

EU2009.CZ

České předsednictví
v Radě EU

Czech Presidency
of the Council of the EU

Présidence tchèque
du Conseil de l'UE

2009

UNITED NATIONS HUMAN RIGHTS COUNCIL

10th Session

(2 - 27 March 2009)

Statement by

H.E. Ambassador Tomáš HUSÁK

**Permanent Representative of the Czech Republic to
the United Nations Office in Geneva
on behalf of the European Union**

Item 4:

**"Human rights situations that require the Council's
attention"**

Geneva, 17 March 2009

Check against delivery

Human Rights Council – 10th Session

EU Statement

Item 4: Human rights situations that require the Council's attention

Mr. President,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Croatia* and the former Yugoslav Republic of Macedonia*¹, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Montenegro, and the EFTA country Iceland, member of the European Economic Area align themselves with this declaration.

While we fully support the cooperative spirit of the Human Rights Council as laid out in GA resolution 60/251, the European Union is convinced that this Council has a duty to regularly and concretely address the most serious human rights violations anywhere in the world, including gross and systematic violations.

We first wish to express our continued deep concern at the situation in Burma/Myanmar. The political process in the country is neither transparent, inclusive, free nor fair. The Governments' recent pardoning of thousands of prisoners has resulted in the release of only a handful of political prisoners, while over 2.200 remain in prison, including hundreds of prominent activists, members of the opposition parties, Buddhist monks and nuns, journalists, labour activists and their lawyers. The freedom of assembly, association and expression are not guaranteed. The humanitarian situation has deteriorated, resulting most notably, in recent months, in the migration of thousands of Rohingya people, a Muslim minority from Western Myanmar, who have fled on boats, to escape the discrimination, human rights abuse and severe economic deprivation in Northern Rakhine. We strongly call for an immediate and unconditional release of all political prisoners and detainees, including Daw Aung San Suu Kyi, and the lifting of all restrictions on political parties to allow a genuine process of political reform that includes all opposition and ethnic groups and leads to the establishment of a civilian and democratic government.

The broad range of systematic and widespread human rights violations in the Democratic People's Republic of Korea requires our urgent attention: Public executions following unfair trials, the practice of torture, cruel, inhumane or degrading treatment which not only go unpunished, but belong to standard methods used against real or presumed political dissent or civil society activists. The use of forced labour in camps, where only a few manage to survive. Total censorship of the media and also on culture, and even the extensive wiretapping

¹ * Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

of telephones. None of the fundamental freedoms are observed and the Government apparatus exercises almost entire control over both the public and private lives of its people. Furthermore, numerous economic, social and cultural rights are gravely violated, including the right to food or equal access to education and housing. We strongly deplore the grave and large scale human rights violations committed by the DPRK and call on the Government to cooperate with the international bodies, including with the Special Rapporteur, and the NGOs. We urge the Government to radically improve the enjoyment of all human rights by the people.

The European Union expresses its deep concern at the continuous deterioration of the human rights situation in Iran. We repeatedly called on the Government of Iran to stop juvenile executions and the inhumane practice of stoning. Likewise, we condemn the waves of arbitrary arrests and harassment, directed particularly against members of Iran's religious and ethnic minority communities, students, trade unionists and womens' rights activists. The threats and harassment against Shirin Ebadi, a courageous human rights defender, is just one of many of the well-known examples. We express our firm opposition against all forms of discrimination and oppression against religious minorities in Iran, especially the recent and grave accusations against seven Baha'i leaders, who have been detained for ten months now without charge and without access to legal representation. The Baha'is are regularly faced with death penalty sentences for entirely arbitrary reasons.

Mr. President,

We regret that the human rights and humanitarian situation in Sudan has not improved in recent years. The civilian population is gravely suffering from the protracted conflict in the country, especially in Darfur, where there are reports of ongoing attacks on and plundering of villages, sexual violence against women, large scale recruitment and use of children and a general atmosphere of impunity. We are appalled by the recent kidnapping of aid workers as well as by the decision to expel a number of internationally renowned humanitarian agencies following the arrest warrant for the Sudanese President. This is irresponsible and will further aggravate the very dire humanitarian situation and bring undeserved hardship to millions of people. Sudan must ensure the safety of all aid agencies. We recall that the Government of Sudan as a State Party to the Covenant on Economic, Social and Cultural Rights, is obliged to refrain from any actions that violate these rights. Sudan also has responsibilities under international humanitarian law to allow access to humanitarian aid. We urge the Government of Sudan to reverse their decision in the interest of their own people and ensure the safety and security of all remaining humanitarian staff as well as the continued humanitarian assistance.

