

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: IOR 41/010/2013

8 July 2013

2013 Elections to the UN Human Rights Council

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

The UN Human Rights Council is most effective in promoting and protecting human rights when all of its members are firmly committed to human rights. The election of 14 new members on November 2013 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 by the General Assembly, set out in GA 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 achieve the support of the majority of the members of the General Assembly;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.

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. In particular,

Regional Groups should ensure that the elections are open and contested so that members of the General Assembly have real choice to elect 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.

UN Member States should:

- Ensure that the elections are genuinely open and contested so that members of the General Assembly have real choice to elect those States that have the strongest

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.

demonstrated commitment to upholding human rights. This requires that there should be more candidates than vacant seats for each region;⁴

- Carefully consider each candidate's human rights record and demonstrated commitment to human rights, including as expressed in their election pledges;
- 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:

- 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.⁵ Pledges should include 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 promptly facilitating their requests to visit, by issuing and honouring a standing invitation to the Special Procedures, 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 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.

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 serve 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. States may serve only two consecutive terms, following which they have to step down from the

⁴ As of 4 July 2013, two of the Regional Groups – the Eastern European Group and the Western European and Others Group -- are presenting closed slates with the number of candidates matching exactly the number of vacant seats thus failing to honour the spirit of Resolution 60/251

⁵ *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>

Council for at least one year.⁶ This means that there is no *de facto* permanent membership of the Council, but that membership is open to all States.

The terms of 14 members of the Human Rights Council come to an end on 31 December 2013: Angola, Ecuador, Guatemala, Libya, Malaysia, Maldives, Mauritania, Poland, Qatar, Republic of Moldova, Spain, Switzerland, Thailand, and Uganda.

At the time of writing, the following countries are known to be candidates in the forthcoming elections:⁷

- o African Group (4 vacancies): Algeria, *Morocco, Namibia, South Africa, South Sudan
- o Asian Group (4 vacancies): *China, Jordan, **Maldives**, Saudi Arabia, Viet Nam
- o Eastern European Group (2 vacancies): Russian Federation, * the Former Yugoslav Republic of Macedonia
- o Latin American and Caribbean Group (2 vacancies): Cuba, *Mexico, Uruguay
- o Western European and Others Group (2 vacancies): *France, *UK

⁶ General Assembly resolution 60/251, Human Rights Council, adopted 15 March 2006, Operative Paragraph 7.

⁷ **Bold** font indicates that the State is seeking immediate re-election, * indicates that the State has submitted election pledges.