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From: General Secretariat of the Council

On: 24 January 2022

To: Delegations

Subject: Council Conclusions on EU Priorities in UN Human Rights Fora in 2022

Delegations will find attached Council Conclusions on EU Priorities in UN Human Rights Fora in 2022, approved by the Council at its 3844th meeting held on 24 January 2022.

Council Conclusions on EU Priorities in UN Human Rights Fora in 2022

1. The EU is committed **to respect, protect and fulfil human rights, democracy and the rule of law** consistently and coherently **in all areas of its external action**. It continues to stand united in support of the UN Human Rights System as a cornerstone of its external action. Promoting a global system for human rights is at the heart of the EU's commitment to strengthening multilateralism and EU's leadership in supporting the rules-based international order. The EU reasserts that human rights, be they civil, cultural, economic, political, or social rights, are universal, indivisible, interdependent and interrelated. In this spirit, the EU will call for wide ratification and effective implementation of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and other human rights conventions, stepping up actions to realise, on an equal footing, all human rights. The EU will exercise vigilance over and counteract any attempt to undermine human rights and the core principles of individual dignity and equality, as rooted in the Universal Declaration of Human Rights and subsequent human rights instruments. The EU will address recently emerging risks for human rights, such as hybrid threats, risks inherent to technological developments and to environmental degradation and climate change, as well as persisting consequences of the ongoing COVID-19 pandemic on human rights, especially women and girls' enjoyment of rights, and on fundamental freedoms. Discrimination faced by persons in vulnerable situations, including persons with disabilities, has exacerbated and become more visible. The EU recalls that any restrictions to human rights in the context of the COVID-19 pandemic must be strictly necessary, proportionate, temporary in nature and non-discriminatory, in accordance with States' international human rights obligations. The EU will step up its efforts to help to ensure that all persons in all countries have equal access to safe, effective and affordable vaccines and treatments for COVID-19.

2. The EU remains **a firm supporter** of the mandate of the United Nations High Commissioner for Human Rights, her Office and **of the UN Human Rights system** at large, including the Human Rights Council, the Treaty Bodies, the Special Procedures and the Universal Periodic Review. The EU will continue to call on all States to respect the independence and cooperate for the effective delivery of the mandate of the UN High Commissioner on Human Rights and her office, while ensuring adequate financing. The EU will continue engaging in strengthening the HRC, including by reinforcing the link between New York and Geneva, 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 supports the UN Secretary General’s “Our Common Agenda” report and will engage actively in its implementation.

3. The EU will **continue monitoring the human rights situation globally and denouncing human rights violations and abuses** wherever they occur. It will use all instruments at its disposal, including the EU Global Human Rights Sanctions regime to bring about change and improve the situation of human rights worldwide. The EU **will acknowledge positive developments** in the field of human rights, and continue to **seek cooperation with all countries and regional organisations**, including through human rights dialogues. Our strategic response to the changing international environment will be to demonstrate common and united EU’s positions in international fora, to strengthen our longstanding relations with traditional partners by reaffirming our shared interests and values, as well as to widen and deepen partnerships with countries and regions around the world. Building new cross-regional and issue-based coalitions will be essential.

4. The EU reaffirms its commitment to fighting impunity and delivering justice for victims. On the **20th anniversary of the entry into force of the Rome Statute**, the EU will reiterate its unwavering support to the International Criminal Court (ICC) and will continue to call for the universal ratification of the Rome Statute and for full cooperation with the ICC. The work of the ICC as well as other courts and tribunals at national and international level is crucial to holding perpetrators of atrocity crimes accountable. The EU also supports the work of international investigative mechanisms that collect evidence of serious violations of international humanitarian law (IHL) and violations and abuses of international human rights law in order to facilitate criminal prosecution of those responsible.

5. The EU underscores the unique role of the **UNGA Third Committee and UN Human Rights Council** in addressing **country specific human rights situations**. In this context, the EU will remain proactive in addressing emerging human rights crises and denouncing grave and deteriorating human rights situations. The EU will continue to take a leading role on initiatives regarding Afghanistan, Belarus, Burundi, DPRK, Eritrea Ethiopia, and Myanmar. It will consider additional initiatives should the situation so require. The EU will also lend its support to any initiative on countries that, due to the human rights situation, should be on the agenda of the Human Rights Council or the Third Committee. The EU will closely follow initiatives on Cambodia, Central African Republic, Democratic Republic of Congo, Georgia, Iran, Libya, Mali, Nicaragua, the occupied Palestinian territory, Philippines, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Yemen and Venezuela. The EU will also continue to follow closely the situation in the Autonomous Republic of Crimea and the city of Sevastopol illegally annexed by the Russian Federation and will support relevant initiatives in this respect. The EU will actively engage in interactive dialogues with special procedures' mandate holders and in general debates to draw attention to critical human rights situations, including in the Russian Federation and China.

