



Plenary sitting

B8-0184/2017

13.3.2017

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 sessions in 2017 (2017/2598(RSP))

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on behalf of the GUE/NGL Group

**European Parliament resolution on the EU's priorities for the UN Human Rights Council sessions in 2017
(2017/2598(RSP))**

The European Parliament,

- having regard to its previous resolutions on the United Nations Human Rights Council (HRC),
- having regard to the 34th HRC session to be held from 27 February to 24 March 2017,
- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the European Union and its Member States should promote respect for human rights in all their policies, both internal and external, and ensure that they are consistent, in order to enhance and render credible the position of the EU and its Member States within the HRC;
- B. whereas the 34th regular session of the HRC is to be held from 27 February to 24 March 2017; whereas a delegation of the European Parliament's Subcommittee on Human Rights will be going to Geneva for the 34th session, as has been the case in previous years for previous HRC sessions; whereas two further HRC sessions are to be held in 2017;
- C. whereas seven Member States now have a seat on the HRC: Germany (until 2018), Belgium (until 2018), Latvia (until 2017), the Netherlands (until 2017), Portugal (until 2017), the UK (until 2017) and Slovenia (until 2018);
- D. whereas the work done by the EU and its Member States with and within the HRC, and with all UN bodies, ought to be better coordinated and enhanced so as to ensure that the HRC's recommendations are better taken into account and better implemented in the EU's human rights policy, both internally and externally; whereas, too often, EU delegations attending the HRC focus on their own priorities, without taking into account the work that the UN and the HRC do in the field of human rights;

The work and organisation of the HRC

1. Reiterates its call on EU Member States to actively oppose any attempt to undermine the universality, indivisibility and interdependence of human rights, and actively encourage the HRC to address discrimination on all grounds in the same way;
2. Warns against politicising the HRC; emphasises the importance of its country-specific resolutions in addressing serious human rights violations; underlines the importance of evaluating human rights situations in an objective, transparent, non-selective, constructive and non-confrontational manner, on the basis of reliable information obtained by means of interactive dialogue, and in keeping with the concepts of universality and equal treatment for all states; calls on the Member States to play an active role in implementing these agreed principles concerning the HRC;

3. Emphasises that, in ensuring that human rights are upheld, it is important to address the root causes of political instability in many countries via development policies that are in keeping with the Sustainable Development Goals and via socio-economic, political and cultural measures;
4. Notes that Saudi Arabia is a member of the HRC until 2019; roundly condemns the widespread human rights violations committed by the Kingdom of Saudi Arabia, which is using its mandate to block the requests of the UN special rapporteurs appointed to lead fact-finding inquiries relating to torture, freedom of expression and opinion, and executions, and is blocking all attempts to carry out an independent inquiry on the situation in Yemen; condemns the fact that, at the 33rd session of the HRC, it succeeded in blocking, for the second year running, an EU resolution seeking to establish a mandate for an international inquiry; calls on the EU to table that resolution again, in the wake of criticism from the UN Deputy High Commissioner for Human Rights, Kate Gilmore, about the fact that the Yemeni national commission – which was established when the bid to set up an international commission failed – is not impartial, and is failing to uphold basic standards of protection;
5. Welcomes the annual reports drawn up by the UN High Commissioner for Human Rights, and in particular the attention paid to the situations in Honduras, Colombia, Guatemala, Cyprus, Iran, Sri Lanka, Yemen, the occupied Palestinian territories including East Jerusalem, the occupied Syrian Golan Heights, Afghanistan and Guinea;
6. Rejects the use of the notion of ‘responsibility to protect’, as it violates international law and does not offer an adequate legal basis for justifying the unilateral use of force; condemns the role of ‘global policeman’ assumed by countries like the USA and France, and organisations like NATO, including when that role lies outside or extends beyond the scope of UN mandates; also condemns ‘targeted air strikes’ and the deployment of foreign ground troops in certain countries; condemns NATO intervention in taking over the tasks of pacification and stabilisation when they cannot be performed on the basis of a broad consensus within the United Nations General Assembly;

