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**Swedish Presidency
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UNITED NATIONS HUMAN RIGHTS COUNCIL

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Human rights situations that require the Council's attention

Statement by

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the United Nations Office in Geneva

on behalf of the European Union

Geneva, 22 September 2009

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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 Albania, Montenegro, and Iceland and Liechtenstein, members of the European Economic Area, align themselves with this declaration.

Improving the respect for human rights is a joint responsibility we have all assumed. In creating this Council, we agreed in resolution 60/251 on a number of tools and approaches to allow us to fulfil this responsibility in as a comprehensive a manner as possible. Central among those is the responsibility to swiftly react and act in response to gross and systematic human rights violations, wherever they may occur. Addressing such situations – and thus responding to the immediate difficulties of the persons whose rights we are seeking to protect – is crucial to the Council's credibility. The European Union wishes to highlight certain particularly worrying situations.

We first wish to express our deep regret that there is no improvement with regard to the dire human rights situation in Burma/Myanmar. The Burmese population is still suffering from severe violations of their freedoms of expression, assembly and association. Despite Government commitments to pardon prisoners, made most recently to the UN Secretary General in July, no meaningful amnesty has yet taken place. Extrajudicial killings, forced disappearances, arbitrary arrests, torture, forced labour and displacement of the civilian population continues, protected by general impunity.

The European Union condemns the verdict against Aung San Suu Kyi, and the unjustified trial against her. The EU urges the authorities to immediately and unconditionally release her and all other political prisoners, and to begin an inclusive dialogue with all ethnic groups and the democratic opposition, to prepare for a genuine transition to democracy and national reconciliation. The recent outbreak of fighting in Shan state and the displacement of thousands of civilians across the Burma/Myanmar border with China reinforces our conviction that only an inclusive political process will deliver peace, prosperity and stability to Burma/Myanmar and its neighbours.

Mr President,

The European Union remains concerned at the overall grave situation of human rights in all parts of Sudan, including arbitrary arrests and detention, exacerbated restrictions on freedom of expression, association, assembly, and movement across the country, and a lack of justice and accountability for serious crimes. In Darfur, although fighting between rebels and government troops has diminished, serious instances of banditry, abductions and sexual assaults continue. In Southern Sudan, the surge in intertribal fighting and attacks by the Lord's Resistance Army are also a matter of concern. Impunity remains persistent, and the EU urges the Government of Sudan and the Government of Southern Sudan to take immediate and effective action to investigate and prosecute all human rights violations. Also, the Governments must guarantee freedom of speech and assembly in order to secure the holding of free and fair elections next year as prescribed by the CPA. We urge the

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

Government of Sudan to cooperate fully with the new Independent Expert on the situation in Sudan. Furthermore, we call on the Government to expedite the installation of the National Human Rights Commission, following approval of the law by Parliament in the spring of 2009.

With regard to Iran, the EU strongly condemns the post-election violence and expresses its concern over the high number of arrests, in particular of human rights defenders and political activists, and the alleged use of excessive force by the Iranian authorities and militia members. The EU is concerned regarding the trials taking place in the aftermath of the elections, which we believe include people who merely peacefully have exercised their human rights. We remind the Government of Iran of its international obligations including under the International Covenant on Civil and Political Rights, which states all individuals' right to the freedoms of assembly, expression and due process.

We remain gravely troubled also by other serious human rights violations in the country. Of particular concern is the rise of the number of executions and prisoners held solely for exercising their freedom of expression. The EU calls for the release of all political prisoners. Also, we urge the Government of Iran to cooperate with UN human rights mechanisms, including by implementing recommendations adopted by the human rights treaty bodies, and by intensifying its cooperation with the special procedures of this Council.

Mr President,

In Zimbabwe, the new Inclusive Government holds an opportunity to bring the country back on the path to democracy. However, we remain much concerned by the persistent human rights violations in the country, not least by numerous reports about the harassment and intimidation of human rights defenders, journalists, teachers, lawyers and farmers. Reports of unsubstantiated legal measures taken against Members of Parliament are very troubling. The EU once more calls upon the Inclusive Government to deliver media reform and ensure all Zimbabwean state agencies respect the freedom of assembly and expression, and to end all forms of torture and incommunicado detention.

The human rights situation in Somalia remains of serious concern and we look forward to discussing this with the Independent Expert.

In the Democratic People's Republic of Korea, grave and systematic violations take place of all human rights, civil and political as well as economic, social and cultural. The humanitarian situation remains extremely frail. The European Union reiterates its call to the North Korean authorities to cooperate with the relevant UN mechanisms, particularly the Special Rapporteur, Professor Vitit Muntarbhorn.

Mr President,

The EU remains concerned about allegations of continued human rights abuses in Sri Lanka. Arbitrary arrests and detention, allegations of ill-treatment by the Government's forces, especially of women and children in the internally displaced persons camps, human rights defenders and national and international journalists, continue to be reported. Lack of accountability for continuing human rights abuses must be expediently dealt with. The EU insists that the IDP camps should be under civilian control with unhindered access by humanitarian organisations and that freedom of movement and security are guaranteed for the internally displaced. The EU hopes to continue to work with the Government of Sri Lanka and the rest of the international community in building an open, transparent and peaceful society.

Notwithstanding the progress on economic and social rights in China over the past several years, the EU calls on China to fully respect all human rights, including civil and political rights. The EU is concerned at the recent number of measures taken against persons who have expressed their views peacefully, including human rights defenders. With regard to the unrest in Xinjiang in July, the EU stresses the importance it attaches to the freedom of expression and the right to peaceful assembly. The rights of all those in detention must be fully respected.

Mr President,

The European Union remains concerned at persistent violations of human rights in Cuba. The European Union renews its appeal to the authorities to free all political prisoners and human rights defenders and to lift existing restrictions on the freedom of expression and the freedom of association.

The humanitarian catastrophe that has been unravelling in the Democratic Republic of the Congo for the past 10 to 15 years requires our urgent attention. We are witnessing unprecedented levels of sexual violence and cruelty. We must stress our deep concern about the rising number of displaced persons and the numerous reports – including those recently published by the United Nations Joint Human Rights Office in the country – giving evidence of heinous atrocities committed by both governmental armed forces and militias operating on Congolese territories. The EU welcomes the International Criminal Court's landmark investigations into serious human rights violations, with a particular focus on those who recruit and use child soldiers. We strongly urge the Government to step up its efforts to prosecute the perpetrators of all atrocities committed and to end the suffering and plight of civilians. The EU, as the largest donor to the DRC, expresses its commitment to working with the country in this regard.

The EU recognizes encouraging progress for the women of Afghanistan in recent years. However, the new Family Law for the followers of the Shiiia Jurisprudence raises serious concerns, as certain provisions remain in contravention of international human rights norms to which Afghanistan is party, as well as of the Afghan constitution. Furthermore, the EU welcomes the President signing of the Law on Elimination of Violence against Women, urges it be enacted at the earliest possible opportunity, and would like to stress the importance of ensuring that the law is in accordance with the CEDAW and other international legal commitments of Afghanistan.

The European Union underlines its concern over continuing violations of the constitutional order in a small number of countries, including in Honduras, Guinea, Madagascar, Niger and Fiji. The EU underlines the right of all persons to take part in the government of their country, and that the will of the people, as expressed in periodic and genuine elections, shall be the basis for the authority of government.

Thank you, Mr President.
