



EVALUATION OF UNHRC CANDIDATES FOR 2021-2023

Report by UN Watch, Human Rights Foundation and the
Raoul Wallenberg Centre for Human Rights

October 5, 2020

This report evaluates the candidates for the October 13, 2020 election of 15 new members to the UN Human Rights Council. We applied the criteria in UNGA Resolution 60/251, which requires members to “uphold the highest standards in the promotion and protection of human rights.” In particular, we examined (a) each candidate’s record of domestic human rights protection; and (b) its UN voting record. The report finds as follows:

UNQUALIFIED

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

China, Cuba, Pakistan, Russia, Saudi Arabia, Uzbekistan

QUESTIONABLE

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

Bolivia, Côte d’Ivoire, Nepal, Malawi, Mexico, Senegal, Ukraine

QUALIFIED

Only two out of sixteen candidate countries are qualified to be council members:

France, United Kingdom

The absence of competition this year in four out 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 Angola, Democratic Republic of Congo, Nigeria, Senegal

FH: Freedom House; RSF: Reporters Sans Frontières Press Freedom Index

COUNTRY	FH RATING	ECONOMIST RATING	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
Côte d'Ivoire	Partly Free	Hybrid Regime	Problematic	Mixed	Questionable
Malawi	Partly Free	Hybrid Regime	Problematic	Mixed	Questionable
Senegal	Partly Free	Hybrid Regime	Satisfactory	Mixed	Questionable
Unknown					

ASIAN GROUP

CONTESTED: 5 CANDIDATES FOR 4 SEATS

Replacing Afghanistan, Nepal, Pakistan, Qatar

COUNTRY	FH RATING	ECONOMIST RATING	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
China	Not Free	Authoritarian	Very Serious	Negative	Unqualified
Nepal	Partly Free	Hybrid Regime	Difficult	Mixed	Questionable
Pakistan	Partly Free	Hybrid Regime	Difficult	Negative	Unqualified
Saudi Arabia	Not Free	Authoritarian	Very Serious	Mixed	Unqualified
Uzbekistan	Not Free	Authoritarian	Difficult	Negative	Unqualified

LATIN AMERICAN AND CARIBBEAN GROUP

CLOSED SLATE: 3 CANDIDATES FOR 3 SEATS

Replacing Chile, Mexico, Peru

COUNTRY	FH RATING	ECONOMIST RATING	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
Bolivia	Partly Free	Hybrid Regime	Difficult	Mixed	Questionable
Cuba	Not Free	Authoritarian	Very Serious	Negative	Unqualified
Mexico	Partly Free	Flawed Democracy	Difficult	Positive	Questionable

WESTERN EUROPEAN AND OTHERS GROUP

CLOSED SLATE: 2 CANDIDATES FOR 2 SEATS

Replacing Australia, Spain

COUNTRY	FH RATING	ECONOMIST RATING	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
France	Free	Full Democracy	Satisfactory	Positive	Qualified
United Kingdom	Free	Full Democracy	Satisfactory	Positive	Qualified

EASTERN EUROPEAN GROUP

CLOSED SLATE: 2 CANDIDATES FOR 2 SEATS

Replacing Slovakia, Ukraine

COUNTRY	FH RATING	ECONOMIST RATING	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
Russia	Not Free	Authoritarian	Difficult	Negative	Unqualified
Ukraine	Partly Free	Hybrid	Problematic	Positive	Questionable

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, 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 whatsoever in four out of the five regional slates.

The country evaluations in this report are based on information, ratings and analysis from the following sources:

- *The Economist Democracy Index (2019)*, 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 (2020)*, 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 (2020)*, 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 UN on 10 different thematic and country-specific human rights proposals, and classifying their

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 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 11 to 17 are ranked as having Positive voting records; those scoring 6 to 10 are Mixed; and those scoring 0 to 5 are Negative.

CALL TO ACTION

OPPOSE UNQUALIFIED CANDIDATES

In the upcoming October 2020 election, the UN General Assembly's 193 member states will be asked to fill 15 of the 47 Human Rights Council seats. Slots open each year as members complete their three-year terms. We call upon member states to refrain from voting in favor of **China, Cuba, Pakistan, Russia, Saudi Arabia and Uzbekistan**. 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 **Bolivia, Côte d'Ivoire, Malawi, Mexico, Nepal, Senegal, Ukraine** 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 four 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 Eastern European Group submitted a closed slate, UN member states should fulfill their duties under UNGA Resolution 60/251 by refraining to vote for Russia.

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 six unqualified candidates: **China, Cuba, Pakistan, Russia, Saudi Arabia and Uzbekistan.**

China’s Human Rights Record

China commits serious human rights violations, including: forced disappearances; political prisoners; harsh prison conditions; arbitrary interference with privacy; lack of independence of judiciary; attacks on journalists, lawyers, writers, bloggers, dissidents, petitioners and their family members; interference with the rights to freedom of assembly and association; severe restrictions on religious freedom; coercive birth limitation policy; inability of citizens to choose their government; corruption; official repression of Tibetans and other ethnic and religious minorities; and, perhaps most urgently today, the imprisonment of more than 1 million Uighur Muslims in extrajudicial camps in Xinjiang, where China subjects detainees to abuses, torture and killings; arbitrary or unlawful killings;

Claims Versus Facts

China’s campaign pledge to the UNHRC² includes the following claims:

1. **Claim:** “The Chinese Government...has protected people’s rights to vote, to know, to participate, to express...”

Fact: The citizens of China do not choose their leadership in free and fair elections. Rather, the Communist party leadership selects the President.³ China also violates the right to freedom of expression. According to the Committee to Protect Journalists, China is among the ten countries with the most censorship and has been one of the top jailers of journalists for more than twenty years.⁴ China also increasingly jails human rights activists and even ordinary WeChat users for online activity.⁵

2. **Claim:** “China has ensured independent and impartial exercise of the judicial and procuratorial power and improved the judicial accountability system.”

Fact: The U.S. State Department reports that the Chinese Communist Party dominates the judiciary, controls judicial appointments and “in certain cases directly dictated the court’s ruling.”⁶ This has been affirmed by the UN’s Committee Against Torture, which in 2016

² Letter dated 2 June 2020 from the Permanent Representative of China to the United Nations, UN Doc. A/75/90.

³ *Freedom in the World 2020: China*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/china/freedom-world/2020>.

⁴ *10 Most Censored Countries*, COMMITTEE TO PROTECT JOURNALISTS (Sep. 2019), <https://cpj.org/reports/2019/09/10-most-censored-eritrea-north-korea-turkmenistan-journalist/#5>.

⁵ *China media bulletin*, FREEDOM HOUSE (November 2019), <https://freedomhouse.org/report/china-media-bulletin/2020/china-media-bulletin-2019-internet-freedom-trends-shutterstock>.

⁶ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2018 Country Reports on Human Rights Practices: China (March 11, 2020), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/china/>; [hereinafter *State Department Report on China*].

expressed concern about the lack of judicial independence in China.⁷ In 2017, Zhou Qiang, President of the Supreme People’s Court attacked the very notion of judicial independence, calling it a “false western ideal.”⁸ In 2019, President Xi himself published an article avowing that China would “never follow the path of Western ‘constitutionalism,’ ‘separation of powers,’ or ‘judicial independence.’”⁹

3. Claim: “China has actively participated in United Nations human rights affairs, earnestly fulfills its international human rights obligations, carried out extensive international human rights cooperation...”

Fact: China routinely blocks criticism by civil society at UN meetings. When President Xi addressed the UN in Geneva in January 2017, NGOs were barred from attending the speech. A few months later, UN security officials ejected Chinese-Uighur rights activist Dolkun Isa from a meeting at its NY headquarters.¹⁰ In June 2018, then-High Commissioner for Human Rights Zeid Hussein expressed dismay at “China’s continuing efforts to prevent independent members of civil society from engaging with human rights mechanisms, including Treaty Body reviews, this Council’s UPR, and many mandate-holders.”¹¹ The UN Secretary-General’s reports on reprisals regularly include cases of Chinese activists subjected to harassment and intimidation for their efforts to engage with the United Nations.¹²

4. Claim: “Since the outbreak of COVID-19, the Chinese Government has been giving top-most priority to people’s lives and health...” and “China has acted with openness, transparency and responsibility, updating COVID-19 information in a most timely fashion.”