6. The EU will continue to be equally committed to promoting, constructively engaging and supporting **thematic resolutions and initiatives** at the UNGA Third Committee and the UN Human Rights Council. The EU will continue to take a leading role on initiatives on the Rights of the child (jointly with GRULAC partners), on Freedom of religion or belief, on Human rights and climate change and on the Moratorium on the use of the death penalty.
7. The EU will continue calling on all states to uphold **international human rights law** and to grant unconditional and unhindered access to the UN and human rights monitoring mechanisms to their territories. The EU will also continue calling on all parties to armed conflicts to fully uphold international **humanitarian law** and to ensure full, safe immediate and unhindered countrywide access for the delivery of humanitarian aid to populations in need. The EU will continue to urge parties to armed conflicts to take all necessary measures to protect civilians, particularly women and children, persons with disabilities, as well as medical and humanitarian personnel, and to protect civilian infrastructures, including educational and health facilities. The EU will continue to support the strengthened incorporation of human rights in the UN's peace and security efforts. In order to further protect civilians and promote principled humanitarian action, the EU will also support partners to adopt and implement robust human rights and IHL compliance frameworks.

The EU is alarmed by the prolonged conflict in **Ethiopia**. It will continue to call upon all parties to the conflict to immediately cease fire and to refrain from any violations and abuses of human rights, such as sexual and gender-based violence, including rape, and ethnically targeted violence, and any violations of international humanitarian law, as well as refugee law. The EU will work to ensure accountability for the crimes committed in Ethiopia. The EU will continue to underline the Taliban-appointed caretaker cabinet's responsibility in ensuring the respect for human rights and fundamental freedoms of all persons living in **Afghanistan**, particularly women, children, persons belonging to minorities, as well as in ensuring the safety of human rights defenders, journalists and media workers, and magistrates, especially women who worked in the judiciary. The EU will continue calling for an inclusive and representative government with the full, effective, equal and meaningful participation of women and representatives of ethnic and religious minorities, based on the rule of law and respect for human rights. The EU will continue to call for the re-establishment of the Afghan Independent Human Rights Commission (AIHRC) as a key national human rights institution. The EU will underline that accountability for human rights violations and abuses and violations of international humanitarian law must be ensured and recall that Afghanistan is a party to the Rome Statute of the ICC. It is vital that all parties inside and outside Afghanistan assist the implementation of the mandate of the Special Rapporteur to be appointed by the Human Rights Council for the monitoring of the human rights situation in Afghanistan, including on issues such as transitional justice and extrajudicial killings and disappearances of former members of the Afghan security forces who surrendered to or were apprehended by the Taliban, and give appropriate follow-up to the recommendations. The EU will also reaffirm the need for continued safe passage, secure and orderly departure of all foreign nationals and Afghans who wish to leave the country and continue calling for unhindered access of humanitarian operators to all regions in Afghanistan. The EU will reiterate its call for an end to violations of international humanitarian law and human rights violations and abuses including torture in **Syria** by all parties to the conflict, in particular the regime and its allies and commends and fully supports the various international efforts designed to achieve truth and justice for the victims and accountability for the crimes that have been committed.

All those responsible must be held accountable. The EU will continue to demand meaningful engagement by the Syrian regime and its allies towards the full implementation of the United Nations Security Council resolution 2254, and to call for an end to repression, the release of detainees, and information on the fate of the missing persons.

8. The EU will be repeatedly calling on all states around the world to ensure the proper functioning of democratic institutions, **respect for the rule of law** and the principles of good governance, the independence of the judiciary and to fight impunity and inequality, bearing in mind that several structural conditions such as corruption may lead to human rights violations. It will urge states to uphold the rights to meaningfully participate in public affairs, freedom of peaceful assembly and association. It will raise concern about the unabated systematic crackdown on civil society, human rights defenders, independent media and journalists, political opposition members and critical voices, as well as persons in vulnerable situations, and persons belonging to religious minority groups and other stigmatised groups, including LGBTI persons, in the **Russian Federation**. The EU will continue to monitor and condemn restrictions on human rights and fundamental freedoms, and reinforced restrictive legislative measures under the “foreign agents” law and the laws on “undesirable” and “extremist” organisations, which further silence independent voices, shrink the space for civil society and hinder documenting of human rights violations. It will also voice concerns about the crackdown on independent research into the history of political repression. Understanding the atrocities of the past is a value that must enjoy support and protection. The EU will continue to urge the Russian Federation to implement the international recommendations regarding the allegations of serious human rights violations and abuses, including torture, in the Russian Federation’s Republic of Chechnya, committed against human rights defenders, members of the independent media, lawyers, and others. The EU remains concerned that the human rights situation in the **Autonomous Republic of Crimea and the city of Sevastopol** has significantly deteriorated since its illegal annexation by the Russian Federation. The EU remains gravely concerned about the deteriorating human rights situation in areas of **eastern Ukraine** currently not under the control of the Ukrainian Government. The EU will continue

