



## EUROPEAN COMMISSION

*Brussels, 13.3.2015  
C(2015) 1666 final*

*Dear President,*

*The Commission would like to thank the Houses of the Oireachtas for their Opinion concerning the Proposal for a Council Decision on the conclusion of the Trade Agreement between the European Union and Colombia and Peru (the Agreement) {COM(2011) 569 final}.*

*As noted in the Opinion, the Agreement includes a comprehensive provision on the protection of human rights. Respect for democratic principles, the rule of law and human rights, as laid down in the Universal Declaration on Human Rights, are "essential elements" of the Agreement. This means that in the case of violation of these fundamental principles and rights by one Party, the other Party may immediately adopt proportionate, unilateral and concrete measures, including, if appropriate, the termination of the Agreement, or its partial or complete suspension.*

*The Agreement therefore gives the EU better possibilities to address human rights issues in Colombia and Peru, including within the broader bilateral framework of relations between the EU and Colombia and Peru, where dialogue on human rights related issues is an important element. Indeed, human rights are regularly addressed within existing mechanisms for political dialogue – such as the Human Rights Dialogue with Colombia or the bilateral consultation mechanism established under the 2009 Memorandums of Understanding with the two countries. It should be noted that it was following the signature of the Agreement that Colombia and the EU decided to upgrade their human rights dialogue from a local to a capital-based dialogue. In addition to the formalised annual dialogue exclusively dedicated*

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*to human rights and which is preceded by exchanges with civil society, a technical working group on human rights with representatives of all EU missions in Bogota and the Colombian authorities has been established. This working group routinely treats human rights issues of concern, particularly cases regarding human rights defenders.*

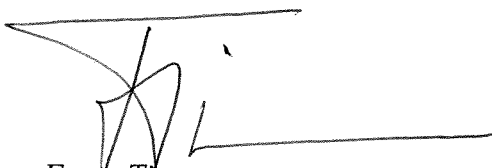
*The latest Human Rights Dialogue held with Colombia took up several of the issues raised by the UN High Commissioner for Human Rights in her most recent report of 24 January 2014. As noted in the Opinion, the High Commissioner commended the Government of Colombia for its ongoing efforts to meet its international human rights obligations and welcomes the positive development. Yet she also identifies various shortcomings and challenges that the EU, too, is raising in our exchanges with the Colombian authorities. Furthermore, our bilateral discussions are complemented through the financial assistance made available under the European Instrument for Democracy and Human Rights (EIDHR) to support improvements in the human rights situation in the country.*

*Under the political consultations held on the basis of the EU's Memorandum of Understanding with Peru, a technical dialogue on human rights was held with Peru in July 2014 with the view of formalising the dialogue as in the case of Colombia. During this meeting, in-depth discussions were held on a variety of human rights issues. This is in line with the recommendation issued in the Opinion of the Houses of the Oireachtas to guarantee a permanent dialogue on human rights both with Colombia as well as with Peru.*

*The Commission would like to conclude by noting that while it is clear that the Trade Agreement with Colombia and Peru can play a positive part in helping to solve the still very considerable human rights challenges of these countries, it is also indispensable that this is in fact accompanied by appropriate domestic policies. It is in this light that the Commission will continue to accompany Colombia's and Peru's efforts in these areas through a constructive and comprehensive dialogue, including on human rights issues.*

*The Commission hopes that these clarifications address the concerns raised by the Houses of the Oireachtas and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*



*Frans Timmermans  
First Vice-President*



*Cecilia Malmström  
Member of the Commission*