



EUROPEAN PARLIAMENT

2009 - 2014

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*Plenary sitting*

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4.2.2013

B7-0062/2013

## 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 110(2) of the Rules of Procedure

on the 22nd session of the United Nations Human Rights Council  
(2013/2533(RSP))

**José Ignacio Salafranca Sánchez-Neyra, Elmar Brok,  
Laima Liucija Andrikienė, Eduard Kukan, Filip Kaczmarek,  
Elena Băsescu, Roberta Angelilli, Elisabeth Jeggle, Jacek Protasiewicz,  
Jean Roatta, Kinga Gál, Francisco José Millán Mon**  
on behalf of the PPE Group

**European Parliament resolution on the 22nd session of the United Nations Human Rights Council  
(2013/2533(RSP))**

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights and to UN human rights conventions and optional protocols thereto,
  - having regard to the European Convention on Human Rights and the EU Charter of Fundamental Rights,
  - having regard to the EU Strategic Framework on Human Rights and Democracy, and the EU Action Plan on Human Rights and Democracy as adopted at the 3179th Foreign Affairs Council meeting of 25 June 2012,
  - having regard to its recommendation to the Council of 13 June 2012 on the EU Special Representative for Human Rights<sup>1</sup>,
  - having regard to its previous resolutions on the United Nations Human Rights Council (UNHRC), including Parliament's priorities in this context; having regard, in particular, to its resolution of 16 February 2012 on Parliament's position on the 19th session of the UN Human Rights Council<sup>2</sup>,
  - having regard to the report of the delegation from its Subcommittee on Human Rights on its visit to the 19th session of the UNHRC, and to that of the joint delegation from its Committee on Foreign Affairs, its Subcommittee on Human Rights and its Subcommittee on Security and Defence which attended the 67th session of the UN General Assembly,
  - having regard to its urgency resolutions on human rights issues,
  - having regard to its resolution of 13 December 2012 on the review of the EU's human rights strategy<sup>3</sup>,
  - having regard to its resolution of 13 December 2012 on the Annual Report on Human Rights and Democracy in the World 2011 and the European Union's policy on the matter<sup>4</sup>,
  - having regard to Articles 2, 3(5), 18, 21, 27 and 47 of the Treaty on European Union,
- A. whereas respect for, and the promotion and safeguarding of, the universality of human rights is part of the European Union's ethical and legal acquis and one of the cornerstones

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<sup>1</sup> Texts adopted, P7\_TA(2012)0250.

<sup>2</sup> Texts adopted, P7\_TA(2012)0058.

<sup>3</sup> Texts adopted, P7\_TA(2012)0504.

<sup>4</sup> Texts adopted, P7\_TA(2012)0503.

of European unity and integrity<sup>1</sup>;

- B. whereas successful implementation of the EU's recent review of its human rights strategy should enhance the EU's credibility in the UNHRC by increasing consistency between its internal and external policies;
  - C. whereas the EU should strive to speak out against human rights violations in united common positions in order to achieve the best possible results and should in this context continue to strengthen cooperation and enhance organisational arrangements between the Member States;
  - D. whereas the Council of the European Union has adopted a Strategic Framework on Human Rights and Democracy and an Action Plan for its implementation, with the aim of achieving a more effective and consistent EU policy in this field;
  - E. whereas an EU Special Representative for Human Rights acting under the authority of the High Representative of the Union for Foreign Affairs and Security Policy was appointed on 25 July 2012, whose role is to enhance the effectiveness and visibility of EU human rights policy and contribute to the implementation of the Strategic Framework and Action Plan on Human Rights and Democracy;
  - F. whereas a delegation from its Subcommittee on Human Rights will travel to Geneva during the 22nd session of the UNHRC, as has been the case in previous years for the sessions of the UNHRC;
1. Takes note of the ongoing process of confirming EU priorities for the 22nd session of the UNHRC; welcomes the focus given by the EU to the situation in Syria, Burma/Myanmar, the Democratic People's Republic of Korea (DPRK) and Mali, as well as its support for the extension of the Special Rapporteur's mandate concerning human rights in Iran; also endorses the focus on thematic issues such as freedom of religion and belief, the rights of the child, violence against women and the post-2015 development agenda, with a focus on the right to education;
  2. Welcomes the fact that the agenda for the 22nd regular session includes panel discussions on human rights mainstreaming, the negative impact of corruption on the enjoyment of human rights, and the commemoration of the 20th anniversary of the adoption of the Vienna Declaration and Programme of Action, interactive debates, such as on the rights of persons with disabilities, and extensive meetings on various issues, such as children's right to the enjoyment of the highest attainable standards of health; calls on the Member States to actively contribute to these debates and clearly state that human rights are universal, indivisible and interdependent;
  3. Welcomes the reports to be presented by the Special Rapporteurs on, inter alia, the human rights situations in Iran, Myanmar, the DPRK and the Palestinian territories occupied since 1967, along with the written report to be presented by the High Commissioner on Human Rights on the situation of human rights in Mali, particularly the northern part of the country, as well as on housing as a component of the right to an adequate standard of

