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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 22 February 2021
To: Delegations
Subject: Council conclusions on a human-rights-based post-COVID-19 recovery

Delegations will find attached Council conclusions on a human-rights-based post-COVID-19 recovery, approved by the Council at its 3785th meeting held on 22 February 2021.

Council conclusions on a human-rights-based post-COVID-19 recovery**Context**

1. The Council recalls that all human rights are universal, indivisible, interdependent and interrelated. This is even more important at a time of crisis when we must particularly protect persons in vulnerable situations, disadvantaged and marginalised.
2. The Council reaffirms that crisis situations are a particular test for the realisation of all human rights and respect for democratic principles. The ongoing COVID-19 pandemic and its socio-economic consequences have a growing negative impact on human rights, democracy and the rule of law, including on civic space. It further deepens pre-existing inequalities and increases pressure on persons in vulnerable situations. In this context, investing in human rights, democracy, the rule of law and enabling civic space is essential to achieve fairer, greener, more resilient and inclusive societies. At a time when human rights continue to be violated, and when democracy is facing serious challenges and the space for civil society is shrinking and severely constrained in many parts of the world, including by states using COVID-19 pandemic as a pretext for disrespecting the rule of law and international commitments, curtailing human rights and restricting civic space, the EU supports the effective implementation of the UN Secretary-General's Call to Action on Human Rights, as well as his leadership in placing human rights at the core of the response to the COVID-19. The Council recalls that any restrictions to human rights must be strictly in line with international law, notably be prescribed by law, necessary, proportionate, temporary in nature, and non-discriminatory.

3. The Council underlines that human rights, democracy and the rule of law will remain at the heart of the EU's response to and recovery from the COVID-19 pandemic as stated in the Council Conclusions on the EU Action Plan for Human Rights and Democracy 2020-2024. Particular attention needs to be paid to the possible longer-term effects of the pandemic on the enjoyment of all human rights, including fundamental freedoms, equality and the principle of non-discrimination. Applicable international standards shall be respected in this regard. This includes ensuring a gender and age responsive and disability-sensitive approach as well as targeted measures for persons in vulnerable situations during the pandemic and in the recovery plans.
4. The EU undertakes to ensure that our response upholds the dignity and human rights of all without discrimination of any kind. No one should be left behind, no human right ignored.

Rebuilding better

5. The Council reaffirms that a socio-economic response with human rights at its core will allow for a better and more sustainable recovery. The COVID-19 pandemic is also a wake-up call to the even greater threat of climate change and environmental degradation. EU action should be guided by the Paris Agreement on Climate Change and the 2030 Agenda for Sustainable Development, and grounded in human rights. It should also help ensure sustainable and climate sensitive economic recovery policies from the COVID-19 crisis as an important element of a sustainable growth strategy that ensures a climate-resilient, inclusive and just transition for all towards an environmentally sustainable economy.

6. The consequences of the COVID-19 pandemic have exacerbated global socio-economic inequalities, led to increased unemployment, threatened social cohesion, and disproportionately affected persons in vulnerable situations, disadvantaged and marginalised, including those most affected by poverty, persons in the informal economy, unemployed persons, women and girls, persons with disabilities, older persons, persons belonging to minorities, including national, ethnic and religious minorities, LGBTI persons, migrants and refugees, children and youth. The EU has acted quickly through immediate economic relief measures addressing the employment and social consequences of the economic downturn. The EU will also focus on inclusive policies to mitigate the long-term consequences, including by supporting young persons. Social protection, human rights in the world of work and economic interventions must be accessible for all, paying special attention to accessibility for persons with disabilities, and those in vulnerable situations. The EU calls for the full respect for the human rights and fundamental freedoms of all migrants, refugees and internally displaced persons, with a special attention to the most vulnerable, including children.

7. The Council is deeply concerned about the disproportionate and negative impact of the COVID-19 pandemic on women's and girls' enjoyment of human rights and on gender equality worldwide. With women making up around 70 % of the global workforce in the healthcare and social sectors, they have been at the forefront of the response to the pandemic and disproportionately affected by job and income losses, labour exploitation, school closures, an increase in unpaid care work. They have also suffered increased domestic violence and interrupted access to sexual and reproductive health-care services. The EU will intensify its efforts to ensure human rights based and gender responsive recovery, particularly mindful of the need to ensure women's and girls' full enjoyment of human rights. The EU will further advocate for the elimination of all forms of sexual and gender-based violence, both online and off-line, and will lead the Action Coalition on Gender-Based Violence for the Generation Equality Forum.

