WHO GUARDS THE GUARDIANS?

EVALUATION OF UNHRC CANDIDATES FOR 2023-2025

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ABOUT THE COVER

Venezuelan President Nicolás Maduro addresses the 49th Ordinary Session of the United Nations Human Rights Council via video feed. (@PresidencialVen / Twitter)

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Evaluation of UNHRC Candidates

This report evaluates the candidate countries seeking election to the UN Human Rights Council for the 2023-2025 term, in the vote to be held at the General Assembly on 11 October 2022. Our evaluations apply the membership criteria established by UNGA Resolution 60/251, which requires members to "uphold the highest standards in the promotion and protection of human rights" and to "fully cooperate with the Council." In particular, we examined each candidate's (a) record of domestic human rights protection; and (b) UN voting record. The report finds as follows:

UNQUALIFIED

Six out of eighteen candidates have poor records and fail to qualify:

Afghanistan
Algeria
Kyrgyzstan
Sudan
Venezuela
Vietnam

QUESTIONABLE

Six candidates have problematic human rights and/or UN voting records:

Bahrain
Bangladesh
Georgia
Maldives
Morocco
South Africa

QUALIFIED

Only six out of eighteen candidate countries are qualified to be Council members:

Belgium
Chile
Costa Rica
Germany
Romania
South Korea

The absence of competition this year in three of the five regional slates undermines the very premise and rationale for holding elections. Nevertheless, this report emphasizes to UN member states that they have the legal right, and moral obligation, to refrain from voting for Unqualified candidates, even if those happen to be running on closed slates.

Instead, as detailed in the report, during the ballot they can actually defeat such candidacies, thereby freeing up the process for qualified alternatives to come forward. In regard to candidate countries deemed Questionable, they should, at a minimum, be asked to commit to redress the shortcomings identified in this report.

AFRICAN GROUP

CLOSED SLATE: 4 CANDIDATES FOR 4 SEATS
Replacing: Libya, Mauritania, Namibia, Sudan

COUNTRY	FH RATING	ECONOMIST RATIONG	RSF RATING	UN VOTING RECORD	MEMBERSHIP SUITABILITY
Algeria	Not Free	Authoritarian	Difficult	Negative	**Unqualified**
Morocco	Partly Free	Hybrid	Difficult	Mixed	**Questionable**
South Africa	Free	Flawed Democracy	Satisfactory	Mixed	**Questionable**
Sudan	Not Free	Authoritarian	Difficult	Negative	**Unqualified**

ASIAN GROUP

OPEN SLATE: 7 CANDIDATES FOR 4 SEATS
Replacing: Indonesia, Japan, Marshall Islands, South Korea

COUNTRY	FH RATING	ECONOMIST RATIONG	RSF RATING	UN VOTING RECORD	MEMBERSHIP SUITABILITY
Afghanistan	Not Free	Authoritarian	Very Serious	Negative	**Unqualified**
Bahrain	Not Free	Authoritarian	Very Serious	Mixed	**Questionable**
Bangladesh	Partly Free	Hybrid	Very Serious	Negative	**Questionable**
Kyrgyzstan	Not Free	Authoritarian	Problematic	Negative	**Unqualified**
Maldives	Partly Free	N/A	Problematic	Mixed	**Questionable**
South Korea	Free	Full Democracy	Satisfactory	Positive	**Qualified**
Vietnam	Not Free	Authoritarian	Very Serious	Negative	**Unqualified**

FH = Freedom House
RSF = Reporters Sans Frontières Press Freedom Index

LATIN AMERICAN AND CARIBBEAN GROUP

OPEN SLATE: 3 CANDIDATES FOR 2 SEATS
Replacing: Brazil, Venzuela

COUNTRY	FH RATING	ECONOMIST RATIONG	RSF RATING	UN VOTING RECORD	MEMBERSHIP SUITABILITY
Chile	Free	Flawed Democracy	Problematic	Mixed	**Qualified**
Costa Rica	Free	Full Democracy	Good	Mixed	**Qualified**
Venezuela	Not Free	Flawed Democracy	Very Serious	Negative	**Unqualified**

WESTERN EUROPEAN AND OTHERS GROUP

CLOSED SLATE: 2 CANDIDATES FOR 2 SEATS
Replacing: Germany, Netherlands

COUNTRY	FH RATING	ECONOMIST RATIONG	RSF RATING	UN VOTING RECORD	MEMBERSHIP SUITABILITY
Belgium	Free	Flawed Democracy	Satisfactory	Positive	**Qualified**
Germany	Free	Full Democracy	Satisfactory	Positive	**Qualified**

EASTERN EUROPEAN GROUP

CLOSED SLATE: 2 CANDIDATES FOR 2 SEATS
Replacing: Armenia, Poland

COUNTRY	FH RATING	ECONOMIST RATIONG	RSF RATING	UN VOTING RECORD	MEMBERSHIP SUITABILITY
Georgia	Partly Free	Hybrid	Problematic	Positive	**Questionable**
Romania	Free	Flawed Democracy	Problematic	Positive	**Qualified**

Methodology

The presence of gross and systematic abusers of human rights on the UN Human Rights Council contradicts its own charter. According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering "the candidates' contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto." The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) "to uphold the highest standards in the promotion and protection of human rights" and (b) to "fully cooperate with the Council."

