)0038),
- having regard to the European Agenda on Migration (COM(2015)0240),
- having regard to the European Agenda on Security (COM(2015)0185),
- having regard to the conclusions of the 2015 Annual Colloquium on Fundamental Rights,
- having regard to the results of the public consultation feeding into the 2016 Annual Colloquium on Fundamental Rights on ‘Media Pluralism and Democracy’,

- having regard to the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM(2008)0426),
- having regard to the Commission proposal regarding EU accession to the Council of Europe's Istanbul Convention,
- having regard to its resolution of 12 December 2013 on the progress made in the implementation of the National Roma Integration Strategies¹,
- having regard to its resolution of 4 February 2014 on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity²,
- having regard to its resolutions on gender equality,
- having regard to its resolution of 12 September 2013 on the situation of unaccompanied minors in the EU³,
- having regard to its resolutions on fundamental rights and human rights, in particular the latest dated 8 September 2015 on the situation of fundamental rights in the European Union (2013-2014)⁴,
- having regard to its resolutions on migration, in particular the latest dated 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration⁵,
- having regard to its resolution of 8 June 2005 on the protection of minorities and anti-discrimination policies in an enlarged Europe⁶,
- having regard to its resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child⁷,
- having regard to its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union⁸,
- having regard to its resolution of 15 April 2015 on the occasion of International Roma Day – anti-Gypsyism in Europe and EU recognition of the memorial day of the Roma genocide during World War II⁹,
- having regard to its resolution of 21 May 2013 on the EU Charter: standard settings for

¹ Texts adopted, P7_TA(2013)0594.

² Texts adopted, P7_TA(2014)0062.

³ Texts adopted, P7_TA(2013)0387.

⁴ Texts adopted, P8_TA(2015)0286.

⁵ Texts adopted, P8_TA(2016)0102.

⁶ OJ C 124 E, 25.5.2006, p. 405.

⁷ Texts adopted, P8_TA(2014)0070.

⁸ Texts adopted, P7_TA(2013)0350.

⁹ Texts adopted, P8_TA(2015)0095.

media freedom across the EU¹,

- having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights²,
- having regard to the Decision of the European Ombudsman closing her own-initiative inquiry OI/8/2014/AN concerning the European Commission,
- having regard to Opinion 2/2013 delivered by the Court of Justice of the European Union (CJEU) regarding the draft agreement on accession of the EU to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),
- having regard to the decisions and case law of the CJEU, and the case law of national constitutional courts, which use the Charter as a reference for interpreting national law, in particular cases C-83/14, C-360/10, C-70/10, C-390/12, C-199/12, C-200/12, C-201/12, C-404/15, C-659/15, C-362/14,
- having regard to the Fundamental Rights Report 2016 by the European Union Agency for Fundamental Rights,
- having regard to the Fundamental Rights Agency Handbook on European law relating to the rights of the child (2015),
- having regard to the Fundamental Rights Agency Study on Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States (2015),
- having regard to the Fundamental Rights Agency Report on Violence against children with disabilities: legislation, policies and programs in the EU (2015),
- having regard to Fundamental Rights Agency's EU LGBT Survey (2013), to its report entitled 'Being Trans in the European Union Comparative analysis of the EU LGBT survey data' (2014) and to its focus paper on the Fundamental Rights Situation of Intersex people (2015),
- having regard to Fundamental Rights Agency's report entitled 'Violence against women: an EU-wide survey',
- having regard to Fundamental Rights Agency's survey 'Antisemitism – Overview of data available in the European Union 2004-2015,
- having regard to the Fundamental Rights Agency's comparative legal analysis entitled 'Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU',
- having regard to the Fundamental Rights Agency's EU-MIDIS surveys and survey on Roma,

¹ Texts adopted, P7_TA(2013)0203.

² Texts adopted, P8_TA(2016)0409.

- having regard to the European Institute for Gender Equality's 2015 Gender Equality Index and its 2015 report entitled 'Reconciliation of work, family and private life in the European Union: Policy review',
 - having regard to the European Institute for Gender Equality's 'Study to identify and map existing data and resources on sexual violence against women in the EU',
 - having regard to the 2016 EUROPOL situation report 'Trafficking in human beings in the EU',
 - having regard to the Eurostat 2015 report 'Trafficking in human beings',
 - having regard to the studies of the European Foundation for the Improvement of Living and Working Conditions (Eurofound) entitled 'Working time and work-life balance in a life course perspective' (2013), 'Caring for children and dependants: Effect on careers of young workers' (2013), and 'Working and caring: Reconciliation measures in times of demographic change' (2015),
 - having regard to the European Parliamentary Research Service study of May 2015 entitled 'Gender equality in employment and occupation – Directive 2006/54/EC, European Implementation Assessment',
 - having regard to the study by Parliament's Directorate-General for Internal Policies of the Union entitled 'Discrimination Generated by the Intersection of Gender and Disability',
 - having regard to the hearing on Fundamental Rights of the Committee on Civil Liberties, Justice and Home Affairs, held on 16 June 2016,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Constitutional Affairs, the Committee on Women's Rights and Gender Equality and the Committee on Petitions (A8-0345/2016),
- A. whereas it is essential to protect all fundamental rights; whereas the Charter of Fundamental Rights became a fully-fledged component of the Treaties; and whereas fundamental rights violations do occur in the EU and its Member States, as pointed out in reports by the Commission, the Fundamental Rights Agency (FRA), the Council of Europe and the UN, and by NGOs;
- B. whereas the European Union is a community founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities;
- C. whereas the rule of law is the backbone of European liberal democracy and is one of the founding principles of the EU, stemming from the common constitutional traditions of all Member States, and whereas respecting the rule of law is a prerequisite for the protection of the fundamental rights and obligations laid down in the Treaties and in international law;

- D. whereas in facing today's challenges, the EU and Member States should uphold and enforce these values in every action they take; whereas the way the rule of law is implemented at national level plays a key role in ensuring mutual trust among Member States and their legal systems; whereas in accordance with Article 17 TEU the Commission must ensure the application of the Treaties;
- E. whereas the EU institutions have already started procedures to overcome the so-called 'Copenhagen dilemma'; whereas recent developments have shown that instruments and processes to ensure the full and correct application of the principles and values of the Treaties need to be revised and integrated, and that an effective mechanism to close remaining gaps, and to ensure that Treaty principles and values are upheld throughout the Union, should be developed; whereas this mechanism should be evidence-based, objective, non-discriminatory and assessing on an equal footing, respecting the principles of subsidiarity, necessity and proportionality, applying to both Member States and institutions of the Union, and based on a graduated approach, including both a preventative and corrective arm;
- F. whereas the European Union is committed to respect freedom and pluralism of the media, as well as the right to information and freedom of expression as enshrined in the Charter of Fundamental Rights and the ECHR;
- G. whereas migration is part of the EU's present and future and one of the biggest challenges of our times, as it appeals to the international humanitarian responsibilities of the EU and its Member States, and an opportunity for demographic reasons, and requires a forward-looking solution, both in terms of short- and medium-term crisis management and long-term policies for integration and social inclusion;
- H. whereas the right to asylum is guaranteed under the 1951 Convention on the Status of Refugees (Geneva Convention) and its Protocol of 31 January 1967, as well as by the Charter;
- I. whereas between September and December 2015 the Commission adopted 48 infringement decisions against Member States for failing to fully transpose and implement the Common European Asylum System;
- J. whereas according to the International Organization for Migration, "at least 3771 people died or went missing in 2015 while attempting to reach a safe place in Europe, bringing the total number of dead and missing over the last 20 years over 30 000";
- K. whereas acts of terrorism constitute one of the most serious violations of fundamental rights and freedoms; whereas it is necessary to have adequate tools in place to protect EU citizens and residents and to respond unequivocally and to combat such violations within the framework of the rule of law;
- L. whereas the murder of eight journalists at the offices of satirical magazine "Charlie Hebdo" on 7 January 2015 represented an attempt to strike against media freedom, freedom of expression and freedom of the arts in the EU;
- M. whereas it is essential that, in all measures undertaken by the Member States and the EU, fundamental rights and civil liberties are respected, including the respect for

private life and family life, the right to liberty and security, the right to protection of personal data, the presumption of innocence and right of defence, the right to an effective remedy and to a fair trial, freedom of expression and information and freedom of thought, conscience and religion; recalls that effective democratic oversight of security measures is essential; whereas the security of European citizens must preserve their rights and liberties; whereas, indeed, these two principles are two sides of the same coin;