8. The Council is further concerned about the negative impact of the COVID-19 pandemic on the rights of the child worldwide, in particular of those children living in already disadvantaged or vulnerable situation, as well as those affected by armed conflicts. The European Union will increase its efforts to work with partners and to put children at the center of recovery efforts and to ensure that their rights are fully respected and that they are protected from all forms of poverty, violence, exploitation, neglect and abuse.
9. The Council recalls the Council Conclusions on Human Rights and Decent Work in Global Supply Chains and its commitment to implement the UN Guiding Principles on Business and Human Rights in order to respect and protect human rights, and labour law and standards against adverse impacts caused by businesses, including to ensure that those affected by business activities have access to an effective remedy.
10. The Council is concerned about the negative impact of the COVID-19 pandemic on the rights of persons with disabilities counting for 15% of the world population. The EU will intensify its work with partners to ensure persons with disabilities' full enjoyment of human rights in compliance with the UN Convention on the Rights of Persons with Disabilities as well as to ensure that their needs during the recovery process are fully met.
11. The Council reaffirms the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. It is essential to consider immunization against COVID-19 as a global public good and ensure timely, fair and equitable global access to safe, affordable and effective vaccines, therapeutics and diagnostics.

12. The EU remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The EU further stresses the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.
13. Reinforcing the leading and coordinating role of the World Health Organization in global health, strengthening health systems and achieving universal health coverage, enabling better preparedness and response capacity at global, regional and national levels to pandemics, in application of the International Health Regulations, ensuring access to water, hygiene and sanitation, and promoting comprehensive, inclusive and non-discriminatory approaches to public health are key priorities.
14. The role of civil society and human rights defenders, both online and offline, including women human rights defenders, is more important than ever to help us recover better and faster after the COVID-19 pandemic. The EU recognises that their role will continue to be important to encourage solidarity, to support those who are most in need, to defend human rights, fundamental freedoms and democratic space, and to promote accountability for human rights violations and abuses. The attacks against human rights defenders have sharply increased in some countries during COVID-19. The EU remains committed to ensuring an enabling environment that allows all human rights defenders to freely and safely carry out their crucial work.

15. The COVID-19 pandemic has demonstrated the crucial role of a free, pluralistic and independent media as an essential component of a democratic society, providing citizens with reliable, fact-based information, contributing to saving lives. In this regard, promoting the safety of journalists is of key importance. Disinformation, online or offline, can put lives in danger. It is crucial to resolutely counter disinformation with transparent, timely and fact-based communication including during the recovery phase, and thus reinforce the resilience of societies. Safeguarding freedom of expression and promoting media and information literacy are key long-term measures against disinformation and its consequences.
16. The COVID-19 pandemic has accelerated the digitalisation of our societies and required many of us to work, learn and socialise at a distance. Accessible digital solutions are an essential part of the EU's response to the coronavirus. Reinforcement of digital capabilities of health care systems, implementing e-education and digital distance learning solutions, is crucial for strengthening resilience of affected societies, as is the need to close the digital divides. Digital technologies that have the potential to help contain the pandemic must be inclusive and designed, developed and used in full respect of human rights, including the right to privacy. The Council recalls that human rights apply equally online and offline and irrespective of the technology used.

Working together

17. The Council recalls the Council Conclusions of 8 June 2020 on the Team Europe Global Response to COVID-19 that inter alia refer to the Joint Communication of 8 April 2020 on the Global Response to COVID-19 and underlines that the EU will continue to promote and uphold good governance, human rights, the rule of law, gender equality and non-discrimination, decent work conditions, as well as fundamental values and humanitarian principles.

18. The Council highlights that the Team Europe approach contributes to demonstrating EU global leadership, responsibility and solidarity. The Council acknowledges the important contributions made by all members of Team Europe as part of the global EU response to COVID-19.
19. The current pandemic has demonstrated how crucial global solidarity and multilateral institutions are to global health, prosperity, and security. Measures taken at the national level are also of particular importance. The European Union supports the important role of the UN system in mobilising and coordinating the global response to the pandemic with human rights at the forefront. We must collectively learn the lessons to make the world more resilient in the future. In support of the UN Secretary-General's call to "Build Back Better", we will work together to set the stage for a recovery that builds sustainable, equal and inclusive societies and to build back better and greener.
20. The Council will remain seized on the matter and will continue to provide strategic guidance.