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<sup>1</sup> Articles 2, 3(5) and 6 of the Treaty on European Union.

living, on the right to non-discrimination in this context, on freedom of religion or belief and on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

***The work of the UN Human Rights Council***

4. Notes that 18 new members were elected to the UNHRC in September 2012, and took up their membership on 1 January 2013, namely Argentina, Brazil, Côte d'Ivoire, Estonia, Ethiopia, Gabon, Germany, Ireland, Japan, Kazakhstan, Kenya, Montenegro, Pakistan, the Republic of Korea, Sierra Leone, the United Arab Emirates, the United States of America, and the Bolivarian Republic of Venezuela; and notes that nine EU Member States are now UNHRC members;
5. Notes the election of a new President of the UNHRC, Remigiusz A. Henczel, from Poland, and of four Vice-Presidents for 2013, Cheikh Ahmed Ould Zahaf (Mauritania), Iruthisham Adam (Maldives), Luis Gallegos Chiriboga (Ecuador) and Alexandre Fasel (Switzerland);
6. Stresses that elections to the UNHRC need to be competitive, and expresses its opposition to the arranging of uncontested elections by regional groups; reiterates the importance of standards for UNHRC membership as regards commitment and performance in the human rights field; emphasises that UNHRC members are required to uphold the highest standards in the promotion and protection of human rights; reiterates the importance of strong and transparent criteria for reinstating suspended members;
7. Remains concerned about the phenomenon of 'bloc politics' and its effect on the credibility of the UNHRC and the effectiveness of its work;
8. Reiterates once more the importance of the EU Member States working towards the fulfilment of the indivisibility and universality of human rights and supporting the work of the UNHRC in this respect, in particular by ratifying the international human rights instruments that this body has established; notes that there is still no EU Member State that has ratified the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families; also notes that several Member States have not yet adopted and/or ratified the Convention for the Protection of All Persons from Enforced Disappearance and that only two Member States have ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; reiterates its call for all the Member States to ratify these conventions and protocols, and encourages them to sign and ratify the recent Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was opened for signature in Geneva, Switzerland, on 28 February 2012;
9. Welcomes the appointment by the UN General Assembly of Ms Navanethem Pillay for a second term as High Commissioner for Human Rights; reiterates its strong support for the Office of the High Commissioner and for its independence and integrity;
10. Commends the High Commissioner for Human Rights for her efforts in the treaty body strengthening process and welcomes her report on this issue published on 22 June 2012; reaffirms the multi-stakeholder nature of the treaty bodies and emphasises that civil

society needs to be continuously included in these processes; stresses furthermore that the independence and effectiveness of the treaty bodies must be preserved and enhanced; emphasises that sufficient funding needs to be secured in order to cover the treaty bodies' increasing workload; calls for the EU to adopt a leadership role in ensuring the effective functioning of the treaty body system, including with regard to adequate funding;