- N. whereas any limitations to the rights and freedoms recognised by the Charter are subject to the principle of proportionality and necessity in line with Article 52 of the Charter;
- O. whereas Member States' competences must be respected regarding the intelligence services in line with Article 72 TFEU;
- P. whereas Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market and in particular its Article 15(1) states that Member States should not impose a general obligation on providers, when providing transmission, storage and hosting services, to monitor the information which they transmit or store, nor a general obligation actively to seek facts or circumstances indicating illegal activity;
- Q. whereas, according to the Commission, 75 million people fall victim to crime across the EU every year,
- R. whereas trafficking in human beings is a serious crime often committed within the framework of organised crime, which represents a serious affront to human dignity, constitutes one of the worst kinds of violations of fundamental rights, disproportionately affects women and girls and is explicitly prohibited by the Charter;
- S. whereas trafficking for the purpose of sexual exploitation is still the most widespread form; whereas 76 % of registered victims in the EU are women; whereas 70 % of the identified victims of trafficking in human beings in the EU are EU nationals;
- T. whereas Directive 2011/36/EU introduces common provisions, taking into account the gender perspective, to strengthen the prevention of crime concerning the trafficking of human beings and the protection of the victims thereof;
- U. whereas human trafficking and smuggling are two very distinct phenomena, but, in some cases, there may be a link between them;
- V. whereas discrimination, racism, xenophobia, hate speech and hate crime motivated by racism or xenophobia, or by bias against a person's religion or belief, age, disability, sexual orientation or gender identity threaten the core values of the EU and its Member States; whereas there is an increase in hate speech among political forces, and increasing xenophobia and other bias in important sectors of the population, including via the internet; whereas fighting discrimination, racism and xenophobia is crucial to ensuring respect for European values of tolerance, diversity and mutual respect;
- W. whereas people can be exposed to multiple and intersectional discrimination; whereas

policies targeting one ground of discrimination should pay attention to the situation of specific groups that are likely to be victims of multiple discrimination that could be based on, among other things, age, race, religion, sexual orientation, gender or disability;

- X. whereas equality between women and men is a fundamental principle of the EU, and any discrimination on the basis of gender is prohibited;
- Y. whereas violence against women is a violation of fundamental rights that affects all levels of society, regardless of age, education, income, social position or country of origin or residence; whereas gender inequality and gender-based stereotypes raise the risk of violence and other forms of exploitation, and hinder the full participation of women in all areas of life;
- Z. whereas, according to FRA ‘violence against women’ survey data, one in three women in the EU has experienced physical or sexual violence since the age of 15, while one in ten has been the victim of some form of sexual violence and one in twenty has been raped since that age;
- AA. whereas gender-based violence and violence against women is still often ‘silently’ tolerated in many places, and is often not reported to the police owing to victims’ lack of trust in the authorities; whereas a zero tolerance approach is necessary;
- AB. whereas sexual and reproductive health and rights is the competence of the Member States; whereas, nevertheless, the EU can contribute to the promotion of best practices among Member States;
- AC. whereas it is necessary to guarantee equal access to health care, including to sexual and reproductive health, regardless of the economic, disability and geographic situation of women;
- AD. whereas children are the future of our society and we are responsible for their present; whereas education is one of the best ways to impart values such as peace, tolerance, coexistence, equality, justice and respect for human rights via formal, non-formal and informal education methods in line with Article 14 of the Charter;
- AE. whereas child helplines, information services and similar tools are useful as awareness-raising, referral and reporting mechanisms for cases related to the violation of children’s rights;
- AF. whereas live streaming of child sexual abuse is no longer an emerging new trend, but an established reality; whereas children are at risk of harm through online grooming and solicitation for sexual purposes, which in the most serious cases can turn into sexual coercion and other forms of abuse, and not enough is done to prevent child sexual abuse through education programmes, nor to strengthen judicial cooperation between Member States in order to combat paedophile networks,
- AG. whereas the right to privacy and to the protection of personal data is particularly important when it comes to children, who represent the most defenceless part of society;

- AH. whereas, in application of Article 37 of the Convention on the Rights of the Child and the principle of the best interests of the child, unaccompanied or separated children should not, as a general rule, be detained, and their placement in a safe environment providing all the necessary protection, healthcare and education should be ensured;
- AI. whereas the respect for the rights of persons belonging to minorities is one of the EU's founding principles; whereas the effective protection of minorities needs to be strengthened; whereas, in view of the rise in populism and extremism, coexistence with and respect for minorities should be promoted; whereas minorities contribute to the richness and diversity of Europe; whereas the migration crisis has triggered mistrust and rising hatred towards minority communities in Europe;
- AJ. whereas the FRA's 2016 Fundamental Rights report found that discrimination and anti-Gypsyism continue to pose challenges to effective Roma integration; whereas, according to the 2015 Eurobarometer survey on discrimination, ethnic origin is considered to be the most prevalent ground of discrimination;
- AK. whereas Roma people in Europe, individually and as a group, face anti-Gypsyism, systematic prejudice, racism, intolerance, hostility, discrimination and social exclusion in their daily lives; whereas segregation of Roma children in schooling remains a persistent problem in most Member States; whereas discrimination of Roma in the labour market prevents them to improve their ability to break out from the vicious circle of poverty;
- AL. whereas the importance of social fundamental rights is acknowledged in Articles 8, 9, 10, 19 and 21 of the Charter of Fundamental Rights of the European Union, as it is in the case law of the CJEU, thus underscoring the fact that those rights, and in particular trade union rights, the right to strike, right of association and right of assembly, must be given the same safeguards as the other fundamental rights acknowledged by the Charter;
- AM. whereas only 27 % of Europeans are familiar with the single European emergency telephone number 112, and not everyone has access to it yet;
- AN. whereas all the Member States are obliged to protect every person, including LGBTI people, from all kind of discrimination and violence; whereas any discrimination and violence on the basis of sexual orientation and gender identity should be condemned;
- AO. whereas, according to FRA field research, prevailing negative social attitudes and stereotypes represent a major barrier to tackling discrimination and hate crime against LGBTI persons;
- AP. whereas, according to the FRA study, trans respondents indicated the highest level of discrimination, violence and harassment among LGBTI subgroups;

Protection of fundamental rights and dignity

1. Reiterates that human dignity is the inviolable foundation of all fundamental rights and should not be subject to any instrumentalisation, that it must be respected and protected in all EU initiatives; calls for awareness-raising amongst EU citizens about the inherent

- dignity of all persons in order to achieve a more humane and just society;
2. Condemns all forms of discrimination and violence in the EU against all human beings, as it constitutes a direct violation of human dignity;
 3. Reiterates its call for the respect for dignity at the end of life; highlights that the death penalty is contrary to the EU's fundamental values;
 4. Stresses that the accession of the Union to the European Convention for the Protection of Fundamental Rights and Fundamental Freedoms is a Treaty obligation under Article 6 (2) TEU; notes that this would strengthen fundamental rights protection in the EU and expects the legal obstacles to accession to be eliminated as soon as possible;