We note the efforts of the Government of the Democratic Republic of Congo to address the political and economic challenges of the country and we are encouraged by the recent understanding reached with neighbouring States to put an end to illegal activities of armed groups in DRC's border regions. However, we must stress our deep concern about killings, torture, incommunicado detentions and sexual violence often perpetrated by, not only, the militias operating on the Congolese territory, but also by the governmental armed forces. The recruitment and use of children by illegal armed groups remains a very serious problem, as is

the lack of care given to them once released from armed forces. We acknowledge the commitment by the Congolese authorities to protect the civilian population and facilitate humanitarian assistance, and urge them to cooperate fully with MONUC and humanitarian organisations to minimise the suffering of the hundreds of thousands internally displaced people in the East. We stress that a sustainable peace requires, *inter alia*, broad reconciliation and the fight against impunity.

In Ethiopia, the recent introduction of laws restricting advocacy by "foreign" NGOs and other human rights activities in the country is worrying. We hope for a smooth democratization process in Ethiopia and therefore call upon the Ethiopian authorities to cooperate with both local and international human rights organisations to this end.

The overall oppressive human rights situation in Eritrea is of great concern. There is no free media, human rights activists and journalists are not tolerated and routinely detained. Opposition political parties are banned and political dissenters, including the G11 remain in jail with no prospect of a fair trial, and civilians are frequently rounded up for open ended military service or detained without charge. Non-mainstream religious members are also subject to imprisonment. Severe restrictions on movement screen much of the country from external monitoring. We call on the Eritrean authorities to take urgent measures to ameliorate their human rights record.

We welcome that under the guidance of SADC, an agreement has been reached in Zimbabwe between the main political parties giving hope for political and economic reform to the population exhausted by the years of struggle in appalling economic, social and human rights conditions. The recent release of some human rights activists is a welcome step but many political opponents and human rights activists remain in prison, and the freedom of expression and the media are heavily censored. The independence of judiciary is called into question when judges who do not comply with the government are themselves arrested. Unlawful detentions, abductions and enforced disappearances are frequent. Widespread corruption is paralysing the state administration. The situation is aggravated by severe food shortages and the recent outbreak of the cholera epidemic, due to the lack of accessible and safe drinking water and sanitation. We urge the President of Zimbabwe to pave the way for the newly formed Government to immediately respond to the basic needs of the Zimbabwean population and to bring the human rights and fundamental freedoms back to all Zimbabweans without discrimination.

The European Union notes the progress on economic and social rights made by China over the years, lifting hundreds of millions out of poverty. However, we remain concerned about measures taken against those who wish to express their views peacefully, such as human rights defenders and the signatories of the recent Charter 2008. We reiterate that all those who wish to express their views peacefully should be allowed to do so, without fear of reprisal, including in Tibet.

We are alarmed by the rapid deterioration of the situation in Sri Lanka. We wish to invite the High Commissioner to brief the Human Rights Council on the evolving human rights situation in the country. The long-standing conflict between the Government forces and the Liberation Tigers of Tamil Eelam is

taking an increasing death toll on the civilian population, including a significant number of children. Our deep concern for the civilians is further heightened by the restricted access of humanitarian agencies, notably to the population in Vanni. The EU calls for an immediate cease-fire. We urge the Government of Sri Lanka to allow unimpeded access by all humanitarian agencies and to ensure humanitarian corridors are established. We stress the need for the provisions of the international humanitarian law to be respected by all parties to the conflict. We also urge all concerned parties to stop the recruitment of child soldiers and to allow for the return as well as the family reunification of the thousands of internally displaced persons. The EU underlines the importance of cooperation by the Sri Lankan authorities in the GSP+ investigation into the effective implementation of the ICCPR, Convention against Torture and the Convention on the Rights of the Child.

Finally, the European Union is deeply shocked by the assassination in Nairobi on 5 March of two Kenyan activists, Mr. Oscar Kamau Kingara and Mr. John Paul Oulu. They have given testimony to the Special Rapporteur on extrajudicial killings during his mission to Kenya. Another student of Nairobi University, Mr. Godwin Ogato was shot while assisting to them. The EU is concerned for the security of other interlocutors of the Special Rapporteur. It is unacceptable that those in contact with the Council Special Procedures during country visits are harassed, threatened and even assassinated. The EU urges the Government of Kenya to launch an independent investigation of the assassination and to inform the Council of their findings well before its discussion of the report by the Special Rapporteur at its 11th Session.

Thank you.