Fact: Chinese authorities covered up the initial outbreak, punished those who tried to sound the alarm and save lives — like the courageous Dr. Li Wenliang of Wuhan — and fought other countries’ efforts to stop the spread of the disease, by measures such as travel restrictions.¹³

⁷ Comm. against Torture, Concluding observations on the fifth periodic report of China, UN Doc. CAT/C/CHN/CO/5, ¶ 22 (Feb. 3, 2016) [Hereinafter *CAT Report China*].

⁸ *China’s top judge denounces judicial independence*, FINANCIAL TIMES (Jan. 17, 2017), <https://www.ft.com/content/60ddd46-dc74-11e6-9d7c-be108f1c1dce>.

⁹ Charlotte Gao, *Xi: China Must Never Adopt Constitutionalism, Separation of Powers, or Judicial Independence*, THE DIPLOMAT (Feb. 19, 2019), <https://thediplomat.com/2019/02/xi-china-must-never-adopt-constitutionalism-separation-of-powers-or-judicial-independence/>.

¹⁰ *The Costs of International Advocacy*, HRW (Sep. 5, 2017), <https://www.hrw.org/report/2017/09/05/costs-international-advocacy/chinas-interference-united-nations-human-rights>.

¹¹ *Opening statement and global human rights update*, OHCHR (June 18, 2018), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23206&LangID=E>.

¹² Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, UN Doc. A/HRC/39/41, ¶ 22 and Annexes I and II (Aug. 13, 2018); Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, UN Doc. A/HRC/42/30, ¶¶ 45-46 (Sep. 9, 2019).

¹³ Alice Su, *A doctor was arrested for warning China about the coronavirus Then he dies of it*, LA TIMES (Feb. 6, 2020), <https://www.latimes.com/world-nation/story/2020-02-06/coronavirus-china-xi-li-wenliang>; Barnini Chakraborty, *Chinese doctor who first raised the alarm over COVID-19 vanishes*, FOX (April 1, 2020), <https://www.foxnews.com/world/chinese-doctor-critics-who-first-raised-the-alarm-over-covid-19-vanishes>; *UN Watch Exposes China’s Abuse, Demands W.H.O. Fire Chau Now*, UN WATCH (May 20, 2020), <https://unwatch.org/un-watch-exposes-chinas-abuse-of-w-h-o-calls-to-fire-chau-now/>.

China's delay in providing critical information to the World Health Organization to stem the spread of COVID-19 has now been widely reported.¹⁴

5. Claim: "China will prioritize the development of ethnic minorities and ethnic minority areas, respecting and protecting the rights of ethnic minorities."

Fact: The U.S. State Department reports that Chinese authorities have "arbitrarily detained more than one million Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in extrajudicial internment camps designed to erase religious and ethnic identities."¹⁵ Likewise in Tibet, China uses criminal laws to justify ethnic and religious persecution.¹⁶ For example, China imprisoned Tibetan language advocate, Tashi Wangchuk for "inciting separatism."¹⁷

Discussion

China is an authoritarian one-party political system led by President Xi Jinping who is also the Secretary General of the Chinese Communist Party. No Chinese national leader is freely elected.¹⁸ In March 2018, President Xi amended the constitution to eliminate presidential term limits, enabling him to rule the country indefinitely.¹⁹

Under President Xi, China brutally silences criticism and dissent through a variety of tactics, including torture, enforced disappearances and arbitrary detention. The Chinese Human Rights Defenders NGO asserts that under President Xi, China has become "the most draconian and invasive since the 1980s."²⁰ According to Human Rights Watch, "human rights activists are now enduring their worst persecution since peaceful protesters took to Tiananmen Square and streets across China in 1989."²¹

China severely restricts basic civil liberties including freedom of expression and freedom of association. As a result of a recent crackdown, a number of prominent advocacy NGOs have been forced to shut down²² and by January 2019, nearly 6,000 NGOs had been sanctioned.²³

¹⁴ *China delayed releasing coronavirus info, frustrating WHO*, ASSOCIATED PRESS (June 3, 2020), <https://apnews.com/3c061794970661042b18d5aecaed9fae>; Isabel Togoh, *Report: China Delayed Releasing Vital Coronavirus Information*, FORBES (June 2, 2020), <https://www.forbes.com/sites/isabeltogoh/2020/06/02/report-china-delayed-releasing-vital-coronavirus-information-despite-frustration-from-who/#60e351897a40>.

¹⁵ *State Department Report on China*, *supra* note 6.

¹⁶ "Illegal Organizations" *China's Crackdown on Tibetan Social Groups*, HRW (July 30, 2018), <https://www.hrw.org/report/2018/07/30/illegal-organizations/chinas-crackdown-tibetan-social-groups>.

¹⁷ *The Dark Side of the China Dream: Erasing Ethnic Identity*, THE DIPLOMAT (Aug. 17, 2018), <https://thediplomat.com/2018/08/the-dark-side-of-the-china-dream-erasing-ethnic-identity/>.

¹⁸ *Freedom in the World 2020: China*, *supra* note 3.

¹⁹ *Id.*; *World Report 2019: China Events of 2018*, HRW (2019), <https://www.hrw.org/world-report/2019/country-chapters/china-and-tibet>, [Hereinafter, *HRW Report: China*].

²⁰ *Defending Rights in a "No Rights Zone": Annual Report on the Situation of Human Rights Defenders in China 2018*, CHINESE HUMAN RIGHTS DEFENDERS (Feb. 21, 2019), <https://www.nchrd.org/2019/02/2018-hrd-report/>. [Hereinafter, *Defending Rights in a No Rights Zone*].

²¹ *Human Rights Activism in Post-Tiananmen China: A Tale of Brutal Repression and Extraordinary Resilience*, HRW (May 30, 2019), <https://www.hrw.org/news/2019/05/30/human-rights-activism-post-tiananmen-china>.

²² *Freedom in the World 2020: China*, *supra* note 3.

²³ *Defending Rights in a No Rights Zone*, *supra* note 20.

Human rights defenders are regularly subjected to arbitrary detention, imprisonment and enforced disappearance.²⁴ According to data published by the U.S. Congress, there were nearly 1600 political prisoners in China as of October 10, 2019.²⁵

Moreover, China arbitrarily detains more than one million ethnic Uighurs and other Muslims in government internment camps in Xinjiang where they are subjected to military-style discipline, political indoctrination, systematic torture and other degrading treatment.²⁶ Uighur women are also subjected to forced birth control, including sterilization and abortions.²⁷ The persecution is designed to erase their religious and ethnic identity.²⁸ China also persecutes other religious and ethnic minorities, including Tibetans, Falun Gong practitioners and Jehova's witnesses.²⁹

Due process violations are rampant in China, and include the excessive use of pretrial detention, lack of access to lawyers and forced confessions.³⁰ In addition, detention facilities in China are known for being overcrowded with poor sanitation and humiliating living conditions.³¹ Torture and other forms of cruel, inhumane or degrading treatment are common.³²

UN Voting Record

Negative: China voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, Syria, Cuba, Crimea and Myanmar. China backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, China voted against a resolution in support of human rights victims in Belarus.

Cuba's Human Rights Record

Cuba commits serious human rights violations, including: abuse of political dissidents and prisoners; harsh and life-threatening prison conditions; arbitrary arrests; political prisoners; lack of independence of the judiciary; arbitrary interference with privacy; restrictions on freedom of the press and assembly; restrictions on religious freedom; elections not free and fair; corruption; trafficking in persons; severely restricted workers' rights, including ban on labor unions; forced labor.

²⁴ *HRW Report: China*, *supra* note 19.

²⁵ Congressional-Executive Comm'n on China, China: List of Political Prisoners Detained or Imprisoned as of Oct. 10, 2019 (1,598 cases), <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/CECC%20Pris%20List%202019-1010.pdf>.

