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Subject: Council Conclusions on EU Priorities in UN Human Rights Fora in 2019

Delegations will find attached Council Conclusions on EU Priorities in UN Human Rights Fora in 2019 adopted by the Council at its 3673rd meeting held on 18 February 2019.

Council Conclusions on EU Priorities in UN Human Rights Fora in 2019

1. The European Union is founded on the values of respect for human rights, human dignity, freedom, equality and solidarity. It is committed to promoting and protecting human rights, democracy and the rule of law, which also play a key role in ensuring peace and sustainable security, as cornerstones of its external action. The EU stands united as a staunch supporter of the UN Human Rights system, which rests on those very values, and will continue to actively uphold, defend and promote it throughout 2019 as a priority of its external action.
2. The European Union will continue to denounce human rights violations and abuses wherever they are committed, to call on states and non-state actors to prevent them and bring them to an immediate end, as well as to seek justice and accountability. It fully supports the work and the mandate of the UN High Commissioner for Human Rights and calls on all states to respect the independence of the High Commissioner and her Office and to unreservedly cooperate with them in the delivery of their mandate.
3. The European Union will use all available tools and fora to fulfil its commitments to human rights and promote human rights globally, including in the framework of the United Nations Human Rights Council, the United Nations General Assembly, the United Nations Security Council and any other relevant fora, consistent with the EU Treaty and the UN Charter, as well as through public statements, diplomatic demarches, public diplomacy, human rights and political dialogues, the Universal Periodic Review, engagement with UN Special Procedures, and sanctions as appropriate. It will seek to build coalitions on both thematic issues and country situations. It will continue to engage actively with civil society. The EU commits to promote the principle of the Responsibility to Protect in its external action, including through its missions and operations on the ground.

4. The EU reaffirms its commitment to multilateralism and a rules-based international order. It welcomes the recent decisions of the Human Rights Council on enhancing its efficiency and reiterates its commitment to continue to work with all stakeholders in order to strengthen the Human Rights Council while protecting the Council's achievements and recognising its unique role and added value, also as part of the wider UN reform. It recalls that all UN members, including members of the Human Rights Council, should uphold the highest human rights standards. In this anniversary year, the EU reaffirms its support to the Council of Europe and the European Convention of Human Rights.
5. The European Union will seek dialogue on human rights with all states, including through the EU Special Representative for Human Rights working in close cooperation with the EU regional Special Representatives. The EU will continue to call upon all states to grant the UN's and other mandated human rights mechanisms full, unconditional and unhindered access to their territories, regions and conflict zones. It expects all states to respect and protect persons cooperating with the UN System and condemns any form of intimidation, harassment and reprisal against those persons and reiterates its support to the work of the UN Assistant Secretary-General for Human Rights in this regard. The EU will acknowledge and support national and local initiatives that enhance respect for human rights, in particular through the follow-up, including in the HRC context, of its 'Good Human Rights Stories' Initiative. It welcomes the engagement of Argentina, Burkina Faso, Cape Verde, Chile, Georgia, Indonesia, New Zealand, Norway, Peru, Republic of Korea, The Gambia, Tunisia and Uruguay in the Initiative and the sharing of positive human rights stories.
6. The European Union will use every opportunity to call on states that have not yet acceded to or ratified core human rights treaties to do so now. In line with the 2018 Council Conclusions on the International Criminal Court on the occasion of the 20th anniversary of the adoption of the Rome Statute, it will use every opportunity to call on all states who have not yet done so to accede to or ratify the Rome Statute, fully implement its provisions at the national level, support the International Criminal Court and to fully cooperate with it.

7. The European Union reaffirms that all human rights are to be realized worldwide, whether they are civil and political rights, or economic, social and cultural rights, and that there is no hierarchy of human rights. It recalls the centrality of human rights to the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, and calls upon the UN to closely monitor their fulfilment. The EU is committed to engage with all states in order to promote the respect, protection and progressive fulfilment of economic, social and cultural rights, including the right to education, the right to food, and the rights to safe drinking water and sanitation as components of the right to an adequate standard of living, while reiterating its support for the right to development, based on the indivisibility, interdependence, universality and inalienability of all human rights. In this year which marks the 40th anniversary of the Convention on the elimination of all forms of discrimination against women, the EU will continue to engage for men and women to equally enjoy these rights. The EU reaffirms its strong commitment to the right of everyone to enjoy the highest attainable standard of physical and mental health, including in its external action, where it strives to respond to global health threats, support resilient health systems and improve access to affordable essential medicines.
8. The European Union reiterates its strong and unequivocal opposition to the death penalty in all times and all circumstances. In this regard, it welcomes progress towards its abolition in the world. It takes note with satisfaction of the substantial increase in support for the resolution on the moratorium on the use of the death penalty by the UN General Assembly. The EU will continue to call on the last countries still applying the death penalty to introduce a moratorium as a first step towards full and legal abolition, and to encourage states where a moratorium is in place to take all steps towards the complete abolition. It encourages abolitionist states to protect this achievement in their constitution and to ratify the Second Optional Protocol to the ICCPR. The EU will continue to speak out against the application of the death penalty, in particular for offences committed by those under 18 years of age, to pregnant women or persons with mental illness or intellectual disabilities, or in violation of other minimum standards, and against mass executions, and death sentences based on forced confessions.

