



EUROPEAN PARLIAMENT

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Plenary sitting

4.3.2015

B8-0233/2015

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the EU's priorities for the UN Human Rights Council (UNHRC) in 2015 (2015/2572(RSP))

Charles Tannock
on behalf of the ECR Group

B8-0233/2015

**European Parliament resolution on the EU's priorities for the UN Human Rights Council (UNHRC) in 2015
(2015/2572(RSP))**

The European Parliament,

- having regard to the Universal Declaration of Human Rights and to the UN human rights conventions and the optional protocols thereto, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
 - having regard to United Nations General Assembly Resolution 60/251 establishing the Human Rights Council (UNHRC),
 - having regard to the European Convention on Human Rights,
 - having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted on 25 June 2012,
 - having regard to its previous resolutions on the United Nations Human Rights Council,
 - having regard to its previous resolutions on the violation of human rights, including its urgency resolutions on such issues,
 - having regard to its resolution of ... on the Annual Report on Human Rights and Democracy in the World 2013 and the European Union policy on the matter¹
 - having regard to the conclusions of the Foreign Affairs Council of 9 February 2015 on EU priorities at UN human rights fora,
 - having regard to Articles 2, 3(5), 18, 21, 27 and 47 of the Treaty on European Union,
 - having regard to the forthcoming 28th session of the UNHRC to be held from 2 to 27 March 2015,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas respect for and promotion of human rights is part of the European Union's acquis and one of the main objectives of European foreign policy;

¹ Texts adopted, P8_TA(2015)....inequalities

- B. whereas human rights are inherent to all human beings irrespective of nationality, race, sex, ethnic origin, religion or any other status, and whereas respect for these rights is enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and in subsequent international human rights conventions, declarations and resolutions;
- C. whereas human rights are indivisible, interrelated and interdependent and deprivation of any one of these rights has a direct and adverse impact on the others;
- D. whereas failure to respect human rights and the rule of law and lack of legitimate democratic participation are among the principal causes of instability, failed states, humanitarian crises and armed conflicts;
- E. whereas the Union's action in its relations with third countries is guided by Article 21 of the Treaty on European Union, which reaffirms the universality and indivisibility of human rights and fundamental freedoms and respect for human dignity, the principles of equality and solidarity, and the United Nations Charter and international law;
- F. whereas all States have the obligation to respect the basic rights of their populations and the duty to take concrete actions with a view to facilitating these rights at national level; and to cooperate at international level with a view to eliminating obstacles to the realisation of human rights in all areas;
- G. whereas the regular sessions of the Human Rights Council, the appointment of Special Rapporteurs, the Universal Periodic Review mechanism and the Special Procedures addressing either specific country situations or thematic issues contribute to the promotion of, and respect for, human rights, democracy and the rule of law;
- H. whereas, regrettably, some of the current members of the UNHRC are acknowledged as being among the worst human rights offenders and have bad records in terms of cooperation with the UN Special Procedures and compliance with their reporting requirements vis-à-vis the UN human rights treaty bodies;

UN Human Rights Council

1. Takes note of the agenda of the 28th session of the UNHRC, which comes at a time of numerous conflicts, including and notably in the EU's neighbourhood; in this light, is disappointed at the lack of any reference to the Russian-sponsored conflict in the Ukraine;
2. Welcomes the EU's priorities for the upcoming 28th regular session of the United Nations Human Rights Council (UNHRC), as set out in the Council conclusions of 9 February 2015; urges the EU to approach the agenda topics in an unbiased fashion and to encourage all UN member states to do the same;
3. Welcomes the appointment of Ambassador Joachim Rucker as President of the UNHRC

for 2015;