Guided by these criteria, this report evaluates each candidate's suitability for election to the Human Rights Council by examining its record of human rights protection at home—and its record of human rights promotion at the UN. Under the criteria established by UNGA Resolution 60/251, it is clear that the UN should not elect any country to the Council which has either a poor record of respecting the human rights of its own people, or which is likely to use its Council membership by voting to frustrate the protection of human rights victims or to undermine the principles of individual human rights.

Citing these criteria, in June 2017 the Netherlands on behalf of 47 countries—including the U.S., UK, France, Germany, Italy and Canada—issued a joint statement to further HRC membership requirements.[1] They pledged to "strive to ensure competitive HRC membership elections," and to "engage in voting based on human rights considerations consistent with GA resolution 60/251." The stated goal was to "help strengthen the Council's effectiveness and credibility." However, that pledge has not resulted in any change to the HRC election process. In fact, this year there is no competition in three of the five regional slates.

The country evaluations in this report consider a totality of human rights indicators, including information, ratings and analysis from the following sources:

- *The Economist Democracy Index (2021),* which considers a country's electoral process and pluralism, civil liberties, government functioning, political participation, and political culture, and ranks it as: Full Democracy, Flawed Democracy, Hybrid Regime or Authoritarian Regime.
- *Reporters Sans Frontières Worldwide Press Freedom Index (2022),* which measures the degree of freedom that journalists and news organizations enjoy in each country, and the efforts made by state authorities to respect and ensure respect for this freedom, ranking each country as Good, Satisfactory, Problematic, Difficult or Very Serious.
- *Freedom in the World (2022),* the annual survey by Freedom House that measures political rights and civil liberties worldwide, ranking countries as: Free, Partly Free or Not Free
- *Voting record at the UN General Assembly,* examining countries by how they voted at the UNGA on 10 different thematic and country-specific human rights proposals (listed in the table below), and classifying their voting records accordingly as either Positive, Negative or Mixed. Countries were credited with two points for voting to support human rights, zero points for opposing human rights and one point for abstaining or being absent. Countries who scored between 15 to 20 are ranked as having Positive voting records, those scoring 8 to 14 are Mixed and those scoring 0 to 7 are Negative.

1 *Joint Statement by the Netherlands on behalf of 47 countries*, **Human Rights Council** (June 23, 2017), available at www.unwatch.org/joint-statement-improving-unhrc-membership/.

Voting Record: Table of UN General Assembly Resolutions

RESOLUTION	EXPLANATION	DESIRED VOTE
Situation of human rights in the Islamic Republic of Iran (A/RES/76/178)	Expressing concern about Iranian human rights violations, including executions and abuses against women.	Yes
Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastapol, Ukraine (A/RES/76/179)	Condemning Russia's occupation of Crimea and its human rights abuses therein.	Yes
Situation of human rights in the Syrian Arab Republic (A/RES/76/228)	Strongly condemning "widespread and systematic gross violations" of human rights by the Syrian regime.	Yes
Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia (A/RES/76/267)	Criticizing the forced displacement of ethnic Georgians from their homes in connection with the 2008 conflict, calling for their "voluntary, safe, dignified and unhindered return."	Yes
Aggression against Ukraine (A/RES/ES-11/1)	Condemning Russia's war in Ukraine.	Yes
Promotion of a democratic and equitable international order (A/RES/76/165)	Cuban-sponsored text undermines the concept of individual human rights by promoting purported collective rights that have no clear definition, such as "the right to international solidarity."	No
Human rights and unilateral coercive measures (A/RES/76/161)	NAM-sponsored text that shields human rights abusing regimes by denying the right to sanction them.	No
The right to development (A/RES/76/163)	NAM-sponsored text seeking to codify "the right to development" on an equal footing with universally recognized individual human rights and fundamental freedoms, even though such a right is not categorized in any of the core UN human rights conventions, has no agreed international meaning and is not recognized as a universal right held and enjoyed by individuals.	No
The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity (A/RES/75/277)	Endorsing responsibility of states to take steps to prevent genocide, war crimes, ethnic cleansing and crimes against humanity.	Yes
Promotion of peace as a vital requirement for the full enjoyment of all human rights by all (A/RES/75/177)	Empowers human rights abusers to violate human rights under the pretext of peace.	No

CALL TO ACTION

Oppose Unqualified Candidates

In the upcoming October 2022 election, the UN General Assembly's 193 member states will be asked to fill 14 of the 47 Human Rights Council seats.

We call upon member states to refrain from voting in favor of **Afghanistan, Algeria, Kyrgyzstan, Sudan, Venezuela and Vietnam.** These candidates' records—on respecting human rights at home and in UN voting—fail to meet the UN criteria for Council membership.

We also call on **Bahrain, Bangladesh, Georgia, Maldives, Morocco and South Africa** to commit to improving their human rights and/or UN voting records before they can be deemed suitable.

Closed Slates Defeat Purpose of Elections

Regrettably, there is no competition in three of the five regional groups this year. Closed slates are typically the product of backroom deals fixing an equal number of candidates and available seats. The result deprives UN member states of the opportunity to exercise the responsibilities given to them by the 2006 UNGA resolution creating the Council.

Because of the poor records of many of this year's candidates, this election also threatens to further weaken the Council, which still struggles to improve on the reputation of its widely disparaged predecessor, the Commission on Human Rights.