²⁶ *State Department Report on China*, *supra* note 6; *Up to one million detained in China's Mass "re-education" drive*, AMNESTY INTERNATIONAL (Sep. 24, 2018), <https://www.amnesty.org/en/latest/news/2018/09/china-up-to-one-million-detained/>.

²⁷ *China cuts Uighur births with IUDs, abortion, sterilization*, ASSOCIATED PRESS (June 29, 2020), <https://apnews.com/269b3de1af34e17c1941a514f78d764c>.

²⁸ *Up to one million detained in China's Mass "re-education" drive*, *supra* note 26; <https://thediplomat.com/2018/08/the-dark-side-of-the-china-dream-erasing-ethnic-identity/>.

²⁹ *Freedom in the World 2020: China*, *supra* note 3; U.S. Dep't of State, Bureau of Democracy, H.R. and Lab., 2019 Country Reports on Religious Freedom: China (June 10, 2020), <https://www.state.gov/reports/2019-report-on-international-religious-freedom/china/>.

³⁰ *Freedom in the World 2020: China*, *supra* note 3; *Congressional Report on China 2018*, *supra* note 25 at 30.

³¹ *Id.*; *Defending Rights in a No Rights Zone*, *supra* note 20.

³² *Defending Rights in a No Rights Zone*, *supra* note 20; *Congressional Report on China 2018*, *supra* note 25 at 107; *CAT Report China* at ¶ 20, *supra* note 7.

Claims Versus Facts

Cuba's campaign pledge to the UNHRC³³ includes the following claims:

1. Claim: “Cuba remains committed to promoting consideration of the just historical demands of the peoples of the South and the rest of the world on such issues as...combating racism, racial discrimination, xenophobia and related intolerance...”

Facts: The U.S. State Department reports that Afro-Cubans suffer racial discrimination and have been subject to racial epithets and beatings by security agents in response to political activism. State agents threatened antiracist activist Norberto Mesa Carbonel after he published an open letter to the government on structural racism in Cuba.³⁴

2. Claim: “As part of its policy of cooperation with the human rights treaty bodies, Cuba systematically complies with requests for information from the special procedure mandate holders of the Human Rights Council.”

Facts: According to a UN special procedures database, Cuba has barred entry to the Council's human rights experts on torture, free assembly, free expression, and arbitrary detention, rejecting their requests to visit the island and report on the situation of human rights.³⁵

3. Claim: Cuba commits to promoting democracy by highlighting “the exercise of power by the people” and “the participatory and democratic nature of the Cuban political system.”

Facts: Freedom House reports that Cuba is an authoritarian one-party system that excludes the public from any genuine and autonomous political participation.³⁶ Cuba arbitrarily detained leading rights activist and anti-government opposition figure Jose Daniel Ferrer in October 2019 on false charges and subjected him to brutal torture in prison, from which he was just released after six months.³⁷

4. Claim: “Cuba will continue to promote its traditional initiatives on such vital issues as the right to food and the promotion of cultural rights as essential requirements for the enjoyment of all human rights.”

Facts: Cuba institutionalized censorship of independent art and culture by passing Decree

³³ Note verbale dated 8 January 2020 from the Permanent Mission of Cuba, UN Doc. A/75/65.

³⁴ U.S. Dep't of State, Bureau of Democracy, H.R. and Lab., Country Reports on Human Rights Practices Cuba (2019) [hereinafter *State Department Report on Cuba*], <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/cuba/>.

³⁵ Special Procedures Country Visits, OHCHR (last visited May 25, 2020), <https://spinternet.ohchr.org/ViewCountryvisits.aspx?visitType=pending&lang=en>

³⁶ *Freedom in World 2020: Cuba*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/cuba/freedom-world/2020>.

³⁷ Frances Robles, *Activist's Case Hints at What Changes and What Stays the Same in Cuba*, NEW YORK TIMES (Dec. 2, 2019), <https://www.nytimes.com/2019/12/02/world/americas/cuban-activist-ferrer-diaz-canel.html?searchResultPosition=2>.

349 in December 2019, which established violations for art that was not regulated or recognized by official cultural institutions.³⁸ Because of Cuba's failed policies, including centralized control, its citizens lack basic foods.³⁹

5. **Claim:** "Cuba seeks to...prevent the Council's work from being tainted by the political manipulation that discredited and put paid to the Commission on Human Rights."

Facts: Cuba is more responsible than any other country in the world for the political manipulation of the UNHRC, sponsoring resolutions that seek to erode the meaning of individual human rights and to empower dictatorships. When Cuba came up for mandatory Council review in 2013, the regime committed a massive fraud on the Council by orchestrating 454 front groups to officially register 93 statements falsely praising Havana's policies and practices.⁴⁰ In addition, Cuba systematically opposes UN resolutions that speak out for human rights victims in Iran, North Korea and Syria. Cuba has backed human rights abusers through a resolution denying the right to sanction such regimes.

Discussion

Cuba is an authoritarian state, which until recently was led by Raúl Castro, who held the three most powerful governmental positions: president of the Council of State and Council of Ministers, Communist Party first secretary, and commander in chief of the security forces. Previously these positions all were held by Fidel Castro.⁴¹ Fidel Castro's reign was known for its harsh suppression of civil and political rights, backed up by the State security forces and the Cuban legal system, including a judiciary lacking in independence.⁴²

After Raúl Castro succeeded his brother in 2006,⁴³ he continued the same abusive tactics, including surveillance, beatings, arbitrary detention, and public acts of repudiation (*i.e.*, violence and intimidation against dissidents).⁴⁴

³⁸ *Cuba: New administration's Decree 349 is a dystopian prospect for Cuba's artists*, AMNESTY INTERNATIONAL (Aug. 24, 2018), <https://www.amnesty.org/en/latest/news/2018/08/cuba-new-administrations-decree-349-is-a-dystopian-prospect-for-cubas-artists/>.

³⁹ *Cuba Rations Stable Foods and Soap in Face of Economic Crisis*, NEW YORK TIMES (Mar. 11, 2019), <https://www.nytimes.com/2019/05/11/world/americas/cuba-rationing-sanctions.html>

⁴⁰ <https://unwatch.org/fraud-cuba-uses-454-front-groups-subvert-todays-un-review-human-rights-record/>

⁴¹ Lily Rothman, *How Fidel Castro Went From Revolutionary to Ruler*, TIME (Nov. 26, 2016), <http://time.com/3666177/fidel-castro-cuba-history/>; *Cuba: Fidel Castro's Record of Repression*, HUMAN RIGHTS WATCH (Nov. 26, 2016), <https://www.hrw.org/news/2016/11/26/cuba-fidel-castros-record-repression>.

⁴² *Id.* See also *Fidel Castro's terrible legacy*, THE WASHINGTON POST (Nov. 26, 2016), https://www.washingtonpost.com/opinions/fidel-castros-terrible-legacy/2016/11/26/0659042c-b3de-11e6-8616-52b15787add0_story.html?noredirect=on&utm_term=.f3d1e872e45b; Glenn Garvin, *Red ink: The high human cost of the Cuban revolution*, MIAMI HERALD (Dec. 1, 2016), <http://www.miamiherald.com/news/nation-world/world/americas/cuba/article118282148.html>.

⁴³ Daniel Trotta & Sarah Marsh, *Cuba's Fidel Castro made revolutionary mark on history*, REUTERS (Nov. 26, 2016), <https://www.reuters.com/article/us-cuba-castro-obituary/cubas-fidel-castro-made-revolutionary-mark-on-history-idUSKBN13L05O>.

⁴⁴ *Cuba: Fidel Castro's Record of Repression*, *supra* note 41.