4. Congratulates Zeid Ra'ad Al Hussein on his appointment as UN High Commissioner for Human Rights (UNHCHR), and reiterates its strongest support for his efforts and for his mandate;
5. Welcomes the annual report of the UNHCHR to the UN General Assembly, covering the period from December 2013 to November 2014, and expresses its full support for the independence and integrity of his Office; stresses that it is important to defend this independence, so that the High Commissioner can continue to perform his duties in an effective and impartial manner;
6. Recalls its commitment to support a strong multilateral human rights system under the aegis of the UN, including the Third Committee of the General Assembly, the Human Rights Council, the Office of the High Commissioner for Human Rights, and the work of the related UN specialised agencies, as well as the UN Special Procedures;
7. Considers that the continued harassment and detention of human rights defenders and opposition figures by a number of HRC members undermines the credibility of the Council; reiterates its position that HRC members should be elected from among states which uphold respect for human rights, the rule of law and democracy and which have agreed to extend standing invitations to all Special Procedures; calls for the adoption of human rights performance criteria which should apply to any state elected as a member of the HRC; urges the Member States to encourage transparent, open and competitive processes for the election of UNHRC members;
8. Reiterates its support for the Universal Periodic Review (UPR) mechanism, and its appreciation of the UPR's valuable work, and calls on member countries to actively prepare their UPR, including by involving civil society, to engage in the interactive dialogue during the UPR session, and to implement the UPR recommendations and take concrete measures to improve and uphold the fulfilment of their human rights obligations;
9. Calls for the EU and its Member States to continue to follow up the Universal Periodic Review recommendations in all EU policy dialogues with the countries concerned in order to seek ways to support them in the implementation of the recommendations;
10. Reiterates its support for the Special Procedures and the independent status of the mandate-holders, which enable them to fulfil their function with full impartiality, and calls on all states to cooperate with these procedures;
11. Is concerned that the space for interaction between civil society and the UNHRC continues to shrink and that NGOs are being offered fewer opportunities to speak at the UNHRC sessions; urges the EU and the UNHRC to ensure that civil society representatives are allowed to contribute as fully as possible to the 28th session of the UNHRC, and to the Universal Periodic Review process and other UN human rights mechanisms, without fear of reprisals on their return to their home country;

12. Warns of the unintended consequences of continuously expanding the list of human rights and including ideologically or politically controversial issues, as this could ultimately reduce general support for the very idea of the universality and indivisibility of human rights;

Civil and political rights

13. Reaffirms that freedom of expression, which is the cornerstone of every free and democratic society, is a fundamental right of any individual; strongly condemns the assassination in France in January 2015 of 12 people, including cartoonists, at the *Charlie Hebdo* newspaper, and of 4 people in a Jewish supermarket, together with the assassination of a film director and a synagogue guard in Copenhagen, by terrorists targeting freedom of speech and religion;
14. Condemns the misuse of religion by extremist and jihadist groups in all countries and in particular in Syria, Iraq, Libya, Myanmar, Nigeria and Central Africa, whose actions include gun and bomb attacks, suicide bombings, kidnappings and other violent acts; is of the view that the fight against terrorism requires addressing its root causes, including social exclusion, political marginalisation and extreme inequality; calls for greater efforts to protect the rights of people belonging to religious minorities;
15. Expresses its concern about all restrictions on freedom of assembly and association, including bans on civil society organisations, the aggressive use of criminal defamation laws and other restrictive laws, excessive registration and reporting requirements, and overly restrictive rules on foreign funding, and reaffirms that freedom of association and peaceful assembly are fundamental elements of human rights;
16. Calls on all governments to facilitate the work of civil society organisations and human rights defenders and to allow them to operate without fear, repression or intimidation and to cooperate with the Human Rights Council in the UPR mechanism, and to ensure that countries are held accountable for reprisals against human rights activists, in particular for cases of fatal reprisals such as that leading to the death in March 2014 of human rights activist Cao Shunli in China for having attempted to board a flight to attend the HRC meeting in Geneva in September 2013;
17. Reiterates the importance of the fight against torture and other forms of ill-treatment, and of the fact that the EU has committed itself to placing priority on this issue, including with regard to children, and to facilitating the work of the UN Special Rapporteur; urges the EEAS, the Commission and the Member States to demonstrate their commitment to eradicating torture and supporting victims;
18. Supports the UNHRC Special Rapporteur's latest report and conclusions on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; calls for the EU and the Member States to implement the Rapporteur's recommendations in their policies aimed at combatting the spread of racial, ethnic and xenophobic hatred and incitement over the internet and through social media networks, by taking appropriate measures in full respect of other fundamental rights;

19. Recognises that the rapid evolution of information and communication technologies has transformed the environment for the exercise of freedom of expression across the world, generating both significant advantages and serious concerns; welcomes, in this context, the Council's adoption in May 2014 of the EU Guidelines on Freedom of Expression Online and Offline, and condemns all restrictions on digital communication, including those targeting civil society actors; reiterates the need to pay particular attention to the rights of journalists and bloggers;

Social and economic rights

20. Notes that the UN post-millennium development agenda has the target of ending poverty by 2030 with a holistic approach to economic, social and environmental issues; welcomes the UN Secretary-General's synthesis report ahead of the UN Special Summit on the post-2015 Sustainable Development Goals agenda; supports the Secretary-General's calls for an approach centred on people's needs and rights in order to end poverty;
21. Considers it important to address extreme inequality in order to fight poverty in general and to facilitate access to food, water, education, healthcare and adequate housing in particular; highlights, in this context, the increasing problem of land grabbing, which needs to be addressed;
22. Is of the opinion that corruption, tax evasion, mismanagement of public goods and lack of accountability contribute to the violation of citizens' rights as they divert funds from investment in much-needed public services, thus contributing to perpetuating the cycle of poverty; recalls that under the International Covenant on Economic, Social and Cultural Rights, governments have an obligation to respect their citizens' rights by making adequate resources available; stresses, in this connection, that particular attention needs to be paid to the protection of human rights defenders working on the promotion of economic, social and cultural rights;
23. Reiterates its call for the EU and its Member States to support the establishment of a UN Special Rapporteur on financial crime, corruption and human rights;

