

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

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Organization: Lawyers' Rights Watch Canada
Item: Item 5 – General Debate
Date: 16 June 2017
Speaker: Mr. Joseph Doyle

Oral Statement to the 35th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status

Reform of conditions for Human Rights Council election, membership and suspension.

Mr. President;

Serious and systematic violations of fundamental rights and freedoms by members of the Human Rights Council condemn victims to increasingly grave injustices, undermine human rights advocacy by States and civil society actors, and erode the integrity of Council.

General Assembly Resolution 60/251 allows membership in the Council based only on “voluntary pledges and commitments,” and enables non-merit based elections. These practices are wholly incompatible with Council’s mandate and should not be tolerated. Criteria for General Assembly suspension of membership are vague and seldom used.

It is time for Council, in cooperation with civil society, to study and develop methods¹ to ensure that States undertake specific human rights commitments as a condition of election and membership, along with procedures to receive, determine and remedy complaints of non-compliance. Civil society must be enabled to make complaints and to participate in fair and transparent procedures for determination of complaints and recommendation of temporary or continuing measures—including suspension—to address findings of non-compliance.

LRWC urges Council to abolish the practice of closed slates and to ensure that elections are based on nominees’ public commitments to respect, protect and fulfill rights for all, and to comply during membership with recommendations made by treaty bodies and mandate holders, and during Universal Periodic Review.

Thank you.

¹ LRWC concurs with the recommendations in the 2016 report of more than twenty leading nongovernmental organizations recommending specific improvements to the effectiveness of Council. See International Service for Human Rights et al, *Strengthening the Human Rights Council at 10: Joint Civil Society Paper*, 2016, available at ISHR: <http://www.ishr.ch/HRCat10>