Resolution on the 13th session of the United Nations Human Rights Council (Geneva, 1-26 March 2010)

2010/2528(RSP) - 25/02/2010 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the 13th session of the United Nations Human Rights Council.

The resolution had been tabled by the ALDE, S&D, EPP, Greens/ALE and ECR groups.

In the resolution, Members discuss the need to prioritise addressing human rights violations, clarifying counter-terrorism detention rules, resolving the conflict in Gaza and southern Israel, and opposing Iran's UN Human Rights Council (UN HRC) candidacy as the key issues for 13th UN Human Rights Council session (Geneva, 1-26 March). They also stress the importance of EU common positions on issues to be discussed during the 13th session of the UNHRC, even though the modalities regarding the actions of the EU Member States in the UNHRC following the entry into force of the Lisbon Treaty are not yet fully clear.

The work of the Human Rights Council: Parliament reiterates its call on EU Member States actively to oppose any attempt to undermine the concept of the **universality, indivisibility and interdependence of human rights**, and actively to encourage the UNHRC to give equal attention to discrimination on all grounds, including gender, race, age, sexual orientation and religion or belief. It warns against the extreme politicisation of the UNHRC, inasmuch as it prevents that body's mandate from being fulfilled. Members emphasise the importance of country-specific resolutions in addressing serious human rights violations. They strongly condemns the use of "No-action Motions" and express disappointment at the use of this procedure during the 11th Special Session of the Council, which prevented the adoption of a consistent and coherent final resolution which would have addressed the situation in Sri Lanka. Parliament also regrets that the **UNHRC has been unable sufficiently promptly to address other serious human rights situations.** It calls on EU Member States to condemn human rights violations and actively seek the creation of dedicated UNHRC mechanisms to respond to the human rights crises in Afghanistan, Guinea Conakry, Iran, Yemen, Iraq and Western Sahara and it maintains that the UN mandate includes monitoring of the human rights situation in Western Sahara.

On the concept of **"defamation of religions"** Parliament states that, while recognising the need to address fully the problem of discrimination against religious minorities, it considers that the inclusion of this concept in the Protocol on complementary standards on racism, racial discrimination, xenophobia and all forms of discrimination is not appropriate. UN Member States are asked to implement fully the existing standards on freedom of expression and freedom of religion and belief.

Parliament states it concern about **Iran's candidacy in the elections to the UNHRC** to be held in May 2010, reiterating its opposition to the concept of "clean slates" in UNHRC elections. The resolution calls for competitive elections for all regional groups and urges the EU to do its utmost to prevent the election to the UNHRC of the countries with the most problematic human rights records. The EU and its Member States are asked to continue to press for the establishment of membership criteria for election to the UNHRC, especially the minimum requirement of cooperation with Special Procedures in line with their own terms of references. The EU is urged to take a leadership role by developing a set of guidelines with

cross-regional partners for use during elections. Parliament reiterates its call on the EU Member States to ensure that human rights are respected in their own internal policies, as failure to do so weakens the EU position in the UNHRC.

On **counter-terrorism**, Members welcome the "Joint study on global practices in relation to secret detention in the context of countering terrorism", which will be discussed at the 13th session. It calls on the EU Member States to support it and to provide adequate follow-up to the report, in line with the previous stances of the European Parliament on the issue, especially its resolutions of 19 February 2009 and 14 February 2007 on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners.

With regard to the **conflict in Gaza**, Parliament calls on the High Representative of the Union for Foreign Affairs and EU Member States to work towards a strong EU common position on the follow-up to the Fact-Finding Mission report on the conflict in Gaza and Southern Israel, publicly demanding the implementation of its recommendations and accountability for all violations of international law, including alleged war crimes, and urging both sides to conduct investigations that meet international standards of independence, transparency, and effectiveness. It stresses that respect for international human rights law and international humanitarian law by all parties and under all circumstances is an essential precondition for achieving a just and lasting peace in the Middle East. The High Representative and EU Member States are also asked to monitor actively the **implementation of recommendations included in the Goldstone Report** by means of consultation of EU external missions and NGOs in the field. On the review of UNHCR, Parliament calls on Member States to agree a common position on this issue as well as an efficient and proactive negotiating strategy. It expresses its view that the review should preserve the independence of the Office of the High Commissioner for Human Rights (OHCHR), safeguard and, if possible, strengthen the Special Procedures, and guarantee the possibility for the UNHRC to address specific human rights violations through country resolutions and country mandates.

EU involvement: Parliament welcomes the Spanish Presidency of the EU's priorities in the human rights field. It calls on the Council and the Commission to continue their efforts to promote universal ratification of the Rome Statute and national implementing legislation. Members believe that the new institutional structure of the EU offers an opportunity to increase the coherence, visibility and credibility of EU action in the UNHRC. They call on the High Representative/Vice-President of the Commission to ensure that practical steps are taken to implement the Lisbon Treaty, in order to avoid an excessively long transition period, which would compromise the credibility and effectiveness of the Union, and to ensure that the new arrangements increase the EU's capacity for cross-regional outreach and cooperation with countries from other blocs on common initiatives.