



Brussels, 22 February 2021
(OR. en)

6326/21

COHOM 32
COPS 62
CONUN 15
COASI 24
MAMA 28
COEST 44
COAFR 51
DEVGEN 30
CFSP/PESC 152

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 22 February 2021
To: Delegations
Subject: Council Conclusions on EU Priorities in UN Human Rights Fora in 2021

Delegations will find attached Council Conclusions on EU Priorities in UN Human Rights Fora in 2021, approved by the Council at its 3785th meeting held on 22 February 2021.

Council Conclusions on EU Priorities in UN Human Rights Fora 2021

1. The EU is committed to respect, protect and fulfil human rights, democracy and the rule of law and stands united in support of the UN Human Rights System as a cornerstone of its external action. Promoting a global system for human rights is at the heart of the EU's commitment to strengthening multilateralism and EU's leadership in supporting the rules-based international order. In the context of the **COVID-19 pandemic**, which exacerbates pre-existing inequalities and disproportionately affects persons in vulnerable situations, the European Union undertakes to ensure that all human rights, including women's and girls' full enjoyment of human rights, as well as the rights of persons with disabilities, older persons and children, remain at the core of the response to the pandemic and the global recovery. 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.
2. The EU will continue monitoring the human rights situation globally and **denouncing human rights violations and abuses** wherever they occur, making use of all instruments including the EU Global Human Rights Sanctions regime, while reasserting that human rights are universal, indivisible, interdependent and interrelated. It will call on states and non-state actors to prevent and address violations and abuses, and to take immediate steps to bring them to an end, promoting justice, accountability and the fight against impunity.
3. The EU will fully support the work and the mandate of the **UN High Commissioner for Human Rights and her Office** and will call on all states to respect her independence, to cooperate for the effective delivery of her mandate, and to ensure adequate financing. The EU will continue to build partnerships to address the chronic underfunding of the UN human rights pillar. The EU will insist that human rights should not be instrumentalised, discussions should be strictly based on facts.

4. The EU will continue **using all available tools** to fulfil its commitments to human rights, including in the framework of the UN Human Rights Council (HRC), the UN General Assembly, the UN Security Council and any other relevant fora, consistent with the EU Treaty and the UN Charter. It will address situations in third countries and set the agenda on key thematic issues. The EU will continue engaging in **strengthening the HRC**, including by reinforcing the link between New York and Geneva, recognising its unique role and added value. It will recall that all UN members, in particular members of the HRC, should uphold the highest human rights standards and fully cooperate with the HRC and its mechanisms. The EU will actively engage in the **Treaty Bodies system review** process, and reiterates its strong commitment to strengthen the efficiency and effectiveness of the system, to preserve the integrity and the independence of the Treaty Bodies and will continue seeking to strengthen protection for rights holders. **The EU will continue to defend and support the work** and independence of **Special Procedures** as an essential component of the UN Human Rights System. The EU will continue calling on all states to accede to **human rights treaties** and to fully implement their provisions at the national level. The EU will remain committed to the fight against impunity with its unwavering support to the International Criminal Court (ICC) and calls for the universal ratification of the Rome Statute and for full cooperation with the ICC.

5. **The EU renews its support to human rights defenders (HRDs) and civil society organisations** and remains committed towards sharpening both preventive and reactive means to protect HRDs, notably women human rights defenders, those working on land rights, environment, rights of indigenous peoples, rights of persons belonging to minorities, rights of LGBTI persons, labour rights, as well as all other HRDs in vulnerable situations. The EU will continue to strongly condemn threats, attacks, and killing of HRDs. The EU will pay particular attention to HRDs who suffer from reprisals after engagement with the UN system and will continue to support the work of the UN Assistant Secretary-General for Human Rights in this regard. It will strengthen its support to create an enabling environment for civil society and will oppose disproportionate legal and administrative restrictions on civil society organisations that limit their ability to operate, including punitive registration regimes and restrictions on the receipt of funding or administrative restriction on registrations of organisations.

6. The EU will vigorously promote and scale-up international efforts towards **gender equality**, the full enjoyment of all human rights by all women and girls and their empowerment, in line with its international commitments. The EU will use each and every occasion at all relevant fora to reaffirm the validity of these commitments, including in the United Nations Commission on the Status of Women. The EU will continue to promote the integration of a gender perspective throughout UN human rights fora.

