



2010 Elections to the Human Rights Council

Only candidates demonstrating solid commitment to human rights should be elected

The record of the Human Rights Council demonstrates that its ability to carry out its mandate to promote and protect all human rights in all countries depends overwhelmingly on the commitment of its members to human rights. The election of 14 new members on 13 May 2010 is an opportunity to ensure the election of States that have a demonstrated commitment to ensuring effective action in the Council to protect human rights.

The modalities for election of Council members in the General Assembly, set out in General Assembly resolution 60/251, envisage a process intended to lead to the election of states with that commitment:¹

- Members of the Council are required to uphold the highest standards in the promotion and protection of human rights and to fully cooperate with the Council, including its mechanisms and subsidiary bodies.
- The candidates' contribution to the promotion and protection of human rights shall inform voting by members of the General Assembly.
- It is well-established practice that candidates submit voluntary human rights pledges in advance of the elections, which are posted on the UN website.
- The threshold for election is high: successful candidates require the support of the majority of the members of the General Assembly.
- Members of the Council are elected directly and *individually*.
- There is no *de facto* permanent membership; membership of the Council is open to all. States may serve only two consecutive terms before they must leave the Council membership for at least one year.
- A Council member that commits gross and systematic violations of human rights may have its membership rights suspended.

In this year's elections, Amnesty International urges all UN Member States, including those seeking election or re-election to the Council, to give full effect to the above provisions and thereby strengthen the Human Rights Council by ensuring the election of States that are seriously and demonstrably committed to the promotion and protection of human rights. In particular UN Member States should:

- Ensure that the elections are open and contested so that members of the General Assembly have real choice to select only those States that have shown demonstrated commitment to uphold human rights. This requires that there should be more candidates than vacant seats for each region. The practice of presenting 'clean slates', where the number of candidates matches exactly the number of seats available for the

¹ General Assembly resolution 60/251, adopted 15 March 2006, operative paragraphs 7, 8 and 9.

region is inconsistent with the spirit of General Assembly resolution 60/251, which clearly contemplates contested elections.

- Carefully consider each candidate's human rights record and demonstrated commitment to human rights, including as expressed in their voluntary election pledges.
- Vote only for those candidates that meet the high standards set out in resolution 60/251, even if, in some instances, this means leaving the ballot blank. The practice of "vote-trading" should be abandoned in the election of Council members.

Those UN Member States that are candidates in the forthcoming elections should also:

- Declare their candidacy at least 30 days in advance of the elections, i.e. by 13 April at the latest.
- Submit concrete, credible and measurable pledges to promote and protect human rights at the national and international levels. In doing so, they should take into account 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.²

Pledges should include commitment, as a member of the Human Rights Council:

- to support prompt and effective action to address human rights violations, including gross and systematic violations and in human rights emergencies;
 - to cooperate fully with the Council's mechanisms, including the Special Procedures, by responding promptly and substantively to all their communications, by facilitating their requests for visits, and by issuing and honouring a standing invitation to them;
 - to participate fully in the UPR, both as reviewed and reviewing country, to ensure that each review is focused on the improvement of the situation of human rights in the country under review and that the recommendations made in the each review to address human rights violations are acted on promptly and in full;
 - 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 to implement the recommendations of the treaty bodies promptly and in full.
- Be prepared to present their pledges and vision of the Council in public discussion prior to the election on 13 May 2010.

Background

The Human Rights Council has 47 members. Seats are allocated to the regional groups as follows: African Group, 13 seats; Asian 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 a seat on the Council for a three-year term, a state must achieve the

² *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>

support of the majority of the members of the General Assembly, i.e. at least 97 votes. Council members may seek immediate re-election only once.

The terms of 14 members of the Human Rights Council come to an end on 18 June 2010: Angola, Bosnia and Herzegovina, Bolivia, Egypt, India, Indonesia, Italy, Madagascar, Netherlands, Nicaragua, Philippines, Qatar, Slovenia and South Africa.

At the time of publication, the following countries are known to be candidates in the forthcoming elections:³

- o African Group (4 vacancies): no candidates yet declared
- o Asian Group (4 vacancies): Iran, Malaysia, Maldives, **Qatar**, Thailand
- o Eastern European Group (2 vacancies): Poland, Moldova
- o Latin American and Caribbean Group (2 vacancies): Ecuador, Guatemala
- o Western and Others Group (2 vacancies): Spain, Switzerland

³ **Bold** font indicates that the state is seeking immediate re-election