Rule of Law

5. Stresses that fundamental rights are universal, indivisible and always complementary, and that a fair balance must therefore be struck between the rights of all in a rich and diverse society; stresses the importance of ensuring that the principles set out in Article 2 of the Charter of Fundamental Rights are fully implemented, in both EU and national legislation; calls on the Commission to start infringement procedures whenever a Member State breaches the Charter when implementing EU law;
6. Recalls that in its relations with the wider world, the Union should contribute to the protection of fundamental rights; calls on the EU institutions to ensure a high level of the protection of these rights in external relations, as well as in internal policies having external consequences;
7. Notes that it is essential to guarantee that the common European values listed in Article 2 TEU are upheld in full in both European and national legislation, as well as in public policies and their implementation; believes that in order to safeguard the rule of law, all relevant actors at national level need to step up their effort to uphold and reinforce it; notes that an efficient, independent and impartial judiciary is crucial for the rule of law;
8. Notes that regular exchanges with the EU institutions, and among the Member States themselves, based on objective criteria and contextual assessments, could mitigate or prevent any rule of law problems in the future; reiterates its calls for the establishment of a Union Pact on Democracy, Rule of Law and Fundamental Rights, which should consist of an annual report with country-specific recommendations; considers that this report should be drawn up using a variety of sources, including FRA, Council of Europe or UN reports, and it should incorporate and complement existing instruments, such as the Justice Scoreboard, and replace the Cooperation and Verification Mechanism for Romania and Bulgaria;
9. Welcomes the fact that the Council holds regular debates on the rule of law; considers that the Union Pact should incorporate the Commission's Rule of Law Framework and the Council's Rule of Law Dialogue into a single Union instrument, and that the Council should hold its debate on the basis of the annual report with country-specific recommendations;
10. Recalls that fundamental rights should be included as part of the impact assessment for

all legislative proposals;

11. Stresses that the freedom of movement and residence of European citizens and their families, as laid down in the Treaties and guaranteed by the Directive on freedom of movement, is one of the fundamental rights of European citizens;
12. Recognises that the neutrality of the State is essential for protecting freedom of thought, conscience and religion, guaranteeing equal treatment of all religions and beliefs, and the freedom to practise the religion of one's choice and to change religion or belief;
13. Recalls that freedom of expression, information and the media is fundamental to ensuring democracy and the rule of law; strongly condemns violence, pressure and threats against journalists and the media; calls on the Member States to refrain from any measures that constrain freedom of the media, communication and information; calls on the Commission to focus to a greater extent, during the accession negotiations process, on compliance also with regard to these fundamental rights;
14. Reiterates its call on the EU and its Member States to examine the possibility of setting up a whistle-blower protection scheme and providing safeguards for journalists' sources.
15. Expresses concerns regarding prison conditions in some Member States, often characterised by overcrowding and ill-treatment; points out that the fundamental rights of prisoners must be guaranteed; calls on the Commission to assess the effect of the prison and criminal justice system on children; calls on the Commission to support the Member States in this regard, and to facilitate an exchange of best practices between different national authorities regarding different models of securing relationship between parents serving a prison sentence and their children;
16. Reiterates its strong condemnation of the use of enhanced interrogation techniques, which are prohibited under international law and which breach, inter alia, the rights to liberty, security, humane treatment, freedom from torture, presumption of innocence, fair trial, legal counsel and equal protection under the law;
17. Reiterates its call for accountability for massive violations of fundamental rights to be ensured, in particular in the context of transportation and illegal detention of prisoners, by means of open and transparent investigations;
18. Stresses that corruption is a serious threat to democracy, the rule of law and fundamental rights; calls on the Member States and the EU institutions to fight systemic corruption, to devise effective instruments for combating and sanctioning corruption, to monitor regularly the use of public funds, be they European or national, and to promote transparency;
19. Urges the Commission to adopt an anti-corruption strategy backed up by effective instruments; calls on the Member States to follow up the recommendations contained in the Commission's anti-corruption report; urges them to strengthen police and judicial cooperation in fighting corruption; calls, to that end, on the Member States and the EU institutions to facilitate the rapid establishment of the European Public Prosecutor's Office, thus providing appropriate guarantees of independence and efficiency;

Migration, integration and social inclusion

Integration and social inclusion

20. Considers that the social inclusion and integration of migrants and refugees granted international protection in the host society is part of a dynamic and multi-dimensional process (involving rights and obligations) where respect for the values upon which the EU is built must be an integral part, as must respect for the fundamental rights of those concerned; believes that this represents a challenge and an opportunity that requires coordinated efforts and an assumption of responsibilities, both by the refugees and migrants and by the Member States, their local and regional administrations and host communities, all play an important role;
21. Calls on Member States to apply integration policies as swiftly as possible and with adequate dedicated resources, and to formulate these in cooperation with national institutions, local governments, schools and NGOs, as well as with migrants and refugee communities; encourages increased exchange of best practices in the field of integration; calls for educational programmes that take into account regional and local aspects of the communities concerned;
22. Considers that access to education is one of the foundations for the integration of migrants and refugees; highlights the fact that the principles of equal treatment, non-discrimination and equal opportunities should always be ensured when designing and implementing social inclusion and integration policy and measures;
23. Reiterates that intercultural and inter-religious tolerance needs to be promoted through constant efforts and extensive dialogue involving all actors in society, and at all levels of governance;
24. Encourages the Member States to seek to keep families together, which will assist integration prospects in the long-term; calls on the Member States to follow the Commission guidance for the application of Directive 2003/86/EC on the right to family reunification; underlines that Member States should make every effort to overcome any legal and practical obstacles in order to arrive at swifter decisions on this issue;

Migrants and refugees

25. Notes with concern the incidents regarding violations of migrants' and refugees' fundamental rights at the external borders of the EU, and reiterates that all people are entitled to enjoy their human rights; recalls the fundamental right to seek asylum; encourages the EU and the Member States to devote sufficient resources to create safe and legal routes for asylum seekers in order to undermine the business model of trafficking networks and smugglers, as well as to prevent many from the risk of embarking on dangerous routes; recalls that saving lives is an act of solidarity with those at risk, but it is also a legal obligation; calls on the Member States and the EU institutions to respect international and EU law, as well as the Charter of Fundamental Rights of the European Union, when carrying out border guard actions and asylum proceedings; points out that physical persons or NGOs who genuinely assist persons in distress should not risk punishment for providing such assistance;

26. Welcomes the fact that the recently adopted European Border and Coast Guard (EBCG) Regulation foresees a specific mandate for the EBCG Agency to support search and rescue operations, as well as to ensure the fundamental rights safeguards set out in that regulation; encourages the Member States to provide adequate training for asylum professionals (such as interviewers and interpreters) in order to identify vulnerable groups as soon as possible, and to handle asylum requests in line with the Directive on Asylum Qualifications and relevant CJEU case-law.
27. Urges the Member States to guarantee reception conditions that do not deprive people of their fundamental rights to a dignified standard of living and to physical and mental health, and that comply with existing fundamental rights and asylum legislation, while paying attention to the most vulnerable groups; recalls that both international law and the Charter require Member States to examine alternatives to detention; calls on the Commission to monitor the implementation of the Common European Asylum System; calls on the Member States to ensure the effective and early identification of asylum seekers with special needs, their prompt access to adapted reception conditions and the provision of procedural guarantees; recalls that the right to an effective access to procedures is an integral part of the Asylum Procedures Directive, including the right to effective remedy, also in criminal procedures; calls on the Member States and the Commission to take the necessary measures to provide information and ensure transparency concerning the detention of migrants and asylum-seekers in Member States;
28. Urges the Commission to propose a revision of Regulation 862/2007 so that it will include gender-differentiated statistical data on the operation of detention facilities, in order to improve understanding of, and response to, the specific needs of refugees, and asylum-seekers; calls on the EU and the Member States to develop comprehensive policies to end all forms of violence against women and girls, and specific measures to ensure that female refugees and asylum seekers are protected and get access to justice; highlights that migrant women can face double discrimination in detention or reception centres, and they need to have access to feminine hygiene supplies, privacy and healthcare;
29. Expresses concern over reports of migrant reception fund management being infiltrated by organised crime, and calls on the Commission to monitor closely the use of these funds, and to ensure that any irregularities are investigated and those responsible prosecuted;
30. Calls on Member States to refrain from inciting fear and hatred among their citizens towards migrants and asylum-seekers for political gain; calls, therefore, on the Member States to develop positive campaigns aimed at helping citizens approach integration in a better way;
31. Deplores the fact that the Commission has still failed to follow up on its resolutions of 14 September 2011 on homelessness and of 16 January 2014 on an EU homelessness strategy, and in particular paragraphs 10 and 11 thereof; emphasises that the grounds for an EU homelessness strategy are still valid;