### *Arab Spring countries*

11. Condemns in the strongest terms the increasing and indiscriminate violence used by the Assad regime against the Syrian population, including the use of heavy artillery and shelling against populated areas; condemns unequivocally the continued systematic human rights violations by the regime, its security forces and the army, which may amount to crimes against humanity; expresses grave concern about the continuously deteriorating situation for the civilian population; condemns also the human rights violations committed by opposition groups and forces; calls on all armed actors to immediately bring an end to the violence in Syria, and reiterates its call for the Assad regime to step down immediately;
12. Expresses concern about the spill-over effect into neighbouring countries and its impact on security and stability in the region; calls on the Member States to provide assistance to the countries in the region in their efforts to provide humanitarian relief for refugees from Syria;
13. Welcomes the continued attention which the UNHRC devotes to the dire human rights and humanitarian situation in Syria, as evidenced by the UN resolutions on the situation in the country adopted at the 19th, 20th and 21st UNHRC sessions and the UNHRC Special Session on Syria of 1 June 2012; reiterates the importance of ensuring accountability for violations of international human rights law that have been committed during the conflict;
14. Expresses its full support for the Independent Commission of Inquiry on Syria and for the UNHRC's extension of its mandate; welcomes the appointment of Carla del Ponte and Vitit Muntarbhorn as new members, and the appointment of Paolo Pinheiro as Special Rapporteur on Syria, who will start his work once the mandate of the Commission of Inquiry ends; welcomes the Commission's report exposing the atrocities carried out in Syria;
15. Regrets that agreement has not yet been reached on the adoption of a resolution in the UN Security Council (UNSC) on the situation in Syria and, in particular, that this is stifling the ability to exert effective pressure with a view to ending the violence in the country; calls on the UNSC members to bear in mind their responsibility towards the Syrian people; commends the diplomatic efforts of the VP/HR and the EU Member States in engaging China and Russia on this issue; calls on them to continue with these efforts;
16. Welcomes the final written report by the Independent Commission of Inquiry (COI) on Libya, presented at the UNHRC's 19th session, highlighting human rights violations committed in the country; urges the UNHRC to continue to monitor the situation in Libya;
17. Calls on the United Arab Emirates, as a newly elected member of the Human Rights Council and one of the 14 states to have their human rights records reviewed by the

Universal Periodic Review Working Group session, to put an end to the current crackdown on peaceful human rights defenders and political activists and to honour its commitments to uphold the highest standards in the promotion and protection of human rights;

18. Expresses concern about the situation of human rights defenders and political opposition activists in Bahrain; reiterates its call for the EU Member States to work towards the adoption at the UNHRC of a resolution establishing an international mechanism in order to monitor the implementation of Bahrain's Universal Periodic Review (UPR) and the recommendations of the Bahrain Independent Commission of Inquiry (BICI), including those concerning human rights defenders;
19. Welcomes the text on technical assistance and capacity building for Yemen in the field of human rights and the establishment of an OHCHR Country Office in Yemen; urges the UNHRC to continue to monitor the situation in Yemen;

#### ***Other issues***

20. Welcomes the UNHRC's decision to appoint a Special Rapporteur on the situation of human rights in Belarus, and notes the cross-regional support for the resolution establishing this mandate, which illustrates that the dire human rights situation in the country is being acknowledged by states all over the world;
21. Welcomes the resolution establishing a Special Rapporteur on the situation of human rights in Eritrea; notes that this is the first time that the UNHRC has addressed this issue and applauds the leadership shown by African countries on this matter;
22. Welcomes the extension of the mandates of the Special Rapporteurs on the human rights situations in Iran and in Myanmar; welcomes the extension of the mandates of the independent experts on Côte d'Ivoire, Haiti and Somalia; urges the authorities of these countries to cooperate fully with the mandate-holders;
23. Welcomes the extension of the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK) for another year; welcomes the fact that the resolution on the DPRK was adopted by consensus, which illustrates the strong level of support for the mandate; urges the Government of the DPRK to fully cooperate with the Rapporteur and facilitate his visits to the country;
24. Condemns the recent mass executions that have been carried out in Iran; reaffirms its strong stance against the death penalty in all cases and under all circumstances;
25. Deplores the executions carried out in Japan in 2012 following the moratorium on this practice during 2011, along with the six executions carried out in Taiwan in December 2012; considers deeply regrettable the breach of the *de facto* moratorium on the death penalty observed by India since 2004, through the execution of a convict in Pune, Maharashtra on 22 November 2012, which also goes against the global trend towards abolition; urges all countries which still maintain the death penalty to abolish it or at least to implement a moratorium on executions;