Business and human rights

24. Supports the dissemination and implementation of the UN Guiding Principles on Business and Human Rights within and outside the EU; calls on all stakeholders to take an active role in the 11th session of the UN Working Group on the issue of human rights and transnational corporations and other business enterprises, and to support efforts to align their policies with the OECD Guidelines for Multinational Enterprises and with the UN Guiding Principles on Business and Human Rights; reiterates its request to the Commission to report by the end of 2015 on the implementation of the UN Guiding Principles on Business and Human Rights by the EU Member States;
25. Encourages EU delegations around the world to engage with EU businesses in order to promote respect for human rights, and to ensure that 'business and human rights' is

included among the focus themes in the local calls for proposals of the European Instrument for Democracy and Human Rights;

26. Believes that business and human rights can reinforce each other by creating new business potential in those regions that most need sustainable and responsible investment and by contributing to general respect for human rights in developing countries;

Women's rights

27. Observes that despite the progress made in achieving equality between men and women and women's empowerment so far, women are still victims of sexual violence and mass rape in armed conflict areas, and the number of women who die every day as a result of domestic violence is truly appalling; calls on all governments to take concrete steps to combat violence against women in all its forms, and reiterates its call on the EU Member States to ratify the Council of Europe Convention on preventing and combating violence against women;
28. Stresses that FGM is a form of torture; stresses the continuing need for the EU to work with third countries in eradicating the practice of FGM; reminds those Member States with national legislation criminalising FGM that they must use this legislation when their citizens are found to have undergone it;
29. Welcomes the ICC's inclusion of gender crimes including rape, sexual assault and humiliation and its recommendation that these crimes should be considered war crimes;

Children's rights

30. Expresses its concern that, while progress has been made since the adoption of the Convention on the Rights of the Child in 1989, at least 58 million children, particularly girls, children from poor families, children with disabilities and children in conflict areas, do not attend school, and many children still suffer from diseases that can be easily prevented, while others are engaged in child labour;
31. Calls on all states to commit themselves to eliminating the worst forms of child labour as defined by Article 3 of ILO Convention No 182, which include child slavery, trafficking, prostitution and hazardous work affecting a child's physical and mental health;
32. Recalls that one of the primary obligations of every state is to provide education to all children by creating adequate institutions and addressing the structural causes of the impediments to universal primary education;
33. Calls for adequate EU funding for demobilisation and reintegration programmes for children associated with armed conflicts and for ex-child soldiers; recalls its strong support for the campaign 'Children, not Soldiers', as expressed during the hearing on the same topic held in the Subcommittee on Human Rights on 3 December 2014;

welcomes the annual reports submitted by the UN Special Representative for Children and Armed Conflict and the UN Special Representative on Violence against Children, together with the report of the Special Rapporteur on the sale of children, child prostitution and child pornography;

Fight against impunity and the International Criminal Court (ICC)

34. Reiterates its full support for the work of the ICC in its role of ending the impunity of the perpetrators of the most serious crimes of concern to the international community and to provide justice for the victims of war crimes, crimes against humanity and genocide; remains vigilant regarding any attempts to undermine its legitimacy or independence; urges the EU and its Member States to cooperate with the Court and provide it with strong diplomatic, political and financial support, including in the UN; calls for the EU, its Member States and its Special Representatives to actively promote the ICC, the enforcement of its decisions and the fight against impunity for Rome Statute crimes;

Indigenous peoples

35. Calls on the EEAS, the Commission and the Member States to support the review of the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, in line with the Outcome Document of the World Conference on Indigenous Peoples (UN General Assembly Resolution 69/2), with a view to monitoring, evaluating and improving the implementation of the Declaration on the Rights of Indigenous Peoples; urges the Member States to request that all Special Procedure mandate holders give special attention to issues affecting indigenous women and girls, and systematically report such issues to the UNHRC; urges the EEAS and the Member States to actively support the development of the system-wide action plan on indigenous peoples, as requested by the UN General Assembly in its September 2014 resolution, especially as regards the organisation of regular consultation of indigenous peoples as part of that process;

International cultural and sports events and human rights

36. Denounces the increasing practice by authoritarian states of hosting mega sports or cultural events in order to boost their international legitimacy while further restricting domestic dissent; calls for the EU and its Member States to actively raise this issue, including at the UNHRC, and to engage with national sports federations, corporate actors and civil society organisations on the modalities of their participation in such events, including with regard to the first edition of the European Games, to be held in Baku in 2015, and the FIFA World Cup, to be held in Russia in 2018;