to follow with great concern the human rights situation in the **Georgian breakaway regions of Abkhazia and South Ossetia**. The EU is alarmed by the continued deterioration of the human rights situation in **Belarus**. It will continue to strongly condemn widespread and systematic torture and ill-treatment in the context of arbitrary arrests, the numerous cases of enforced disappearances, the curtailment of a broad spectrum of rights and freedoms, as well as the repression and intimidation campaign led against human rights defenders, representatives of the civil society, independent media and persons belonging to national minorities. The EU will continue demanding immediate and unconditional release of all political prisoners. Those responsible for these serious human rights violations should be held accountable and punished. The EU will continue to urge Belarus to cooperate fully with international and regional human rights monitoring mechanisms, including the UN Special Rapporteur on the human rights situation in Belarus and the OHCHR-led accountability mechanism. The EU will urge the Chinese and the **Hong Kong** authorities to restore full respect for the rule of law, human rights, including media freedom and pluralism, democratic principles, and respect the independence of the Judiciary, in compliance with Hong Kong's Basic Law and China's domestic and international commitments. In addition, **Turkey**, as an EU candidate country and long-standing member of the Council of Europe, is expected to adhere to its respective commitments.

9. The EU will continue calling on all states to respect, protect and fulfil the **human rights of persons belonging to minorities**, and welcomes the 30th anniversary of the Declaration of the rights of persons belonging to National or Ethnic, Religious, and Linguistic Minorities. The EU 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 opinion and expression. The EU will continue to follow with great concern the human rights situation in **China**, particularly in the Xinjiang Uighur Autonomous Region, the Tibet Autonomous Region and the Inner Mongolia Autonomous Region. The EU remains seriously concerned about the numerous reports of widespread human rights violations and abuses in China, in particular in the above-mentioned Regions, including arbitrary detentions, torture and ill-treatment of detainees, the existence of a large network of political re-education camps, widespread surveillance and systemic restrictions on freedom of religion or belief, the use of forced labour, forced sterilisation, birth control and family separation policies and sexual and gender-based violence. The situation of persons belonging to ethnic and religious minorities across China, notably Uighurs and persons belonging to other minorities remains of particular concern. The EU will continue to call upon China to comply with its human rights obligations under national and international law. The EU will continue to urge the UN High Commissioner for Human Rights to address the human rights situation in China, in particular in the Xinjiang Uighur Autonomous Region (XUAR), including through an independent, objective, impartial and transparent assessment. The EU will continue to follow with great concern the persisting human rights violations and abuses, including those resulting from arbitrary detentions by the military in **Myanmar/Burma**, including against Rohingya Muslims and persons belonging to other minorities, and to call for justice and accountability of those responsible. The EU will continue condemning in the strongest terms the military coup of 1 February 2021, denouncing the violence against civilians, including sexual and gender-based violence, and calling for an inclusive dialogue of all relevant stakeholders directed at the restoration of democracy and the rule of law, as well as for safe and unimpeded humanitarian access and for immediate and unconditional release of all those arbitrarily detained. The EU will continue to call on the Russian authorities to respect human rights,

including the rights of persons belonging to ethnic, national and religious minorities, including Crimean Tatars in the **Autonomous Republic of Crimea and the city of Sevastopol**, illegally annexed by the Russian Federation.

10. The EU will continue to strongly oppose the **death penalty** in all circumstances. It will call on all countries to support the UNGA Resolution promoting a moratorium on the use of the death penalty, and on all remaining countries still applying death penalty to abolish it, or to maintain or to introduce a moratorium as a first step towards abolition. It will encourage states where a moratorium is in place to abolish the death penalty in law. The EU will promote the widest ratification of the Second Optional Protocol to the ICCPR. It will advocate for a strong participation to the 8th World Congress Against Death Penalty in Berlin in November 2022 and support other initiatives in this context.
11. The EU will continue to condemn the widespread use of **torture** and other cruel, inhuman or degrading treatment or punishment around the world, and strive to eradicate these practices globally. It will urge the independent investigation of serious human rights violations and abuses, wherever they occur, and work to ensure accountability of perpetrators. It will continue to condemn arbitrary arrests and detentions and will further support the independent monitoring of prisons and other places of deprivation of liberty, the improvement of detention conditions and treatment of persons deprived of liberty, in line with international obligations and standards. The EU will call for a broad ratification and effective implementation of the UN Convention against Torture and its Optional Protocol. It will further promote efforts to ban trade in goods used for capital punishment and torture through the Alliance for Torture-Free Trade.