Procedure for Opposing Unqualified Candidates on Closed Slates

Many UN member states mistakenly assume that their task is simply to ratify the pre-selections of the closed slates fixed by regional groups. The truth, however, is that nothing obliges any country to vote for any candidate, even if they appear on a non-competitive list. Moreover, it is equally true that every candidate, including those on closed slates, must receive the affirmative votes of 97 countries, being an absolute majority of the GA membership.

Accordingly, to allow the Human Rights Council to live up to the ideals expressed in the UN Charter and the Universal Declaration of Human Rights, we urge UN member states to oppose all unqualified states in the secret ballot. For example, even though the African Group submitted a closed slate, UN member states should fulfill their duties under UNGA Resolution 60/251 by refraining to vote for Algeria and Sudan.

This would allow other, better-qualified candidates to come forward. In order to successfully block an unqualified candidate, Rule 94 of the UNGA Rules of Procedure provides that a majority of states must vote against a candidate country on three successive ballots. As the Rule explains, "after the third inconclusive ballot, votes may be cast for any eligible person or Member." This would open the process to other states not already on the ballot. Moreover, by casting write-in votes for the best-qualified alternatives eligible, the UNGA could thereby convince hesitating governments that they would have a realistic prospect, thus encouraging them to present their candidacy.

ANALYSIS OF "UNQUALIFIED" CANDIDATES

Following is our analysis of the five Unqualified candidates:
Afghanistan, Algeria, Kyrgyzstan, Sudan, Venezuela, Vietnam.

Afghanistan

Human Rights Record

Note: Among this year's candidacies, that of Afghanistan is unique. The country is now controlled by the Taliban, while the entity running for the UNHRC seat is the former government, which still holds the sole UN credentials to represent the country. The Taliban has demanded to take over the credentials. The UN credentials committee decided to "defer its decision" on the matter, meaning that there is no change—for now. If Afghanistan wins election in October to the Human Rights Council, and if the UN eventually decides to recognize the Taliban, then the terrorist group would automatically inherit a seat on the world's top human rights body. This would be outrageous, particularly considering that the Council itself has recently condemned the Taliban's treatment of women.[2] Therefore, those voting on Afghanistan's UNHRC candidacy are obliged to factor in the actions and records of both regimes. Our analysis below considers the current human rights situation in the country, under the Taliban, while the UN voting record is that of the former government.

Afghanistan ruling Taliban regime commits serious human rights violations, including: extrajudicial killings; enforced disappearances; torture; arbitrary arrests; lack of independence of judiciary; conflict-related abuses, including killings of civilians; recruitment of child soldiers; sexual abuse of children; restrictions on freedom of expression, including violence against journalists and censorship; severe restrictions on religious freedom; unreasonable restrictions on political participation; restrictions on and harassment of human rights defenders; lack of accountability for gender-based violence; trafficking in persons; violence against LGBT; severe restrictions on right to work of women; child labor.[3]

Afghanistan is ruled by the Islamist Taliban which overthrew the elected government on August 15, 2021.[4] It governs according to Sharia law, imposing restrictions on members of religious minorities and subjecting them to violence. Under the Taliban, there is no democracy, no political opposition, and no transparency.

According to the United Nations, the Taliban was responsible for some 40% of civilian deaths during the first six months of 2021.[5] The Taliban also engaged in retaliatory killings of government officials in the provinces it took over even after such officials had surrendered to the Taliban, as well as other targeted killings.[6]

Afghanistan's media sector has come under attack since the Taliban take-over. In the first three months, 43% of Afghan media outlets ceased operation.[7] The Taliban has detained at least 32 journalists in sometimes violent arrests. Many journalists have also fled the country.

Women have suffered a number of setbacks as a result of the Taliban takeover. Among other things, the Taliban has excluded women from government, denied women and girls the right to an education, severely restricted their access to jobs, and terminated protections against, and accountability for, gender-based violence. The Taliban also dismissed women lawyers, judges, and prosecutors, forcing them into hiding for fear of reprisals, and replaced the Ministry of Women's Affairs with the Ministry for the Propagation

2 *Situation of human rights of women and girls in Afghanistan*, UN Doc. A/HRC/Res/50/14, **HRC** (July 8, 2022).

3 *2021 Country Reports on Human Rights Practices: Afghanistan*, **U.S. State Department** (April 12, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/afghanistan/.

4 *Freedom in the World 2022: Afghanistan*, **Freedom House** (2022), https://freedomhouse.org/country/afghanistan/freedom-world/2022.

5 *Afghanistan Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021*, **UNAMA** (2021), https://unama.unmissions.org/sites/default/files/unama_poc_midyear_report_2021_26_july.pdf.

6 *World Report 2021: Afghanistan Events of 2021*, **HRW** (2021), https://www.hrw.org/world-report/2022/country-chapters/afghanistan; *International Report 2021/22: Afghanistan*, **Amnesty International** (2022), https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/.

