



Stockholm, 2012-10-16

Dear Minister,

OPEN LETTER: SWEDEN'S CANDIDACY FOR ELECTION TO THE UN HUMAN RIGHTS COUNCIL

We write on the occasion of your country's candidacy for membership of the UN Human Rights Council in the elections scheduled for 12 November 2012. We welcome your submission of election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the *note verbale* dated 29 June 2012 from the Permanent Mission of Sweden to the United Nations addressed to the President of the General Assembly.¹

We recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.² On the occasion of Sweden's candidacy, we take the opportunity to comment on your election pledges and to note additional opportunities for your government to promote and protect human rights. In doing so, we refer to the guidance of the Office of the High Commissioner for Human Rights on presenting voluntary human rights pledges and commitments, including that such pledges and commitments should be specific, measurable and verifiable.³

Commitments at the international level*Ratification of international human rights instruments*

We take this opportunity to encourage you to set an early date for ratification proceedings for the International Convention for the Protection of All Persons from Enforced Disappearance. We also encourage you to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Cooperation with the treaty monitoring bodies

We welcome your commitment to follow up on all recommendations and conclusions of the Treaty Bodies. We note that periodic reports are due to the Committee on the Rights of the Child and the Committee against Torture. In the spirit of cooperation with the Treaty Bodies, we urge you to submit these reports without further delay.

We also urge you to implement the 2008 recommendations by the Committee against Torture, in particular to incorporate the crime of torture into domestic law.⁴

Engagement with the Universal Periodic Review

We note your pledge to follow through on the accepted recommendations arising from Sweden's first Universal Periodic Review (UPR) in May 2010, including the inclusion of those recommendations in the preparation of your National Action Plan for Human Rights. We welcome the mid-term report, announced at the Human Rights Council session in September 2012, on the state of implementation of the recommendations from Sweden's first review.

Participation in the deliberations of the Human Rights Council

We welcome your pledges to consolidate the Human Rights Council as the United Nations primary human rights body; to enable the Council to fulfil its mandate to strengthen the promotion and protection of human rights around the globe and to address situations of human rights violations; to support the Council in mainstreaming human rights throughout the UN system; to ensure that the Council's mechanisms and instruments are designed, implemented and monitored to enhance the enjoyment of human rights for all; to support opportunities for Member States, national human rights institutions, civil society organizations and other stakeholders to avail themselves of the Council's mechanisms and instruments; and to further the Council's interaction with Treaty Bodies and with regional human rights systems and mechanisms.

We urge your government to work with delegations from all regions to ensure that the Council addresses situations of human rights violations, including gross and systematic violations and human rights emergencies, without selectivity or double-standards. We also urge your government to support efforts to ensure that all credible allegations of reprisals or intimidation against persons and groups who have engaged or have sought to engage with the UN human rights machinery are brought to the urgent attention of the Council; that the Council demands the government concerned to ensure that any alleged reprisals are investigated in a prompt, impartial, transparent and effective manner and that perpetrators are held to account; and that the Council requests the government concerned to inform it of measures taken in this regard.

Commitments at the national level

We welcome your commitments to include UN recommendations of the UPR and the Treaty Bodies in your third National Action Plan for Human Rights. We also note that your government is considering a proposal to establish a national human rights institution, and we urge you to take forward these proposals with a defined plan and timetable.

We also call on you to move promptly to introduce torture as a crime in your Penal Code.

We welcome the pledges and commitments already made by Sweden, and we urge your government to use this opportunity to further strengthen its election pledges by including the additional elements listed above.

We also encourage your government to announce the steps it will take to fulfil its electoral pledges, whether it is successful in gaining a seat on the Council or not, and to regularly inform the General Assembly and the Human Rights Council of progress in implementing these commitments. This could be done, for example, in the form of an oral or written statement to these bodies.

We would be pleased to receive your comments and responses to the issues raised in this letter.

A copy of this letter has been sent to your country's permanent missions in Geneva and New York.

Yours sincerely,

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1 A/67/124.

2 A/RES/60/251, para 9.

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

4 Concluding observations of the Committee against Torture, Sweden, 4 June 2008 (CAT/C/SWE/CO/2), recommendation 9.