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Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council

Note verbale dated 21 September 2020 from the Permanent Mission of France to the United Nations addressed to the President of the General Assembly

The Permanent Mission of France to the United Nations presents its compliments to the President of the General Assembly and has the honour to refer to the candidature of France to the Human Rights Council for the period 2021–2023 in the elections to be held in 2020 during the seventy-fifth session of the General Assembly.

In accordance with General Assembly resolution [60/251](#), the Permanent Mission of France has the honour to transmit herewith the voluntary commitments of France, which reaffirm that the promotion and defence of human rights are priorities for France (see annex).

The Permanent Mission of France would be grateful if the Office of the President of the General Assembly could issue the present note verbale and its annex as a document of the General Assembly under agenda item 119 (c).



Annex to the note verbale dated 21 September 2020 from the Permanent Mission of France to the United Nations addressed to the President of the General Assembly

Candidature of France to the Human Rights Council for the period 2021–2023

Voluntary commitments pursuant to General Assembly resolution 60/251

1. Respect for human rights is a founding principle of the French Republic and a priority of its foreign policy in its bilateral relations both within the European Union and in multilateral forums. This is why, for the fourth time, France has the honour of submitting its candidature to the Human Rights Council for the period 2021–2023 in the elections to be held in New York in October 2020.

2. Having engaged actively in the work of the former Commission on Human Rights and the Human Rights Council since their establishment, France is fully committed to the international system for the promotion and protection of human rights. It demonstrated this commitment throughout its three terms on the Human Rights Council (2006–2008, 2009–2011 and 2014–2016).

3. Although it has not been a member since 2016, France participates actively in the work of the Council and strives to promote the highest human rights standards. It supports and engages in dialogue and cooperation with all the regional groups.

I. In the context of its candidature for the Human Rights Council, France is focusing on three priorities

A. Pursuing ambitious feminist diplomacy

4. A major national focus since 2017, equality between women and men is a priority of the international efforts of France. It was in this context that the Biarritz Partnership for Gender Equality was launched during the French presidency of the Group of Seven in 2019. The aim of the initiative is to promote more ambitious laws for women's rights, and the States that have joined (11 to date) are encouraged to further build on it. As part of its efforts to promote women's rights, France is committed:

(a) To building international momentum in favour of women's rights by hosting the Generation Equality Forum in the first half of 2021, providing an opportunity to mobilize States and civil society in support of women's rights 25 years after the Fourth World Conference on Women, held in Beijing in 1995. The Forum will include lessons to be learned from the impact of the coronavirus disease (COVID-19) pandemic, which has highlighted the fragility of the achievements of the past 25 years and the persistence of certain inequalities;

(b) To continuing to promote the universalization of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), in particular among States that are not members of the Council of Europe, with a view to strengthening efforts to combat violence against women and girls and domestic violence;

(c) To the tireless promotion of bodily autonomy and the recognition of sexual and reproductive health and rights in order to enable women and girls to fully and safely enjoy all their rights and to achieve gender equality;

(d) To supporting the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the work of the Committee on the Elimination of Discrimination Against Women;

(e) To continuing to present to the General Assembly, together with the Netherlands, the biennial resolution on the elimination of violence against women around the world.

B. Protecting rights defenders

5. France pledges to support the protection of human rights defenders, who too often are threatened throughout the world, in accordance with the Declaration on Human Rights Defenders, endorsed in 1998 by the General Assembly. In that regard, France is committed:

(a) To proposing specific measures to address shrinking civil society space and to protect rights defenders who are at risk, in particular defenders of women's rights and environmental activists;

(b) To promoting ambitious language in multilateral texts on the protection of defenders and civil society.

C. Defending freedom of the press and the right to reliable information.

6. The independence and pluralism of the media, the right to share information and be informed and the ability to express criticism are essential to democratic debate. France is therefore committed:

(a) To continuing to promote international instruments that protect journalists and combat impunity for violence against them, to strengthening cooperation among States in responding to the most worrying situations and to supporting the efforts of United Nations bodies working to protect journalists around the world;

(b) To promoting the International Partnership on Information and Democracy, the aim of which is to ensure that every individual has access to free, independent, diverse and reliable information, and to participating in the development of the Forum on Information and Democracy, launched by civil society as part of that initiative.