Economic, social and cultural rights

7. Welcomes the importance that the HRC has attached to promoting and protecting economic and social rights and to the interdependence and indivisibility of human rights; emphasises once again the need to regard economic, social, cultural, civic and political rights as being of equal importance; stresses that high unemployment, the increase in poverty and social exclusion, increasingly problematic access to services in the fields of health, education, housing, transport and culture, and the deteriorating quality of such services constitute major challenges; applauds the key role that public services play in this area and notes that privatisation and liberalisation have played a part in making some of those rights less accessible;
8. Stresses, furthermore, that the inclusion of democracy and human rights clauses in free trade agreements signed by the EU has not been sufficiently taken into account and has therefore been a failure, with those free trade agreements even leading to the deterioration and indeed violation of fundamental rights, particularly economic and social rights, to the impoverishment of the communities concerned and to the monopolisation of resources by multinationals; believes that new forms of cooperation

need to be established to facilitate the economic and social development of third countries on the basis of the needs of their peoples; believes that the HRC should also seek to study and condemn the impact on human rights not only of austerity plans, but also of free trade agreements, and, in particular, of the risks and consequences of economic partnership agreements with ACP countries;

9. Takes the view that the HRC should make the issue of global wealth distribution – which is the main impediment to the realisation of economic and social rights – a major priority in its sessions in 2017, and that the delegation of the EU and its Member States should take all requisite steps in pursuit of that aim;
10. Emphasises the importance of the report on access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; calls on the delegation of the EU and its Member States to promote access to medicines and high-quality, universally accessible public health services, and to propose an inquiry into the role of the pharmaceuticals industry;
11. Takes the view that the report on adequate housing as a component of the right to an adequate standard of living is also important; calls on the delegation of the EU and its Member States to promote access to high-quality, universally accessible housing, without discrimination, as a fundamental right;
12. Also welcomes the report on the right to food; points out that the UN member states should do more to encourage access to essential natural resources and land, and to promote food sovereignty and food security as ways of reducing poverty and unemployment; deplores the fact that a significant number of people do not have, or no longer have, access to certain resources, including basic commodities such as water, due to the hoarding of those resources, in particular by companies or private entities that are supported by the political authorities in the countries concerned, causing – in particular – food shortages and food price increases; calls, therefore, on the delegation of the EU and its Member States to put forward proposals in the HRC and more widely in international and regional forums and conferences (World Bank, WTO, UNCTAD, IMF, OECD, etc.) with a view to recognising basic public goods and including them in a specific UN convention;
13. Emphasises the importance of the discussion on the effects of foreign debt and other related international financial obligations of states on the full enjoyment of human rights, as it takes into account the fact that ‘debt servicing’ is an issue for most countries today and has become a pretext for the introduction of austerity plans which are termed ‘structural adjustment plans’ and which are a breach of fundamental rights, including in the EU;

Civil and political rights

14. Calls on all states to combat torture, including within Member States; calls on the delegation of the EU and its Member States to include in the debate on torture and other inhuman and degrading punishment and treatment the issue of banning trade in products which can be used for the purposes of torture, both within and outside the EU;
15. Calls on the delegation of the EU and its Member States to reaffirm their opposition to

the death penalty and their advocacy of its universal abolition and of an immediate moratorium in those countries where it is still on the statute book; is concerned that a number of countries that had suspended capital punishment are resuming executions or re-establishing the death penalty on the pretext of the fight against terrorism and as part of the fight against drug trafficking;

