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2012 Elections to the UN Human Rights Council

The General Assembly should only elect candidates that have demonstrated a solid commitment to human rights

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 16 November 2012 is an opportunity to ensure that only States with a demonstrated commitment to protecting human rights are elected to serve on the Council.

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 elected directly and individually. Successful candidates require the support of the majority of the members of the General Assembly, i.e. at least 97 votes (Operative Paragraph 7).
- 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 (Operative Paragraph 9).
- Member States voting in the General Assembly shall take into account candidates' contribution to the promotion and protection of human rights (Operative Paragraph 8).
- 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.
- There is no permanent membership of the Council; membership is open to all States. States may serve two consecutive terms, following which they have to step down from the Council for at least one year (Operative Paragraph 7).

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

Regional Groups should ensure that the elections are open and contested so that members of the General Assembly have real choice to select those States that have the strongest demonstrated commitment to uphold human rights. This requires that there should be more candidates than vacant seats for each region. The practice of presenting a 'clean slate', where the number of candidates matches exactly the number of seats available for a region, is contrary to the spirit of General Assembly resolution 60/251, which contemplates contested elections.

Each UN Member State should:

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

- 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 Human Rights Council members.

A State with a demonstrated commitment to protecting human rights is one that, among other things:

- Contributes to prompt and effective action by the United Nations to address situations of human rights violations, including gross and systematic violations and human rights emergencies, without selectivity or double-standards; cooperates fully with the Council's Special Procedures, by responding promptly and substantively to their communications, by promptly facilitating their requests to visit, by issuing and honouring a standing invitation to them, and by taking into account their recommendations;
- Participates fully in the Universal Periodic Review, both as State under review and as 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 that recommendations are followed up and implemented at the national level;
- Has ratified the core human rights treaties and the Rome Statute of the International Criminal Court, that has withdrawn limiting reservations to such treaties, that submits periodic reports on time and comes before the treaty bodies to discuss them, and that acts on the recommendations of the treaty bodies promptly and in full.

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

- Declare their candidacy at least 30 days in advance of the elections.
- Submit concrete, credible and measurable pledges 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.²
- Be prepared to present their pledges and vision of the Council in public discussion in advance of the elections, which are scheduled for 16 November 2012.

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 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 18 members of the Human Rights Council come to an end on 31 December 2012: Bangladesh, Belgium, Cameroon, China, Cuba, Djibouti, Hungary, Jordan, Kyrgyzstan,

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>

Mauritius, Mexico, Nigeria, Norway, Russian Federation, Saudi Arabia, Senegal, United States of America and Uruguay.

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

- African Group (5 vacancies): No candidates have yet come forward
- Asian Group (5 vacancies): Japan*, Pakistan, United Arab Emirates*
- Eastern European Group (2 vacancies): Estonia, Montenegro
- Latin American and Caribbean Group (3 vacancies): Argentina*, Brazil, Bolivarian Republic of Venezuela*
- Western and Others Group (3 vacancies): Germany*, Greece*, Ireland*, Sweden, **United States of America***

³ **Bold** font indicates that the state is seeking immediate re-election, * indicates that the state has submitted election pledges.