12. The EU will continue to support **human rights defenders** (HRDs) and civil society organisations, including women-led and youth-led organisations, and will operate to ensure their effective and meaningful participation in all UN processes. The EU strongly condemns threats, attacks, criminalisation, illegal surveillance, smear campaigns, arbitrary detention, enforced disappearances and killings of HRDs. The EU will pay particular attention to HRDs who suffer from reprisals after engagement with the UN system and will continue to support the work of the UN Assistant Secretary-General for Human Rights in this regard. The EU will pay attention to the specific risks faced by certain categories of HRDs, notably women human rights defenders, environmental, land and indigenous human rights defenders, defenders of the rights of LGBTI persons, and those who defend labour rights. It will strengthen its support to create an enabling environment for a vibrant and pluralistic **civil society** that is afforded the space to operate independently, and will oppose disproportionate legal and administrative restrictions on civil society organisations that limit their ability to operate, including punitive registration regimes and restrictions on the receipt of funding or administrative restriction on registrations of organisations. The EU will further undertake actions aimed at releasing human rights defenders worldwide in cooperation with UN High Commissioner for Human Rights and her Office and other organs of the UN.

13. The EU will promote and protect the right to **freedom of opinion and expression** online and offline and will support media pluralism and media freedom worldwide. It will continue to strongly condemn threats and attacks against journalists, bloggers and other media workers and to recall the responsibility of states to ensure that their national legislation, policies and actions are in line with their obligations under international human rights law. The EU will continue to express concern about the increased state control over the online space, protecting democratic processes and ensuring a human rights-based approach to countering disinformation.

14. The EU will continue to engage actively within UN fora to draw attention to the impact of new and emerging **digital technologies** on human rights. The EU will continue to work with the OHCHR and other partners on the implementation of the UN Secretary General Roadmap on Digital Cooperation. The EU will advocate for an open, free, interoperable, reliable and secure internet and will look in particular at certain key issues such as internet shutdowns, protection of online civic space, data protection, the protection of the right to privacy and how to combat illegal surveillance, online censorship, disinformation and cybercrime. The EU will promote a human rights-based approach to the design, development, deployment, evaluation and use of new digital technologies, including with regard to Artificial Intelligence (AI) in line with the upcoming EU legislation on the matter.

15. The EU will continue to strongly oppose and step up action to combat all forms of **discrimination**, with a specific attention to multiple and intersecting 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 reiterates its commitment to equality and non-discrimination and to the entitlement of all persons to enjoy the full range of human rights and fundamental freedoms. 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.

16. 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, in line with its international commitments. The EU will use each and every occasion in all relevant fora to reaffirm these commitments, including in the United Nations Commission on the Status of Women, with a view to addressing the root causes of gender-based discrimination and inequality. The EU will continue to promote the integration of a gender perspective throughout UN human rights fora, including in peace and security initiatives, and to support the full, effective, equal and meaningful participation of all women and girls at all levels of decision making, including through the implementation of UNSCR 1325 and subsequent resolutions on Women, Peace and Security. The EU will continue to place the prevention and elimination of all forms of sexual and gender-based violence including domestic and intimate partner violence both online and offline, and child, early and forced marriage, female genital mutilation and other harmful practices against women and girls, at the centre of its efforts, also through the EU-led Group of Friends for the elimination of violence against women and girls. The EU will continue to reiterate the need for whole-of-society efforts to engage men and boys in ending sexual and gender-based violence, eliminating gender inequalities, addressing discriminatory social norms and combating gender stereotypes.
17. 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 (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (**SRHR**), in this context. Having that in mind, the EU reaffirms 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.

18. The EU will continue to engage in a constructive manner on all initiatives related to fighting **racism**, racial discrimination, xenophobia and related intolerance worldwide, while keeping in mind its longstanding position on the need to ensure the universal ratification and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, as well as the need to implement the Durban Declaration and Programme for Action and to rationalise and streamline where needed, its follow-up mechanisms.