16. Stresses the need to debate at this session of the HRC the issue of freedom of association and the struggle against all forms of repression, including assassination, directed against trade unionists, political and civil-society activists, artists and human rights defenders;
17. Takes note of the importance attached at the 31st session to freedom of religion or belief, and maintains that this involves both the right to believe and not to believe and the right to promote religious beliefs and to change them; re-emphasises its attachment to secularism – i.e. the strict separation of political and religious authority – as a fundamental characteristic of a democratic state, implying a rejection of all religious interference in the functioning of public affairs and of all political interference in religious affairs other than for purposes of upholding the rules on security and public order (including respect for others' freedom) and guarantees that everyone (whether believer, agnostic or atheist) can enjoy to an equal degree freedom of conscience and the right to express their beliefs publicly;
18. Considers the report on the right to privacy in the digital age to be particularly important; deplores the fact that technologies, including European technologies, are being used to violate human rights, in particular through censorship and mass surveillance; condemns, likewise, the mass spying on millions of people, in particular by the US National Security Agency; expresses its concern at the spread of monitoring and filtering technologies, which represent a growing threat to human rights activists and often violate the right to privacy; calls for these concerns to be taken into account when this item is discussed at the session; criticises the fact that the international community has still not entered into negotiations for the conclusion of an international agreement on the protection of personal data, for which Council of Europe Convention 108 could serve as a model, and calls on the delegation of the EU and its Member States to make efforts to draw up such a framework, in cooperation with their international counterparts;
19. Condemns the increasing extent to which security tasks, including military tasks, are being outsourced to private organisations and companies when they are sovereign powers which only states have the authority to wield, and calls on the European Union and its Member States to step up their efforts to put an end to these practices; takes the view that upholding human rights standards is a matter for states, and considers, therefore, that this involves the transfer of public service tasks, and that states must be held responsible for breaches of human rights and humanitarian law committed by the companies concerned;
20. Draws attention to the fact that inadequate regulation of the arms trade, together with a lack of transparency and of proper controls, have caused increasing levels of suffering in civil war and armed conflict; takes the view that the arms trade is fostering instability and corruption and scuppering peace processes; condemns, in particular, the role it

plays in countries such as Yemen, Somalia, South Sudan and Nigeria, and reiterates the warning concerning those countries issued by the UN Secretary-General on 22 February 2017; stresses, therefore, that this issue must be discussed during this session;

The rights of peoples, groups and individuals

21. Stresses the importance of upholding the fundamental rights of indigenous and tribal peoples as enshrined in ILO Convention 169, and is concerned by the deterioration in the situation of human rights defenders, activists, organisations and institutions that focus in particular on condemning land-grabbing; calls for a specific item on this issue to be included on the agenda of the HRC session;
22. Welcomes the importance attached to children's rights at the 34th session of the HRC, and the intention, following the adoption of Resolution 25/6, to monitor closely the issues surrounding the trafficking and sale of children, child prostitution and child pornography;
23. Calls on the EU and its Member States to work, as a priority, towards practical action by the HRC to put an end to human rights violations affecting civilians, particularly women and children, in wars and situations of violent conflict; calls for priority action to be taken, in particular, to halt the recruitment of child soldiers and to protect them;
24. Regrets the fact that the HRC's conferences in 2017 will not be addressing issues relating to the rights of LGBTI persons; condemns the violence and discrimination directed against LGBTI persons around the world; condemns in particular the enforced sterilisation of transgender persons, which persists in certain states, including states within the EU, and calls for an immediate end to this violation of human rights; calls on the international community to consider ways of bringing family law into line with changes in the way families live and are structured today, including by granting persons of the same sex the right to marry and adopt children; emphasises that lesbians often suffer multiple discrimination (as both women and lesbians) and that measures to foster equality for LGBTI persons must go hand in hand with measures to bring about equality for women and girls, in order to achieve equality and non-discrimination; expresses concern at the recent increase in the prevalence of laws, practices and acts of violence directed against persons on the basis of their sexual orientation and their gender; reaffirms its support for the ongoing work of the High Commissioner for Human Rights, in particular through declarations, reports and the 'Freedom and Equality' campaign, to ensure that LGBTI persons can exercise all their human rights; encourages the Office of the United Nations High Commissioner to continue to combat discriminatory laws and practices;
25. Welcomes the report on the protection of migrants' human rights; condemns the impact of EU border externalisation policies, which entail increased risks for persons seeking to travel to Europe in search of security and are causing an increase in the number of people dying at sea en route to Europe; stresses the need for the EU to base all migration policies, including border control policies, on a coherent, human-rights-based approach, in accordance with its international commitments; therefore condemns the 'Khartoum process', which involves cooperation with, in particular, the Eritrean and Sudanese regimes to 'manage migration'; reiterates its call on the EU Member States to implement 'democracy and human rights' clauses in all international agreements, of

whatever nature, and to guarantee respect for human rights in their own internal and external policies, without which the position of the EU in the HRC and in any other international forum dealing with human rights would be weakened;