7. 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.
8. The EU will continue to prevent and combat all forms of sexual and **gender-based violence**, including domestic violence, and hold perpetrators accountable, including through the EU-led Group of Friends for the elimination of violence against women and girls. It reiterates the need to engage men and boys in ending gender based violence, eliminating gender inequalities, addressing discriminatory social norms and combating gender stereotypes. The EU will continue to implement UNSCR 1325 and related UNSC resolutions on women, peace and security, aiming at the full and equal participation of women and the integration of a gender perspective into all peace and security initiatives.

9. The EU will continue promoting and protecting all rights of all children, particularly those in vulnerable situations, fully respecting the general principles and provisions of the UN Convention on the Rights of the Child and its optional protocols¹. It will work closely with the UN, in particular the Special Representatives of the Secretary General for Children and Armed Conflict and on Violence against Children. In the context of the **International Year for the Elimination of Child Labour in 2021**, the EU will promote initiatives contributing to the elimination of child and forced labour in all its forms worldwide and support the International Labour Organisation in its implementation.
10. The EU will continue to **strongly oppose all forms of discrimination** including on grounds of sex, race, ethnic or social origin, religion or belief, political or any other opinion, disability, age, sexual orientation, and gender identity. The EU reiterates its commitment to equality and non-discrimination and to the entitlement of all persons to enjoy the full range of human rights and fundamental freedoms. The EU will consistently and constructively engage with UN mandates focusing on combating violence and all forms of discrimination and will support continued UN work in this regard.
11. The EU will continue to engage constructively in the UN on combating racism, racial discrimination, xenophobia and related intolerance worldwide, to ensure full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, especially in the context of the **20th anniversary of the adoption of the Durban Declaration and Program of Action (DDPA)**. The EU will continue to stress the need to streamline and enhance the effectiveness of the different existing follow-up mechanisms to the DDPA.

¹ Not all EU Member States have ratified all Optional Protocols of the Convention on the Rights of the Child.

12. The EU will remain committed to the promotion and protection of **freedom of religion or belief**. It will condemn discrimination, intolerance, violence, and persecution against or by any person based on religion or belief. The EU will promote and protect the right for everybody to have or not have a religion or belief, to manifest or to change their religion or belief, while condemning the criminalisation of apostasy and the abuse of blasphemy laws. The EU will continue to promote and protect the right to freedom of expression and to support interfaith dialogue as an effective tool to promote human rights. The EU will contribute to UN conflict prevention, reconciliation and mediation efforts, including by contributing to efforts to safeguard religious heritage, while fully respecting human rights.
13. The EU will continue calling on all states to respect, protect and fulfil the **human rights of persons belonging to minorities**, including national, ethnic, religious and linguistic minorities. The EU will oppose all forms of incitement to violence or hatred, and hate speech, online and offline, while preserving the full articulation of the right to freedom of opinion and expression. The EU will continue expressing concern about persistent cases of violations and abuses of the rights of persons belonging to minorities, including in Cameroon, Myanmar/Burma, Pakistan, the Russian Federation, and areas of eastern Ukraine currently not under the control of the Government of Ukraine. In the context of the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, the EU will continue to call on the Russian authorities to respect the rights of all persons belonging to inter alia ethnic, national and religious minorities. It will continue following with grave concern the situation in the Xinjiang Uyghur Autonomous Region in China with particular regard to the existence of a large network of political re-education camps, widespread surveillance and systemic restrictions on freedom of religion or belief, as well as reports about forced labour and forced birth control against Uyghurs and other persons belonging to minorities. The EU will continue to call for the respect of freedom of expression, cultural diversity and freedom of religion or belief, not least in the Xinjiang Uyghur Autonomous Region, the Tibet Autonomous Region, and the Inner Mongolia autonomous region.

