



Council of the
European Union

012499/EU XXVII.GP
Eingelangt am 17/02/20

Brussels, 17 February 2020
(OR. en)

5982/20

COHOM 13
COPS 49
CONUN 24
COASI 12
MAMA 18
COEST 39
COAFR 51
DEVGEN 19
CFSP/PESC 113

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

On: 17 February 2020

To: Delegations

No. prev. doc.: **5802/20**

Subject: Council Conclusions on EU Priorities in UN Human Rights Fora in 2020

Delegations will find attached the Council Conclusions on EU Priorities in UN Human Rights Fora in 2020 adopted by the Council at its 3747. meeting held on 17 February 2020.

Council Conclusions on EU Priorities in UN Human Rights Fora in 2020

1. As we mark the **75th anniversary of the entry into force of the UN Charter**, the EU reaffirms its staunch support for **the rules-based international order and effective multilateralism**. The EU will promote complementarity with the UN, continue to invest in a strong and effective UN system, and support the reforms put forward by the UN Secretary General.
2. True to the rules and principles of the UN Charter the EU will continue ensuring human rights compliance, while reasserting that human rights are universal, indivisible, interdependent and interrelated. The EU will continue encouraging a full and meaningful participation of civil society actors and human rights defenders (HRDs), within the UN system and beyond, including when attending or seeking to attend UN meetings. The EU calls upon all players to ensure that civil society organizations and HRDs are granted the necessary protection.
3. The EU, founded on the values of respect for human dignity, freedom, equality and solidarity is committed to respect, protect and fulfil human rights, democracy and the rule of law, which play a key role in ensuring peace and sustainable security, as cornerstones of its external action. It stands united as a firm supporter of the UN Human Rights system, which rests on those very principles, and actively upholds, defends and promotes it throughout 2020 as a priority of its external action. The EU will continue observing the human rights situation globally and **denouncing human rights violations and abuses** wherever they are committed. It will call on states and non-state actors to prevent them and to bring them to an immediate end, promoting justice, accountability and the fight against impunity. It 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 and to cooperate for the effective delivery of her mandate. The EU will insist, including in the UN context, that human rights should not be instrumentalised by states. Human rights should be discussed strictly based on facts, and positive developments should be fully acknowledged.

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, as well as through public statements, diplomatic demarches, public diplomacy, human rights and political dialogues, and sanctions as appropriate. It will address situations in third countries, set the agenda on key thematic issues and will seek to build coalitions on both thematic issues and country situations. The EU will continue engaging in **strengthening the HRC** 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 during 2020, 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. **Special Procedures** are an essential component of the UN Human Rights System; **the EU will continue to defend and support their work** and their independence. The EU will continue calling on all states to accede to **core 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 will continue calling on all states to grant the UN and other human rights mechanisms full, unconditional and unhindered access to their territories, including disputed regions and conflict zones. It will expect all states to respect and protect persons in particular civil society and human rights defenders cooperating with the UN System, will condemn any form of intimidation, harassment and reprisals and will reiterate its support to the work of the UN Assistant Secretary-General for Human Rights in this regard.

6. The EU is making significant strides towards achieving the **Sustainable Development Goals** and associated targets of the 2030 Agenda. The EU will continue being at the forefront of a human rights-based approach to its full, effective and non-discriminatory implementation in all countries and will engage with all stakeholders, in particular civil society organisations, to accelerate the realization of the Sustainable Development Goals. It will promote and protect **civil, political, economic, social and cultural** rights in line with the Vienna Declaration and Programme of Action. The EU will continue to take a strong stance against any attempts to redefine human rights in international law and international human rights standards and to undermine the international rules-based order, including in discussions on the right to development.
7. The 25th anniversary of the Beijing Declaration and Platform for Action, the 20th anniversary of UNSCR1325 on Women, Peace and Security and the 5th anniversary of the Sustainable Development Goals 2030 offer a unique opportunity to re-energize the international commitments on gender equality, continuing the momentum of the 25th anniversary of the ICPD Programme of Action in 2019, as an inherently linked agenda. The EU will use each and every occasion to reaffirm the full validity of those commitments. 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, including by means of full implementation of the Gender Action Plan II, the adoption of a new Gender Action Plan, gender analysis and mainstreaming. The EU will continue to promote the integration of a gender perspective throughout the work of the Human Rights Council, the Third Committee of the UN General Assembly and other human rights fora. The EU will also continue to pay particular attention to the implementation of UNSCR 1325 and other related UNSCR resolutions, aiming at the full and equal participation of women and the integration of a gender perspective into all peace and security initiatives. The EU commits to promoting the critical role of women civil society organisations and women human rights defenders in the promotion, protection and fulfilment of the human rights of all women and girls.