Interdependence of human rights and issues relating to human rights

26. Notes the importance attached, at this 34th session, to the link between terrorism and human rights, and to the report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, in particular the right to life, liberty and physical integrity; stresses that the fight against terrorism must not under any circumstances serve as a pretext for restricting personal freedoms and fundamental rights; believes that the 'warlike' response by some Western countries, far from reducing the terrorist threat, only serves to aggravate the spiral of violence; reiterates that an effective plan to combat terrorism cannot be implemented until we put a stop to the funding of terrorist organisations, including by suspending all trade or partnership agreements with the countries that support those organisations; emphasises, furthermore, the importance of strengthening public intelligence, security and justice services, but also the need to implement prevention programmes and establish centres funded by governments to detect at an early stage the recruitment methods of terrorist organisations, prevent recruitment, close off recruitment channels and allow the rehabilitation of persons recruited by the organisations concerned; maintains that the right to both safety and security is fundamental and condemns any public policy seeking to discriminate against part of the population on the basis of its origin or religion, whether real or perceived; takes the view, therefore, that the discussion on the effects of terrorism on the enjoyment of human rights is extremely important;
27. Considers that the discussion on the establishment of a legally binding international instrument on transnational corporations and other business enterprises and human rights is absolutely vital; supports the work of the UN's intergovernmental working group on this matter and urges the EU institutions and Member States to adhere to resolutions on the subject and to make every effort in pursuit of that aim;
28. Considers, similarly, that information on human rights and the environment is extremely important and that it is intrinsically linked to the right of peoples to their natural resources, to land and to a sustainable environmental system; considers therefore that universal ratification and implementation of the Kyoto process, and of other international conventions enabling people actually to exercise these rights, is of fundamental importance; considers that the agreements reached at COP21 in Paris remain insufficient to halt climate change and guarantee the social and environmental rights of peoples; calls on the EU delegation and the representatives of the Member States to support, within the HRC, the proposal to set up an international environmental justice tribunal under the aegis of the United Nations and to seek the establishment of a binding legal instrument to penalise the most polluting states and undertakings;
29. Emphasises that the UN puts the number of persons who will be displaced for environmental reasons between now and 2050 at 200 million; stresses the need for a global approach designed to resolve problems linked to climate change, poverty, the use of and access to resources and the fight against land- and resource-grabbing by multinationals, in order to foster development and public access to basic goods, rights

and services; calls on the EU delegation to the HRC and the representatives of the Member States to participate actively in the debate on the term ‘climate and environmental refugee’, in order to formulate a legally binding definition for adoption under international law;

The right of peoples to self-determination and human rights situations requiring the HRC’s attention

30. Stresses once again the inalienable right of peoples to self-determination and to choose their own political, economic and social policies without external interference; calls on the EU and its Member States, on the occasion of the 2017 sessions of the HRC, resolutely to further that right rather than continuing to pursue the current policies; rejects, furthermore, the imposition of sanctions by the EU and the USA on third countries, essentially with the aim of protecting their own geopolitical and economic interests, rather than those of the peoples concerned, which should in fact be the primary consideration;
31. Is extremely concerned about the deterioration in the humanitarian and security situation in Syria following the occupation of a large part of the territory by the so-called ‘Islamic State’ organisation; once again strongly condemns the systematic human rights violations committed by terrorist organisations; is also particularly concerned about the violations of human rights committed by the Syrian regime, particularly breaches of freedom of expression, arbitrary detention and repression against human rights defenders; emphasises the importance of the conclusions of the Independent International Commission of Inquiry’s comprehensive, independent special inquiry into the events in Aleppo as regards identifying, where possible, all those in relation to whom there are reasonable grounds to believe that they are responsible for alleged violations and abuses of international human rights law; stresses that the conflict has been exacerbated by arms trading; strongly condemns the various Western interventions of recent years, which have had devastating consequences in terms of the radicalisation of individuals, especially in the Middle East and the southern neighbourhood countries; applauds the efforts made to promote political dialogue under the aegis of the UN with a view to overcoming the political crisis in the country and stresses that, in order to be effective, that dialogue must also involve members of the peaceful opposition to the Syrian regime;
32. Is deeply concerned by the recurring conflict in South Sudan; calls for an immediate ceasefire between the two parties to the conflict, and expresses its support for impartial mediation with a view to securing an agreement as soon as possible; calls for more humanitarian aid to be supplied to the civilians who are caught up in the fighting or who are fleeing the region; calls on the EU and its Member States to respect the principle of non-refoulement by opening their borders to refugees fleeing the crisis afflicting South Sudan; calls, similarly, for international commitment to end the supply of arms and military equipment to South Sudan and to end all arms exports in the region;
33. Underlines the importance of the discussions in the HRC on the crisis in Burundi; expresses its deep concern at the situation in Burundi and emphasises that it may have disastrous consequences for the region as a whole; calls for the Pact for Security, Stability and Development in the Great Lakes Region and the Protocol on Non-

