



Council of the
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LIMITE

COHOM 6
COPS 12
CONUN 5
COASI 2
MAMA 8
COEST 19
COAFR 6
DEVGEN 6
CFSP/PESC 37

'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee (Part 2)/Council

Subject: Draft Council Conclusions on EU Priorities in UN Human Rights Fora in 2023

1. On 17 January 2023, the Working Party on Human Rights (COHOM) concluded its discussion of the text of the draft Council conclusions on EU Priorities in UN Human Rights Fora in 2023.
2. On 17 January 2023, the Political and Security Committee (PSC) discussed the remaining open issues in the text of the draft Council conclusions. On 8 February 2023, the draft Council conclusions were agreed at PSC level.
3. COREPER is therefore invited to approve the draft Council conclusions as contained in the annex and to agree to forward them to the Council for approval.

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Council conclusions on EU Priorities in UN Human Rights Fora in 2023

1. 2023 marks the **75th anniversary of the Universal Declaration of Human Rights**. The EU reaffirms its unequivocal commitment to respect, protect and fulfil all human rights and to defend their universality. The EU stands united as a staunch supporter of the United Nations human rights system, and will continue to actively uphold, defend and promote all human rights as a priority of its external action. The EU advocates for a strong and efficient UN, able to respond to the challenges of the 21st century, supports the UN Secretary General’s “Our Common Agenda” report and calls for the adequate financing of the UN Human Rights system. In the spirit of the Vienna Declaration and Programme of Action adopted 30 years ago, the EU reasserts that human rights are **universal, indivisible, interdependent and interrelated**, be they civil, cultural, economic, political or social. The EU continues to call for wide ratification and 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.
2. The EU welcomes the appointment of a new **UN High Commissioner for Human Rights**, firmly supports his mandate, and calls upon all states to respect its independence and to fully cooperate with the High Commissioner and his Office while ensuring adequate financing. The EU underlines the importance of the work done on the ground by the Office of the High Commissioner to help states to strengthen their national human rights framework. The EU calls on all states to fully engage with the human rights system, including the Human Rights Council and the Special Procedures and other mandate holders, both thematic and country specific, the Treaty Bodies and the Universal Periodic Review.

3. The EU will continue **to cooperate with all regions of the world**, to engage in good faith to improve the human rights situation, prevent and end human rights violations and abuses, and hold those responsible accountable. The EU commits to working with UN members to underline that respect for human rights is an essential element of resilient, inclusive and democratic societies. In doing so, the EU aims to ensure that the UN human rights fora pursue a comprehensive thematic agenda and continue addressing the most serious human rights violations and abuses, wherever and by whomever they are committed. The EU 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.
4. 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. The EU will remain committed to promoting access to justice and an effective remedy for victims of human rights violations and abuses. In pursuit of **accountability**, the EU will call, or support calls by others, for independent investigations into violations of international human rights law and international humanitarian law, including those that may amount to international crimes. The EU will continue to promote the universality of the Rome Statute on its 25th anniversary and continue to provide political and financial support to the International Criminal Court (ICC). It will remain committed to bringing the perpetrators of the most serious international crimes to justice, in accordance with international law.

5. This year as in previous years, the EU will raise its voice against **human rights violations and abuses wherever they occur, and considers the UNGA Third Committee and the Human Rights Council appropriate fora to address those situations.** The EU will lend its support to relevant initiatives that should be on the agenda of the Human Rights Council or the Third Committee. The EU will continue to take a leading role on initiatives regarding Afghanistan, Belarus, Burundi, DPRK, Eritrea, Myanmar/Burma and Ethiopia, and will continue to encourage the latter in its efforts for reconciliation, accountability and transitional justice. It will closely follow initiatives on Cambodia, Central African Republic, Democratic Republic of the Congo, Georgia including the human rights situation in the Georgian breakaway regions of Abkhazia and South Ossetia, Iran, Libya, Mali, Nicaragua, the occupied Palestinian territory, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Venezuela and other country-specific initiatives, as appropriate. 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 in particular continue to condemn in the strongest possible terms Russia's unprovoked and unjustified war of aggression against **Ukraine** and raise its voice against all violations of international human rights law and international humanitarian law, including sexual and gender-based violence, stemming from the Russian military aggression. The EU welcomes and encourages further efforts to ensure full accountability for war crimes and the other most serious crimes in connection with Russia's war of aggression against Ukraine, including ways to secure accountability for the crime of aggression. It underlines its support to the investigations by the Prosecutor of the International Criminal Court and the renewal of the mandate of the Commission of Inquiry on Ukraine by the Human Rights Council. The EU will urge Russia to fully abide by its obligations under international law, cease its aggression immediately and unconditionally and fully respect Ukraine's sovereignty, independence and territorial integrity within its internationally recognised borders. The EU will also continue to call on the Belarusian authorities to stop enabling the Russian war of aggression. The EU will continue to follow closely the situation in the territories of Ukraine illegally annexed by the Russian Federation, including the Autonomous Republic of Crimea and the city of Sevastopol, and will support relevant initiatives in this respect.