Today, under President Miguel Diaz-Canal, Cuba continues to be a one-party communist state with the Communist Party being the only legal party recognized by the constitution.⁴⁵ The Communist Party controls all government offices and most civil institutions. Thus, there is no independent judiciary. In addition, Cuba does not have free or fair elections with all candidates being prescreened by the Communist Party, and any opposition eliminated through government harassment and intimidation.⁴⁶

Individual Cubans are not free to express their political views without fear of government retribution.⁴⁷ The Organization of American States' (OAS) Inter-American Commission on Human Rights (IACHR), the most authoritative regional mechanism, has stated "Cuba is the only country in the Hemisphere where it can be categorically said that there is no freedom of expression."⁴⁸

In this vein, the government of Cuba also severely restricts freedom of association. Political groups that are not officially recognized are prohibited by the constitution. Legal recognition is denied to opposition political parties and NGOs. Independent civil society organizations and their members are subjected to intimidation, raids, confiscations, physical assaults, arbitrary detentions and charges, and forced exile, as a matter of course.⁴⁹

Cuba routinely uses arbitrary detention as a tool to silence government critics and human rights activists.⁵⁰ Furthermore, police are known to violate procedural laws and commit human rights abuses with impunity in connection with these arbitrary arrests. Detentions are often accompanied by violence, and police and security forces frequently employ physically abusive tactics, threats, and harassment during questioning. The government also mistreats political prisoners, holding them in isolation for extended periods, subjecting them to abuse in custody, and denying them access to home visits, prison classes, telephone calls, and family visits.⁵¹

UN Voting Record

Negative: Cuba voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, Syria, Crimea and Myanmar. Cuba backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, Cuba voted against a resolution in support of human rights victims in Belarus.

Pakistan's Human Rights Record

Pakistan commits serious human rights violations, including: unlawful or arbitrary killings; forced disappearance; torture; arbitrary detention; arbitrary interference with privacy; restrictions on freedom of expression and the press; violence against journalists; restrictions on freedom of association; restrictions on religious freedom; recruitment of child soldiers by nonstate militant groups;

⁴⁵ *Freedom in World 2020: Cuba*, *supra* note 36.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Annual Rep. of the Inter-Am. Comm'n H.R.*, at ¶ 127, OEA/Ser.L/V/II.130 Doc. 22 rev. 1. (Dec. 29, 2007), <http://www.cidh.org/annualrep/2007eng/TOC.htm>.

⁴⁹ *State Department Report on Cuba*, *supra* note 34; *Freedom in World 2018: Cuba*, *supra* note 36.

⁵⁰ *Id.*

⁵¹ *Id.*

human trafficking; violence against racial and ethnic minorities; violence against LGBT; criminalization of same-sex conduct; child labor.

Claims Versus Facts

Pakistan's campaign pledge to the UNHRC⁵² includes the following claims:

1. Claim: "Pakistan attaches high importance to the work of the Human Rights Council."

Facts: Pakistan does not cooperate with the UNHRC's human rights experts (aka "Special Procedures"). The last visits to Pakistan were in 2012 by the Special Rapporteur on the Independence of Judges and the Working Group on Involuntary Disappearances.⁵³ Since 2012, Pakistan has barred access to all UNHRC experts who requested visits, including: the experts on freedom of expression, on torture, on freedom of religion, on human rights defenders, on extrajudicial killings, on freedom of assembly, among others.⁵⁴

2. Claim: "Rights of the child remains one of the major areas of focus for Pakistan."

Facts: Pakistani children are subjected to multiple forms of violence and abuse including exploitative labor practices, sexual abuse and child marriage. According to UNICEF, Pakistan has the sixth highest number of child brides in the world.⁵⁵ Human Rights Watch reports that "an average of 11 cases of child sexual abuse are reported daily across Pakistan," including of girls as young as 5.⁵⁶ Furthermore, child labor remains a serious problem, including sale of children into domestic servitude and kidnapping of children for sale to militant groups, organized begging or child sex trafficking.⁵⁷

3. Claim: "Pakistan will preserve, promote and strengthen freedoms of the press, communication, assembly, expression or opinion..."

Facts: Pakistan ranks in the bottom 20% of the Reporters Sans Frontiers (RSF) world press freedom index (145/180).⁵⁸ RSF reports widespread military censorship over the media.⁵⁹ This includes government targeting of journalists, TV programs and stations and media

⁵² Note verbale dated 18 June 2020 from the Permanent Mission of Pakistan, UN Doc. A/75/119.

⁵³ *Pakistan country page*, OHCHR <https://www.ohchr.org/EN/Countries/AsiaRegion/Pages/PKIndex.aspx> (last visited Aug. 16, 2020).

⁵⁴ *Country visits of Special Procedures*, OHCHR, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&Lang=en> (last visited Aug. 16, 2020).

⁵⁵ *Pakistan, GIRLS NOT BRIDES*, <https://www.girlsnotbrides.org/child-marriage/pakistan/#:~:text=21%25%20of%20girls%20in%20Pakistan,areas%20and%20in%20Gilgit%20Balistan> (list visited Aug. 16, 2020).

⁵⁶ Saroop Ijaz, *Protect Pakistan's Children from Sexual Abuse*, HRW (Aug. 14, 2018), <https://www.hrw.org/news/2018/08/14/protect-pakistans-children-sexual-abuse>.

⁵⁷ U.S. Dep't of State, Bureau of Democracy, H.R. and Lab., 2019 Country Reports on Human Rights Practices: Pakistan (March 11, 2020), <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/pakistan/> [Hereinafter: "*State Department Report on Pakistan*"].

⁵⁸ *2020 World Press Freedom Index*, RSF, <https://rsf.org/en/ranking>, (last visited Aug. 16, 2020).

⁵⁹ *Pakistan*, RSF, <https://rsf.org/en/pakistan>, (last visited Aug. 16, 2020).

companies.⁶⁰ In addition, journalists are subjected to violence. Four journalists and a blogger were killed in 2019.⁶¹ In 2018, Pakistani journalist Taha Siddiqui fled the country after escaping an attempted abduction by the military. “My life is under threat,” he said at the time.⁶²

4. **Claim:** “Pakistan will continue to protect the rights of minorities and promote further interfaith harmony.”

Facts: Religious minorities in Pakistan suffer from discrimination, sectarian violence and forced conversions. Blasphemy laws are exploited to attack and persecute members of religious minorities, particularly Christians.⁶³ Christian mother of five Asia Bibi spent eight years on death row in Pakistan after she was accused of blasphemy following a dispute with local Muslim women over a cup of water. Two Pakistani politicians were killed for supporting her.⁶⁴ In April 2017, Pakistani student Mashal Khan was brutally lynched after he was accused of posting blasphemous content on social media.⁶⁵

5. **Claim:** “Pakistan will continue to promote engagement, dialogue and cooperation with the States and civil society in addressing ‘situations of concern’ in the Human Rights Council.”

Facts: Pakistan’s record at the Human Rights Council demonstrates that its approach to “situations of concern” is highly politicized and not universal or impartial. For example, it has supported every single Special Session on Israel, but none on Syria. In addition, in 2019, the only country-specific condemnatory resolutions it supported were those on Israel and Myanmar. It did not support condemnatory resolutions on Syria, Iran, Nicaragua, Eritrea, Burundi, or Venezuela. Furthermore, it has never sought to hold to account notorious abusers such as China, Cuba, Russia or Saudi Arabia for their human rights violations.

Discussion

Large areas of Pakistan continue to suffer from terrorist violence targeting civilians and the military, mostly perpetrated by the Tehrik-Taliban Pakistan (TTP).⁶⁶ Pakistani military and security forces are

⁶⁰ *Freedom in the World 2020: Pakistan*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/pakistan/freedom-world/2020>.

⁶¹ *Pakistan*, RSF, *supra* note 59.

⁶² Drazen Jorgic, *Pakistani journalist critical of military escapes kidnap attempt*, REUTERS (Jan. 10, 2018), <https://www.reuters.com/article/us-pakistan-media-kidnapping/pakistani-journalist-critical-of-military-escapes-kidnap-attempt-idUSKBN1EZ0TK>.

⁶³ *Freedom in the World 2020: Pakistan*, *supra* note 60.

⁶⁴ Emma Graham-Harrison, *Asia Bibi: Pakistani woman jailed for blasphemy releases photos in exile*, GUARDIAN (Jan. 28, 2020), <https://www.theguardian.com/world/2020/jan/28/asia-bibi-pakistani-woman-jailed-for-blasphemy-releases-photos-in-exile>.

