

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### 2011 Elections to the UN Human Rights Council

#### ***Candidates must demonstrate solid commitment to human rights in contested elections***

The UN Human Rights Council's ability to promote and protect all human rights in all countries depends on the commitment of its members to human rights. The election of 15 new members on 20 May 2011 is an opportunity to ensure that only States that have a demonstrated commitment to protecting human rights are elected.

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:<sup>1</sup>

- 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.
- Member States voting in the General Assembly shall take into account candidates' contribution to the promotion and protection of human rights.
- 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, i.e. at least 97 votes.
- 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. States may serve only two consecutive terms before they must step down from Council membership for at least one year.

In this year's elections, Amnesty International urges all UN Member States to give full effect to these provisions and to elect States that are 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 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.<sup>2</sup> The practice of presenting 'clean slates', where the number of candidates matches exactly the number of seats available for a region is inconsistent with the spirit of General Assembly resolution 60/251, which clearly contemplates contested elections.

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

<sup>2</sup> As of 5 March 2011, three of the Regional Groups – the African Group, Asian Group, and the Group of Western European and Other States, are presenting closed slates with the number of candidates matching exactly the number of vacant seats.

- 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.

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 20 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.<sup>3</sup> Pledges should include commitment, as a member of the Human Rights Council:
  - to support prompt and effective action 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 mechanisms, including the Special Procedures, by responding promptly and substantively to all their communications, by promptly facilitating their requests for visits, and by issuing and honouring a standing invitation to them;
  - to participate fully in the Universal Periodic Review, both as reviewed and reviewing State, 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 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 come before the treaty bodies to discuss them, and to act on the recommendations of the treaty bodies promptly and in full.
- Be prepared to present their pledges and vision of the Council in public discussion well in advance of the election on 20 May 2011.

### **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 15 members of the Human Rights Council come to an end on 18 June 2011: Argentina, Bahrain, Brazil, Burkina Faso, Chile, France, Gabon, Ghana, Japan, Pakistan, Republic of Korea, Slovakia, Ukraine, United Kingdom, and Zambia.

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<sup>3</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>

At the time of publication, the following countries are known to be candidates in the forthcoming elections:<sup>4</sup>

- o African Group (4 vacancies): Benin, \*Botswana, **Burkina Faso**, \*Congo
- o Asian Group (4 vacancies): \*India, Indonesia, \*Philippines, \*Syria
- o Eastern European Group (2 vacancies): \*Czech Rep, Georgia, \*Romania
- o Latin American and Caribbean Group (3 vacancies): \***Chile**, Costa Rica, Nicaragua, Peru
- o Western and Others Group (2 vacancies): \*Austria, \*Italy

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<sup>4</sup> **Bold** font indicates that the state is seeking immediate re-election, \* indicates that the state has submitted election pledges.