8. 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 and the outcomes of their review conferences and will remain committed to sexual and reproductive health and rights, in this context. Having that in mind, the EU continues reaffirming 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.
9. The EU will continue to address the issue of sexual and gender based violence, which constitutes a breach of the fundamental rights to life, liberty, security, dignity, equality and is an obstacle to the full enjoyment of human rights by women and girls. Preventing, combatting and prosecuting all forms of sexual and gender-based violence and discrimination, including domestic violence, ensuring victims' and survivors' physical and psychological integrity and access to legal remedies, and holding perpetrators accountable is at the very centre of EU development and humanitarian action in all situations, including conflict and post-conflict situations. The EU reiterates the need to engage men and boys in ending all forms of violence against women and girls, eliminating gender inequalities, addressing discriminatory social norms and combating gender stereotypes.

10. The EU will pay more attention to the **link between human rights and environment** recognising that climate change and environmental degradation are a threat to human rights. 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 as well as to protect environmental human rights defenders. 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 reaffirm its steadfast commitment to the relevant UN mandates. The EU will remain committed to a sustainable environmental future for all.
11. The EU will pay increased attention to the consequences of **new and emerging digital technologies** on the promotion and protection of human rights, democracy, good governance and the rule of law. While acknowledging the positive impact of digitalisation including for civil society, the EU will call on states to mitigate the risks of new technologies. The EU will continue to promote the right to an open and free internet, protect privacy and data protection, and pay particular attention to mass surveillance technologies while actively combatting hate speech online, cybercrime and terrorist content online, and disinformation, in full compliance with international human rights law. The EU will promote an ethical and human rights based approach to the development and application of Artificial Intelligence (AI).

12. **Support to human rights defenders** (HRDs) and civil society organisations is a major priority of the EU's external policy. In particular the EU will remain committed towards sharpening both preventive and reactive means to protect HRDs, notably those working on land rights, environment, rights of indigenous peoples, persons belonging to minorities, as well as other HRDs in vulnerable situations, including LGBTI human rights defenders. The EU will continue strongly supporting women human rights defenders and the prominent role they play in addressing gender inequality. The EU will continue to strongly condemn threats, arbitrary arrests, and attacks against human rights defenders, journalists, whistle-blowers and human rights lawyers. The EU will strengthen its support to create an enabling environment to civil society and will oppose disproportionate legal and administrative restrictions on civil society organisations, including punitive registration regimes and restrictions on the receipt of funding.
13. The EU will continue strongly and unequivocally opposing the **death penalty** in all circumstances. The EU will call on the last countries still applying the death penalty 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. It will encourage abolitionist states to protect this achievement in the Constitution and to ratify the Second Optional Protocol to the ICCPR. The EU will condemn the application of the death penalty, in particular in cases which violate minimum standards, and will condemn mass executions, and death sentences based on forced confessions. The EU will continue supporting the work of the UN towards the abolition of the death penalty worldwide, in particular the resolutions on death penalty at the HRC and during UNGA 75.

14. The EU remains seriously concerned by the widespread use of **torture** and other cruel, inhuman or degrading treatment or punishment around the world. The EU will continue strongly opposing and condemning the use of torture and other ill-treatment by state and non-state actors, wherever it takes place and whatever its form. Committed to combatting torture worldwide through a comprehensive approach encompassing prohibition, prevention, accountability and redress for the victims, the EU will continue calling 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, ensuring appropriate prosecution of those responsible. In that respect, it continues to follow with serious concern numerous reported cases, notably in Burundi, the Republic of Chechnya (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, the Democratic Republic of Congo, the DPRK, Egypt, Libya, Myanmar, Nicaragua, Pakistan, the Philippines, Saudi Arabia, South Sudan, Syria and Venezuela and Yemen. The EU remains seriously concerned about the reported cases of ill-treatment and torture under detention in China, and calls on the authorities to thoroughly investigate them. The EU will continue to support the universal ratification and effective implementation of the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol**. As one of the co-initiators of the Global Alliance for Torture-Free Trade aiming at ending trade in goods used for torture and capital punishment globally, and further to the adoption of the UN General Assembly resolution on torture-free trade in June 2019, the EU will continue supporting efforts to establish common international standards in this field.

15. The EU will continue calling on all states to ensure the proper functioning of **democratic institutions, respect for the rule of law** the principles of good governance, the independence of the judiciary and to fight impunity and inequality as reaffirmed in the Council Conclusions on Democracy of October 2019. It will urge states to uphold the rights to participate in public affairs, freedom of peaceful assembly and association, including for human rights defenders and peaceful protesters, as well as freedom of opinion and expression online and offline with particular emphasis on the safety of journalists, bloggers and other media workers. The EU will continue to closely follow with serious concern the situation in Azerbaijan, Bahrain, Bangladesh, Belarus, Burundi, Cambodia, China including Hong Kong, the Crimean Peninsula, illegally annexed by the Russian Federation, areas of eastern Ukraine currently not under the control of the Government, Democratic Republic of Congo, Egypt, Eritrea, Iran, the Philippines, Sri Lanka, Myanmar, Nicaragua, Saudi Arabia, the Russian Federation, Tanzania, Tajikistan, Turkey, Venezuela, Vietnam and Zimbabwe.
16. The EU will continue paying close attention the increased state control over the online space, which constitutes a serious risk to **freedom of opinion and expression** and supporting the strengthening of international commitments to protect freedom of expression. One of the greatest threats is the criminalisation of online criticism of religion, government or other public institutions. The EU will continue recalling the responsibility of states to ensure compliance with national and international human rights law and to act to ensure that freedom of opinion and expression are fulfilled. The EU will continue working to protect democratic processes from manipulation by third countries or private interests, contributing to make them free from disinformation, or any undue interference.