Freedom and security

32. Welcomes the Commission's initiatives and main actions to strengthen security cooperation between Member States and to set out an effective EU response to terrorism and security threats in the European Union, and fully supports measures to pave the way towards an effective Security Union; urges the Member States to fully cooperate with each other, and to improve the exchange of information among each other and with Europol and other relevant EU agencies; highlights the importance of respecting fundamental rights in the fight against terrorism; calls for an evaluation of existing measures to combat terrorism;
33. Emphasises that any system of indiscriminate mass surveillance constitutes a serious interference with the fundamental rights of citizens; stresses that any legislative proposal in the Member States related to surveillance capabilities of intelligence bodies should always comply with the Charter and the principle of proportionality and necessity and, while acknowledging the exclusive competences of Member States in this regard, calls on the Commission closely to monitor the compliance of such legislative developments with the Treaties, as they potentially raise important legal issues;
34. Stresses that a Member State, whenever taking measures in an emergency situation, should always comply with the Treaties and the ECHR; points out that any derogation should be limited to what the situation strictly requires and must be consistent with the obligations of the Member State in question under international law;
35. Reiterates its call on all Member States to ensure that their national legislations and oversight mechanisms in the field of intelligence services are in line with the Charter and the ECHR;
36. Calls for all law-enforcement agencies and authorities working to prevent radicalisation and terrorism, including those at local and regional levels, to be involved in these efforts and to ensure that they receive the training and information necessary for their work; is concerned at the growing hostility towards journalists and media outlets shown by political, religious and terrorist movements; calls on the Member States to provide journalists and media outlets with appropriate protection, and to take necessary action, using the legal means at their disposal, against attacks on journalists;
37. Stresses that appropriate treatment of victims, including victims of terrorism, is essential to safeguarding their fundamental rights; calls, in this regard, for robust policies and mechanisms for meeting the individual needs of victims, including a thorough assessment of the implementation of the EU Victims' Rights Directive (2012/29/EU), to ensure that people who fall victim to crime in the EU benefit from a minimum set of rights;
38. Believes that a comprehensive policy to prevent the radicalisation and recruitment of citizens of the Union by terrorist organisations can be successful if accompanied by long-term and proactive de-radicalisation processes in the judicial sphere, by education and integration measures and by intercultural dialogue; stresses the need to develop strategies on social inclusion and integration that also tackle discrimination that hinders access to education, employment and housing;

39. Calls on the Commission to support the Member States in their efforts to prevent radicalisation and violent extremism, which must centre on promoting European values, tolerance and community, without stigmatisation, and calls as well on the Member States to step up their efforts in this regard;
40. Considers a consistent application of anti-discrimination legislation as part of a strategy to prevent radicalisation and to enable the de-radicalisation of those belonging to extremist organisations; recalls that exclusion and discrimination against religious communities in the European Union could create a fertile ground for individuals in vulnerable situations to join extremist organisations that can be violent;
41. Believes that a European early warning and response system should be strengthened to identify individuals that are at high risk of radicalisation; calls on the EU and the Member States to make greater efforts, through education, to prevent radicalisation; encourages the Member States to promote on-line initiatives with a view to combating the ideas and activities of radical groups, and to incorporate this dimension into lessons on online risk prevention in schools; calls on the EU and the Member States to make greater efforts to assist the families of those who are at risk; calls for best practices to be exchanged and narratives to be built to combat violent extremism, radicalisation and discourse encouraging people to organise and perpetrate terrorist attacks in Europe; stresses that closer cross-border cooperation among competent national and European authorities is needed with a view to improving information exchanges in order to fight terrorist networks more efficiently; urges the Member States to use existing instruments of cooperation to the full extent possible; calls on the EU and the Member States to exchange best practices as regards preventing the radicalisation of people at risk, in particular in prisons;
42. Calls on the Commission and Member States to enforce standards which guarantee that the recommendations of the European Committee for the prevention of torture and inhuman or degrading treatment and punishment (CPT) and the judgments of the European Court of Human Rights (ECtHR) are implemented, in the context of both pre-trial detention and criminal punishment.
43. Reiterates the recommendations to the Commission on the review of the European Arrest Warrant, notably as regards the introduction of a proportionality test and a fundamental rights exception;

Trafficking in human beings

44. Calls on EU law enforcement agencies to step up their efforts to target criminal trafficking networks and facilitators and to cooperate more intensively with one another, paying special attention to crimes against children; stresses the need to provide training for services that come into contact with victims or potential victims of trafficking, so as to help them identify the persons concerned more effectively and give them appropriate support, with training to focus on compliance with fundamental rights and on the needs of persons in particularly vulnerable situations;
45. Notes that the Commission's report on the progress made in the fight against trafficking in human beings shows that new technologies enable organised crime groups to access a

large pool of potential victims on a much larger scale than ever before, as many victims of trafficking, especially for sexual, and labour exploitation, are recruited online; calls on the Commission and the Member States to adopt measures to prevent and address the use of new technologies as a tool of recruiting mostly women and girls as victims of trafficking in human beings;

46. Stresses that the vulnerability of children makes them a preferred target for traffickers and that identifying and checking the identity of children who are victims of trafficking is a growing problem; recalls that some Member States consider child trafficking a separate form of exploitation while others include child victims with adults, hindering the possibility of creating a comprehensive intelligence picture, and of defining the best investigative responses at the EU level; calls, therefore, for tools that help keep track of these children on the basis of a common definition of this crime phenomenon, and for proper and targeted measures to accompany the children in the process;
47. Notes that appointing guardians to unaccompanied children is an important safeguard to ensure their best interests; calls on the Member States, acting at central, regional and local levels, to strengthen guardianship systems for children deprived of parental care and unaccompanied children, and to establish those systems in line with the Handbook Guardianship for children deprived of parental care; notes that, while implementing the system, a special focus is needed on accompanying persons and, in light of the best interests of the child, on not separating the child from family or from non-formal accompaniment;
48. Calls on the Member States to make equal efforts to identify, protect and assist victims of all forms of exploitation, actively including social partners, the private sector, trade unions and civil society, and to guarantee the mutual recognition of victim protection orders in the EU; calls on the Member States to implement fully and correctly the EU Anti-trafficking Directive, in particular Article 8 thereof, which calls for victims not to be criminalised, as well as the Directive on combating child sexual abuse and exploitation, and encourages the Member States and the EU institutions and agencies to strengthen their cooperation on trafficking in human beings, including exchanges of best practices, through the support of the EU Anti-Trafficking coordinator and within the framework the EU Network of National Rapporteurs or equivalent mechanisms on trafficking in human beings;
49. Calls on the EU and all Member States to ratify the Council of Europe Convention on Action against Trafficking in Human beings; stresses that both Member States and relevant EU agencies, such as Europol, should be supported in their efforts to enable the prosecution of those facilitating human trafficking; calls as well on the Member States to address in their national strategies and action plans the demand side of trafficking and exploitation of human beings;
50. Highlights that education is an effective tool in preventing human trafficking and exploitation, and calls on the Member States, acting at central, regional and local levels, to implement prevention education programmes into national curriculums and to promote and mainstream prevention programmes and awareness raising activities;
51. Stresses the need to strengthen measures to prevent and avoid the consumption of goods

produced, and services provided, by victims of trafficking in human beings; stresses that such measures should be incorporated into the European strategy to combat this scourge, in which companies should also be involved;

52. Calls on the EU and its Member States to recognise human trafficking for ransom with torture practices as a form of human trafficking; considers that the severely traumatised survivors should be recognised as victims of a form of prosecutable human trafficking and receive protection, care and support¹;

