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**UNITED NATIONS HUMAN RIGHTS COUNCIL
Third Session**

(Geneva, 29 November - 8 December, 2006)

"Other issues"

**Statement by the Finnish Presidency
on behalf of the European Union**

Geneva, 1st December 2006

Check against delivery.

Mr. President.

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

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

The EU welcomes the exchange of views taking place under "other issues". We would like to recall the mandate of the Council as contained in GA resolution 60/251. We urge this Council to further respond to the different aspects of its mandate.

An essential part of the mandate and the responsibility of the Council is to address the rights of the most vulnerable. In this context, the EU stresses the need to protect children in all circumstances. It is especially important during armed conflict where children, as the most vulnerable group of all, often fall victims of grave human rights violations. Every day children get killed, maimed, abducted, recruited and used as child soldiers, in violation of applicable international law, are forced to kill others, fall victims of rape or other grave sexual violence. Children living in conflict areas should be protected from military action, displacement and violence, regardless of their ethnicity, sex or religion.

The EU acknowledges the important role played by international organisations, including the UN and its agencies, and NGOs to protect and help children affected by armed conflict; to highlight the issues facing those children; and to develop a framework in which those issues can be addressed. We welcome the UN Secretary-General's recent report on Children and Armed Conflict, and the debate on the issue this week in the Security Council.

We stress the importance of Special Representative of the Secretary General for Children and Armed Conflict Ms. Coomaraswamy reporting to the Security Council, the General Assembly, and the Human Rights Council on progress obtained and future challenges.

Mr. President,

Children are involved in armed conflicts in many parts of the world. The deteriorating human rights and humanitarian situation in Sri Lanka has left children in a growingly insecure situation. Recruitment of children to hostilities has continued as have abductions of children from their families in order to recruit them, both of which are in violation of applicable international law.

The LTTE should immediately cease the deplorable and inhumane practice of recruiting children, in violation of applicable international law, and release any children recruited in that manner without delay. We are concerned that the Karuna group is also abducting children, and that this is taking place in areas under government's control. We urge the Government of Sri Lanka to take immediate steps to release all children being held by the Karuna group, and commence credible investigations of all alleged involvements of certain elements of government security forces, and bring to justice those responsible for these crimes.

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

We urge both the government and the LTTE to cease all violent action and adhere to the principles of the ceasefire agreement which provides essential protection and freedoms to the civilian population as a whole, which is increasingly bearing the all too high cost of the conflict in Sri Lanka.

Mr. President,

As the EU has repeatedly expressed, acts of violence against vulnerable groups in the Darfur region of the Sudan, especially against women and children, must end immediately. Reliable reports confirm a continuing practice of ethnically targeted sexual violence against girls and women, particularly in areas of displaced populations. Grave sexual violence, especially against girls, continues to worsen.

The EU calls on all parties to halt the violence, to protect civilians and to ensure full, safe and unhindered delivery of humanitarian assistance to those in need in Darfur. We emphasise the primary obligation of the Government of Sudan to protect all individuals against violations. The EU calls on all parties to the conflict to put an end to impunity in accordance with existing UN resolutions.

This Council must exercise its responsibility to address adequately the situation in Darfur. Therefore an initiative on a cross-regional basis has been taken to call for a special session on the human rights situation in Darfur.

Mr President,

Last week, the General Assembly adopted with an overwhelming majority a resolution on the situation of human rights in Burma/Myanmar. The resolution called again for immediate end to the recruitment and use of child soldiers, in violation of international law, and for the intensification of measures to protect children affected by armed conflict.

The overall developments during the course of this year have given even more reason for alarm. The intensive military campaigns in eastern Burma/Myanmar and the associated human rights violations against persons belonging to ethnic groups have further deteriorated the situation and resulted in ever increasing numbers of IDPs and refugees.

Children in the conflict areas suffer tremendously from the repercussions of the ongoing armed conflicts on the local civilian population. Displaced children do not only suffer from the immediate consequences of armed conflict. They also lose opportunities for education, adequate health care and any chance for a prosperous future.

The declared willingness by the Government of Burma/Myanmar to cooperate with the UN and other international organisations to address concerns relating to child soldiers was welcomed by the resolution. Regrettably, there was serious setback only a few days ago, when the ICRC announced that the Burmese/Myanmar authorities had ordered the closure of the ICRC field offices in the country, which the EU deeply deplores. The EU calls upon the government to re-establish a dialogue with this neutral and independent organization so that it can resume its activities according to its mandate.

Engagement with the UN and other international organisations will be crucial for Burma/Myanmar in getting on course towards addressing the human rights violations and the needs of the populations affected by the conflicts.

The EU is deeply committed to the promotion and protection of the rights of children affected by armed conflicts. The European Union is proceeding with the mainstreaming of children and armed conflict issues into its advocacy, policies and programmes. We are actively implementing the EU Guidelines and Strategy on Children and Armed Conflict. We continue to cooperate with the UN and other partners in order to secure that no child is forced to suffer in armed conflicts.

Mr President,

The EU reiterates that terrorism is itself a threat for the full enjoyment of human rights by all, and to our system of values based on the rule of law. The EU would like to reiterate its solidarity with the victims of terrorist attacks and their families all over the world. While combating terrorism, human rights and humanitarian standards have to be maintained. The EU will continue to focus on safeguarding human rights in the fight against terrorism and we must be sure that in combating terrorism, democratic and legal institutions are not undermined.

Counter terrorism measures must always be conducted in full respect for international law, in particular international human rights law, refugee law and international humanitarian law as set out in the relevant international instruments. Human rights must in no way be curtailed, restricted or circumvented in any manner not permitted by these instruments. Their content and their wording provide ample possibility to address relevant security concerns. Governments must never use the fight against terrorism to justify clampdowns or harassment of opposition voices – political parties, NGOs, media or its people. Violence should never be directed against civilians in the name of combating terrorism. Even resolute action to counter terrorism must not degenerate into violation of human rights. That would defeat the purpose of fighting terrorism. It is in times of emergency that a country's commitment to basic values is put to the test.

Finally, we would like to add that non-discrimination, including on the grounds of sexual orientation, is at the core of EU's policy. We welcome the statement [soon to be delivered/delivered] by Norway on human rights and sexual orientation, which has received support from a number of countries across the regions, including by the European Union.