Aggression and Mutual Defence to be observed; takes the view that the current crisis can be resolved only by means of national and regional political dialogue and must not, under any circumstances, serve as a pretext for further military intervention in the region; takes the view that Burundi's problems can be resolved only by giving all citizens equal rights, sorting out disputes over fertile farmland, tackling unemployment and poverty, fighting corruption, poverty, inequality and discrimination and promoting social, political and economic reforms to create a free, democratic and stable state;

34. Notes that the human rights situation in Iran is still a matter of great concern; condemns the repression directed against peaceful demonstrators and dissidents (including students, academics and human rights defenders), women's rights activists, lawyers, journalists and bloggers, which is commonplace there; stresses that the international community has a fundamentally important role to play in safeguarding peace; expresses its concern about the number of political prisoners and prisoners of conscience, the persistently high number of executions, including executions of minors, torture, unjust trials and the exorbitant sums demanded in bail, as well as the serious restrictions on freedom of information, expression, assembly, religion, education and movement;
35. Acknowledges the progress made to date with regard to human rights in Myanmar, while emphasising the work that remains to be done, particularly as regards the rights of minorities and freedom of expression, association and peaceful assembly; condemns the discrimination and repression directed against the Rohingya, which is being made worse by the fact that the members of the Rohingya community have no legal status, and by the increase in hate speech against non-Buddhists; calls for in-depth, transparent and independent inquiries into all human rights violations against the Rohingya;
36. Emphasises the importance of the discussion on Eritrea that is to take place during this session; roundly condemns the systematic and increasingly frequent human rights violations that are taking place in Eritrea; is extremely concerned by the economic and social situation of the entire population of Eritrea, and that of refugees in neighbouring countries; condemns the threats that are constantly being made against the Eritrean diaspora, including the 'Recovery and Rehabilitation Tax';
37. Welcomes the report on the human rights situation in Libya, including the fact that it focuses in particular on the effectiveness of the technical assistance and capacity-building measures from which the Libyan 'government' has benefited, as well as on assessing the support or additional technical assistance required to implement the resolution and recommendations set out in the inquiry report drawn up by the High Commissioner's Office on the human rights situation in Libya; takes the view that the EU and its Member States must take that report into account before engaging in any more thoroughgoing cooperation with the 'Libyan authorities', and calls for the protection of migrants and refugees in transit and human rights in Libya to be taken into account ahead of any other concerns;

The human rights situation in Palestine and other occupied Arab territories

38. Welcomes the special attention the HRC has paid in recent years to the human rights situation in Palestine and other occupied Arab territories, particularly the Palestinian people's right to self-determination and the establishment of an independent and viable state within the 1967 borders; urges the EU delegation to condemn all forms of

colonialism, particularly in Palestine, and in both the West Bank and East Jerusalem, where it is constantly on the rise; condemns, similarly, the violent attacks on the Palestinian people carried out by settlers, particularly in Hebron, and the plans for the forced displacement of the Bedouin;