II. As a member of the Human Rights Council, France pledges to continue to promote the universalization and effective realization of all rights – civil and political rights, and economic, social and cultural rights

7. Convinced that “all human beings are born free and equal in dignity and rights”, France is determined to work towards the equality of all and the universality of civil and political rights, which form the basis of the rule of law and must be respected by all States. It will therefore campaign within the Human Rights Council:

(a) To combat all forms of discrimination (including to combat racism, sexism and all discrimination and violence based on gender, antisemitism and xenophobia, and hate speech, and to advocate the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons);

(b) To effectively realize the rights of children, including girls, by emphasizing that upheavals resulting from climate change, new technologies or increased armed conflict should not lead to pushbacks on these rights;

(c) To combat enforced disappearances and arbitrary detention. Having played a key role in the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance and as the country that traditionally presents

the resolution on arbitrary detention to the Human Rights Council, France will continue to take the lead on these issues;

(d) To abolish the death penalty. We will continue to make concerted efforts together with civil society;

(e) To combat torture by supporting the work of international mechanisms in this field, the annual General Assembly resolution calling for the absolute prohibition of torture, the establishment of national mechanisms for the prevention of torture and the United Nations Voluntary Fund for Victims of Torture;

(f) To combat impunity. As the third largest contributor to the budget of the International Criminal Court and a key player in judicial cooperation with the Court, France will continue to work towards strengthening the Court as the central actor in combating impunity. It will support specialized international criminal courts and mechanisms such as the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011;

(g) To uphold the freedom of religion or belief. In line with its vision of secularism, France will continue to reaffirm the universality of the freedom of religion or belief as defined in the Universal Declaration of Human Rights, which is indivisible from other fundamental freedoms, while recalling that human rights are designed to protect individuals and not systems of thought or their symbols.

8. France is also committed to promoting economic, social and cultural rights in order to foster equitable globalization and sustainable development. It will therefore strive:

(a) To combat inequalities, in particular to support the achievement of the Sustainable Development Goals. France will continue to work on issues such as the fight against extreme poverty, the right to inclusive, free and high-quality education, and the right to social security and decent employment. It will continue its work in the area of corporate social responsibility by sharing its good practices, including the Duty of Vigilance Act;

(b) To consolidate the link between human rights and development. France will champion, in accordance with the international framework of the 2030 Agenda for Sustainable Development, a development approach that is “rights-based and encompasses all human rights”, in line with the interministerial human rights and development strategy (December 2018);

(c) To continue to campaign for the preservation of all human rights in the face of climate change and the need to protect the environment;

(d) To ensure respect for human rights in the digital era. France champions the protection of human rights online. To ensure that cyberspace is open, secure, stable, accessible and peaceful, France believes that international law, in particular human rights law, should apply fully to it.

9. Lastly, France is committed to promoting respect for human rights in the response to COVID-19 and to learning from the pandemic to ensure that the emergency measures adopted to contain COVID-19 are consistent with international law, proportionate and temporary, and that the pandemic cannot be used as a pretext to deliberately undermine the rights recognized in international instruments. France pledges to work to prevent the socioeconomic consequences of the epidemic from having a disproportionate impact on women, children and vulnerable people.

III. Within the Human Rights Council, France will strive to support and strengthen the functioning of the international system for the protection and promotion of human rights

10. France is committed:

(a) To putting forward proposals to improve the functioning of the Council, especially in view of the review that will begin in 2021. The aim is to make the Council more effective and robust at a time when its work is more essential than ever;

(b) To supporting the mandates and work of the special procedures, while strengthening their functioning to enable them to reach a high standard of professionalism;

(c) To taking advantage of the universal periodic review, which all Member States undergo, to make constructive recommendations to the countries under review. Through its development cooperation policy, France will support projects for the implementation of the recommendations accepted by the countries concerned and encourage all relevant actors to participate in the review mechanism. France will strengthen its follow-up of recommendations addressed to it by involving all appropriate ministries and working closely with the National Consultative Commission on Human Rights;

(d) To continuing to support the Office of the United Nations High Commissioner for Human Rights, which monitors human rights situations through its field presences and provides expertise and support to authorities and civil society;

(e) Beyond the Human Rights Council, to supporting the work of the bodies and committees set up under the international human rights conventions. France will continue to put forward proposals to enhance the quality of the work and the consistency of the interpretations within the human rights treaty bodies, including in the context of the ongoing review;

(f) To paying particular attention to the functioning of the Committee on Non-Governmental Organizations, which accredits non-governmental organizations, with a view to guaranteeing their independence and enabling them to contribute constructively to discussions on human rights;

(g) To supporting national human rights institutions and their networks, including the Global Alliance of National Human Rights Institutions, the European Network of National Human Rights Institutions and the Association francophone des commissions nationales des droits de l'homme.