26. Welcomes the fact that the situation in Mali is being kept under close scrutiny by the UNHRC, and applauds the leadership shown by the African states that brought the issue to the attention of the UNHRC;
27. Was pleased to note the adoption of the resolution on the Democratic Republic of the Congo (DRC), but remains concerned about the human rights situation in the country, notably in North Kivu province in the east; strongly condemns the attacks by rebel forces in the east of the country, notably by the M23 movement; expresses deep concerns about the ongoing use of children as soldiers and calls for their disarmament, rehabilitation and reintegration; welcomes the efforts being made to find a peaceful political solution to the crisis by the member states of the International Conference on the Great Lakes Region (ICGLR), the African Union and the UN; calls again for the re-establishment of a UN Independent Expert on the human rights situation in the DRC in order to provide a reliable mechanism focusing on improving the situation regarding the grave and longstanding human rights concerns in the country;
28. Notes with satisfaction the adoption of the UNHRC resolution on freedom of religion or belief; stresses the emphasis which the EU places on this issue; calls on its Member States to continue working on the issue, and looks forward to the new Guidelines which are expected early this year; commends the work done by the UN Special Rapporteur on freedom of religion or belief; stresses the importance of the renewal of this mandate during the 22nd session of the UNHRC;
29. Welcomes the resolution on Burma/Myanmar adopted in the UNHRC; takes note of the steps taken by the Burmese Government since early 2011 to restore civil liberties in the country; expresses grave concern, however, about the upsurge in communal violence in Rakhine and Kachin states and the subsequent deaths and injuries, destruction of property and displacement of local populations; believes that the underlying cause of the situation lies in the longstanding discriminatory policies against the Rohingya and Kachin populations, in particular; stresses that greater efforts are needed in order to solve the root cause of the problem;
30. Welcomes also the resolution on Sri Lanka emphasising reconciliation and accountability in the country; reiterates its support for the recommendation, made by the UN Secretary-General's Panel of Experts on Sri Lanka, that a UN Commission of Inquiry be established into all the crimes committed;
31. Expresses concern at the situation in the Central African Republic (CAR), where armed groups have attacked and occupied several towns in the north-east of the country; welcomes the agreements signed in Libreville on 11 January 2013, including the ceasefire agreement and the political agreement on the resolution of the crisis in the country; stresses the importance of the swift implementation of these agreements; welcomes the EU VP/HR's statement of 11 January, calling for all signatories to uphold these agreements; urges the Member States to raise this matter in the UNHRC in order to keep the issue of the situation in the Central African Republic high on the international agenda;
32. Expresses its concern at the situation in Israel and Gaza after the escalation of the conflict at the end of 2012 and condemns the acts of violence committed; reiterates its call for steps to be taken towards the reconstruction and economic recovery of the Gaza Strip

while taking into account Israel's legitimate security concerns;

33. Welcomes the international fact-finding mission on Israeli settlements in the occupied Palestinian territories established during the 19th session of the UNHRC, and looks forward to its reporting back during the 22nd session;
34. Takes note of the EU's position on the resolution adopted in the UN General Assembly on 29 November 2012, making Palestine a UN non-member observer state, as a step towards a political solution to the Israel/Palestine conflict; reaffirms that the EU will not accept any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties;
35. Takes note of the first annual Forum on Business and Human Rights held in Geneva from 4 to 6 December 2012, which brought together a broad range of stakeholders to discuss the implementation of the UN Guiding Principles in this area; supports the Forum's initial consultations on how governments and business can be made to adopt regulatory, policy and implementation frameworks to counter business-related human rights abuses; supports the European Commission's efforts to further its new policy on corporate social responsibility;
36. Welcomes the work of the open-ended intergovernmental working group on private military and security companies (PMSCs), with a mandate to consider the possibility of an international regulatory framework; recognises the detailed attention given to the option of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of PMSCs and expresses its support for such a legally binding regulatory framework; stresses the need for a strong accountability component and invites PMSCs that have not yet signed the Code of Conduct for Private Security Service Providers (ICoC) to adhere to it; looks forward to the presentation of the working group's report;

#### ***Universal Periodic Review***

37. Emphasises the significance of the UPR's universal aspect and reaffirms the importance of the UPR in making it possible to fully understand the human rights situation on the ground in all UN member states;
38. Welcomes the commencement of the Universal Periodic Review's second cycle and the adoption of the first outcomes of thereof; reiterates the importance of the second cycle focusing on the implementation of the recommendations accepted during the first cycle; calls again, however, for the recommendations that were not accepted by states during the first cycle to be reconsidered in the continuation of the UPR process;
39. Believes that implementation is a key aspect in realising the potential of the UPR process; reiterates, therefore, the importance of EU Member States providing technical assistance in order to help the states under review to implement recommendations; encourages states to present mid-term updates in order to contribute to improved implementation;
40. Recommends including the UPR recommendations systematically in the EU's human rights dialogues and consultations and in EU human rights country strategies, to ensure that UPR outcomes are followed up; recommends, similarly, that Parliament raise these



recommendations during its own delegation visits to third countries;

