**UN Human Rights Council**

**46th Session – Item 3
Resolution L.4 – EoV**

**The negative impact of unilateral coercive measures on the enjoyment of human rights**

**EU Explanation of vote**

Madam President,

I have the honour to speak on behalf of the EU Member States that are members of the Human Rights Council. This explanation of vote has been agreed by the EU as a whole.

The EU thanks Azerbaijan, for organizing, on behalf of NAM, one informal consultation on the draft resolution on “The negative impact of unilateral coercive measures on the enjoyment of human rights”. We also commend their leadership and constructive approach during the negotiations.

Madam President,

The EU would like to reiterate that the introduction and implementation of restrictive measures must always be undertaken in accordance with international law. They must respect human rights and fundamental freedoms, in particular due process and the right to an effective remedy. Furthermore, the measures have to be proportionate to their objective.

The EU reiterates that the restrictive measures it imposes autonomously are fully compliant with International Law. They aim to promote the objectives of our Common Foreign and Security Policy: peace and security, democracy and the respect for the rule of law, and international law, including human rights. Indeed, the establishment of a dedicated EU Global Human Rights Sanctions Regime signals our strong determination to stand up for human rights and to take tangible action with respect to individuals and entities responsible for violations and abuses.

EU sanctions are always part of a comprehensive policy approach involving political dialogue and complementary efforts. The EU makes every effort to minimize adverse consequences for those not responsible for the policies and actions leading to the adoption of sanctions. In particular, EU sanctions are not meant to stand in the way nor impede the supply of humanitarian aid, including essential medical equipment and supplies necessary to fight global health crises, such as the current COVID-19 pandemic. In addition, the measures are underpinned by a system of exemptions including, when appropriate, those allowing for humanitarian assistance and activities.

Madam President,

Despite the EU’s numerous concerns about the Council’s initiatives on unilateral coercive measures, we have always actively and constructively engaged during the informal consultations on the resolutions and the previous Council-mandated panel and workshops.

Nonetheless, bearing in mind the nature and content of this draft resolution, which dwells essentially on relations between States instead of on concrete human rights of individuals, the EU reiterates its position that the Human Rights Council is not the appropriate forum to address this issue. Hence, we do not see the need for this Council, or indeed the Office of the High Commissioner or Special Procedure mandate holders, to continue to address this issue in the various ways suggested by this draft resolution. Likewise, our long-standing position that sanctions are not intrinsically unlawful in nature, prevents us from supporting the premise that their imposition must give rise to accountability or reparations.

For the above-mentioned reasons, the EU cannot support draft resolution L.4 and calls for a vote. The EU Member States that are members of the Human Rights Council will be voting against this initiative.

I thank you.