⁶⁵ Jibran Ahmed, *Pakistani student accused of blasphemy beaten to death on campus*, REUTERS (April 13, 2017), <https://www.reuters.com/article/us-pakistan-blasphemy/pakistani-student-accused-of-blasphemy-beaten-to-death-on-campus-idUSKBN17F1ZL>.

⁶⁶ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2019 Country Reports on Terrorism: Pakistan (2020), [https://www.state.gov/reports/country-reports-on-terrorism-2019/pakistan/#:~:text=Pakistan%20experienced%20significant%20terrorist%20threats,Taliban\)%20and%20ISIS%20DK; Global Conflict Tracker: Islamist militancy in Pakistan, CFR \(Aug. 13, 2020\), https://www.cfr.org/global-conflict-tracker/conflict/islamist-militancy-pakistan](https://www.state.gov/reports/country-reports-on-terrorism-2019/pakistan/#:~:text=Pakistan%20experienced%20significant%20terrorist%20threats,Taliban)%20and%20ISIS%20DK;Global Conflict Tracker: Islamist militancy in Pakistan, CFR (Aug. 13, 2020), https://www.cfr.org/global-conflict-tracker/conflict/islamist-militancy-pakistan).

accused of heavy-handed tactics in responding to the militants, including extrajudicial killings, arbitrary detentions and forced disappearances. In January 2019, police killed four members of a family including a teenage girl in an operation targeting a militant leader.⁶⁷ There were numerous other reports of disappearances of terror suspects, as well as of human rights activists, politicians and teachers.⁶⁸

In addition, Pakistani police and security forces engage in torture. In its 2017 concluding observations for Pakistan, the UN Committee Against Torture expressed concern about widespread police torture to obtain confessions, as well as torture in counterterrorism efforts.⁶⁹ The practice continues. In September 2019, mentally ill Salahuddin Ayubi was arrested for robbing a cash machine. He died in police custody two days later after having been tortured.⁷⁰

While officially Pakistan has freedom of the press, journalists and their families are often victims of violence and harassment by government organs and others.⁷¹ Many media outlets say they practice self-censorship and are routinely denied access to conflict areas. Content is also restricted through the “Code of Ethics,” and anti-blasphemy laws.⁷² In January 2020, the government adopted sweeping new regulations allowing it to arbitrarily demand removal of offending internet content, as well as the surrender of user data.⁷³

Human Rights Watch describes violence against women and girls in Pakistan as “common,” with local human rights groups estimating 1,000 honor killings per year.⁷⁴ These horrific crimes, in which women are often also tortured and/or mutilated, are under reported and frequently pardoned by the family, despite changes to the law partially eliminating the pardon loophole. In May 2020, two cousins were allegedly shot and killed by family members after a video of them kissing a man was circulated online.⁷⁵ Other violations against women include child marriage, trafficking in brides, sexual violence perpetrated by the police and domestic violence.⁷⁶

⁶⁷ *World Report 2019: Pakistan Events of 2018*, HRW (2019), <https://www.hrw.org/world-report/2020/country-chapters/pakistan>, [Hereinafter, *HRW Report: Pakistan*].

⁶⁸ *State Department Report on Pakistan*, *supra* note 57.

⁶⁹ Concluding observations on the initial report of Pakistan, UN Doc. CAT/C/PAK/CO/1, ¶ 6, 12 (June 1, 2017).

⁷⁰ <https://www.dw.com/en/deaths-in-custody-the-culture-of-police-torture-in-pakistan/a-50474723>.

⁷¹ *State Department Report on Pakistan*, *supra* note 57.

⁷² *Id.*

⁷³ *RSF Condemns Pakistan's Latest Bid to Censor Social Media*, RSF (Feb. 18, 2020), <https://rsf.org/en/news/rsf-condemns-pakistans-latest-bid-censor-social-media>.

⁷⁴ *Submission to the Committee on Elimination of Discrimination Against Women Review of Pakistan*, HRW (Jan. 10, 2020), <https://www.hrw.org/news/2020/01/10/submission-committee-elimination-discrimination-against-women-review-pakistan>; Saroop Ijaz, *Pakistan Should Not Again Fail 'Honor Killing' Victim*, HRW (Aug. 22, 2019), <https://www.hrw.org/news/2019/08/22/pakistan-should-not-again-fail-honor-killing-victim>.

⁷⁵ Emiko Jozuka and Sofia Saifi, *Two Pakistani women murdered in so-called honor killing after a leaked video circulates online*, CNN (May 18, 2020), <https://edition.cnn.com/2020/05/18/asia/pakistan-honor-killing-hnk-intl/index.html>.

⁷⁶ *HRW Submission to the Committee on Violence Against Women*, *supra* note 74; S. Khan, *Violence against women on the rise in Pakistan*, DEUTSCHE WELLE (Sep. 23, 2019), <https://www.dw.com/en/violence-against-women-on-the-rise-in-pakistan/a-50550672>.

UN Voting Record

Negative: Pakistan voted against resolutions in the General Assembly that spoke out for human rights victims in Cuba and Iran. Pakistan refused to support victims of violations in Syria and Crimea by abstaining on those resolutions. In addition, Pakistan backed human rights abusers through a resolution denying the right to sanction such regimes.

Russia's Human Rights Record

Russia commits serious human rights violations, including: repressive laws designed to suppress political opposition and dissent; government restrictions on media freedom; restrictions on freedoms of expression and assembly; denial of citizens' rights to choose their representatives in free and fair elections; occupation of Ukraine and related violations; prosecution of individuals supporting Ukraine government or criticizing Russian policies in the occupied Ukrainian territories; politically motivated denial of due process to anti-Putin defendants; discrimination against racial, ethnic, religious and sexual minorities; government prosecution of LGBTI persons; torture at detention facilities; overcrowded and substandard prison conditions; executive branch pressures on the judiciary; human trafficking; discrimination against people with disabilities; limited workers' rights; harassment of civil society.

Claims Versus Facts

Russia's campaign pledge to the UNHRC⁷⁷ includes the following claims:

1. Claim: Russia commits to countering “attempts to use human rights protection as an instrument of political pressure and interference in the internal affairs of States, including with a view to their destabilizing and the replacement of legitimate governments.”

Facts: Russia itself systematically interferes in the internal affairs of other countries, waging global disinformation campaigns against Western democracies, including one deployed now during the Coronavirus pandemic.⁷⁸ Russia disseminates fake news and contradictory reports, in six different languages, while orchestrating thousands of social media accounts to spread fake conspiracy theories. Russia seeks to undermine the very ability to distinguish between truth and fiction, as an attack on the democratic system.⁷⁹

2. Claim: Russia seeks to “ensure protection of human rights and freedoms on the basis of the rules of international law and strict compliance by States with their international human rights obligations.”

⁷⁷ Letter dated 13 March 2020 from the Permanent Representative of the Russian Federation to the United Nations, UN Doc. A/75/71 (March 18, 2020).

⁷⁸ Robin Emmott, *Russia deploying Coronavirus disinformation to sow panic in West, EU document says*, REUTERS (March 18, 2020), <https://www.reuters.com/article/us-health-coronavirus-disinformation/russia-deploying-coronavirus-disinformation-to-sow-panic-in-west-eu-document-says-idUSKBN21518E>.

⁷⁹ William J. Broad, *Putin's Long War Against American Science*, NEW YORK TIMES (April 13, 2020), <https://www.nytimes.com/2020/04/13/science/putin-russia-disinformation-health-coronavirus.html>.

Facts: Russia tramples international law by invading Ukraine, swallowing Crimea, and bombing civilians, hospitals and schools in Syria on a systematic basis, as the *New York Times* documented in great detail.⁸⁰ A report from the UN Commission of Inquiry on Syria explicitly accused Russia of direct involvement in war crimes for the “indiscriminate” bombing of civilian areas that killed 43 people and injured at last 109.⁸¹

3. Claim: Russia commits to involving “civil society institutions in addressing international issues.”

Facts: Freedom House reports that in 2019 the government deemed 74 domestic groups and 19 foreign NGOs as “foreign agents” and “undesirable organizations, giving authorities a range of sanctions to stifle their activity.”⁸²

4. Claim: Russia opposes “religious and ethnic intolerance.”

Facts: Last year in the city of Surgut, authorities subjected seven Jehovah’s Witnesses—a religious group banned by the government in 2017—to torture including electric shocks, suffocation, and beatings.⁸³

5. Claim: Russia says it pays “considerable attention” to “interaction with the UN Human Rights Council’s system of Special Procedures.”

