Outcomes of the 38th session of the Human Rights Council from the perspective of the European Union

From 18 June to 6 July 2018 the 38th session of the Human Rights Council (HRC38) took place in Geneva, aiming to bring attention to the world’s most pressing human rights issues.

The European Union remains steadfastly and reliably committed to the Human Rights
Council, as the United Nations’ main body for upholding human rights and fundamental freedoms worldwide. We reaffirm our support to the effective and efficient functioning of the Human Rights Council and will use this platform to promote human rights with a strong common voice. In this context, the EU strongly supports the resolution on civil society space, and continues to underline the important role of civil society actors, whose contributions are vital to the work of this Council. We need to ensure that their voices continue to be heard by promoting a safe and enabling environment for all those who work for the defence of human rights. Recognizing that challenges to the work of civil society organisations exist in every part of the world, the EU co-organised in the margins of HRC38 an event to reflect on recent reports by the EU Fundamental Rights Agency and OHCHR on civil society space.

“We need to defend and promote universal values,” says Ambassador Peter Sørensen, Head of the EU Delegation to the UN in Geneva. “The 70th anniversary this year of the Universal Declaration of Human Rights is an opportunity to continue to advance this essential work together with the UN, particularly at a time when we witness serious negative trends around the world in human rights. Today, as much as ever, the EU engages to boost multilateralism."

At this HRC session we rallied around the issue of gender equality, girls' and women's rights and their empowerment. The EU was strongly engaged in the negotiations of all gender-related resolutions presented at HRC38, including on violence against women, discrimination against women and the resolution by the African Group on female genital mutilation. Ambassador Mara Marinaki, the European External Action Service’s Principal Advisor on Gender and on the implementation of UNSCR 1325, gave a strong voice to the EU in these debates.

We presented a resolution on the situation of human rights in Belarus at HRC38, which reflects both positive steps taken by the Government of Belarus, but also points to persisting and serious shortcomings in the human rights record of Belarus. The resolution extends the mandate of the Special Rapporteur and stressed the need for the Government to start full cooperation, allow the mandate-holder to visit the country in his an official capacity, and to implement the recommendations of his report.

The dire human rights and humanitarian situation in Syria was once again high on the agenda of the Human Rights Council. Accountability for the atrocities committed in the Syrian conflict is an absolute must. The Syrian regime bears the overwhelming responsibility for the catastrophic humanitarian situation and the suffering of the Syrian people. All those responsible for breaches of international law, in particular of international humanitarian law and human rights law, some of which may constitute war crimes or crimes against humanity, must be held accountable. We therefore underlined again that the situation should be referred to the International Criminal Court. We also expressed our support for the important role of the Commission of Inquiry and the International, Impartial and Independent Mechanism. In order to give voice to the Syrian civil society, the EU hosted a side event in the margins of the Council with leaders of prominent Syrian NGOs.

The EU is deeply concerned about the findings of the Team of International Experts on the Kasais in the Democratic Republic of the Congo (DRC). Also thanks to the cooperation extended to them by the Government of the DRC, they were able to collect shocking information on gross human rights violations which yet again urgently call for an end to the cycle of impunity. The EU supports the DRC and the African group to create a robust follow-up mechanism that will support, assess and report on how the Experts’ recommendations will be implemented. The DRC judicial authorities will also receive additional technical assistance in order to ensure accountability at national level. The EU fully supports the experts' recommendation to engage in an inclusive process of transitional justice aiming at reparation and reconciliation.
We are concerned about the weakening of the democratic order in **Venezuela** and therefore gave support to a joint statement at HRC38 on the human rights situation in the country. Recent presidential elections were neither credible nor inclusive and we call on the Venezuelan government to take immediate action to address all human rights violations, to alleviate the pressing humanitarian needs of the population and to fully respect democratic principles and rule of law.

Ongoing human rights violations and abuses committed against persons living in areas of eastern **Ukraine** not currently controlled by the government and in the illegally-annexed Crimea and Sevastopol are unacceptable and regularly raised at all levels and in different fora. The EU therefore engaged closely in the regular periodic update on Ukraine at HRC38.

The resolution *"Business and Human Rights: Improving accountability and access to remedy"* sends a clear signal from all States that effective and pragmatic steps must be taken without delay, to implement existing obligations to ensure accountability and access to remedy. We owe it to victims. We have full trust in the Office of the High Commissioner for Human Rights' (OHCHR) leadership in the continuation of the Accountability and Remedy Project as an important contribution to implement the UN Guiding Principles on Business and Human Rights, and particularly the third pillar, which is focussed on access to remedy.


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