7 *Afghanistan*, **Reporters Without Borders** (last visited September 8, 2022), https://rsf.org/en/country/afghanistan.

https://peaceforasia.org/our-land-has-suffered/ Image : NY times

of Virtue.[8] There are also disturbing reports of Afghan families selling children into marriage for economic reasons. According to the United Nations Assistance Mission in Afghanistan, "the erosion of women's rights has been one of the most notable aspects of the de facto administration since taking power."[9]

By the end of the year there were more than 3.4 million people internally displaced by conflict in Afghanistan, including 700,000 newly displaced in 2021, many of whom were forcibly evicted by the Taliban.[10]

Voting Record NEGATIVE

Afghanistan, represented by the former elected government, served on the Human Rights Council from 2018 to 2020. In that capacity, it failed to support resolutions speaking out for human rights victims in Iran, Venezuela, and Burundi. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council. UN Watch gave it a score of "Destructive" based on its 2020 voting record at the UNHRC.[11]

At the General Assembly, Afghanistan failed to support resolutions that spoke out for human rights victims in Iran, Syria and Crimea. Afghanistan also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights and shielded human rights abusers through a resolution denying the right to sanction such regimes.

8 *HRW Report on Afghanistan*, supra note 6; *Amnesty Report on Afghanistan*, supra note 6.

9 *Afghanistan: UN slams killings, torture under Taliban*, **Deutsche Welle** (July 20, 2022), https://www.dw.com/en/afghanistan-un-slams-killings-torture-under-taliban/a-62540559.

10 *Freedom in the World 2022: Afghanistan*, supra note 4.

11 *UNHRC Scorecard: Assessing the 2020 performance of UN Human Rights Council members based on their voting record on key resolutions*, **UN Watch** (June 2021), https://unwatch.org/wp-content/uploads/2021/06/UN-Watch-Scorecard-June-2021.pdf.

Algeria

Human Rights Record

Algeria commits serious human rights violations, including:[12] torture; arbitrary arrest; political prisoners; lack of independence of the judiciary; unlawful interference with privacy; restrictions on freedom of expression, including criminal defamation laws, unjustified arrests of journalists, and censorship; interference with freedoms of peaceful assembly and association; restrictions on religious freedom; corruption; lack of accountability for gender-based violence; trafficking in persons; criminalization of same-sex conduct; child labor.

Algeria is rated "not free" by Freedom House. The 2019 presidential election in which former Prime Minister Abdelmajid Tebboune defeated longtime President Abdelaziz Bouteflika was criticized as a sham.[13] Likewise the June 2021 parliamentary elections were criticized as being fraudulent. The government also suffers from widespread corruption and lack of transparency.[14]

Since 2020, the government has been cracking down on the "Hirak" pro-democracy movement, widening the scope of repression in 2021 to include members of the Rachad opposition group and the pro-autonomy movement in Kabylie.[15] Since April 2021, there have been a series of politically motivated arrests targeting human rights defenders, journalists, and political opponents. Some were subjected to incommunicado detentions and otherwise mistreated.[16] In June 2022, the EU Commission expressed concern over the "increased level of targeted crackdowns on activists, non-governmental organizations and journalists" over the past year.[17]

In addition, Algeria's Ministry of Communication severely restricts the ability of foreign and independent media to operate under a series of vague laws prohibiting "false news," "hate speech," and harming "national security."[18] In June 2021, it withdrew accreditation for France24 and Al-Arabiya, ostensibly for security reasons. This effectively prevents them from covering press conferences, filming in the street, and conducting other routine media activities. The Ministry of Communication also imposed one-week suspensions on local TV channels because of programs they broadcast.[19] According to Reporters Without Borders, "the journalistic landscape in Algeria has never before deteriorated to this extent."[20]

Other violations include persecution of Christians and other religious minorities for insulting Islam, inadequate protections for women against violence and murder by family members, and forcible repatriation of Nigerian asylum seekers to Nigeria.[21]

12 *2021 Country Reports on Human Rights Practices: Algeria*, **U.S. State Department** (April 22, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/algeria/.

13 *Freedom in the World 2022: Algeria*, **Freedom House** (2022), https://freedomhouse.org/country/algeria/freedom-world/2022.

14 Id.

15 *World Report 2021: Algeria Events of 2021*, **HRW** (2021), https://www.hrw.org/world-report/2022/country-chapters/algeria; see also *AP, Uproar over Algeria's frequent crackdown on dissent*, **Africa News** (May 29, 2022), https://www.africanews.com/2022/05/29/uproar-over-algeria-s-frequent-crackdown-on-dissent/.

16 *HRW Report on Algeria*, supra note 15; *International Report 2021/22: Algeria*, **Amnesty International** (2022), https://www.amnesty.org/en/location/middle-east-and-north-africa/algeria/report-algeria/.

17 *Safaa Kasraoui, EU Commission Warns of Deterioration of Human Rights Situation in Algeria*, **Morocco World News** (June 24, 2022), https://www.moroccoworldnews.com/2022/06/349886/eu-commission-warns-of-deterioration-of-human-rights-situation-in-algeria.

18 *Algeria*, **Reporters Without Borders** (last visited September 8, 2022), https://rsf.org/en/country/algeria.

19 https://www.hrw.org/world-report/2022/country-chapters/algeria; *Amnesty Report on Algeria*, supra note 16.

20 *RSF Algeria*, supra note 18.