41. Welcomes steps that allow the full participation in the UPR process of a wide range of stakeholders; welcomes, in this connection, the changes to the speakers' list, which gives all states that wish to speak during the UPR process a chance to do so; reiterates its appreciation of the stronger role which national human rights institutions have gained, in line with the Paris Principles; welcomes the enhanced participation from the field due to the increased use of videoconferencing;
42. Believes that more can be done to involve civil society in the UPR process, including in the implementation of its outcomes; deplores persecution and other sanctions against persons who participate in, and cooperate with, the UPR process;

### ***Special Procedures***

43. Reaffirms the crucial role which the Special Procedures play in the credibility and effectiveness of the work of the UNHRC and its core position in the UN human rights machinery; reiterates its strong support for the Special Procedures and stresses the fundamental importance of the independence of these mandates;
44. Urges states to fully cooperate with the Special Procedures, including by receiving mandate-holders for country visits without delay, replying to their urgent actions and allegations of violations and ensuring a proper follow-up to the recommendations made by the mandate-holders; urges UNHRC members to lead by example on these issues;
45. Welcomes the action taken by the EU to jointly extend a standing invitation to all UN Special Procedures on Human Rights, thereby leading by example on this issue; encourages other UN Member States to do the same;
46. Condemns all forms of reprisals against persons who cooperate with the Special Procedures; stresses that such action undermines the UN human rights system as a whole; urges all states to provide adequate protection against such acts of intimidation;

### ***EU involvement***

47. Reiterates its call for active participation by the EU in the UN human rights mechanisms, and the UNHRC in particular; encourages the Member States to engage in such participation by co-sponsoring resolutions, taking an active part in debates and interactive dialogues and issuing statements;
48. Stresses the importance of the establishment of the position of the EU Special Representative for Human Rights; encourages the Special Representative appointed by the Council of the European Union to enhance the effectiveness and visibility of the EU's human rights policy in the context of the UNHRC and to develop close cooperation with the OHCHR and the Special Procedures; looks forward to cooperating with the Special Representative on these issues;
49. Reiterates the potential effectiveness of EU action when the Union and its Member States harness their collective weight; stresses the importance of continuing to enhance the

coordination and cooperation between the Member States in this regard in order to reach common ground on human rights issues; calls again for bolder and more ambitious action instead of resorting to accepting the lowest common denominator;

50. Stresses the significance of the ratification of the UN Convention on the Rights of Persons with Disabilities, the first occasion on which the EU ratified a UN Convention as a legal entity;
51. Reiterates how significant it is for the EU to defend the independence of the OHCHR, given the need for the office to exercise its tasks in an impartial manner; and recalls the importance of sufficient funding being provided to keep the OHCHR's regional offices open;
52. Notes that the protection of human rights defenders is a key priority of EU human rights policy; emphasises that reprisals and intimidation against human rights defenders (HRDs) who cooperate with the UN human rights mechanisms threatens to undermine this system; appreciates, therefore, the practical and financial support allocated to the urgent protection of and support for HRDs under the European Instrument for Democracy and Human Rights (EIDHR);
53. Welcomes the establishment in 2012 of the Brussels-based Council Working Party on Human Rights (COHOM); acknowledges the efforts of the COHOM to improve the preparation and coordination of EU positions for the UNHRC sessions, including the organisation of COHOM meetings in Geneva; reiterates its expectations that the COHOM will be instrumental in addressing the issue of consistency between the EU's external and internal human rights policy;
54. Expects that the development of EU human rights country strategies will be duly coordinated with EU action in the UN forums; reiterates its recommendation that EU human rights country strategies should give visibility to the EU's commitment to human rights in third countries and enable those struggling for their human rights to find support in these documents;
55. Calls again, in the light of fresh reports of EU companies being complicit in human rights abuses in third countries, on the VP/HR to draw attention to this issue; reiterates, in this connection, the importance of increasing consistency between internal and external policies and of full respect for human rights in internal policies in order to avoid applying double standards;
56. Mandates its delegation to the 22nd session of the UNHRC to voice the concerns and views expressed in this resolution; calls on the delegation to report to the Subcommittee on Human Rights regarding its visit; considers it indispensable to continue the practice of sending an EP delegation to relevant UNHRC and UNGA sessions;

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57. 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 67th UN General Assembly, the President of the UN Human Rights Council, the UN High Commissioner for Human Rights and the EU-UN Working Group established by the Committee on Foreign Affairs.