



Brussels, 05 November 2014

Dear Mr Ville,

as you know the European Parliament is a staunch supporter of the EIDHR and has used the possibility to input on this important instrument on many occasions.

Following the letter that was sent by Mr Brok last week, we would also like to raise our concern about information we have received suggesting that there will be no funding available for work related to the fight against impunity for civil society organisations – neither under the Annual Action Programme (APP) for the year 2015, nor for the following years. This runs counter to the new EIDHR Regulation 2014-2020 in which reference is made to "the fight against impunity" under Objective 2 of the Annex, while Objective 5 covers targeted funding for the ICC itself.

The fight against impunity is also mentioned in the Multiannual Indicative Programme, 2014-2017, recently adopted. On page 14, under Objective 2, there is a specific entry on fighting impunity, stating that "the EIDHR will provide support to civil society in fighting against impunity by strengthening the rule of law, improving access to justice, and improving the functioning of accountable legal institutions at national level."

There have been many instances in which this particular issue has been specifically raised by the European Parliament. The Parliament has continuously called upon the European Commission to maintain its commitment to the fight against impunity for grave international crimes, and this has always been confirmed by the Commission in the past.

Most importantly, in the preparation of the Strategic Dialogue held in March, a letter was sent by Mr Brok, Chair of the Foreign Affairs Committee, to Commissioner Piebalgs, including Parliament's comments on the EIDHR. On page 3 specific reference was made to "the fight against impunity", more specifically that "it would be crucial that the fight against impunity is addressed not only through support to the ICC itself, but also to NGOs operating in this field".

Under Objective 2 of the Annex attached to Commissioner Piebalgs' reply to Mr Brok, 40-45% of funds allocated to this objective were to be dedicated to "human dignity and impunity".

Then, in June, in a letter to HR/VP Ashton and Commissioner Piebalgs on the Annual Action Programme 2014, Mrs Lochbihler, in her capacity as acting DROI Chair,

specifically called for all global campaigns to be maintained in 2014 as well as in future programming ("we call for thematic global campaigns to be maintained in the AAP 2014 and any future programming", p. 3 under "General comments"). While we understand that, due to the late adoption of the AAP 2014, it was not possible to accommodate this in 2014, we do not understand why Parliament's explicit input – reflected also by the Commission – has not been duly taken on board with regard to the year 2015 and beyond.

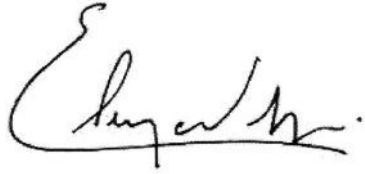
Lastly, in September, in the letter of reply (addressed to Mrs Valenciano, the new DROI Chair), HR/VP Ashton and Commissioner Piebalgs stated that they would share the analysis that local calls for proposals should only complement global ones; but not take their place ("We can assure you that thematic global campaigns will be maintained in future AAPs and programming").

The fight against impunity is a cause to which the EU is highly committed. The Action Plan following up the Council Decision on the ICC (2011/168/CFSP) explicitly states that "the Commission should focus on the financing of relevant programmes under the EU budget along the lines of the Decision and this Action Plan." The fight against impunity is also about access to justice for victims of crimes against humanity, genocide and war crimes, and this cannot be done solely by providing grants to the ICC or to ad hoc tribunals and mechanisms. Civil society efforts remain as crucial as ever to ensuring that the ICC becomes truly universal by promoting universal participation and full domestic implementation of the Rome Statute system by third States. We expect this to be reflected in subsequent Annual Action Programmes by making funding available for actions by civil society to promote international criminal justice and the Rome Statute system.

Very recently, on the occasion of the International Criminal Justice Day on 17 July 2014, a statement was made by the EEAS in which it was affirmed that efforts to promote global justice should be renewed. We therefore call on the Commission to live up to these commitments, and to the outcome of the Strategic Dialogue with Parliament. We urge the European Commission to provide continuing support to civil society organisations working on preventing the most serious crimes, as well as on delivering justice for the victims and ending impunity of their perpetrators through EIDHR funding.

We trust that you will look into this issue to avoid a funding gap for those civil society organisations - possibly of several years- and to ensure continuity of funding.

Yours sincerely,



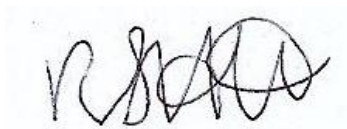
Elena VALENCIANO, *Chair of the Subcommittee on Human Rights*



Helmut SCHOLZ, *Spokesperson of PGA in the European Parliament*



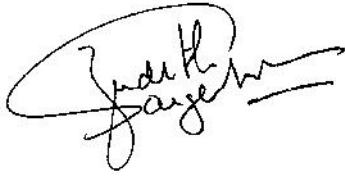
Barbara Lochbihler, *Vice-Chair of the Subcommittee on Human Rights, PGA member and Chair of the informal group of the Friends of the ICC*



Richard HOWITT, *Vice-Chair of the Delegation for relations with the countries of South Asia, member of PGA and the Friends of the ICC*



Ana GOMES, *Member of PGA and the Friends of the ICC*



Judith SARGENTINI, *Member of PGA and the Friends of the ICC*



Jo LEINEN, *Chair of the Delegation for relations with the People's Republic of China, member of PGA*



Alyn SMITH, *Member of the Friends of the ICC*



Marietje SCHAAKE, *Vice-Chair of the Delegation for relations with the United States, member of PGA and the Friends of the ICC*

Copy to:

HR/VP Federica Mogherini

Commissioner for Development Neven Mimica

EU Special Representative for Human Rights, Stavros Lambrinidis

Chair of the COJUR ICC, Mauro Politi

EU Focal Point on the ICC, Christian Behrmann