Facts: Russia has denied entry to UN human rights experts on enforced disappearances, arbitrary detention, freedom of expression, and freedom of religion, who were seeking to visit in order to issue reports.⁸⁴ However, Russia did give \$50,000 to fund the work of a discredited UN expert who described Russia as a victim of human rights violations, in the form of sanctions imposed by Western democracies.⁸⁵

⁸⁰ Christian Triebert, Evan Hill, Malachy Browne, Whitney Hurst, Dmitriy Khavin and Masha Froliak, *How Times Reporters Proved Russia Bombed Syrian Hospitals*, NEW YORK TIMES (Oct. 13, 2019), <https://www.nytimes.com/2019/10/13/reader-center/russia-syria-hospitals-investigation.html?action=click&module=RelatedLinks&pgtype=Article>.

⁸¹ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, UN Doc. A/HRC/43/57 (Jan. 28, 2020).

⁸² *Freedom in the World 2020: Russia*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/russia/freedom-world/2020>.

⁸³ *‘Electric Shocks, Suffocation’: Jehovah’s Witnesses Say Russian Police Tortured Church Members*, RADIO FREE EUROPE (Feb. 20, 2019), <https://www.rferl.org/a/jehovah-s-witnesses-say-russian-police-tortured-the-church-members/29780911.html>.

⁸⁴ Special Procedures Country Visits, <https://spinternet.ohchr.org/ViewCountryvisits.aspx?visitType=pending&lang=en> (last visited Aug. 16, 2020).

⁸⁵ *Russia gave \$50,000 to UN expert who wrote report calling Russia a victim*, UN WATCH (Sep. 14, 2017), <https://unwatch.org/russia-gave-50000-un-expert-wrote-report-calling-russia-victim/>.

Discussion

Russia commits aggression and human rights violations throughout the world, including in Syria—where it is accused of war crimes,⁸⁶ Crimea which it has illegally annexed⁸⁷ and Georgia—where it committed ethnic cleansing in 2008 and illegally occupies Abkhazia and South Ossetia.⁸⁸

Due to the international isolation that followed the occupation of Crimea, the Russian government sought to consolidate public opinion with notions of patriotism and traditional values. This led to a crack-down on dissent which continues today.⁸⁹

The government retains strict control over media outlets⁹⁰ and dissemination of information in other forms. It routinely targets journalists for arrest and prosecution. For example, in July 2020, Russia arrested veteran journalist Ivan Safronov on treason charges after he reported about sensitive topics like the sale of Russian fighter jets to Egypt.⁹¹ Also in July, a Russian court convicted journalist Svetlana Prokopyeva on bogus terrorism charges over a 2019 radio broadcast about a suicide bombing.⁹² Dozens of journalists peacefully protesting in solidarity were then subjected to fines and detention.⁹³

Russia's judiciary lacks independence from the executive branch. Career advancement is effectively tied to compliance with government preferences.⁹⁴ Corruption in Russia is rampant and, according to the Panama Papers, it reaches to the highest levels, including President Vladimir Putin and other senior figures.⁹⁵

Russia has a long history of assassinating dissidents. On 20 August 2020, opposition leader Alex Navalny was put into a coma by military-grade Novichok poisoning in a presumably politically motivated attack. In August 2019, a Russian agent shot dead a 40-year-old Chechen with Georgian

⁸⁶ Sara Kayyali, *Russia Should Be Held Accountable for Any War Crimes in Syria*, HRW (Dec. 3, 2019), <https://www.hrw.org/news/2019/12/03/russia-should-be-held-accountable-any-war-crimes-syria>.

⁸⁷ *Ongoing Violations of International Law and Defiance of OSCE Principles and Commitments by the Russian Federation in Ukraine*, US MISSION TO THE OSCE (April 2, 2020), <https://osce.usmission.gov/on-russias-ongoing-aggression-against-ukraine-and-illegal-occupation-of-crimea-5/>.

⁸⁸ *Up In Flames*, HRW (Jan. 23, 2009) <https://www.hrw.org/report/2009/01/23/flames/humanitarian-law-violations-and-civilian-victims-conflict-over-south>.

⁸⁹ Matthew Luxmoore, *A Sweeping Clampdown In Russia Has Putin Critics Warning of New Repressions*, RADIO FREE EUROPE (July 10, 2020), <https://www.rferl.org/a/russia-sweeping-clampdown-putin-critics-warning-repressions/30719838.html>.

⁹⁰ *Freedom in the World 2020: Russia*, *supra* note 82.

⁹¹ Rachel Denber, *Another Journalist Arrested in Russia*, HRW (July 7, 2020), <https://www.hrw.org/news/2020/07/07/another-journalist-arrested-russia>.

⁹² Damelya Aitkhozhina, *Russian Journalist Sentenced on Bogus Terrorism Charges*, HRW (July 6, 2020), <https://www.hrw.org/news/2020/07/06/russian-journalist-sentenced-bogus-terrorism-charges>.

⁹³ *Russia: Dozens of Journalists Detained for Peaceful Protests*, HRW (July 10, 2020), <https://www.hrw.org/news/2020/07/10/russia-dozens-journalists-detained-peaceful-protests>.

⁹⁴ *Freedom in the World 2020: Russia*, *supra* note 82.

⁹⁵ Julian Hans, *Panama Papers; The secrets of dirty money*, SÜDDEUTSCHE ZEITUNG (April 15, 2016), <https://panamapapers.sueddeutsche.de/articles/57161f07a1bb8d3c3495bc36/>; Luke Harding, *How to hide a billion dollars*, THE GUARDIAN (April 3, 2016), <https://www.theguardian.com/news/2016/apr/03/panama-papers-money-hidden-offshore>.

citizenship in Berlin.⁹⁶ In March 2018, Russian agents attempted to poison former Russian spy Sergei Skripal in the UK.⁹⁷ In February 2015, opposition leader Boris Nemtsov was shot dead. Nemtsov was reportedly working on publishing a detailed report on the involvement of Russian soldiers in East Ukraine.⁹⁸

LGBT persons are continuously and systematically persecuted by the authorities, and experience societal persecution. In June 2020, more than 30 people were arrested in Moscow for protesting in support of LGBT rights.⁹⁹ In February 2019, the Russian authorities threatened Chechnyan LGBT leader Igor Kochetkov after he announced that he had received credible reports of a new round of LGBT roundups by authorities in Chechnya.¹⁰⁰ In July 2019, LGBT activist Yelena Grigoryeva was stabbed to death in St. Petersburg after being listed on a website encouraging people to “hunt” LGBT activists.¹⁰¹

UN Voting Record

Negative: Russia voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, Cuba, Myanmar and Syria. Russia backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, Russia voted against resolutions in support of human rights victims in Belarus.

Saudi Arabia’s Human Rights Record

Saudi Arabia commits serious human rights violations, including: unlawful and arbitrary killings; enforced disappearances; torture; arbitrary detention; harsh and life-threatening prison conditions; political prisoners; restrictions on freedom of the press, including arrests and intimidation of journalists; restrictions on the rights of assembly and association; restrictions on religious liberty; restrictions on political participation; corruption; violence against women, including rape and FGM; human trafficking; child labor.

⁹⁶ *Georgian’s death in Berlin was a Russian-ordered assassination, prosecutors believe*, DEUTSCHE WELLE (June 18, 2020), <https://www.dw.com/en/georgians-death-in-berlin-was-a-russian-ordered-assassination-prosecutors-believe/a-53860911>.

⁹⁷ Flora Carr, *Ex-Spy Sergei Skripal is Just the Latest Russian Dissident to Meet Tragedy on British Soil*, TIME (March 6, 2018), <https://time.com/5187333/sergei-skripal-russian-assassinations-uk/>.