9. The European Union, one of the co-initiators of the Global Alliance to end trade in goods used for capital punishment and torture, will continue to strongly oppose and condemn the use of torture and other cruel, inhuman or degrading treatment or punishment by state and non-state actors wherever it takes place, as well as the practice of enforced disappearances and extrajudicial, summary or arbitrary executions. In that respect, it continues to follow with serious concern numerous recently reported cases in Burundi, the Republic of Chechnya (Russian Federation), the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, and areas of eastern Ukraine currently not under the control of the Government, the Democratic Republic of Congo, the DPRK, Egypt, Libya, Myanmar, Nicaragua, Pakistan, the Philippines, Saudi Arabia, South Sudan, Syria, Venezuela and Yemen. The EU calls on all states to ensure that allegations of cases of torture, enforced disappearances and extrajudicial killings are promptly and effectively investigated in an impartial and transparent manner, which ensures appropriate prosecution of those responsible. The EU remains seriously concerned about the reported cases of mistreatment and torture under detention in China, and calls on the authorities to thoroughly investigate them.
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, and will consistently and constructively engage with UN mandates focussing on violence and discrimination on those or any other grounds, and will support continued UN work in this regard.

11. The EU will remain actively engaged in international efforts to achieve gender equality, the full enjoyment of all human rights by all women and girls and their empowerment as a matter of priority. It will continue to ensure the integration of the gender perspective throughout the work of the Human Rights Council, the General Assembly and other human rights fora. Recalling the European Consensus on Development, the Council 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 ICPD and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights, in this context. Preventing, combatting and prosecuting all forms of gender-based violence, including harmful practices and discrimination against women and girls, and ensuring their physical and psychological integrity will be at the very centre of EU action, also during conflict and post-conflict situations. The EU will continue to pursue efforts to implement effectively UN Security Council resolution 1325 and subsequent resolutions on Women, Peace, and Security, consistent with the 2018 Council Conclusions on the implementation of the Gender Action Plan and the new EU Strategic Approach on Women, Peace and Security.

12. The EU will make every effort to uphold respect for and promote protection and fulfilment of the human rights of all children, particularly those in vulnerable situations. It will work closely with the UN, in particular the Special Representatives of the Secretary General for Children and Armed Conflicts and on Violence against Children, as well as relevant UN special procedures, to prevent and end the killing, maiming and abduction of children in conflict situations, as well as sexual violence, to end attacks on schools and hospitals, to ensure humanitarian access to children in those situations, and to stop the recruitment and use of children by parties to conflict and by terrorist groups. It remains deeply concerned at the recruitment and use of children, acknowledged in the 2018 Report of the UN Secretary-General on Children and armed conflict, in the Central African Republic, Somalia, South Sudan, Syria and Yemen; and by the high number of children who have been killed or maimed, including in the Democratic Republic of Congo, Iraq, Myanmar, Syria and Yemen, as well as the high number of verified cases of rape and other forms of sexual violence including in the Central African Republic, the Democratic Republic of Congo, Libya, Myanmar, and South Sudan.

13. The EU will continue to promote and protect the rights of the child, including in UN fora. The 30th anniversary of the Convention on the Rights of the Child in 2019 is both an important milestone and an opportunity to renew our commitment to ensure the full implementation of the Convention and its Protocols worldwide as well as to evaluate the progress made since the adoption. The EU will continue to support initiatives aimed at ensuring universal access to quality, inclusive education for all, with particular attention to children in vulnerable situations, eliminating all forms of violence against children, including bullying and cyberbullying, and harmful practices such as child, early and forced marriage and female genital mutilation, and promoting and protecting the rights of children without parental care.