IV. France continues to vehemently uphold and promote human rights at home

11. France has ratified the main international human rights instruments, including, most recently, the International Convention for the Protection of All Persons from Enforced Disappearance, in 2008, and the Convention on the Rights of Persons with Disabilities and its Optional Protocol, in 2010. It cooperates with the human rights treaty bodies, including by submitting its periodic reports, and recognizes the competence of eight treaty bodies whose individual complaints mechanisms have entered into force to consider communications from individuals. With regard to international humanitarian law, France is also a party to the Geneva Conventions of 1949 and their Protocols Additional of 1977 and 2005.

12. Following the example of 110 States, France issued, in 2001, a standing invitation to the special procedures of the Human Rights Council to visit the country. It has since welcomed numerous independent experts and special rapporteurs (the Special Rapporteur on adequate housing as a component of the right to an adequate

standard of living, and on the right to non-discrimination in this context in 2019, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism in 2018 and the Special Rapporteur on the rights of persons with disabilities in 2017).

13. As a member of the Council of Europe and the Organization for Security and Cooperation in Europe, France recognizes the authority of the monitoring committees for regional instruments and supports their work. It welcomes visits requested by independent institutions of these organizations.

14. France falls under the jurisdiction of the European Court of Human Rights, to which individuals may refer cases directly under the Convention for the Protection of Human Rights and Fundamental Freedoms, and is committed to amending its domestic laws to bring them into line with judgments of the Court and the provisions of the Convention.

15. For many years, France has been working to strengthen its human rights system. Created in 1947, the National Consultative Commission on Human Rights is the national institution for the protection and promotion of human rights and has A-status accreditation with the United Nations in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). As an independent administrative authority, the Commission advises and evaluates public authorities with respect to human rights issues. An independent authority enshrined in the Constitution, the Defender of Rights is responsible for defending the rights and freedoms of individuals in their dealings with all public administrations, defending and promoting the best interests and rights of the child, combating discrimination, and promoting equality and fostering a culture of ethics within law enforcement agencies. Since 1978, the National Commission on Information Technology and Freedoms has been the independent administrative authority responsible for ensuring respect for individual freedoms on the Internet and protecting personal data. Lastly, the Controller General of Places of Deprivation of Liberty, established in 2007, is responsible for preventing violations of the rights of persons deprived of their liberty, ensuring that they are treated humanely and ensuring respect for the rights inherent to human dignity.

16. France is committed to ensuring compliance, at the national level, with the international instruments ratified by it and to continuing its close cooperation with the treaty bodies.

17. France was one of the first countries to take part in the universal periodic review. During its most recent review, in January 2018, it accepted most of the recommendations addressed to it. By 2021, it will submit a mid-term report on progress in the implementation of the recommendations.

18. France is committed to implementing the national plan against racism and antisemitism (2018–2020) by rallying all ministries around four priorities: combating online hate speech; education to counter prejudices and stereotypes; better support for victims; and investment in new areas of advocacy.

19. France will continue to build an ambitious legal framework to combat online hate speech, racism and antisemitism. A bill against online hate speech was passed in the National Assembly in the beginning of May 2020.

20. France is committed to the extension and the effective implementation of its mobilization plan to combat hatred and discrimination against LGBTI persons. The previous plan covered the period 2017–2019 and was complemented by several emergency plans (November 2018 and April 2020). In accordance with the recommendations addressed to France during the universal periodic review, this plan

is being independently evaluated by the National Consultative Commission on Human Rights.

21. France will ensure the implementation of its second national action plan against trafficking in persons, led by the interministerial mission for protecting women from violence and combating trafficking in persons, in close cooperation with civil society.

22. France is committed to upholding the rights of persons with disabilities by implementing the programme of 22 measures for the year 2020 aimed at making life easier for persons with disabilities. These were presented during the third meeting of the interministerial committee on disability of the current Government, held on 3 December 2019.

23. Following the second action plan for women and peace and security, France will present its third action plan for women and peace and security.

24. France is committed to continuing its national campaign to address violence against women, both through its foreign policy and in its laws (Act of 2018 on combating gender-based and sexual violence; national action plan of 2019 to eradicate female genital mutilation; and the nationwide talks under the forum for combating domestic violence, from September to November 2019).

25. France has been campaigning for the rights of older persons and is committed to implementing the Madrid International Plan of Action on Ageing. It will report on action taken in that regard during the fourth review and appraisal of the Plan of Action, covering the period 2017–2022.