7. The human rights crisis in **Afghanistan** is worsening, particularly with regard to women, girls, persons belonging to ethnic and religious minorities and groups and LGBTI persons, who are systematically denied their human rights. The EU condemns the reintroduction of corporal and capital punishments, as well as the denial of the right to education for Afghan women and girls and severe limitation of their participation in public and social life, including the ban from working with NGOs. The EU will support the mandate of Special Rapporteur on the human rights situation in Afghanistan and continue to underline the responsibility of the Taliban in ensuring the respect for human rights and fundamental freedoms. The EU will continue to express its support for all the people of **Myanmar/Burma**, including Rohingya and other minorities and call for an end to all acts of violence by the Myanmar military regime across the country and for the unconditional and immediate release of all those arbitrarily detained, in particular as a consequence of the 2021 military coup and for the restoration of the democratic process with the involvement of all the stakeholders. In this regard, the EU will reiterate the need for accountability for all human rights violations in the country and will continue to support the work of the Independent Investigative Mechanism for Myanmar, calling on all countries to cooperate with the Mechanism. The EU will urge the **Iranian** authorities to uphold human rights, including women's and girls' rights, freedom of opinion and expression, freedom of religion or belief, and the right to peaceful assembly. It will also urge to stop the crackdown on protests, release all non-violent protestors and provide due process to all detainees. The EU will reiterate its unequivocal opposition to the death penalty, condemn the recent death sentences pronounced and carried out in the context of the ongoing protests in Iran, and urge the Iranian government to stop all further executions and to fully cooperate with the Independent Fact-Finding Mission established by the Human Rights Council. The EU will continue to monitor and condemn the systematic internal repressions against civil society, human rights defenders, critical voices, independent media, as well as persons belonging to minority groups, including persons belonging to national minorities, and other stigmatised groups in the **Russian Federation** and **Belarus** and will urge their authorities to respect human rights and fundamental freedoms. The EU will call on Belarus to immediately and unconditionally release and rehabilitate all political prisoners. The EU will urge Belarus to cooperate fully with international and regional human rights monitoring mechanisms. The EU will call on the Russian Federation to fully cooperate with all special procedures related to the human rights situation in the Russian Federation. The EU will reiterate its serious

concerns about the human rights situation in **China**, including in the Tibet Autonomous Region, the Inner Mongolia Autonomous Region, Hong Kong and the Xinjiang Uighur Autonomous Region, while referring to the recommendations of the High Commissioner's independent report on the human rights situation in Xinjiang. The EU will pay particular attention to the full enjoyment of human rights and exercise of fundamental freedoms, notably of expression, association and peaceful assembly, freedom of religion or belief, as well as to protecting women's and girls' rights, to preserving cultural identity and to ending the use of forced labour. Moreover, it will continue to closely monitor individual cases of human rights defenders of concern. The EU will urge the Chinese Government and the Hong Kong authorities to restore the full respect for the rule of law and human rights. The EU will call for an end to violations of international humanitarian law and human rights violations and abuses by all parties to the conflict in **Syria**, in particular by the regime and its allies, and reiterate that an inclusive political solution based on the UNSCR 2254 is the only route to sustainable peace. The EU welcomes the report by the UN Secretary General recommending the establishment of a new international body on missing people in Syria and will look positively into proposals for support of such mechanism. In addition, **Türkiye**, as an EU candidate country and long-standing member of the Council of Europe, is expected to adhere to its respective commitments.

8. In the context of the 25th anniversary of the Declaration on Human Right Defenders (HRDs), the EU will redouble its efforts to support HRDs and engage closely in the UN fora with **civil society and HRDs** in its broadest definition, including women-led and youth-led organisations. The EU will continue to defend and promote civil society's full and meaningful participation in all instances of UN fora. The EU will strongly condemn any form of reprisals against HRDs and civil society organisations who cooperate, seek to cooperate or have cooperated with the UN system. The EU will continue to support the work of the UN Assistant Secretary-General for Human Rights in this regard. The EU will be a leading actor in the promotion of a safe and enabling environment for civil society and HRDs, including those active in exile, and continue to condemn any threats or attacks against them. It will pay special attention to emerging threats against HRDs such as unlawful online surveillance, as well as transnational repression. The EU will pay particular attention to the specific risks faced by certain categories of HRDs who are often subjected to discrimination, violence and harassment, both online and offline, notably women HRDs, environmental, land and indigenous HRDs, defenders of the rights of LGBTI persons, and those who defend labour rights. The EU will also oppose legal and administrative measures shrinking civic space, such as barriers to NGO registration, restrictions on access to resources, onerous vetting rules and burdensome reporting requirements. The EU will work closely with the UN High Commissioner for Human Rights and with Special Procedures to ensure that the voices of civil society and HRDs are heard.