21 *HRW Report on Algeria*, supra note 15; *Amnesty Report on Algeria*, supra note 16.

https://northafricapost.com/45947-eu-concerned-about-growing-human-rights-abuses-in-algeria.html

Voting Record NEGATIVE

Algeria served on the Human Rights Council from 2014 to 2016. In that capacity, it opposed resolutions speaking out for human rights victims in Iran and Syria and failed to support resolutions on behalf of human rights victims in Belarus and Burundi. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council.

At the General Assembly, Algeria voted against a resolution that spoke out for victims of human rights in Syria and failed to support resolutions on behalf of human rights victims in Iran, Georgia, Crimea, and Ukraine. Algeria also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights, shielded human rights abusers through a resolution denying the right to sanction such regimes, and failed to support a resolution on the responsibility to prevent genocide.

Kyrgyzstan

Human Rights Record

Kyrgyzstan commits serious human rights violations, including:[22] arbitrary killings by police; a high-profile disappearance; torture; harsh and life-threatening prison conditions; arbitrary arrests; lack of independence of the judiciary; arbitrary interference with privacy; restrictions on freedom of expression; interference with the right to freedom of association; corruption; lack of accountability for gender-based violence; violence against LGBT; child labor.

Although it seemed like Kyrgyzstan was on the path to democracy a few years ago, constitutional reforms adopted in 2021 weakened parliament and effectively returned Kyrgyzstan to a system where power is concentrated in the president.[23] The current president is Sadyr Japarov, the former prime minister who served time in prison for kidnapping. He was accused of misusing state funds to gain advantage in the January 2021 elections.[24] Members of the opposition are harassed and persecuted. In March 2022, the government suspended a privately owned TV station owned by an opposition politician over social media posts. Authorities also arrested the owner of the station and interrogated staff.[25]

Pervasive government corruption benefits organized crime networks. Furthermore, the anti-corruption office has been misused to target the government's political enemies. [26]

Press freedom has become more restricted under President Japarov and journalists covering sensitive topics face regular harassment and intimidation, including arbitrary arrests.[27] In 2021, President Japarov signed a law against dissemination of "false information" which violates the constitution and contradicts a previous law de-criminalizing defamation.[28]

Protests held after the October 2020 parliamentary elections were marred by violence. This violence has continued in 2021. In April 2021, a group aligned with President Japarov violently attacked a demonstration against gender-based violence, after a young woman was killed by a man who had kidnapped her for forced marriage.[29] Police did not intervene.[30] There is widespread impunity for domestic violence. According to women's groups, "in 2021, 75% of cases of rape, 94% of cases of kidnapping for marriage, 90% of cases of domestic violence offenses were terminated."[31]

There are serious reports of torture of detainees. In July 2020, the human rights defender Azimjon Askarov died in custody ten years into his sentence under unclear circumstances.[32] In December 2021, the UN Committee Against Torture expressed deep concern about allegations of torture of detainees while in police custody.[33]

22 *2020 Country Reports on Human Rights Practices: Kyrgyzstan*, **U.S. State Department** (April 22, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/kyrgyzstan/.

23 *Freedom in the World 2022: Kyrgyzstan*, **Freedom House** (2022), https://freedomhouse.org/country/kyrgyzstan/freedom-world/2022.

24 *Id.*

25 *Davron Hotam, Kyrgyzstan Suspends TV Station, Arrests Director for Russia Comments*, **VOA** (March 9, 2022), https://www.voanews.com/a/kyrgyzstan-suspends-tv-station-arrests-director-for-russia-comments-/6477607.html.

26 *Freedom in the World 2022: Kyrgyzstan*, supra note 23.

27 *World Report 2021: Kyrgyzstan Events of 2021*, **HRW** (2021), https://www.hrw.org/world-report/2022/country-chapters/kyrgyzstan.

28 *Kyrgyzstan*, **Reporters Without Borders** (last visited September 8, 2022), https://rsf.org/en/country/kyrgyzstan.

29 *HRW Report on Kyrgyzstan*, supra note 27.

30 *Freedom in the World 2022: Kyrgyzstan*, supra note 23.

31 *Catherine Putz, Child Rape Case Sparks Protests in Kyrgyzstan*, **Diplomat** (July 8, 2022), https://thediplomat.com/2022/07/child-rape-case-sparks-protests-in-kyrgyzstan/.

32 *HRW Report on Kyrgyzstan*, supra note 27.

33 *UN Committee against Torture publishes findings on Bolivia, Kyrgyzstan, Lithuania, Nigeria, Siberia and Sweden*, **OHCHR** (December 3, 2021), https://www.ohchr.org/en/press-releases/2021/12/un-committee-against-torture-publishes-findings-bolivia-kyrgyzstan-lithuania.

Supporters of Sadyr Japarov, Kyrgyzstan's prime minister and presidential candidate, attend a campaign rally ahead of the presidential election in Bishkek, Kyrgyzstan on January 8, 2021 [Vladimir Pirogov/Reuters]

Voting Record NEGATIVE

Kyrgyzstan served on the Human Rights Council from 2016 to 2018. In that capacity, it voted against resolutions speaking out for human rights victims in Iran and failed to support resolutions on behalf of human rights victims in Belarus, Burundi, and Syria. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council.

At the General Assembly, Kyrgyzstan voted against resolutions that spoke out for victims of human rights in Iran and Crimea and failed to support resolutions on behalf of human rights victims in Syria, Georgia, and Ukraine. Kyrgyzstan also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights, shielded human rights abusers through a resolution denying the right to sanction such regimes, and opposed a resolution on the responsibility to prevent genocide.