14. The EU will continue to oppose worldwide all forms of racism, racial discrimination, xenophobia, and related intolerance. It will continue to promote and protect freedom of religion or belief, the free exercise of which contributes to democracy, development, peace and stability, and to condemn persecution of and discrimination against persons belonging to religious minorities across the world, and the abuse of blasphemy laws. The EU will continue to oppose all forms of incitement to violence or hatred, and hate speech, online and offline.
15. The EU will continue to call on all states to respect, protect and fulfil the human rights of persons belonging to minorities, including national, ethnic, and religious minorities. It calls on states to ensure the respect for rights already exercised of persons belonging to national minorities as enshrined in UN and Council of Europe Conventions. The EU is concerned by persistent cases of violations and abuses observed in Cameroon, Myanmar, Pakistan, the Russian Federation, and the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government. It is also following with concern the situation in the Xinjiang Uighur Autonomous Region, with the existence of political re-education camps, and the widespread surveillance and restrictions particularly targeted at Uyghurs. It will continue to call on China to respect freedom of expression, cultural diversity and freedom of religion or belief, not least in the Xinjiang Uighur Autonomous Region and the Tibet Autonomous Region.
16. In support of SDG 16, the EU will continue to call on all states to ensure the proper functioning of democratic institutions, to uphold respect for the rule of law and the principles of good governance, and to guarantee freedom of opinion and expression, online and offline, freedom of peaceful assembly and association, and the independence of the judiciary. In that respect, it follows with concern the situation in Belarus, Bangladesh Cambodia, Eritrea, Guatemala, Nicaragua, the Russian Federation, Sudan, Turkey and Venezuela. The EU calls on all states to ensure that the response to terrorist crimes is taken in full compliance with international law, including international human rights law. It underlines the importance of the protection and promotion of the rights of victims of terrorist crimes. It will pay particular attention to the promotion and protection of human rights in relation to artificial intelligence.

17. The EU will continue to call on all states to uphold international humanitarian law and human rights law, and to ensure full, timely and unhindered countrywide access for the delivery of humanitarian aid to populations in need. It will continue to closely follow in that respect the situation in the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government, Myanmar, the occupied Palestinian territory, where Israel has obligations under International Humanitarian Law, Syria, and Yemen. The EU will also continue to call for unhindered access for human rights monitoring mechanisms in the breakaway regions of Abkhazia and South Ossetia. The EU will remain steadfast in its commitment to uphold human rights law in relation to refugees, internally displaced persons as well as migrants. The EU reaffirms that all forms of trafficking in human beings are serious violations and abuses of human rights as well as a form of organised crime. It will continue to call on all states to prevent trafficking in human beings, to protect victims, and to ensure effective prosecution of perpetrators.
18. The EU will continue to support the documentation of all violations of international human rights law, in particular systematic, widespread and gross violations and abuses of human rights, some of which may amount to genocide, crimes against humanity, or war crimes, and efforts to gather evidence in view of future legal action by mechanisms such as UN-mandated Commissions of Inquiry and International Mechanisms as it did recently in the cases of Burundi, the DPRK, Myanmar, Syria and Yemen, as a way to prepare the ground for holding to account those who have perpetrated grave crimes, including through the ICC and the action of national jurisdictions.

19. The EU will continue to call on all states to promote and protect freedom of opinion and expression, and the safety of journalists and bloggers. It will continue to support civil society and human rights defenders through all means available, wherever they are in danger, and to work to counter the shrinking space for civil society. In that respect, the EU follows with serious concern the situation in Azerbaijan, Bahrain, Belarus, Burundi, Cambodia, China, the illegally annexed Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government, Egypt, Iran, Myanmar, Nicaragua, Saudi Arabia, the Russian Federation, Tanzania, Turkey, Venezuela, Vietnam, and Zimbabwe. The EU is gravely concerned and will thus continue to strongly condemn threats and attacks, smear campaigns, malicious prosecution, travel bans, arbitrary arrests, enforced disappearances, detention of and reprisals against human rights defenders, journalists, bloggers, media workers and human rights lawyers, and to seek accountability. It will pay particular attention to the specific risks faced by women and indigenous human rights defenders, as well as other human rights defenders in vulnerable situations, including LGBTI human rights defenders. The EU will continue to oppose disproportionate legal and administrative restrictions on civil society organisations, including punitive registration regimes and restrictions on the receipt of funding.
20. The EU will continue to promote the issue of implementation of the UN Guiding Principles on Business and Human Rights both in its external action and internal policies, including through initiatives on human rights due diligence, access to remedy for victims of corporate abuses, and support to environmental and indigenous human rights defenders. The UN Guiding Principles on Business and Human Rights and responsible business conduct are a means to implement the Sustainable Development Goals. Using its dialogues with third countries and other tools, the EU will encourage the adoption and implementation of the UN Guiding Principles through National Action Plans on Business and Human Rights, and offer support as necessary. It will look into options to step-up the implementation of the UNGPs, including a possible related EU Action Plan. The EU will continue to follow promising multi-stakeholder initiatives such as the International Code of Conduct Association for Private Security Providers and the Centre for Sports and Human Rights.