14. The EU will continue promoting the UN Declaration on the Rights of **Indigenous Peoples** and will engage actively in fora where the rights of indigenous peoples are discussed. The EU will continue efforts to enhance the participation of indigenous peoples' representatives and institutions in relevant United Nations bodies on issues affecting them.
15. The EU will strengthen the linkage between **human rights and the environment**, and support measures to address the serious impact of climate change, the loss of biodiversity and environmental degradation on the full enjoyment of human rights, including the human rights to safe drinking water and sanitation. The EU will furthermore stress the importance of securing access to information, public participation in decision-making and access to justice, in environmental matters. The EU will continue to call on States to step up their ambition and urgently implement their commitments under the Paris Agreement and other multilateral environmental agreements. The EU will continue engaging actively on UN resolutions on the human rights and climate and environment nexus as well as in the on-going discussions on a right to a healthy environment, and reaffirms its steadfast commitment to the relevant UN mandates.
16. The EU is determined to deliver on the UN 2030 Agenda for **Sustainable Development** in Europe and across the world. The EU will promote a human rights-based approach, encompassing all human rights, be they civil, political, economic, social and cultural rights, at the core of all SDG-related initiatives. The EU will reiterate its position that the right to development is grounded on the universal, indivisible, interrelated and interdependent nature of human rights, and individuals are the central actors and drivers of the development process.

17. The EU will continue to engage actively within the UN fora to raise attention to the impact of **new and emerging digital technologies** on human rights. The EU will continue to underline that human rights apply online as well as offline, advocate for an open, free and secure internet, uphold the right to privacy and data protection, address arbitrary and mass surveillance while actively combatting internet shutdowns, online censorship, hate speech, disinformation and cybercrime, in full compliance with international human rights law. The EU will promote a human rights-based approach to the design, development, deployment, evaluation and use of Artificial Intelligence (AI). The EU will continue to participate actively in the implementation of the UN Secretary General Roadmap on Digital Cooperation, and will engage with the HRC ahead of the publication of the HRC advisory committee report on human rights and technologies. The EU will promote media and information literacy as key long-term measures to address disinformation.
18. The EU will continue calling on all states to ensure the proper functioning of **democratic institutions, respect for the rule of law** and the principles of good governance, the independence of the judiciary and to fight impunity and inequality. It will urge states to uphold the rights to meaningfully participate in public affairs, freedom of peaceful assembly and association, as well as freedom of opinion and expression online and offline. The EU will continue to strongly condemn threats and attacks against journalists, bloggers and other media workers. The EU will continue recalling the responsibility of states to ensure that their national legislation, policies and actions are in line with their obligations under international human rights law and to ensure that freedom of opinion and expression are fulfilled. The EU will continue paying close attention and counteract the increased state control over the online space. The EU will continue to protect democratic processes and promote measures to address disinformation.

Any restrictions in the context of the COVID-19 pandemic should be in line with international human rights law. The EU will continue to closely follow with serious concern the situation of human rights in Azerbaijan, Bahrain, Bangladesh, Burundi, Cambodia, Chad, Comoros, Democratic Republic of Congo, DPRK, Egypt, Eritrea, Equatorial Guinea, Haiti, Iran, Mali, the Philippines, Somalia, Sri Lanka, Nicaragua, the Russian Federation, the Autonomous Republic of Crimea and the city of Sevastopol, illegally annexed by the Russian Federation, areas of eastern Ukraine currently not under the control of the Government of Ukraine, Saudi Arabia, Tanzania, Tajikistan, Turkey, Turkmenistan, Venezuela, Vietnam and Zimbabwe. The EU will continue calling on Belarus to cease using excessive force against peaceful demonstrators and to release all arbitrarily detained persons. The EU is gravely concerned about the situation in Myanmar/Burma. It will continue to call for the immediate release of all those who have been detained in connection with the military coup and for the restoration of the legitimate civilian Government, as well as for the respect of human rights, fundamental freedoms and the rule of law. The EU will continue urging the authorities in Beijing and Hong Kong government to respect Hong Kong's rule of law, human rights, democratic principles, independent judiciary and high degree of autonomy in line with Hong Kong's Basic Law and China's international commitments. The EU will continue expressing serious concern regarding continuous negative pattern of shrinking space for the opposition, civil society, human rights defenders and independent voices in the Russian Federation.

19. The EU will continue strongly opposing the **death penalty** in all circumstances. It will encourage abolitionist states to ratify the Second Optional Protocol to the ICCPR. The EU will condemn the application of the death penalty and will call on the last countries still applying it to abolish or at least introduce a moratorium as a first step towards full and legal abolition, and will encourage states where a moratorium is in place to take steps towards complete abolition.