Combating discrimination, xenophobia, hate crime and hate speech

53. Is concerned by increasing racism and xenophobia in the form of Afrophobia, anti-Gypsyism, anti-Semitism, Islamophobia and anti-migrant sentiment; calls on the Member States to protect freedom of thought, conscience, religion or belief; urges the EU and its Member States to include multiple discrimination within equality policies; calls on the Commission and the Member States to intensify work on exchanging best practices, and to strengthen their cooperation in combating racism, xenophobia, homophobia, transphobia and other forms of intolerance, with full inclusion of civil society and with the contributions of relevant stakeholders, e.g. the FRA;
54. Welcomes the outcome of the 2015 Colloquium on Fundamental Rights and the appointment of Coordinators on anti-Semitism and anti-Muslim hatred; calls on the EU institutions and the Member States to coordinate and strengthen policy responses to address anti-Semitic and anti-Muslim hatred, including the immediate implementation of the key actions identified in the colloquium;
55. Regrets that the proposed 2008 Equal Treatment Directive is still pending for approval by the Council; reiterates its call on the Council to adopt its position on the proposal as soon as possible; encourages the Commission to make concrete progress in the anti-discrimination agenda;
56. Condemns the incidents of hate crime and speech motivated by racism, xenophobia or religious intolerance, or by bias against a person's disability, sexual orientation, gender identity or minority status, which occur in the EU on a daily basis; deplores the increasing levels of hate speech from within certain institutions, political parties and media; calls on the EU to set an example of opposing hate speech within its institutions;
57. Is concerned by the growing presence of hate speech on the internet; recommends that the Member States put in place a simple procedure enabling members of the public to report the presence of hate content online; welcomes the Commission's announcement of the Code of Conduct on countering illegal hate speech online, and encourages adherence to this and to continued efforts to strengthen cooperation with the private sector and with civil society; recalls that measures taken in this regard should not contradict the fundamental principles relating to freedom of expression, in particular including the freedom of the press;
58. Expresses its concern at the lack of reporting of hate crimes by victims owing to

¹ This new type of trafficking has already been introduced by Parliament's resolution of 10 March 2016 on the situation in Eritrea (Texts adopted: P8_TA(2016)0090).

inadequate safeguards and to the failure of authorities to investigate properly and to obtain convictions for hate crimes in Member States; calls on the Member States to develop and disseminate tools and mechanisms for reporting hate crime and hate speech, and to ensure that any case of alleged hate crime or hate speech is effectively investigated, prosecuted and tried in accordance with national law and, where relevant, in compliance with the Framework Decision on Racism and Xenophobia, European and international human rights obligations, as well as relevant ECtHR case law, whilst ensuring the right to freedom of expression and information as well as privacy and data protection;

59. Expresses its concern that several Member States have not transposed the provisions of Framework Decision 2008/913/JHA correctly, and calls on the Member States concerned to do so, and to implement it, as well as Directive 2012/29/EU on victims of crime, in full; calls on the Commission to monitor the transposition of these instruments and to launch infringement procedures if needed; notes that some Member States have extended the protection granted to victims of discrimination based on other grounds, such as sexual orientation or gender identity, when implementing the Framework Decision; encourages the Commission to start a dialogue with those Member States whose legislation does not cover homophobic hate motives, with a view of filling the remaining legislative gaps;
60. Calls on the Commission to support training programmes for law enforcement and judicial authorities, and for the relevant EU agencies, with the aim of preventing and tackling discriminatory practices and hate crime; calls on the Member States to provide the authorities responsible for the investigation and prosecution of such crimes with the practical tools and skills they need to identify, and deal with, the offences covered by the Framework Decision, and to interact and communicate with victims;
61. Recognises that, in the absence of comparable and disaggregated equality data collected by Member States, the full extent of inequality in the EU remains unacknowledged; considers the collection of such data by Member States essential for the formulation of meaningful policies for the implementation of EU equality law; calls on the Commission and the Council to acknowledge the need for reliable and comparable equality data that can provide measures on discrimination, disaggregated by discrimination grounds, in order to inform policy-making; calls on both institutions to define consistent equality data collection principles, based on self-identification, EU data protection standards and the consultation of the relevant communities;
62. Calls on the EU institutions and the Member States, and on regional and local authorities, to strengthen the role of human rights and intercultural education in national curricula as a tool for preventing racism and all other forms of intolerance, and calls for the promotion of awareness-raising about rights; considers that a complete human rights education must also include, in an adequate way, education on past human rights injustices, on institutional racism and on the importance of memory;
63. Deems it crucial that all Member States cooperate with national or international judicial investigations attempting to clarify responsibilities as regards, and endeavouring to ascertain the truth and secure justice and redress for the victims of, crimes against humanity committed in the Union by totalitarian regimes; calls on the Member States to

provide the necessary training for legal practitioners in this area; urges the Commission to conduct an objective assessment of the state of play in such processes with a view to fostering democratic remembrance in all Member States; warns that failing to comply with international recommendations on democratic remembrance and the principles of universal jurisdiction is a breach of the basic principles of the rule of law;

Women's rights and violence against women

64. Regrets that gender equality has not yet been attained, that in many areas no improvements are being made, and that women's fundamental rights continue to be breached; condemns all forms of violence against women and girls, such as domestic violence, honour killings, forced marriage, trafficking and female genital mutilation; considers that such practices can never be justified and should be criminalised and punished, and that EU and national authorities should strengthen their cooperation, in particular through exchanges of good practices and improved gathering and comparability of data on all forms of violence against women, including on multiple discrimination; considers that all those living in the Union, regardless of their original culture and tradition, should respect the law and women's rights and dignity;
65. Regrets that women and girls do not enjoy the same protection against violence in all Member States; stresses that many improvements are still needed to combat violence against women and girls; calls on the EU to sign and ratify the Istanbul Convention, following the launch of the procedure by the Commission in March 2016; reminds the Member States that the EU's accession to the Istanbul Convention does not exonerate them from signing, ratifying and enforcing the Convention, and urges them to do so; calls on the Commission and the Member States to review existing legislation, and to keep the issue of violence against women high on the agenda, as gender-based violence should not be tolerated; reiterates its call on the Commission to submit a legal act establishing measures to promote and support the action of Member States in the field of prevention of violence against women and girls;
66. Urges the Member States and regional and local authorities to lead more targeted awareness-raising campaigns to prevent violence and to encourage women to report offences; urges as well the Member States to impose appropriate and deterrent penalties for offenders, and to protect all victims of violence, and their rights, without delay and with special focus on vulnerable groups, in line with the Victims' Rights Directive; calls on the Member States fully to implement Directive 2011/99/EU on the European Protection Order in order to ensure appropriate protection and assistance to women and girls that are victims of violence, as well as Directive 2011/36/EU on preventing and combating trafficking in human beings in order to protect women and girls from trafficking, violence and sexual exploitation; stresses that victims of gender-based violence should receive appropriate treatment and support, in line with internal rules and international obligations;
67. Stresses that in order to combat gender-based violence effectively, a change of attitude towards women and girls is necessary; calls on the Member States to do more to combat gender-based stereotypes that reproduce and reinforce gender roles in the key areas in which such stereotypes are perpetuated; calls on the Commission to share the Member States' best practices for addressing gender stereotypes at school; calls on the Member

States to provide police, judicial staff and judges with the sensitivity training and any other form of specialised training they need to deal adequately with the issue of gender-based violence, in order to avoid further trauma and re-victimisation during criminal proceedings; calls on the Member States to assist authorities in identifying, in an effective way, the specific needs of, and to provide special protection services to, victims of gender-based violence, in line with the Victims' Rights Directive;