19. The EU will remain committed to the promotion and protection of **freedom of religion or belief**. It will condemn discrimination, intolerance, violence, and persecution against or by any person based on grounds of religion or belief. The EU will promote and protect the right for everybody to have or not have a religion or belief, to manifest or to change their religion or belief, while condemning the criminalisation of apostasy and the abuse of blasphemy laws. The EU will continue to promote and protect the right to freedom of expression and to support interfaith dialogue as an effective tool to promote human rights. The EU will contribute to UN conflict prevention, reconciliation and mediation efforts, including by contributing to efforts to safeguard religious heritage, while fully respecting human rights.

20. The EU will step up action to uphold human rights law and principles as well as international humanitarian law and refugee law 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 forced displacement and migration will continue focusing on addressing the root causes of irregular migration and forced displacement. The EU will further support countries on migration governance, in disrupting the business models of migrant smugglers and traffickers in human beings, better managing Europe's external borders and offering opportunities for legal pathways to migration while fully respecting the national competences and giving due consideration to the current realities caused by the COVID-19 pandemic. The EU will continue to call on all states to prevent trafficking in and smuggling of human beings, to protect victims, maintaining a gender and children-sensitive approach and to ensure effective prosecution of perpetrators. The EU will continue to strongly condemn and counter the state-sponsored instrumentalisation of refugees and migrants by third countries, including smuggling of refugees and migrants organised by Belarusian regime for political purposes and the humanitarian crisis it has created.
21. The **climate crisis** is a human rights crisis. The EU will continue to take a global lead on climate change and environmental issues and support measures to address the serious impact of climate change, the loss of biodiversity and environmental degradation on the full enjoyment of all human rights, including the human rights to safe drinking water and sanitation. In this regard, the EU welcomes the adoption of the resolution on the human right to a clean, healthy and sustainable environment and the resolution creating a mandate for a Special Rapporteur on the promotion and protection of human rights in the context of climate change. The EU will continue engaging actively on UN resolutions on the human rights and climate and environment nexus, and make further progress towards the global recognition of the right to a clean, healthy and sustainable environment as a human right. The EU underscores the importance of securing access to information, public participation in decision-making and access to justice, in environmental matters.

22. The EU will continue promoting the rights of indigenous peoples as set out in the UN Declaration on the Rights of **Indigenous Peoples** and international human rights law, and will in this regard engage actively in all relevant fora where the rights of indigenous peoples are discussed. The EU will continue efforts to enhance the participation of indigenous peoples' representatives and institutions in relevant United Nations bodies on issues affecting them. In this context, the EU welcomes the launching of the International Decade of Indigenous Languages 2022-2032.
23. The EU will continue promoting and protecting all rights of all **children**, particularly those in vulnerable situations, and continue supporting initiatives in this regard, including by facilitating meaningful child participation. It will further promote and implement measures to prevent all forms of violence against children. 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. The EU will continue promoting a zero-tolerance policy on child labour and child-related abuse online and offline. Every child must have a safe, unhindered access to equitable and inclusive quality education under all circumstances.
24. The EU is determined to continue making strides in the implementation of the UN 2030 Agenda for Sustainable Development across the EU and worldwide. The EU will reiterate that the full enjoyment of all human rights, be they civil, political, economic, social and cultural rights, by all, is a pre-condition for inclusive and sustainable development and will promote a **human rights-based approach to development**. The EU will reiterate its position that the right to development is rooted in the universal, indivisible, interrelated, and interdependent nature of all human rights, and individuals are the central actors, drivers, and beneficiaries of the development process, while acknowledging the multilateral nature of development strategies. In this spirit, the EU will engage in UN-level discussions on the right to development and advocate for consensual deliberations, while maintaining its principled stance with regard to the elaboration of a legally binding instrument on the right to development.

25. **Terrorism and organized crime** constitute a very serious threat to international peace and security. The EU calls on all states, to ensure that the response to terrorist crimes and organized crime are in full compliance with international law, in particular international human rights, humanitarian and refugee law. The fight against terrorism requires putting victims at the centre and ensuring that the rights of victims are protected and promoted.
26. The EU will continue cooperating with the OHCHR and the UN Working Group on **Business and Human Rights** to promote the global implementation of the UN Guiding Principles on Business and Human Rights (UNGPs). It will continue supporting the adoption of National Action Plans and developing a comprehensive EU Framework for UNGP implementation, taking as a reference the UN UNGP Roadmap for the next decade of business and human rights. The EU will engage actively in the UN discussions, on a legally binding instrument on business and human rights, including through a possible involvement in the suggested Group of Friends of the Chair and by working with partners to explore ideas for a consensus-based instrument that can effectively enhance the protection of victims and create a global level playing field.
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