⁹⁸ Sarah Rainsford, *Boris Nemtsov killing: Grief, fear and anger one year on*, BBC (Feb. 27, 2016), <http://www.bbc.com/news/world-europe-35675221>.

⁹⁹ *Police detains over 30 protesting LGBT activists in Moscow – monitoring group*, REUTERS (June 27, 2020), <https://www.reuters.com/article/russia-lgbt-arrests/police-detains-over-30-protesting-lgbt-activists-in-moscow-monitoring-group-idUSL8N2E40DB>.

¹⁰⁰ *Russia: New Wave of Anti-LGBT persecution*, HRW (Feb. 15, 2019), <https://www.hrw.org/news/2019/02/15/russia-new-wave-anti-lgbt-persecution>.

¹⁰¹ Tim Fitzsimons, *Russian LGBTQ activist killed after being listed on gay-hunting website*, NBC (July 23, 2019), <https://www.nbcnews.com/feature/nbc-out/russian-lgbtq-activist-killed-after-being-listed-saw-inspired-site-n1032841>.

Claims Versus Facts

Saudi Arabia has not yet made a campaign pledge, but its latest report to the UNHRC¹⁰² includes the following claims:

1. Claim: “The death sentence is only handed down for the most serious crimes and under strict conditions.”

Facts: Saudi Arabia put to death 184 people in 2019—a record number for the kingdom.¹⁰³ The U.S. State Department reports that Saudi Arabia carries out the death sentence for offenses of apostasy, sorcery and adultery.¹⁰⁴

2. Claim: “Civil society organizations work in partnership with the relevant bodies to prepare and monitor implementation of bills and draft regulations and assist with the publication of reports on human rights.”

Facts: The Saudi government denies licenses to new organizations and disbands existing ones that “harm national unity,” restricting many civil society groups and other non-governmental institutions.¹⁰⁵ In 2016, the kingdom jailed nearly all the founders of the banned Saudi Civil and Political Rights Association (ACPRA).¹⁰⁶ The country’s terrorism tribunal convicted ACPRA activists Abd al-Aziz al-Shubaily and Issa al-Hamid to eight and nine years in prison respectively, in addition to lengthy travel bans based solely on their peaceful pro-reform advocacy.

3. Claim: “The laws of the Kingdom guarantee freedom of opinion and expression, on which there are no restrictions save those stipulated by law and the need to respect the rights and reputation of others, protect national security and safeguard public order, public health and public decency...”

Facts: Dissidents who dare speak out and advocate democracy or human rights are thrown into prison and tortured. Human rights activist and blogger Raif Badawi, who advocated for a freer society, was jailed in 2014 for “insulting Islam through electronic channels” and tried on several charges including apostasy. He has languished behind bars for more than seven years.

4. Claim: Saudi Arabia is “concerned with the promotion and protection of women’s rights and

¹⁰² National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1, Kingdom of Saudi Arabia, UN Doc. A/HRC/WG.6/31/SAU/1 (Aug. 20, 2018).

¹⁰³ *Saudi Arabia executed record number of people in 2019 – Amnesty*, BBC (April 21, 2020), <https://www.bbc.com/news/world-middle-east-52358476>.

¹⁰⁴ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., Country Reports on Human Rights Practices Saudi Arabia (2019), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/saudi-arabia/>.

¹⁰⁵ *Global assault on NGOs reaches crisis point as new laws curb vital human rights work*, AMNESTY INTERNATIONAL (Feb. 21, 2019), <https://www.amnesty.org/en/latest/news/2019/02/global-assault-on-ngos-reaches-crisis-point/>.

¹⁰⁶ *U.N. holds lavish NGO forum in Saudi Arabia while rights activists languish in prison*, UN WATCH (May 7, 2017), <https://unwatch.org/u-n-holds-lavish-ngo-forum-saudi-arabia-rights-activists-languish-prison/>.

the empowerment of women.”

Facts: Saudi Arabia has carried out mass arrests of women’s rights activists, a number of whom have allegedly been sexually assaulted and suffered torture, including whipping and electric shocks. The regime jailed women’s rights activist Loujain al-Hathloul for calling on the government to lift the ban on women driving and end male guardianship laws.¹⁰⁷

5. Claim: “The Kingdom is keen to comply fully with the provisions and rules of international humanitarian law and international human rights law. As such, it affirms that all military operations by the Coalition to Support Legitimacy in Yemen are conducted in a manner fully consistent with those provisions and rules.”

Facts: Saudi Arabia has committed war crimes as head of the coalition against the Houthis rebels in Yemen, where Saudi forces continue to bomb civilian areas and contribute to one of the world’s worst humanitarian crises.¹⁰⁸

Discussion

Saudi Arabia is governed by an absolute monarchy and theocracy. Citizens have no ability to influence government through democratic practices. The judiciary is highly influenced by the government and is dictated by Sharia law.¹⁰⁹

The government and courts systematically deny freedoms of expression and the media, prosecuting and imprisoning dissenters and peaceful critics of government policies or the Islamic religion. Raif Badawi, a Saudi blogger, was convicted in 2014 for insulting Islam and was sentenced to ten years in prison. He was publicly flogged 50 times.¹¹⁰ According to leaked reports, political prisoners are subjected to severe physical abuse.¹¹¹ There is also no religious freedom in Saudi Arabia.¹¹²

In 2019, Saudi Arabia carried out a record 184 executions, many for non-violent crimes like drug offences.¹¹³ Apostasy and blasphemy are also punishable by death. In April 2019, there was a mass

¹⁰⁷ Joseph Hincks, “*She’s Starting to Lose Hope.*” *Two years on, Sister of Jailed Saudi Women’s Rights Activist Pleads for Justice*, TIME (May 15, 2020), <https://time.com/5837473/loujain-al-hathloul-torture-saudi-arabia/>.

¹⁰⁸ *Saudi-UAE coalition carries out air raids on Yemen’s Sanaa*, AL-JAZEERA (Mar. 30, 2020), <https://www.aljazeera.com/news/2020/03/houthis-saudi-uae-coalition-carried-air-raids-sanaa-200330113705140.html>.

¹⁰⁹ *Freedom in the World 2020: Saudi Arabia*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/saudi-arabia/freedom-world/2020>.

¹¹⁰ *Saudi blogger Raif Badawi gets 10 year jail sentence*, BBC (May 8, 2014), <https://www.bbc.com/news/world-middle-east-27318400>; *Saudi Arabia: Free Blogger Publicly Flogged*, HRW (Jan. 10, 2015), <https://www.hrw.org/news/2015/01/10/saudi-arabia-free-blogger-publicly-flogged>.

¹¹¹ Nick Hopkins, Stephanie Kirchgaessner and Kareem Shaheen, *Leaked reports reveal severe abuse of Saudi political prisoners*, GUARDIAN (March 31, 2019), <https://www.theguardian.com/world/2019/mar/31/leaked-reports-reveal-abuse-saudi-arabia-political-prisoners>.

¹¹² U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., *Country Reports on Religious Freedom Saudi Arabia* (2018), <https://www.state.gov/reports/2018-report-on-international-religious-freedom/saudi-arabia/>.

¹¹³ *Death penalty 2019: Saudi Arabia executed record number of people last year amid decline in global executions*, AMNESTY INTERNATIONAL (April 21, 2020), <https://www.amnesty.org/en/latest/news/2020/04/death-penalty-2019-saudi-arabia-executed-record-number-of-people-last-year-amid-decline-in-global-executions/>.

execution of 37 people who had been convicted of “terrorism” based on confessions extracted through torture.¹¹⁴

Same-sex sexual conduct is a crime punishable by death in Saudi Arabia. It is also illegal for a man to have “feminine behavior.”¹¹⁵ Because of severe discrimination and violence, Saudi-Arabia has no organizations to promote LGBTI rights.