68. Urges the Member States to provide victims of gender-based violence with an adequate number of shelters, and with targeted and integrated support services, including trauma support and counselling; urges the Commission and the Member States to support the civil society organisations working with victims of gender-based violence in any way possible;
69. Urges the Member States to address the situation of disabled women who are victims of domestic violence, as they often cannot escape from the abusive relationship;
70. Expresses serious concern about continuing genital mutilation (FGM) practices, a serious form of violence against women and girls; calls on the Member States to raise the awareness of all those concerned and to focus on prevention in their anti-FGM policies; urges, furthermore, the Member States to cooperate fully with one another so as to improve data collection on, and understanding of, the phenomenon, in order to optimise the results of their efforts to protect women and girls from such mutilation;
71. Strongly condemns the frequent acts of harassment and rape that occur in public places in the Union, and considers that every woman and girl should feel safe from any form of sexual harassment in any public place; calls on the Member States to take measures to ensure that such acts are properly sanctioned, that the perpetrators are brought to justice and that protection is provided to victims; calls on the EU and the Member States to step up their efforts to protect women refugees and asylum seekers, who are particularly vulnerable to violence while on the move;
72. Calls on the Member States to ensure gender equality at the workplace; regrets that women still suffer from discriminatory working conditions; highlights the low representation of women in science, technology and engineering, entrepreneurship and the decision-making process, in both the private and the public sector, and stresses that the gender pay gap is an inadmissible discrimination; calls on the Commission to step up efforts to increase the representation of women in political and economic spheres, to improve the collection of data on women's participation and to address gender inequality in the media by promoting the exchange of best practices;
73. Recalls, in this context, that equality between men and women can only be achieved through a fair redistribution of paid and unpaid work; recognises that upholding women and girls' fundamental rights can be guaranteed through further economic, political and social empowerment, representation and inclusion; notes that, in recent years, anti-gender equality movements have emerged that challenge existing achievements in the area of women's rights and gender equality;
74. Recalls that poverty in old age is a particular concern in the case of women, owing to the continued gender pay gap and the resulting gender pension gap; calls on the Member States to draw up appropriate policies for supporting elderly women and to

eliminate the structural causes of gender differences in compensation; underlines the crucial role of high-quality public services in combating poverty, especially female poverty;

75. Points out that domestic workers are predominantly women, and calls on the Member States to speed up the process of ratifying and implementing the ILO Domestic Workers Convention, in the wake of Council Decision 2014/51/EU, as a key instrument for ensuring decent working conditions;
76. Calls on the Commission to take measures meeting the needs of mothers and fathers with regard to types of leave, namely maternity, paternity, parental and carers' leave; calls for concrete action to be taken to further strengthen parental leave rights; takes note of the proposal to introduce carers' leave, as foreseen in the Commission Roadmap on a new start to address the challenges of work-life balance faced by working families; awaits further action by the Commission following the withdrawal of the Maternity Leave Proposal;
77. Highlights the risks involved in the potential use of the internet, and of social media and other types of technology, to control, threaten and humiliate women, and stresses the importance of awareness-raising campaigns in this regard;
78. Calls on the Commission, with a view to promoting gender equality in a more effective way, to introduce gender mainstreaming in all areas of policymaking, as well as in all proposed legislation, including by means of systematic gender impact assessments as part of the fundamental rights compliance assessment, and as an integrated criterion in dialogues with, inter alia, countries that are candidates for accession;
79. Acknowledges that women's sexual and reproductive health is related to multiple human rights, including the right to life, the right to be free from torture, the right to health, the right to privacy, the right to education and the prohibition of discrimination; underlines that Member States are obliged to respect, protect and fulfil rights related to the sexual and reproductive health of all women and girls, free of coercion, discrimination and violence; stresses, in this regard, that persons with disabilities are entitled to enjoy all their fundamental rights on an equal basis with others;
80. Calls on the EU and the Member States to recognise the fundamental right to access to preventive health care; insists on the role of the Union in awareness-raising about, and in promoting best practices on, this issue, including in the context of the EU Health Strategy, while respecting the competences of Member States, given that health is a fundamental human right that is essential to the exercise of other human rights; recalls, in this regard, that coherence and consistency between the EU's internal and external human rights policies are of great importance;
81. Recognizes that denial of life-saving sexual and reproductive health services, including life-saving abortion, constitutes a serious breach of human rights;
82. Condemns any form of commercial surrogate motherhood;

Children

83. Notes with concern that child poverty rates remain high in the EU, and the number of minors living in poverty is increasing; reiterates that investing in the well-being of children, and in lifting them out of poverty, is not only a moral imperative, but a social and economic priority as well; encourages the Member States and the EU to launch programmes specifically targeting the well-being and healthy development of children; calls on the Member States to step up their efforts to tackle child poverty and social exclusion through effective implementation of the Commission's Recommendation 'Investing in children: breaking the cycle of disadvantage', and through integrated strategies supporting access to adequate resources, enabling access to affordable quality services; calls on the Commission to take further measures to monitor the implementation of the Recommendation; calls for the establishment of policies and programmes aimed at combating the increasing educational poverty of minors, in order to pursue their social inclusion; calls on the Commission to consider launching a Child Guarantee to combat child poverty and social exclusion;
84. Condemns any forms of discrimination against children, and welcomes the adoption by the Council of Europe of its Strategy for the Rights of the Child (2016-2021), which also focuses on the need to counter discrimination against children with disabilities, children affected by migration, Roma children and LGBTI children; calls on the Commission and the Member States to make a united action to eradicate discrimination against children; calls, in particular, on the Member States and the Commission explicitly to consider children as a priority when programming and implementing regional and cohesion policies, such as the European disability strategy, the EU framework for national Roma integration strategies and the EU's equality and non-discrimination policy; reiterates the importance of protecting and promoting equal access to health care, dignified accommodation and education for Roma children;
85. Urges all Member States to conduct public education and awareness raising campaigns that draw attention to children's right to protection and promote positive, non-violent relationships with children;
86. Condemns unequivocally all forms of violent and abusive child victimisation at all levels, from homes to schools, public places and juvenile detention centres; calls on the Member States to take appropriate measures to prevent and protect children from all forms of physical and psychological violence, including physical and sexual abuse, sexual exploitation, child labour, compulsory marriages, honour killings, female genital mutilation and recruitment as child soldiers; stresses the importance of including formal provisions to prohibit and sanction corporal punishment against children, and encourages the Commission to strengthen peer-learning between Member States on how best to address school bullying, taking into account vulnerable groups of children;
87. Calls for a multi-stage system in child protection that fully respects each child's fundamental rights based on his or her best interests; stresses that this system should not be designed to punish parents and care-givers, but to send a clear message that all forms of physical and emotional violence against children are unacceptable, and punishable by law, but in which the separation of the child from the family would be the very last resort; recalls that state care for children is always more costly than adequate and well-targeted support for families living in poverty; reiterates its call on the Commission to present a new European Strategy for the Rights of the Child;

88. Calls for child-friendly juvenile justice systems in which children understand their rights and role when involved as victims, witnesses or alleged offenders; calls for the adoption of special measures in both criminal and civil proceedings to protect children from unnecessary stress, intimidation and repeated victimisation, taking into account Directive 2016/800 on procedural safeguards for children suspected or accused in criminal proceedings;
89. Calls for the 116 emergency hotline to be accessible EU-wide 24/7 for children, and for the use of anonymised chat lines on the internet, as these are much more convenient for children in stress and should be set up as a unified system in the EU, using official and minority languages; calls on the Member States to support the European common number 116111 dedicated to child helplines by strengthening hotline and chat line capacities and European networks, and by allocating sufficient funds;
90. Highlights that child protection should be enhanced in the digital world in light of the increased instances of sexual exploitation whereby perpetrators use the internet to make contact, and calls for further cooperation between the public and private sectors in this regard, asking the latter in particular to take its shared responsibility, to refrain from aggressive advertising towards children and to protect them from misleading advertising; encourages those involved to follow good examples of prevention and complaint mechanisms in online social media and to implement these EU-wide; takes the view, furthermore, that children should be properly informed about the potential risks related to the internet, in particular when providing personal data online, for example by means of awareness raising campaigns and school programmes; stresses that online profiling of children should be prohibited; supports the efforts to ensure an ambitious and effective outcome of the reform of the Directive on Audiovisual Media Services, with particular reference to protecting children in the digital environment; calls on Member States to address cyber-bullying;
91. Calls for an action plan to protect children's rights online and offline in cyber space, and recalls that in fighting cybercrime, law enforcement authorities need to pay special attention to crimes against children; stresses, in this connection, the need to strengthen judicial and police cooperation among the Member States, and with Europol and its European Cybercrime Centre (EC3), with a view to preventing and combating cybercrime, and in particular the online sexual exploitation of children;
92. Calls on the Member States to implement Directive 2011/93/EU on combating sexual abuse and sexual exploitation of children and child pornography; calls on the law-enforcement authorities, both at national and EU-level, to invest in new technologies to fight crimes in the dark web and the deep web; stresses that Eurojust and Europol must be given appropriate resources to improve the identification of victims, to fight organised networks of sexual abusers and to accelerate the detection, analysis and referral of child abuse material on- and offline;
93. Believes that inclusion policies should have a strong focus on children, as children are the bridges of common understanding between cultures and societies;
94. Recalling that, according to the Commission's 2016 Report on the progress made in the