20. The EU will continue condemning the widespread use of **torture** and other cruel, inhuman or degrading treatment or punishment around the world, exacerbated by the COVID-19 pandemic, and strive to eradicate these practices globally. It will continue to promote efforts to ban trade in goods used for capital punishment and torture through the Alliance for Torture-Free Trade. The EU continues to follow with serious concern numerous reported cases of torture and ill-treatment, notably in Burundi, Russian Federation (in particular on the territory of the Republic of Chechnya), the Autonomous Republic of Crimea and the city of Sevastopol illegally annexed by the Russian Federation, areas of eastern Ukraine currently not under the control of the Government of Ukraine, the Democratic Republic of Congo, the DPRK, Egypt, Iran, Libya, Myanmar/Burma, Nicaragua, Pakistan, Saudi Arabia, South Sudan, Syria, Venezuela and Yemen. The EU remains seriously concerned about the reported cases of arbitrary detentions, ill-treatment and torture in China, and calls on the authorities to thoroughly investigate them. The EU will continue condemning the reported numerous acts of torture and other cruel, inhuman or degrading treatment in prisons and detention centres in Belarus and will continue calling for a complete and transparent investigation.

21. The EU will continue calling on all states to uphold **international humanitarian law (IHL)** and human rights law and to ensure full, timely and unhindered countrywide access for the delivery of humanitarian aid to populations in need and the effective protection of humanitarian and medical workers. The EU will continue to urge parties in armed conflicts to take all necessary measures to protect civilians, particularly women and children. It will continue following closely in that respect, the situation in the Autonomous Republic of Crimea and the city of Sevastopol, illegally annexed by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government of Ukraine, Ethiopia, the Sahel region, Myanmar/Burma, Afghanistan, the Central African Republic, the occupied Palestinian territory where Israel has obligations under IHL, Libya, Yemen, and Syria, where all parties to the conflict remain bound to respect and uphold IHL. The EU will continue calling for unconditional and unhindered access for the UN and human rights monitoring mechanisms to all territories, regions and conflict zones including the Georgian breakaway regions of Abkhazia and South Ossetia, the Autonomous Republic of Crimea and the city of Sevastopol, illegally annexed by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government of Ukraine. The EU will continue calling on the parties to the Nagorno-Karabakh conflict to respect IHL. The EU will continue to support the collection of evidence and documentation of all violations of IHL and violations and abuses of international human rights law, for purposes of the investigation and prosecution of those responsible. The EU will continue to support mechanisms such as UN-mandated Commissions of Inquiry and International Mechanisms, for preparing the ground to hold to account those who have perpetrated grave crimes.

22. The EU upholds human rights principles in relation to **refugees**, internally displaced persons and migrants, paying particular attention to children, women and to other persons in vulnerable situations. The EU's comprehensive approach on migration will continue focusing on addressing the root causes of irregular migration and forced displacement, supporting countries on migration governance, disrupting the business models of migrant smugglers and traffickers in human beings, better managing Europe's external borders and offering opportunities for legal pathways while fully respecting the national competences and giving due consideration to the current realities caused by the COVID-19 pandemic. The EU will continue to call on all states to prevent trafficking in human beings, to protect victims, maintaining a gender and children-sensitive approach and to ensure effective prosecution of perpetrators.
23. **Terrorism** and organized crime constitute a very serious threat to international peace and security. The EU calls on all states, to ensure that the response to terrorist crimes and organized crime are in full compliance with international law, in particular international human rights law, humanitarian law and international refugee law. The fight against terrorism requires putting victims at the centre and ensuring that the rights of victims are protected and promoted.
24. On the 10th anniversary of the UN Guiding Principles **on Business and Human Rights** (UNGPs), the EU will strengthen its engagement in UN human rights fora and with partner countries to actively promote and support their global implementation including by supporting the adoption of national action plans and by working on a comprehensive EU framework. In this context, the EU will provide appropriate support to the work of the UN Working Group on Business and Human Rights, in its efforts to develop a renewed roadmap for the next decade of business and human rights. The EU will also participate actively in the UN discussions on a legally binding instrument on business and human rights with the aim to promote an instrument that can effectively enhance the protection of victims of business-related human rights violations and abuses and create a more global level playing field.