Sudan

Human Rights Record

Sudan commits serious human rights violations, including:[34] unlawful or arbitrary killings; cruel, inhuman and degrading treatment; harsh and life-threatening prison conditions; arbitrary arrest; political prisoners; unlawful interference with privacy; serious abuses in conflict, including killings and abductions; serious restrictions on free expression, including violence against journalists and censorship; substantial interference with freedom of association; government corruption; lack of accountability for gender-based violence; laws targeting LGBT; and child labor.

In October 2021, after Sudan appeared to be on the road to a peaceful transition to democracy, the military dissolved the transitional government in a coup.[35] As a result of the coup, civilian Prime Minister Abdulla Hamdok and other officials were detained. Although Hamdok was reinstated in November as part of a power-sharing deal with the military which excluded the civilian political coalition, Hamdok ultimately resigned less than two months later lamenting that he had been unable to stop the country from "sliding towards disaster."[36]

The military harshly cracked down on pro-democracy protests following the coup, killing at least 53 protesters and injuring hundreds. Injured protesters were denied medical treatment and women protesters reported being raped by security forces. Detained protesters reported being tortured. To suppress the protests, authorities also shut down the internet, blocked roads, and arrested organizers.[37]

In the period preceding the coup, the press increasingly came under attack by security forces, including through surveillance, assaults, arrests, and suspensions/shutdowns. The attacks worsened after the coup.[38] The state-owned media which is controlled by the military disseminates propaganda. Reporters without Borders currently ranks Sudan as 151 out of 180 countries for press freedom, i.e., in the bottom 20%.[39]

Ethnic violence in the Darfur region increased during 2021 with hundreds killed and nearly 500,000 newly displaced according to the UN and NGOs.[40] Mass graves were discovered in Central Darfur in July 2021. In a span of three days in April 2022, at least 159 people were killed in Darfur. High Commissioner Bachelet said she was "appalled" at the killings.[41]

34 *2021 Country Reports on Human Rights Practices: Sudan*, **U.S. State Department** (April 22, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/sudan/.

35 *Freedom in the World 2022: Sudan,* **Freedom House** (2022), https://freedomhouse.org/country/sudan/freedom-world/2022.

36 https://www.bbc.com/news/world-africa-59855246.

37 *Freedom in the World 2022: Sudan*, supra note 35.

38 *Id.; Sudan*, **Reporters Without Borders** (last visited September 8, 2022), https://rsf.org/en/country/sudan.

39 *Id.*

40 *Freedom in the World 2022: Sudan*, supra note 35; see also *More than 15,000 people displaced in new Darfur violence, U.N. says*, **Reuters** (January 27, 2022), https://www.reuters.com/world/africa/more-than-15000-people-displaced-new-darfur-violence-un-says-2022-01-27/.

41 *Sudan: Bachelet appalled by Darfur killings, warns against escalation*, **OHCHR** (April 27, 2022), https://www.ohchr.org/en/press-releases/2022/04/sudan-bachelet-appalled-darfur-killings-warns-against-escalation.

https://sudantribune.com/article254244/

Voting Record NEGATIVE

Sudan is currently a member of the Human Rights Council. In that capacity, it opposed a resolution speaking out for human rights victims in Eritrea and failed to support resolutions on behalf of human rights victims in Belarus, Burundi, Iran, Nicaragua, Syria, and Venezuela. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council. UN Watch gave it a score of "Very Destructive" based on its 2020 voting record at the UNHRC.[42]

At the General Assembly, Sudan voted against resolutions that spoke out for victims of human rights in Georgia and Crimea and failed to support resolutions on behalf of human rights victims in Iran, Syria, and Ukraine. Sudan also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights, shielded human rights abusers through a resolution denying the right to sanction such regimes, and failed to support a resolution on the responsibility to prevent genocide.

42 *UNHRC Scorecard 2020*, supra note 11.

Venezuela

Human Rights Record

Venezuela commits serious human rights violations, including:[43] unlawful or arbitrary killings, including by government forces; forced disappearances; torture and cruel, inhuman or degrading treatment by the government; harsh and life-threatening prison conditions; arbitrary arrests; political prisoners; lack of independence of the judiciary; unlawful interference with privacy; punishment of family members for offenses allegedly committed by an individual; serious restrictions on freedom of expression and the press, including violence against and arrests of journalists; lack of free and fair elections; restrictions on freedom of assembly; serious government corruption; restrictions on or harassment of human rights organizations; lack of investigations and accountability for violence against women; trafficking in persons; violence against indigenous people and members of the LGBT community; and child labor.

Venezuela is an authoritarian regime ruled by President Nicolás Maduro who was reelected to a second six-year term in May 2018 in elections that were not considered to be free and fair.[44] A number of opposition parties were banned from participating in the elections. In addition, major opposition figures such as Leopoldo López and Henrique Capriles were disqualified from competing.[45] The flawed elections were widely criticized by the international community. In January 2019, as Maduro commenced his second term, opposition leader Juan Guaidó, President of the National Assembly, declared himself interim-president until free and fair elections could be held.[46] The December 2020 election for the National Assembly were boycotted by the major opposition parties, and the results of the election in which the ruling party won 91% of the seats were rejected as illegitimate by leading democracies.[47] There are no independent government institutions to act as a check on Maduro's power.

