



Delegation of the European Union

*EM* 2010.ES

Permanent Representation of Spain

**UNITED NATIONS HUMAN RIGHTS COUNCIL**

**14<sup>th</sup> Session**

**(31 May - 18 June 2010)**

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**Item 4**

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**Statement by**

**H.E. Ambassador Javier GARRIGUES**

**Permanent Representative of Spain  
to the United Nations Office in Geneva**

**on behalf of the European Union**

**Geneva, 8 June 2010**

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**Item 4 – General debate  
Statement by the Permanent Representative of Spain on behalf of the European Union  
Geneva, 8 June 2010**

Mr. President

I have the honour to take the floor on behalf of the European Union.

Mr. President,

At the 2005 World Summit, the international community solemnly agreed that it is our shared responsibility to protect civilians against serious international crimes. In 2006, we similarly committed ourselves to address gross and systematic human rights violations by adopting GA resolution 60/251. The exercise of this responsibility requires effective and well-functioning preventive, reactive and rebuilding measures to avert and confront such crises.

In cases where human rights violations are endemic, the risk for grave violations becomes apparent. In this context, the European Union believes that the Human Rights Council, if it is to preserve its integrity and credibility, should pay special attention to certain worrying situations because of the seriousness of the violations committed, the potential for a further deterioration, and the urgent need to protect the victims.

We would like to first reiterate our utmost distress over the violent and alarming suppression of peaceful protesters in Iran following the Presidential election of 12 June 2009. It has led to continuing incommunicado detentions without due process guarantees and to an increased number of executions carried out in complete absence of internationally recognized standards.

The EU deeply deplores the consistent failure of Iran to conduct an impartial, transparent, and thorough investigation without delay into the allegations of serious human rights violations, including torture and inhuman or degrading treatment; persistent violations of the right to a fair trial; prevalence of widespread arbitrary detentions; arbitrary restrictions on freedom of expression, including through the media and the internet; use of violence, harassment and intimidation by Government-directed militias to forcibly disperse Iranian citizens engaged in the peaceful exercise of their right to freedom of association; continuing discrimination and other human rights violations against persons belonging to religious, ethnic, cultural, linguistic or other minorities. In this context, the EU notes that the trial of the seven Baha'i leaders has been set for 12 June and we call once again on the Iranian government to ensure that the rights of these individuals are protected and that they are given a fair trial in accordance with international standards.

The situation in Sudan remains of deep concern, notably with regard to the increasing insecurity and violence in South Sudan and ongoing clashes in Darfur. While recognizing the complexity of elections, the EU is concerned about deficiencies in relation to international standards which affected the electoral process. The shortfalls which occurred need to be addressed in time in order to properly prepare the future voting processes, including referenda. The EU calls on all the parties to fully implement the CPA and to urgently address all the pending issues. The EU calls on the

Sudanese authorities to step up to its obligations under Resolution 1593 of the UN Security Council which refers the situation in Darfur to the ICC, and to adequately address the prevalence of impunity for perpetrators of past and on-going serious violations of international human rights and humanitarian law as a matter of urgency.

The EU is deeply concerned about the recent developments in the DRC, concerning the death of Floribert Chebeya on June 3<sup>rd</sup> last. Chebeya was a string advocate of human rights in the DRC. We deeply deplore the occurrence of this event and would like to see immediate clarification about the circumstances surrounding his death.

Mr. President,

The EU was encouraged by the national parliamentary election of 7 March 2010 in Iraq. While we reiterate our strong condemnation over the continuing loss of life, we once again **encourage** all political entities to engage constructively in the establishment of a stable national government as soon as possible. We remain fully committed in contributing to Iraq's ongoing institutional reforms and will continue to encourage the Iraqi Government to create a functioning democracy with respect for human rights enshrined in its constitution.

With regard to the situation in Sri Lanka, the EU acknowledges some improvement of the overall situation since the end of the war one year ago, especially in the recent weeks. However, we remain concerned about the situation of journalists and human rights defenders, and the lack of adequate investigations of alleged violations of human rights concerning abductions and enforced disappearances, arbitrary detentions and extra-judicial killings. We call upon the GoSL to fully disband the Emergency Regulations and to grant the ICRC access to alleged former LTT-fighters. We take note of a "Lessons Learnt and Reconciliation Commission" and reiterate our conviction, that only a comprehensive and truly independent inquiry which also addresses the issue of accountability, can contribute to national reconciliation. The EU supports the intention of the UN Secretary General to establish a panel of experts as a first step.

The EU is very worried about the recent unrest in Thailand. Protests started in Bangkok on March 12 by the so called United Front for Democracy against Dictatorship (UDD) and order has been forcibly restored by the Thai army on May 19. The EU welcomes the announcement by the Thai government to set up an independent investigation into the violence and encourages its authorities to ensure it is comprehensive and transparent. Furthermore, the EU is worried about the worsening situation of freedom of expression in Thailand, notably the closing down of websites and radio and TV stations seen as sympathetic to the Red Shirt movement. Thailand should respect the freedom of expression.

The EU welcomes the recent measures taken by the Chinese authorities to lift the entry restrictions to HIV positive people, but we remain concerned about the human rights situation in China. The EU reiterates its concerns about the conditions under which the trials of those involved in the Xinjiang riots have been conducted, especially with regard to whether due process and other safeguards for a fair trial were respected. The EU calls on China to review urgently the cases of those who remain under sentence of death for their alleged involvement in this year's unrest and for their sentences to be commuted. The EU urges the Chinese Authorities to allow free access to the Xinjiang Autonomous Region of China to foreign journalists and diplomats and immediately restore complete communication capabilities in Xinjiang.

And finally, Mr. President, the EU would like again to reiterate its strong condemnation of the increasing violence directed against persons belonging to religious and other minorities in various part of the world. The targeted killings of at least 70 members of the Ahmadiyyah community in

**Pakistan** in late May was a heinous crime and an example of the violence faced by many minorities. The EU would again like to underline that States have a duty to prevent, investigate and punish acts of violence or threats against persons belonging to minorities, whether those acts are perpetrated by the State or by private persons. Adequate and effective guarantees of freedom of thought, conscience, religion or belief must be provided to all without distinction.

I thank you, Mr. President.