39. Calls on the EU delegation to the HRC and on the Member States' representations to put pressure on the Israeli authorities to enable the UN mandate to be carried out; similarly calls on the EU and its Member States to take appropriate action to ensure that undertakings under their jurisdiction do not commit, or contribute to, human rights violations, in particular by means of activities or profits made in the settlements; in that regard, urges the EU to support forthcoming HRC resolutions on settlements and the publication of the HRC's annual database on businesses involved in violations of international law;
40. Condemns the situation of Palestinian prisoners in Israeli prisons; calls on the State of Israel to put an immediate end to the practice of mass imprisonment, which increased again in 2016, with over 6 000 people – including minors – imprisoned; also condemns extrajudicial executions, administrative detention, the transfer of prisoners outside the occupied territories (thereby depriving them of family visits), mistreatment, torture and force-feeding of prisoners and denial of appropriate and timely medical treatment, all of which constitute flagrant breaches of international law; calls on Israel to provide immediate guarantees of compliance with the United Nations Convention against Torture, to which it is party; condemns the detention and maltreatment of children and calls for the immediate release of children who are incarcerated; also calls for the immediate release of jailed Palestinian parliamentarians;
41. Is extremely concerned at the restrictions on civil and political freedom in Israel and in particular at the various laws concerning NGOs which restrict freedom of association, assembly and organisation; also denounces the heightened discrimination against minorities in the country, particularly the 'Arab' minority;
42. Criticises the fact that the issue of Western Sahara has not been placed on the agenda for the 2017 sessions of the HRC; calls for the fundamental rights of the people of Western Sahara, including freedom of association, freedom of expression and the right to assembly, to be respected; calls for the release of all Sahrawi political prisoners; calls for UN representatives, parliamentarians, independent observers, NGOs and the press to be allowed access to the territories of Western Sahara; urges the United Nations to provide Minurso with a human rights mandate, in line with all other UN peacekeeping missions around the world; supports a fair and lasting settlement of the Western Sahara conflict, on the basis of the Sahrawi people's right to self-determination, in accordance with UN resolutions 34/37 and 35/19; calls on the EU and its Member States to support the inclusion of an agenda item on the situation in Western Sahara at the forthcoming sessions of the HRC;

Racism, racial discrimination, xenophobia and related intolerance: follow-up and implementation of the Durban Declaration and Programme of Action

43. Considers that the attention paid in 2017 to stepping up equality and tackling discrimination – whether racial, directed against minorities or based on gender, sexual orientation or identity, or disability – is of great importance; stresses that in this area,

too, the EU and its Member States must implement the recommendations of the HRC;

44. Welcomes the importance attached to the issues of racism and discrimination at the 2017 HRC sessions, and in particular the global call for practical action with a view to the total elimination of racism, racial discrimination, xenophobia and related intolerance, and to the full implementation and follow-up of the Durban Declaration and Programme of Action; condemns once again racist, anti-Semitic, homophobic and xenophobic violence and violence against migrants, which have reached alarming levels in some Member States; expresses alarm at the upsurge in hate speech and stigmatising rhetoric directed against minorities or other groups and at the increasing influence that those phenomena have on certain parts of the media and on political movements and parties which are in government in some Member States, leading to the enactment of restrictive legislation;
45. Takes the view that the issue of discrimination against women and the elimination of all forms of violence against women are also crucial; stresses that universal access to health and to sexual and reproductive healthcare must remain a political priority, including free access to sex education, contraception methods and the right to abortion; stresses that eliminating violence against women and girls and combating sexual exploitation and trafficking in human beings must be a priority and have the objective of bringing about equality between women and men; calls, therefore, on the HRC and the international community to implement the ICPD+20, Beijing +20 and Rio +20 processes; stresses, likewise, that it is important for EU Member States to apply the recommendations made by the HRC in 2002 concerning international protection in relation to gender-related persecution, particularly in the context of immigration policies;

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46. Mandates its delegation to the 34th, 35th and 36th sessions of the HRC to voice the positions expressed in this resolution; calls on the delegation to report to the Subcommittee on Human Rights following its visit, and considers it appropriate to continue sending a European Parliament delegation to relevant sessions of the HRC;
47. Instructs its President to forward this resolution to the Council and the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the UN Security Council, the UN Secretary-General, the President of the 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.