17. 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 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. 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 deepen its commitment towards the promotion and protection of the rights of persons with disabilities, including calling for the universal ratification and effective implementation of the Convention on the Rights of Persons with Disabilities. It will engage in the UN mechanisms and debates to follow up on the Durban Declaration and Programme of Action. The EU will remain committed to the promotion and protection of freedom of religion or belief. It will condemn persecution, discrimination and violence against persons belonging to religious minorities and communities and the abuse of blasphemy laws, while defending the right for individuals to manifest their religion or belief, to change or leave a religion or belief. The EU will continue emphasising the need to prevent violence and the need for perpetrators to be held accountable and victims rehabilitated and reparated while promoting interfaith dialogue. It 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 expression. 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 will be discussed including in the context of the International Decade for Indigenous Languages. The EU will continue expressing concern at persistent cases of violations and abuses against persons belonging to minorities observed, including in Cameroon, Myanmar, Pakistan, the Russian Federation, and the Crimean Peninsula, illegally annexed by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government. It will continue following with grave concern the situation in Xinjiang with particular regard to the existence of a large network of political re-education camps and widespread surveillance against Uyghurs and other 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 and the Tibet Autonomous Region.

18. **The EU will continue promoting the protection and fulfilment of the human rights of all children**, particularly those in vulnerable situations, respecting the core principle of the best interests of the child in line with the UN Convention on the Rights of the Child. 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. 2020 marks the 20th anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and of the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography. Hence, the EU will promote their ratification and will renew its commitment to protect children from recruitment and use by armed forces and armed groups, as well as to protect children from all forms of exploitation and abuse, including from trafficking and sexual exploitation. The EU will continue supporting initiatives aiming at realizing **the rights of the child** through a healthy environment, ensuring universal access to quality services, including education and health-care, eliminating all forms of violence against all children, including bullying and cyberbullying, and harmful practices such as child, early and forced marriage and female genital mutilation. The EU will continue promoting a zero-tolerance policy on child labour.
19. **Terrorism** constitutes one of the most serious threats to international peace and security. The EU calls on all states, to ensure that the response to terrorist crimes are in full compliance with international law, in particular international human rights law, humanitarian law and international refugee law. The EU will continue to support references to human rights and international human rights law in the review of the implementation of the UN global counter-terrorism strategy. The fight against terrorism requires putting victims at the centre and ensuring that the rights of victims of terrorism are protected and promoted.

20. The EU will continue calling on all states to uphold **international humanitarian law (IHL)** and human rights law, including in Cyberspace 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. It will continue following closely in that respect, the situation in the Crimean Peninsula, illegally annexed 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 IHL, Libya, Yemen, and Syria where in light of recent military actions in the last twelve months all parties to the conflict remain bound to respect and uphold IHL. The EU will continue calling for unhindered access for human rights monitoring mechanisms in the Georgian breakaway regions of Abkhazia and South Ossetia, the Crimean Peninsula illegally annexed by the Russian Federation and areas of eastern Ukraine currently not under the control of the Government. 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, in particular systematic, widespread and gross violations and abuses of human rights that may amount to genocide, crimes against humanity, or war crimes, 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, as the EU did recently in the cases of Burundi, the DPRK, Myanmar, Syria and Yemen, for preparing the ground to hold to account those who have perpetrated grave crimes. The EU will continue promoting the principle of the Responsibility to Protect in multilateral fora.
21. 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, 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. The EU will continue to call on all states to prevent trafficking in human beings, to protect victims, and to ensure effective prosecution of perpetrators.

22. The EU will continue promoting the implementation of the **UN Guiding Principles on Business and Human Rights** (UNGPs) both in its external action and internal policies, including through initiatives on human rights due diligence, access to remedy for victims of corporate abuses, encouraging the adoption of National Action Plans and support to environmental and indigenous human rights defenders. It will look into options to step-up the implementation of the UNGPs, including a possible EU Action Plan. The EU will follow closely discussions about a legally binding instrument on Transnational Corporations and other Business Enterprises with respect to Human Rights. Responsible Business Conduct is essential for achieving the Sustainable Development Goals.
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