The government routinely targets opposition leaders, including by imprisoning them and preventing them from participating in elections. According to a September 2020 Human Rights Council report, as of June that year, the Venezuelan Supreme Court had stripped 28 opposition deputies of their parliamentary immunity and 36 others had fled the country or gone into hiding for fear of criminal persecution.[48] A previous UNHRC report from July 2019, stated that since 2016 the Venezuelan government has implemented a strategy "aimed at neutralizing, repressing and criminalizing political opponents and people critical of the Government."[49] Opposition leader Leopoldo López spent three years in prison, followed by house arrest. He fled to Spain in October 2020. In October 2021, jailed former Defence Minister General Raul Baduel—considered a political prisoner—died in custody allegedly of coronavirus while awaiting trial.[50]

43 *2021 Country Reports on Human Rights Practices: Venezuela*, **U.S. State Department** (April 22, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/venezuela/.

44 *Freedom in the World 2019: Venezuela*, **Freedom House** (2019), https://freedomhouse.org/report/freedom-world/2019/venezuela.

45 *Id.*

46 Joe Parkin Daniels, *Venezuela: who is Juan Guaido, the man who declared himself president?* **The Guardian** (January 23, 2019), https://www.theguardian.com/world/2019/jan/15/juan-guaido-venezuelan-opposition-leader-challenging-maduros-rule.

47 *Freedom in the World 2022: Venezuela*, **Freedom House** (2022), https://freedomhouse.org/country/venezuela/freedom-world/2022.

48 *Outcomes of the investigation into allegations of possible violations of the human rights to life, liberty, and physical and moral integrity in the Bolivarian Republic of Venezuela*, UN Doc. A/HRC/44/20, **OHCHR** (September 17, 2020), https://www.ohchr.org/en/documents/country-reports/ahrc4420-outcomes-investigation-allegations-possible-violations-human.

49 *UN Human Rights report on Venezuela urges immediate measures to halt and remedy grave rights violations*, **OHCHR** (July 4, 2019), https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24788&LangID=E.

50 Deisy Buitrago, *Jailed former Venezuelan minister dies of COVID-19*, **Reuters** (October 14, 2021), https://www.reuters.com/world/americas/jailed-former-venezuelan-minister-dies-covid-19-2021-10-13/; *Statement of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela on the Death in Custody of General Baduel*, **OHCHR** (October 18, 2021), https://www.ohchr.org/en/statements/2021/10/statement-independent-international-fact-finding-mission-bolivarian-republic.

According to a report by the Venezuelan Observatory of Violence, there are six deaths per day of individuals resisting authority in Venezuela.[51] The NGO Control Ciudadano found that in the first two weeks of January 2022 alone, 27 Venezuelans were killed by security forces. The NGO Cofavic reported 9,211 extrajudicial killings between 2016 and March 2021.[52]

In September 2020, the UN International Fact-Finding Mission on Venezuela published a report finding "reasonable grounds to believe that Venezuelan authorities and security forces have since 2014 planned and executed serious human rights violations, some of which – including arbitrary killings and the systematic use of torture – amount to crimes against humanity." It further found that these crimes were not "isolated acts," but were "coordinated and committed pursuant to State policies, with the knowledge or direct support of commanding officers and senior government officials."[53]

In November 2021, the International Criminal Court opened a formal investigation into alleged crimes against humanity committed in Venezuela.[54]

A Venezuelan opposition demonstrator gestures towards Venezuela's security forces at Simon Bolivar bridge on the border line between Colombia and Venezuela as seen from Cucuta, Colombia February 23, 2019. REUTERS/Edgard Garrido. https://www.infobae.com/en/2022/03/29/amnesty-international-denounced-that-the-nicolas-maduro-regime-continues-to-implement-its-policy-of-repression/

Voting Record NEGATIVE

Venezuela is currently a member of the Human Rights Council. In that capacity, it has opposed resolutions on behalf of human rights victims in Belarus, Burundi, Eritrea, Iran, Myanmar, Nicaragua, and Syria. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council. UN Watch gave Venezuela a score of "Very Destructive" based on its 2020 voting record at the UNHRC.[55]

At the General Assembly, Venezuela voted against resolutions that spoke out for victims of human rights in Iran, Syria, and Crimea and failed to support resolutions on behalf of human rights victims in Georgia and Ukraine. Venezuela also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights, shielded human rights abusers through a resolution denying the right to sanction such regimes, and opposed a resolution on the responsibility to prevent genocide.

51 Cristina Gomez, *Venezuela and the rise in extrajudicial executions*, **Atalayar** (January 18, 2022), https://atalayar.com/en/content/venezuela-and-rise-extrajudicial-executions.

52 *Extrajudicial executions in the poorest areas of Venezuela increase*, **El Pais** (January 16, 2022), https://elpais.com/internacional/2022-01-16/aumentan-las-ejecuciones-extrajudiciales-en-las-zonas-mas-pobres-de-venezuela.html.

53 *Venezuela: UN report urges accountability for crimes against humanity*, **OHCHR** (September 16, 2020), https://www.ohchr.org/en/press-releases/2020/09/venezuela-un-report-urges-accountability-crimes-against-humanity?LangID=E&NewsID=26247.