9. The EU will continue to promote and protect the right to **freedom of opinion and expression** both online and offline, **as well as media freedom** and to condemn harassment, threats and attacks against journalists, bloggers and other media workers. It will reinforce support to plural and independent media and will recall the responsibility of states to ensure that their national legislation, policies and actions on information are in line with their obligations under international Human Rights law. The EU will continue to alert about the increased state control over the online space, protecting democratic processes and ensuring a human rights-based and whole-of-society approach to proactively countering foreign information manipulation and disinformation. The EU will also strengthen its action to uphold **academic freedom**. The EU will continue to protect and promote **freedom of assembly and association** and to condemn intimidation, threats and violence against peaceful protesters.
10. The EU will remain committed to the promotion and protection of the right to **freedom of religion or belief** (FoRB) for all individuals around the world. 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 support interfaith dialogue as an effective tool to promote human rights. The EU will engage actively with and support the mandate of the UN Special Rapporteur on FoRB.

11. The EU will continue to condemn the use of **torture** and other cruel, inhuman or degrading treatment or punishment around the world. The EU will speak out against 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 reiterate its call for a broad ratification and effective implementation of the UN Convention against Torture and its Optional Protocol. As part of its endeavours to eradicate torture globally, the EU will continue to promote the Global Alliance for Torture-Free-Trade and will consider further steps to ban trade in goods used for capital punishment and torture. The EU will continue to strongly oppose **death penalty** in all circumstances and will promote the widest ratification of the Second Optional Protocol to the ICCPR. The EU will call 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.
12. 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 and civilian objects. 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.

13. The EU reaffirms its strong commitment to respect, protect and fulfil, as well as to promote all **economic, social and cultural rights** (ESCR), including the right to education, food, water and sanitation, health, adequate housing and decent work, among others and support relevant initiatives in this regard. The EU will engage on ESCR proactively across its initiatives. It will continue to pay specific attention to the human rights aspects of the food security crisis. The EU will continue to promote the right to **education**, including human rights education and life-long learning, the intersection with the **digital agenda**, social and digital inclusion, gender equality and the empowerment of all women, and non-discrimination. The EU will continue promoting the aspects of the protection of cultural heritage.
14. The EU will actively promote universal human rights and fundamental freedoms, the rule of law and democratic principles in the **digital space**. The EU will promote a human rights-based approach to new digital technologies, including with regard to Artificial Intelligence (AI). The EU will continue to engage actively within UN fora to draw attention to the opportunities and 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’s Roadmap on Digital Cooperation including the Office of the Tech Envoy, and the elaboration of the Global Digital Compact. The EU will advocate for an open, free, interoperable, reliable and secure internet and will continue to raise attention to the impact of internet shutdowns, online censorship and unlawful online surveillance. The EU will continue to call for the protection of online civic space, to enhance data protection, and to combat disinformation and cybercrime.

15. The EU will continue to support measures to address the impact of **climate change**, the **loss of biodiversity** and **environmental degradation** on the full enjoyment of all human rights. The EU will promote the important role of environmental and indigenous human rights defenders in this regard. The EU will actively engage in discussions advancing the human right to a clean, healthy and sustainable environment and promote inclusion and non-discrimination. The EU will engage actively on UN resolutions on the human rights and climate and environment nexus, also in light of the outcome of COP27. The EU underscores the importance of securing access to information, public participation in decision-making and access to justice in environmental matters.
16. The EU will reiterate its stance that the full realisation of all human rights, for all is a precondition to achieve inclusive and sustainable development. In this spirit, the EU will continue to contribute to the implementation of the UN 2030 Agenda for Sustainable Development by applying a human rights-based approach to development cooperation. This approach, in line with the EU common position on this subject, contributes to the **right to development** as rooted in the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights, with individuals as the central actors, drivers and beneficiaries of the development process. As to the process of elaboration of a legally binding instrument on the right to development, the EU will engage in a constructive manner without prejudging its final position to make the revised draft convention on the right to development fully compliant with international human rights norms.