EU human rights mainstreaming

37. Calls for the EU to promote the universality and indivisibility of human rights in conformity with Article 21 of the Lisbon Treaty and the General Provisions on the Union's External Action;

38. Calls for the EU, the Member States, the Commission, and the EEAS to incorporate human rights in their external policy areas with third countries;

EU priorities on country-related issues

Ukraine

39. Expresses its grave concern over the situation in the south-eastern breakaway regions; condemns the large-scale human rights violations committed in the conflict and the human rights consequences of recent fighting; fully supports the UN Human Rights Monitoring Mission and the OSCE Special Monitoring Mission to Ukraine; remains concerned about the discrimination and widespread human rights violations against the local population in Crimea, in particular the Crimean Tatars; calls on the Member States to support all possible efforts at UN level to fight impunity and to conduct impartial investigations into the violent events and human rights violations linked to the Maidan demonstrations and the illegal annexation of Crimea, as well as the Russian-sponsored conflict in the south-eastern regions;

Iraq and Syria

40. Remains extremely concerned about the violent conflicts raging in Iraq and Syria; condemns unequivocally the war crimes committed by Bashar al-Assad and by ISIS/Da'esh as well as those by other groups involved in the conflict; condemns furthermore the attempts by ISIS/Da'esh to export their extremist ideology and violence to other countries in the region and beyond; urges all UN member states to clearly speak out against the violence and in particular in favour of the rights of minorities; believes that in order to stem the suffering and the mass exodus of Christians and other indigenous populations of the region, a clear and unequivocal statement by regional political and religious leaders, in support of their continued presence and full and equal rights as citizens of their countries, is necessary;

Democratic People's Republic of Korea (DPRK)

41. Welcomes the planned extension of the mandate of the Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea (DPRK); welcomes too the UN General Assembly resolution encouraging the UN Security Council to take appropriate action to ensure accountability, including by giving consideration to referring the situation in the DPRK to the ICC;

Iran

42. Welcomes the UNHRC resolution of March 2014 on the situation of human rights in the Islamic Republic of Iran, and the extension of the Special Rapporteur's mandate, and calls on Iran to allow the UN Special Rapporteur entry into the country as a crucial indicator of its willingness to take steps towards opening up a dialogue on human rights; reiterates its condemnation of the death penalty in Iran, including for minors, which is often carried out following a judicial process which does not comply with

internationally accepted minimum standards on fair trial and due process; remains concerned at the high rate of executions; supports the joint statement of August 2014 by the UN Special Procedures mandate holders condemning the wave of arrests and sentencing of civil society actors in Iran; calls for the EU and the UNHRC to continue to monitor the human rights situation closely, and to ensure that human rights remain a key priority in all dealings with the Iranian Government;

Myanmar/Burma

43. Supports the UN Special Rapporteur's report to the 69th session of the UN General Assembly on the human rights situation in Myanmar, which recognises the progress made so far while identifying remaining areas of major concern; calls on the Government to mainstream human rights into the country's institutional and legal framework and all policy areas, and to respect freedom of expression and assembly so that the people can express their views freely on government policies without fear, intimidation or harassment;

Belarus

44. Expresses its profound concern at the continued violation of human rights in Belarus, including harassment of human rights defenders, persecution of independent journalists, censorship of all internet-based communications and restrictive legislation on NGOs; calls for the renewal of the UN Special Rapporteur's mandate, and calls on the Government of Belarus to grant full access to UN Special Procedure mandate holders, including the Special Rapporteur;

Mali

45. Welcomes the work of the UN Independent Expert on the situation of human rights in Mali, and calls on the UNHRC to extend his mandate; welcomes the progress made by the Government of Mali in re-establishing the judiciary in some parts of the country, and in the investigations into the 2012 torture and killing of 21 elite soldiers, together with the establishment of the Truth, Justice and Reconciliation Commission; remains concerned at the renewed deterioration of the security situation and the continued use and recruitment of child soldiers; calls on the Government of Mali to investigate and hold accountable those from all warring factions who were responsible for war violations committed during the 2012-2013 armed conflict, and to ensure that any future peace agreement calls for accountability, the strengthening of the truth-telling commission and the vetting of security force personnel;

South Sudan

46. Calls on the African Union to make public the report of its Commission of Inquiry on human rights violations and abuses committed by all parties in South Sudan, as a step toward promoting justice vis-à-vis the human rights violations committed since the start of the conflict;

47. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative on Human Rights, the governments and parliaments of the Member States, the UN Security Council, the UN Secretary-General, the President of the 69th UN General Assembly, the President of the UN Human Rights Council and the UN High Commissioner for Human Rights.