54 *ICC Prosecutor, Mr. Karim A.A. Khan QC, opens an investigation into the Situation in Venezuela and concludes Memorandum of Understanding with the Government*, **ICC** (November 5, 2021), https://www.icc-cpi.int/news/icc-prosecutor-mr-karim-aa-khan-qc-opens-investigation-situation-venezuela-and-concludes.

55 *UNHRC Scorecard 2020*, supra note 11.

Vietnam

Human Rights Record

Vietnam commits serious human rights violations, including:[56] unlawful or arbitrary killings; torture; harsh and life-threatening prison conditions; arbitrary arrest; political prisoners; politically motivated reprisals against individuals in another country; lack of independence of the judiciary; unlawful interference with privacy; serious restrictions on free expression, including arbitrary arrest of government critics, censorship, and criminal libel laws; substantial interference with freedom of association; restrictions on freedom of movement; lack of free and fair elections; government corruption; trafficking in persons; and child labor.

Vietnam is a communist state with a one-party political system. Elections are controlled by the communist party and are not considered free and fair. The government of Vietnam imposes tight restrictions on freedom of expression, association, and religion.[57]

Vietnam's criminal code prohibits speech criticizing the government and the state controls all media. The government has a practice of arresting and persecuting independent journalists and bloggers. In addition, the cybersecurity law that came into effect in 2019 restricts internet freedom and violates privacy by requiring companies like google and Facebook to maintain information about Vietnamese users and block access to certain content. The government also conducts online surveillance of its citizens.[58] The army has a special unit of 10,000 cyber-soldier (Force 47) devoted to promoting the party line and attacking online dissidents.[59]

According to Reporters Without Borders, approximately 40 journalists are currently jailed in Vietnam's prisons.[60] RSF Asia-Pacific desk head Daniel Bastard described Vietnam as "the world's third-largest prison for journalists," after China and Myanmar.[61]

In January 2021, Vietnam intensified its crackdown on dissent in the leadup to the Communist Party Congress, a leadership meeting held every five years.[62] That month, three prominent members of the Independent Journalists Association were tried and given prison sentences of between 11 and 15 years.[63] Later in the year, blogger/journalist Pham Doan Trang was sentenced to nine years in prison for "spreading anti-state propaganda." [64] In 2021, a number of other activists and dissidents were prosecuted under Article 117 of the Criminal Code which criminalizes various activities that "aim to oppose the state."[65] In addition, at least 11 people were prosecuted under Criminal Code Article 331 for "abusing the rights to freedom and democracy to infringe upon the interests of the state." Many dissidents and activists are also subjected to arbitrary house arrests, intimidation, and kidnapping.[66]

56 *2021 Country Reports on Human Rights Practices: Vietnam*, **U.S. State Department** (April 22, 2022), https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/vietnam/.

57 *Freedom in the World 2022: Venezuela*, **Vietnam** (2022), https://freedomhouse.org/country/vietnam/freedom-world/2022.

58 *Id.*

59 *Vietnam*, **Reporters Without Borders** (last visited September 8, 2022), https://rsf.org/en/country/vietnam.

60 *Id.*

61 Linh Dan, *An Hai, With West Distracted by Pandemic, Vietnam Ramps Up Repression*, **VOA** (January 11, 2022), https://www.voanews.com/a/with-west-distracted-by-pandemic-vietnam-ramps-up-repression-/6393202.html.

62 James Pearson, *Vietnam steps up 'chilling' Crackdown on dissent ahead of key Communist Party congress*, **Reuters** (January 19, 2021), https://www.reuters.com/business/media-telecom/vietnam-steps-up-chilling-crackdown-dissent-ahead-key-communist-party-congress-2021-01-19/.

63 *World Report 2021: Vietnam Events of 2021*, **HRW** (2021), https://www.hrw.org/world-report/2022/country-chapters/vietnam.

64 *Vietnam Sentences Journalist to 9 Years for 'Spreading Anti-State Propaganda,'* **VOA** (December 14, 2021), https://www.voanews.com/a/vietnam-sentences-journalist-to-9-years-for-spreading-anti-state-propaganda-/6354773.html.

65 *HRW Report on Vietnam*, supra note 64.

66 *Id.*

Vietnamese activists stage a rare anti-China protest in Vietnam in a file photo. Photo: Facebook. https://asiatimes.com/2021/08/us-vietnam-still-crucially-apart-on-human-rights/

Voting Record NEGATIVE

Vietnam served on the Human Rights Council from 2014 to 2016. In that capacity, it opposed resolutions speaking out for human rights victims in Belarus and Iran and failed to support resolutions on behalf of human rights victims in Burundi and Syria. It also supported counterproductive resolutions that undermined individual human rights or addressed issues beyond the competency of the Council.

At the General Assembly, Vietnam voted against resolutions that spoke out for victims of human rights in Iran and Georgia and failed to support resolutions on behalf of human rights victims in Crimea and Syria. Vietnam also supported counterproductive resolutions that undermined individual human rights by elevating vague and undefined rights such as the "right to development" and the "right to peace" above universally recognized individual human rights, shielded human rights abusers through a resolution denying the right to sanction such regimes, and failed to support a resolution on the responsibility to prevent genocide.

UN Watch

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