fight against trafficking in human beings, at least 15 % of the registered victims were children, urges the Member States to take immediate action in response to Europol's announcement that at least 10 000 unaccompanied refugee and migrant children went missing in the EU in 2015; calls on the Member States and the EU agencies to step up their cross-border cooperation, information exchanges and joint investigations in order to fight child trafficking and cross-border organised crime, sexual abuse and other forms of exploitation, and to protect children; calls on the Member States and the European agencies to expedite the appointment of qualified guardians to unaccompanied children and ensure that the best interest of the child is always taken into account; calls on the Member States to register and identify children in a child-friendly way, and to prevent their disappearance by ensuring that they enter the national child protection systems; recommends that existing tools for missing children be reinforced, including the European hotlines for missing children; calls on the Commission and the Member States to make full use of the FRA's expertise when it comes to enhancing child protection and the protection of vulnerable people in the current migration situation, particularly at hotspots; recalls that children's rights, and the best interest of the child, need to be taken into account and assessed in all EU policies and actions, including migration and asylum;

95. Encourages the Member States to pay particular attention to programmes that focus on preventing young people from leaving school early and to test and share best practices in this area;

Rights of minorities

96. Highlights the fact that minorities that for centuries have been living together with, or alongside, majority cultures in Europe still face discrimination in the EU; believes that the solution to this problem lies in the necessity of establishing minimum standards for the protection of the rights of minorities, and of providing education about cultural diversity and tolerance, as preserving Europe's cultural heritage gives added value to diversity;
97. Emphasises that minority communities have specific needs and that their full equality should be promoted in all areas of economic, social, political and cultural life; stresses that it is essential that the fundamental rights and freedoms of persons belonging to minorities are respected and promoted;
98. Expresses its concern as these groups encounter obstacles in the enforcement of their rights to property, to access to justice and other public services, and to education, health and social services, as well as their cultural rights, all of which may be curtailed; urges the Member States to take action to prevent administrative and financial obstacles that could delay linguistic diversity at European and national level;
99. Urges the Commission to establish a policy standard for the protection of minorities, as protection of these groups is part of the Copenhagen criteria, both for the candidate countries and for the Member States; calls on the Member States to ensure that their legal systems guarantee that persons belonging to a minority are not discriminated against, and to take and implement targeted protection measures based on relevant

international norms;

100. Urges the Member States to exchange good practice and to apply tried and tested solutions in addressing the problems of minorities throughout the European Union; points to the important role that regional and local authorities in the EU can play in protecting minorities, and considers that administrative reorganisation should not have a negative effect for them;
101. Calls on the FRA to continue its reporting on discrimination based on membership to a minority and to continue to collect data in this regard;
102. Encourages those Member States that have not yet done so to ratify without further delay the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages; recalls as well the need to implement the principles developed in the framework of the OSCE;
103. Urges the Member States to take into thorough consideration the minority rights perspective, to ensure the right to use a minority language and to protect linguistic diversity within the Union; calls on the Commission to strengthen its plan to promote the teaching and use of regional languages, as a potential way of tackling language discrimination in the EU;
104. Calls on the EU to implement PACE resolution 1985(2014) on the situation and rights of national minorities in Europe, fully respecting the principle of subsidiarity; stresses that all emergency hotlines and any official helplines operated in the Member States should be accessible not only in the country's official languages but also in its minority languages and the main EU languages by redirecting calls;

Rights of people with disabilities

105. Welcomes the concluding observations on the EU's progress in implementing the UN Convention on the Rights of Persons with Disabilities (CRPD), and calls on the Commission and the Member States to use these recommendations as an opportunity to set a positive example by ensuring effective and thorough implementation as soon as possible;
106. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis with others, including the rights to inalienable dignity, health and family, independent living, autonomy and full social integration, access to justice, goods and services as well as voting and consumer rights, in line with the CRPD; calls on the European Union and its Member States to take appropriate measures to ensure that all persons with disabilities can exercise all the rights enshrined in treaties and EU legislation; notes that a human rights-based approach to disability is not yet fully endorsed, resulting in discrimination against those with disabilities in the EU, and urges the EU and its Member States to intensify efforts to align their legal frameworks with CRPD requirements and to effectively include persons with disabilities in society;
107. Calls on the Member States to adopt strategies to provide effective access to the labour market to persons living with disabilities; regrets the fact that some of the EU funds

available for integrating people with disabilities are still not fully used for that purpose; calls on the Commission to monitor closely the utilisation of the funds and to take action where necessary;

108. Recalls that persons with intellectual and psychosocial disabilities face particular barriers to the fulfilment of their fundamental rights, and calls on the Member States and regional and local authorities to strengthen efforts to promote their autonomy and inclusion on an equal basis with others;
109. Notes that women and children with disabilities disproportionately experience a variety of human rights violations, including the denial of access to basic services such as education and healthcare or placement in institutions away from their families and communities, and are at a higher risk of becoming victims of violence, sexual abuse, exploitation and other forms of ill-treatment; highlights the need for comprehensive and gender-sensitive policy action by the EU, the Member States, and regional and local authorities to ensure the thorough implementation of the UN Convention on the Rights of the Child, in conjunction with the CRPD;
110. Urges the EU and its Member States to develop support services for children with disabilities, and their families, in local communities, to promote deinstitutionalisation and to ensure an inclusive educational system for them;
111. Urges Member States to ensure that the 112 emergency hotline is fully accessible for disabled persons and that awareness of it is raised through campaigns;
112. Calls on the EU and the Member States, and on regional and local authorities, to step up the allocation of financial and human resources to the monitoring frameworks established under Article 33(2) of the CRPD so that they can carry out their functions, and to guarantee their independence by ensuring that their composition and operation take into account the Paris Principles on the functioning of national human rights institutions;
113. Calls on the Member States, and on regional and local authorities, to ensure real participation and freedom of expression for persons with disabilities in public life; notes that such efforts should be supported by providing subtitling, sign language interpretation, documents written in Braille and easy-to-read formats; calls on the Member States to provide accessible solutions to refugees with disabilities; stresses the particular risks facing refugees, migrants and asylum seekers with disabilities, who lack access to information and communication in accessible formats, and who may be detained in conditions which do not provide appropriate support or reasonable accommodation;

Elderly people

114. Notes that active ageing and inter-generational solidarity are important issues that can be strengthened through a human rights-based approach, as it represents one of the deepest economic and social transformation that developed countries are facing; calls on the Member States to incentivise increased and active participation of elderly people in the labour market through social and economic initiatives to combat social exclusion,

and to guarantee them easy access to health services;

115. Stresses that discrimination on the basis of age is highly prevalent in today's societies and is often combined with other forms of discrimination, such as discrimination on the grounds of race or ethnicity, religion, disability, health or socio-economic conditions, gender identity or sexual orientation; calls on the Member States to implement actions aimed at reintegrating elderly people in community life in order to combat their isolation;
116. Calls on the EU and the Member States to be actively involved in the UN Open-Ended Working Group on Ageing, and to step up their efforts to protect the rights of older people;

