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2015 Elections to the UN Human Rights Council

The General Assembly should elect only candidates that demonstrate a solid commitment to human rights in contested elections

The UN Human Rights Council is most effective in promoting and protecting human rights when its members are firmly committed to human rights. The election of 18 new members on 28 October 2015 is an opportunity to ensure that only States with a demonstrated commitment to protecting human rights are elected to serve on the Council.

Unfortunately, the General Assembly has been denied the opportunity to choose the most suitable candidates for three out of the five regional groups because the African Group, the Eastern European Group and the Western European and Others Group have presented 'clean slates' with exactly the same number of candidates as the vacancies to be filled. The practice of presenting a 'clean slate' is contrary to the spirit of General Assembly resolution 60/251, which envisions contested elections. Amnesty International welcomes that the Latin American and Caribbean Group and the Asia-Pacific Group have put forward more candidates than seats available, thus allowing UN Member States a choice of who they consider to be most suitable to live up to the expectations placed on members of the Human Rights Council. The organisation calls on all regional groups to present competitive slates in future elections, and reminds members of the General Assembly that they are not required to vote for candidates even if they are running on a clean slate.

The modalities for election of Human Rights Council members by the General Assembly, as set out in UN General Assembly Resolution 60/251, envisage a process intended to lead to the election of States that are strongly committed to human rights:

- Members of the Council must uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council, including its mechanisms and subsidiary bodies;¹
- Members of the Council are elected directly and individually. Successful candidates must obtain the support of the majority of General Assembly members;²
- Members of the General Assembly shall take into account candidates' contribution to the promotion and protection of human rights.³ It is well-established practice that candidates submit voluntary human rights pledges in advance of the elections, and that these are posted on the UN website. As of today, only 12 of the 21 candidates have made their voluntary pledges and commitments available as official UN documents. Unfortunately, several candidates, including all five candidates from the African Group, have seemingly failed to put forward their pledges and commitments.

Amnesty International urges all UN Member States to fully honour these provisions and to vote only for States that have demonstrated their commitment to the promotion and protection of human rights.

¹ General Assembly resolution 60/251, Human Rights Council, adopted 15 March 2006, Operative Paragraph 9.

² *Ibid*, Operative Paragraph 7.

³ *Ibid*, Operative Paragraph 8.

UN Member States should:

- Carefully consider each candidate's human rights record and demonstrated commitment to human rights, including as expressed in their election pledges and commitments;
- Vote only for those candidates that meet the standards set out in Resolution 60/251, even if, in some instances, this means leaving the ballot blank. The practice of "vote-trading" should not be followed in the election of Council members.

Candidates in the forthcoming elections should have:

- Submitted concrete, credible and measurable pledges and commitments to promote and protect human rights at the national and international levels, taking account of the *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council*, prepared by the Office of the High Commissioner for Human Rights.⁴ Pledges should include a commitment, as a member of the Human Rights Council:
 - to contribute to prompt and effective action in the Council to address situations of human rights violations, including gross and systematic violations and human rights emergencies, without selectivity or double-standards;
 - to cooperate fully with the Council's Special Procedures, by responding promptly and substantively to all their communications, by issuing and honouring a standing invitation to the Special Procedures, by promptly facilitating their requests to visit, and by acting promptly on their recommendations;
 - to participate fully in the Universal Periodic Review, both as reviewed and reviewing State, to ensure that each review is focused on improving the situation of human rights in the country under review, that the recommendations made in each review are concrete, measurable and implementable in addressing human rights violations and shortcomings, and that recommendations accepted are promptly acted upon at the national level;
 - to ratify the core human rights treaties and the Rome Statute of the International Criminal Court, to withdraw limiting reservations to such treaties, to submit periodic reports on time and come before the treaty bodies to discuss them, and to act on the recommendations of the treaty bodies promptly.

On 15 July 2015, Amnesty International and the International Service for Human Rights, hosted a pledging event with the support by Botswana, Brazil and the Netherlands. All candidate countries were invited to participate, and the following countries accepted the invitation and presented their candidacies: Belgium, Georgia, Germany, Kyrgyzstan, Panama, Republic of Korea, Slovenia and Switzerland. The event provided a platform for candidates to present their pledges and to highlight their commitments to respect the highest standards of human rights, as required by Resolution 60/251. The organisation calls on all candidates to participate in future events of this kind.

Background

The Human Rights Council has 47 members. Seats are allocated to the Regional Groups as follows: African Group, 13 seats; Asia-Pacific Group, 13 seats; Eastern European Group, 6 seats; Latin American and Caribbean Group, 8 seats; and Western European and Others Group, 7 seats. To be elected to serve on the Council for a three-year term, a State must obtain the support of the majority of the members of the General Assembly, i.e. at least 97 votes. States may serve only two

⁴ *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council* prepared by the Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>

consecutive terms, following which they have to step down from the Council for at least one year.⁵ This means that there is no *de facto* permanent membership of the Council, and that membership is open to all States.

The terms of the following 18 members of the Human Rights Council come to an end on 31 December 2015: Argentina, Brazil, Côte d'Ivoire, Estonia, Ethiopia, Gabon, Germany, Ireland, Japan, Kazakhstan, Kenya, Montenegro, Pakistan, Republic of Korea, Sierra Leone, United Arab Emirates, United States of America and Venezuela.

The following countries are known to be candidates in the forthcoming elections:⁶

- o African Group (5 vacancies): Burundi, **Cote d'Ivoire**, **Ethiopia**, **Kenya**, Togo
- o Asian Group (5 vacancies): Kyrgyzstan, Lao People's Democratic Republic, Mongolia*, **Pakistan**, Philippines*, **Republic of Korea***, **United Arab Emirates***
- o Eastern European Group (2 vacancies): Georgia*, Slovenia*
- o Latin American and Caribbean Group (3 vacancies): Bahamas, Ecuador*, Panama*, **Venezuela***
- o Western European and Others Group (3 vacancies): Belgium*, **Germany***, Switzerland*

⁵ General Assembly resolution 60/251, Human Rights Council, adopted 15 March 2006, Operative Paragraph 7.

⁶ **Bold** font indicates that the State is seeking immediate re-election, * indicates that the State has submitted election pledges.