

Ref: TG number: AMR 24/2011/002  
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Mr René Castro Salazar  
Minister of Foreign Affairs  
Ministry of Foreign Affairs and Culture  
Avenida 7-9, Calle 11-13  
San José  
Costa Rica

18 May 2011

Dear Minister,

## **OPEN LETTER RE: COSTA RICA'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 20 May 2011. We note your submission election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the letter dated 11 April 2011 from the Permanent Representative of Costa Rica to the United Nations to the President of the General Assembly.

The Office of the UN High Commissioner for Human Rights has issued guidance in the form of a framework for voluntary pledges and commitments by Member States when presenting candidatures for the Human Rights Council, including that these should make specific, measurable and verifiable commitments.<sup>1</sup> We also 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.<sup>2</sup> We take this opportunity to make some comments on Costa Rica's election pledges and to note some additional opportunities for your government to promote and protect human rights on the occasion of its candidature.

### **1. Commitments at the international level:**

#### ■ *Ratification of international human rights instruments*

While we welcome your commitment to complete the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Right, we wish to take this opportunity to also encourage you to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which you have already signed, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

#### ■ *Cooperation with the Special Procedures*

We welcome your commitment to promote the independence of the Special Procedure system. In this regard we note that the Independent Expert on access to safe drinking water and sanitation visited Costa Rica in March 2009 and the Special Rapporteur on the right of Indigenous peoples in April this year. We encourage your government to commit to give consideration to the recommendations arising from these missions.

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<sup>1</sup> *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>

<sup>2</sup> Operative paragraph 9.

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■ *Cooperation with the treaty monitoring bodies*

We welcome your commitment to establish an inter-institutional committee on human rights to prepare periodic reports to the treaty bodies and to monitor the implementation of their recommendations. We look forward to the early submission of reports which are overdue to the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child.

■ *Engagement with the Universal Periodic Review*

We welcome your pledge to follow through on the accepted recommendations arising from the Universal Periodic Review which took place in December 2009, to widely disseminate them and to ensure their implementation.

■ *Participation in the deliberations of the Human Rights Council*

We note your willingness, expressed in your election pledges, to continue to promote the World Programme for Human Rights Education, to encourage dialogue as the best mechanism for conflict resolution and the discussion of relevant themes; and to work to obtain an effective and immediate response from the human rights protection system to emergency situations, for example, through special sessions of the Human Rights Council. In this regard, we urge you to work towards better use of the Council's broad range of working methods and practices to address situations that require its attention and to improve the follow up by the Council of initiatives, including by its expert mechanisms and subsidiary bodies.

**2. Commitments at the national level:**

■ *National human rights policy*

We note your commitments to promptly achieve legislative approval of the International Convention for the Protection of all Persons from Enforced Disappearance; and to vigorously promote public policies on gender equality and the participation of vulnerable groups at all levels of society, including through the issuance of a national plan against discrimination. In this regard we encourage you to devote special attention to protecting the rights of migrants and Indigenous peoples.

We welcome the pledges and commitments already made by Costa Rica and encourage your government to use this opportunity to further strengthen its pledges and commitments by including the additional elements listed above. We 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 Council of progress in implementing these commitments. This could, for example, be done in the form of an oral or written statement to the Council.

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,

Guadalupe Marengo  
Deputy Program Director  
Americas Regional Program  
Amnesty International