Roma rights

117. Recalls that people belonging to the Roma minority are entitled to freedom of movement, and urges the Member States, and regional and local authorities, to safeguard it and not to plan settlement policies based on ethnic reasons; is concerned that people belonging to the Roma minority are disproportionately subjected to forced evictions in many Member States;
118. Regrets that Roma people still face anti-Gypsyism, and systematic and institutional racism, and recalls that the discrimination of Roma in the areas of labour, housing, education, health, access to justice or any other domain is unacceptable and harmful to EU society; calls, therefore, on the Member States, and on regional and local authorities, in the light of the Commission's Report on the implementation of the EU Framework for National Roma Integration Strategies 2015, to implement fully and rapidly their own national Roma strategies, and to put in place specific measures to fight **racial** discrimination against Roma in line with the Racial Equality Directive provisions and the European Convention on Human Rights, and to combat anti-Gypsyism in line with the Framework Decision on Racism and Xenophobia;
119. Recalls the case law of the CJEU stating that the principle of equal treatment to which Directive 2000/43/EC refers applies to persons who, although not themselves a member of the race or ethnic group concerned, nevertheless suffer less favourable treatment or a particular disadvantage on one of those grounds;
120. Calls on the Commission to mainstream the monitoring of discrimination practices in all areas, especially education, employment, housing and healthcare, paying special attention that all programmes are implemented in a way that reduces the gaps between Roma and non-Roma population; calls furthermore, on the Commission to take action against those Member States that promote or allow institutionalised discrimination and segregation;
121. Condemns the practice of segregating Roma children in schools, which affects in an extremely negative way the later life perspectives of those children; supports the Commission's action to challenge this practice by means of infringement procedures, and calls on the Member States to take effective steps to eliminate school segregation and to come up with plans for integration measures for Roma children;

122. Calls on the Member States and the Commission to strengthen their strategies to promote the inclusion of Roma and poor communities by scaling them up, widening them to reach 80 million citizens; call also for the strengthening of the Commission's Roma Task Force and the National Contact Points, for the development of regional and local contact points and Regional Roma Platforms, and for the development of an online policy forum in cooperation with the European Roma Platform; calls on the FRA to continue its data collection on the situation of Roma and to develop and propose a "dashboard" of Roma inclusion indicators that would make it possible to track progress in that area; calls on the Member States to mark 2 August as the European Roma Holocaust Memorial Day;

LGBTI rights

123. Condemns any discrimination or violence on the basis of sexual orientation and gender identity; encourages the Commission to come up with an agenda that ensures equal rights and opportunities for all citizens, while respecting the competences of Member States, and to monitor proper transposition and implementation of EU legislation relevant to LGBTI; welcomes, in that regard, the list of actions prepared by the Commission to advance LGBTI equality, including the Commission's communication campaign to fight stereotypes and improve the social acceptance of LGBTI; urges the Commission and the Member States to work in close cooperation with civil society organisations working for the rights of LGBTI persons; notes that FRA's fieldwork research shows that public officials see EU law and policy as major drivers supporting national efforts to promote LGBTI equality;
124. Regrets the fact that LGBTI persons experience bullying and harassment that starts at school, and suffer discrimination in different aspects of their lives, including in the workplace; calls on the Member States to put special focus on homophobia in sports, on young LGBTI and on bullying at school; encourages the Member States to support trade union and employers' organisations in their efforts to adopt diversity and non-discrimination policies with a focus on LGBTI people;
125. Recalls the case-law of the ECtHR pertaining to LGBTI rights; welcomes the fact that a growing number of Member States have already taken steps contributing to promoting and protecting in a better way the rights of LGBTI people, and have adopted new legal gender recognition procedures with respect to fundamental rights of those persons; calls on the Commission and its agencies to collect data on human rights violations faced by LGBTI people and to share with the Member States best practices with regard to protecting their fundamental rights, and encourages the Member States to inform LGBTI people fully about their rights and to exchange best practices in this regard; condemns medical practices that violate fundamental rights of trans and intersex people;
126. Considers that the fundamental rights of LGBTI persons are more likely to be safeguarded if they have access to legal institutions such as cohabitation, registered partnership and marriage; welcomes the fact that 18 Member States currently offer these options, and calls on the other Member States to consider doing so;
127. Calls on the Commission to bring forward a proposal for the full mutual recognition of the effects and free circulation of all civil status documents of all individuals, couples

and families across the EU (including all such documents pertaining to marriage and registered partnerships, legal sex changes and adoption and birth certificates), including legal gender recognition, in order to reduce discriminatory legal and administrative barriers for citizens who exercise their right to free movement;

Citizenship

128. Notes the rise in Euroscepticism, and in the expression of violent political views, with great concern, and urges, therefore, the EU and its Member States to strengthen the participation of citizens – especially young people and civil society organisations – in EU matters, so that Europeans can voice their concerns and express their opinions through democratic channels;
129. Considers it necessary to reduce the administrative burden of participating in public life and to promote e-governance EU-wide, and calls for the effectiveness of mechanisms such as the Citizens' Initiative to be strengthened;
130. Encourages the development of e-consultations as a tool for direct participation of citizens, allowing knowledge of their expectations of the government and public administration to be gathered; deems it necessary to eliminate procedural and language barriers that discourage civic participation in the decision-making processes of public institutions at all levels of governance; emphasises the need for transparency not only in the decision-making processes of institutions, but also in the monitoring of how matters relating to services provided by public institutions are handled; emphasises the need to promote the provision of such services via accessible digital media; reiterates the importance of raising awareness about the Charter;
131. Notes that civil society organisations, including volunteering, religious and youth work, play a key role in social and civic participation, and calls on the EU and the Member States, and on regional and local authorities, to support and to promote their work; calls on the Member States and on the EU to uphold the freedom of assembly and of association as part of the Charter;
132. Believes that civic education and intercultural dialogue improves citizens' understanding of the importance of social and political participation, while human rights education raises their awareness of their rights and teaches them respect for the rights of others; calls on the Member States to draw up national plans of action for fundamental rights education, including the EU's contribution to the development of the fundamental rights framework, and to implement the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education; calls on regional and local authorities to take an active part in the aforementioned activities;
133. Notes with concern that efforts are still needed to achieve the Europe 2020 strategy's targets on poverty and social exclusion; calls on the Member States to find the right policies, including employment activation and access to high-quality services and education; urges the Commission and the Member States to ensure that their social and employment policies do not discriminate on the basis of size and composition of households;

Digital Rights

134. Recalls that all persons have the right to privacy and the right to the protection of personal data concerning them, including the right of access to data which has been collected concerning them, and the right to have it rectified; emphasises the right of all persons to determine how their personal data are handled, in particular their exclusive right to determine the use and dissemination of their personal data; highlights that the Commission and the Member States should implement measures to enable every citizen to obtain referral of content potentially harmful to his/her dignity or reputation while respecting the freedom of expression and information, and in accordance with relevant legislation and case law; points out that, in the absence of a specific public interest, everyone has the right to decide which data may be made available, the right to have personal data erased and the right to be forgotten in accordance with EU and national legislation;
135. Is concerned that citizens are not fully aware of their rights or of the channels of legal remedies available to them; considers it essential to familiarise the public, in particular children, with the importance of personal data protection, including in cyberspace, and the potential risks to which they are exposed, especially in the light of rapid technology developments and increasing cyber-attacks; calls on the Member States to expand their efforts as regards new-media literacy and to make that an integral component of school curricula; calls on the Member States to take measures to address cyber-bullying, in particular when it affects specific groups of children;
136. Points out that all persons have the right to express and disseminate their opinions freely on the internet in line with relevant legislation and case-law; stresses that no one may be disadvantaged for not using digital services; calls on the Commission to follow up on the conclusions of the public consultation on the EU's Audiovisual Media Services Directive, and to review the directive, including as regards issues pertaining to fundamental rights;
137. Stresses the need to consider the impact that some new technologies – such as drones – can have on fundamental rights and, in particular, on the right to privacy; highlights as well the challenge presented by the implications of widespread internet use on fundamental rights, particularly as regards protecting personal data, combatting online harassment or trafficking in human beings, especially for sexual and labour exploitation;
138. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments and Governments of the Member States and the Parliamentary Assembly of the Council of Europe.