

## HUMAN RIGHTS - CONCLUSIONS

1. The Council reaffirmed the Council conclusions of 10 December 1998, endorsed by the Vienna European Council, which highlighted the importance of human rights as a corner stone of EU foreign policy and identified a number of avenues to strengthen further the EU human rights policy.
2. The Council took stock of ongoing initiatives, notably the preparation of EU Guidelines against Torture, which will enhance EU actions aimed at the eradication of this abhorrent violation of human rights. These guidelines will add to the already existing guidelines on the death penalty and create a new instrument for the EU in its relations with third countries.
3. It further noted that the Commission had prepared a Communication on electoral assistance and observation, on which the Council will adopt conclusions shortly. Both this Communication as well as the Communications on human rights and democratisation and on conflict prevention, which have been announced by the Commission, will be used as an input for the Conference on the EU and human rights in the framework of conflict prevention and resolution to be held on 28 and 29 May. The Presidency has taken the initiative to organise this Conference in order to strengthen further the Union's dialogue with the European Parliament and civil society and increase the coherence and transparency of the EU's human rights policy.
4. The Council recalled the EU resolve to play an active role in multilateral fora on human rights, such as the Commission on Human Rights which is starting its 57th session on 19 March. It noted that the EU will present a significant number of country and thematic initiatives at CHR 57, including on the issue of the death penalty, the rights of the child and the human rights situation in Iran, Iraq, DRC, the Sudan, East Timor, Colombia, Burma/Myanmar, Chechnya (Russian Federation) and as regards Israeli settlements in the Occupied Arab Territories. It finally highlighted that the EU would closely co-ordinate and co-operate with other participants with a view to contributing to the success of this session of the CHR.

6. The Council considered that the Human Rights dialogue with China, which includes in-depth discussions on issues of concern and is complemented by technical co-operation and seminars, in a long-term perspective contributes to the reform process and the promotion of rule of law in China as well as to further enhanced co-operation with the UN Human Rights mechanisms. However, the human rights dialogue is an acceptable option only if enough progress is achieved and reflected on the ground. The Council agreed to continue to assess the results of the dialogue on a regular basis.
7. The Council agreed that the Union at the UN Commission on Human Rights will express its concern at the serious violations of human rights in China and urge China to take further steps to improve the situation on the ground. These steps include ratification and full implementation of the ICCPR and the ICESCR as well as the adaptation of national legislation in order to do so, enhanced co-operation with the UN human rights mechanisms, limitations on the use of the death penalty, with a view to its abolition, reform of the system of administrative detention, respect for the human rights of all prisoners, including the right not to be subjected to torture, respect for the freedom of expression, religion and belief and for the right to organise as well as respect for the cultural rights and religious freedoms in Tibet and Xinjiang.
8. The Council noted that the US has decided to table a draft resolution on human rights in China at the 57<sup>th</sup> session of the UN Commission on Human Rights, which will be studied carefully. The Council has agreed that the EU should adopt and make public the following approach:
  - If the resolution is put to a vote, EU members of the Commission will vote in favour, but the EU will not co-sponsor;
  - EU members of the Commission will vote against a no-action motion, should one be presented, and the EU will actively encourage other Commission members to do likewise, since in the EU's view, the very notion of no-action is in itself contrary to the spirit of dialogue.