17. The EU will vigorously promote and scale-up international efforts towards **gender equality**, the advancement and full enjoyment of all human rights by all women and girls and their empowerment, in line with its international commitments, including through mainstreaming gender equality in country and thematic contexts. The EU will continue to promote the integration of a gender perspective in peace and security initiatives, including through the implementation of UNSCR 1325 on Women, Peace and Security and subsequent resolutions. The EU will use each and every occasion in all relevant fora to reaffirm and deliver on these commitments, including in the Commission on the Status of Women and the Commission on Population and Development and stresses the need for an ambitious and transformative approach to address the root causes and risk factors of gender inequality, discrimination and violence against women and girls. The EU will continue to place the prevention and elimination of all forms of **sexual and gender-based violence** both online and offline, including domestic and intimate partner violence, child, early and forced marriage, female genital mutilation and other harmful practices against women and girls, at the centre of its efforts, and promote whole-of-society efforts to engage men and boys as allies and beneficiaries for gender equality in ending sexual and gender-based violence, eliminating all gender inequalities, addressing discriminatory laws and social norms and combating gender stereotypes. The Council recalls its commitment to support women's and youth' equal, full, effective and meaningful participation, in all their diversity, including in all spheres of public and political life, as per the EU Action Plan on Human Rights and Democracy 2020-2024.

18. 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.
19. 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, and to the participation of, inter alia, youth, girls and women, persons with disabilities and LGBTI persons, as well as to the protection of those who are in disadvantaged, vulnerable and marginalised situations, including children. The EU will consistently and constructively engage with UN mandates focusing on combating violence and all forms of discrimination and will continue to give strong support to the UN work in this regard.

20. The EU will continue to vigorously support the **rights of the child**. This commitment will continue to be a key component of its efforts to prevent all forms of violence against children, as well as to promote universal access to education, with a particular attention to girls' access to education. The EU will continue to pay special attention to those who are in conflict and post-conflict situations and in disadvantaged, vulnerable and marginalised situations, including indigenous children and children belonging to minorities, including national and ethnic minorities, as well as children with disabilities. The EU will fully support and actively cooperate with the mandates of the Special Representatives of the Secretary-General on children and armed conflict and violence against children. To guarantee that children can have a positive and safe experience online and are protected from hazards, it is essential to effectively address violence against children online, all forms of exploitation and abuse, cyberbullying, and exposure to harmful content. The EU will invite all partners, which have not yet done so to ratify the Convention on the Rights of the Child and encourage and support ratification and implementation of its optional protocols.
21. The EU will step up action to ensure **full enjoyment of all human rights by older persons**, strengthen long-term care, address its quality, accessibility and affordability and support the efforts to tackle age-based discrimination and ageism in order to ensure life in dignity and well-being of older persons, social fairness and intergenerational solidarity. In this respect, the EU will actively engage with the UN Open-Ended Working Group on Ageing.

22. Defending the rights of persons belonging to minorities is critical. The EU will continue calling on all states to respect, protect and fulfil the human rights of persons belonging to **minorities** as set out in the Declaration of the rights of persons belonging to National or Ethnic, Religious, and Linguistic Minorities. The EU will promote their right to participate effectively in cultural, religious, social, economic and public life. 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 further continue to address issues of persons belonging to minorities where their representatives have no or limited access to speak themselves, including at the Human Rights Council and other relevant fora.
23. The EU will continue to promote 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 to actively engage in all efforts to enhance the full, effective and meaningful participation of indigenous peoples' representatives and institutions in relevant United Nations bodies, including the Human Rights Council on issues affecting them. The EU will stress the importance of protection of indigenous HRDs and of ensuring that they are able to promote human rights without fear of reprisals. The EU will promote full, effective and meaningful participation and leadership of indigenous women. The EU will underline the importance of providing indigenous children to access to education in their own language and culture.

24. The EU will pursue further efforts 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.
25. The EU will step up action to uphold international 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, older persons, women, and to other persons in vulnerable situations. The EU will continue offering opportunities for legal pathways to migration while fully respecting the national competences, and to call on all states to prevent trafficking in and smuggling of human beings, to protect victims, maintaining a gender-responsive and child-sensitive approach and to ensure effective prosecution of perpetrators. The EU will continue to strongly condemn state-sponsored instrumentalisation of refugees and migrants for political purposes by third countries, and work to counter such activities, always in full respect to human rights and international law.

26. **Terrorism**, violent extremism and organized crime constitute a serious threat to 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 law, international humanitarian law and international refugee law. The fight against terrorism includes adequately investigating and prosecuting terrorism cases with full respect for human rights and the rule of law, putting victims at the centre and ensuring that the rights of victims are protected and promoted. The EU will support the continued promotion of women’s active and meaningful participation in prevention and counter-terrorism efforts.
27. The EU will continue cooperating with the OHCHR and the UN Working Group on **Business and Human Rights** to promote the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) globally. 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 strengthen its engagement in the UN fora and actively participate in UN discussions on a legally binding instrument on business and human rights, and stands ready to work with the Chair of the Open-ended Intergovernmental Working Group (OEIGWG) and the Friends of the Chair, as well as other partners, to explore ways for a consensus-based instrument that can effectively enhance the protection of victims and create a global level playing field.
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