Saudi Arabia has one of the most restrictive male guardianship systems in the world that denies women freedom to make basic choices about their lives without approval of a male guardian. Though the system was reformed in August 2019, allowing women over 21 to obtain passports without approval of their guardians, guardians still can file cases of “disobedience” and “absence” and have women arrested.¹¹⁶ Moreover, many aspects of the guardianship system remain intact, including the requirement for permission to marry.¹¹⁷

Saudi Arabia heads the coalition against the Houthi rebels in Yemen. Since March 2015, more than 100,000 Yemenis have been killed and 3.6 million displaced.¹¹⁸ More than 11 million Yemenis struggle to find food and nearly 2 million children are suffering from acute malnutrition.¹¹⁹ In the first week after a cease fire was declared in April 2020, the Saudi coalition carried out 106 air strikes in Yemen.¹²⁰

UN Voting Record

Mixed: Saudi Arabia voted against resolution in the General Assembly that spoke out for human rights victims in Cuba and failed to support a resolution for victims of violations in Crimea. However, it did support resolutions for human rights victims in Syria, Iran and Myanmar. Saudi Arabia backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Saudi Arabia failed to support a resolution in support of human rights victims in Belarus.

¹¹⁴ *Id.*

¹¹⁵ Laura Begley Bloom, *20 Most Dangerous places for Gay Travelers (And The 5 safest)*, FORBES (Nov. 25, 2019), <https://www.forbes.com/sites/laurabegleybloom/2019/11/25/most-dangerous-places-safest-lgbtq-gay-travelers/#6c2485761169>.

¹¹⁶ *Loopholes riddle Saudi reforms on ‘guardianship’ of women: Report*, AL JAZEERA (Oct. 23, 2019), <https://www.aljazeera.com/news/2019/10/loopholes-riddle-saudi-reforms-guardianship-women-report-191023062306285.html>.

¹¹⁷ Marwa Rashad, *Saudi Arabia women’s rights reforms may still be thwarted by custom*, REUTERS (Aug. 5, 2019), <https://www.reuters.com/article/us-saudi-women-guardianship/saudi-arabia-womens-rights-reforms-may-still-be-thwarted-by-custom-idUSKCN1UV1Q4>.

¹¹⁸ Adel Al-Khadhir, Ahmed al-Ansi, *Displaced and scared: Yemenis still in Limbo after almost five years of war*, REUTERS (Jan. 15, 2020), <https://www.reuters.com/article/us-yemen-security/displaced-and-scared-yemenis-still-in-limbo-after-almost-five-years-of-war-idUSKBN1ZE0RO>.

¹¹⁹ A passion to save children suffering from malnutrition, UNICEF (June 26, 2019), <https://yemen.un.org/en/19065-passion-save-children-suffering-malnutrition>.

¹²⁰ Bel Trew, *Saudi-led coalition bombs Yemen ‘dozens’ of times*, Independent (April 17, 2020), <https://www.independent.co.uk/news/world/middle-east/coronavirus-yemen-coalition-bombs-saudi-ceasefire-news-a9470801.html>.

Uzbekistan Human Rights Record

Uzbekistan commits serious human rights violations, including: extrajudicial killings; torture; harsh and life-threatening prison conditions; political prisoners; restrictions on freedom of expression; restrictions on freedom of the press; violent suppression of peaceful demonstrations; restrictions on political participation; corruption; human trafficking; child labor; impunity for human rights abuses.

Claim versus fact

Uzbekistan's campaign pledge to the UNHRC¹²¹ includes the following claims:

1. **Claim:** "Uzbekistan is firmly committed to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights ("UDHR") and strictly accomplishes its international obligations on human rights."

Facts: In January 2020, the UN's Committee Against Torture ("CAT") found that "torture and ill-treatment continue to be routinely committed...by investigative and prison officials."¹²² This violates the Article 5 of the UDHR. The CAT also noted that complaints of torture to the Prosecutor's office increased ten-fold between 2017 and 2018.¹²³ Human Rights Watch has documented cases of severe torture in Uzbek prisons, including after President Mirziyoyev took office in 2016.¹²⁴ Despite some positive developments, the CAT also expressed concern about "arbitrary detention, surveillance, harassment and other measures" against journalists and activists with specific references to cases from 2017-2019, violations of Article 19 of the UDHR.¹²⁵

2. **Claim:** "Committed to international human rights obligations, Uzbekistan sees its task as...continue to support all efforts aimed at ensuring an effective response by the international community to global human rights violations, by taking measures to prevent and early response."

Facts: Uzbekistan's voting record at the General Assembly tells a different story. It voted against resolutions on behalf of victims of human rights violations by some of the most abusive countries, including Syria, Iran and Cuba. It also failed to support victims of human rights violations in Myanmar and Russian-occupied Crimea, choosing to be absent for those votes.

¹²¹ Candidacy of the Republic of Uzbekistan for Election to the United Nations Human Rights Council For 2021-2023 Position Paper, <http://uzbekistan-geneva.ch/candidacy-of-the-republic-of-uzbekistan-for-election-to-the-united.html>.

¹²² Concluding observations on the fifth periodic report of Uzbekistan, Committee Against Torture, UN Doc. CAT/C/UZB/CO/5, ¶ 7 (Jan. 14, 2020).

¹²³ *Id.* at ¶ 11.

¹²⁴ *Uzbekistan: Torture Widespread, Routine*, HRW (Dec. 9, 2019), <https://www.hrw.org/news/2019/12/09/uzbekistan-torture-widespread-routine>.

¹²⁵ Committee Against Torture report on Uzbekistan, ¶¶ 16-17.

3. Claim: “Uzbekistan might also demonstrate leadership by encouraging Member States to increase opportunities for civil society organizations to make meaningful contributions to Human Rights Council processes.”

Facts: Uzbekistan hampers the work of civil society in the country. The U.S. State Department reports that Uzbekistan has only two legally registered NGOs. The government has denied registration to all other domestic NGOs and made it difficult for foreign human rights organizations like Human Rights Watch to legally register or operate in the country.¹²⁶ Human rights activists have been subjected to harassment and intimidation, including surveillance.¹²⁷

4. Claim: Uzbekistan has strengthened cooperation with the special procedures of the Human Rights Council.

Facts: While Uzbekistan did issue a formal standing invitation to the UNHRC’s Special Procedures in May 2018, since then it has allowed only one visit, by the Special Rapporteur on independence of judges. It has refused entry to a number of other Special Procedures who sought to visit the country in 2019, including the Working Groups on arbitrary detention, enforced disappearances and business and human rights and the Special Rapporteurs on freedom of assembly and slavery.¹²⁸

5. Claim: Uzbekistan is determined to protect, promote and support universal human rights and fundamental freedoms for all.

Facts: Reporters without Borders ranks Uzbekistan 156 out of 180, for press freedom, *i.e.* very serious situation.¹²⁹ Uzbekistan is known for severe media repression with state control over major media.¹³⁰ Although there has been a slight easing of media repression since President Mirziyoyev took office in 2016, including release of journalists from prison, Uzbekistan’s laws continue to restrict the media and the government practices surveillance and censorship.¹³¹ The Human Rights Committee recently expressed concern about the existence of legislation that “unduly restricts freedom of expression.”¹³² Furthermore, in 2019, Uzbek blogger Nodirbek Hojimatov received a 10-day jail sentence after he called to investigate local officials for corruption and journalist Nafosat Olloshukurova was subjected to forced psychiatric hospitalization after she covered a protest by another journalist.¹³³

¹²⁶ U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., Country Reports on Human Rights Practices Uzbekistan (2019), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/uzbekistan/> [Hereinafter, *State Department Report on Uzbekistan*]; *Freedom in the World 2020: Uzbekistan*, FREEDOM HOUSE (2020), <https://freedomhouse.org/country/uzbekistan/freedom-world/2020>; *World Report 2019: Uzbekistan Events of 2018*, HRW (2019), <https://www.hrw.org/world-report/2020/country-chapters/uzbekistan> [Hereinafter: *HRW Report: Uzbekistan*].

¹²⁷ *State Department Report on Uzbekistan*, *supra* note 126.

¹²⁸ *Country visits of Special Procedures*, OHCHR, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&Lang=en> (last visited Sep. 7, 2020)

¹²⁹ *2020 World Press Freedom Index*, *supra* note 58.

¹³⁰ *Freedom in the World 2020: Uzbekistan*, *supra* note 126.

¹³¹ *Uzbekistan*, RSF, <https://rsf.org/en/uzbekistan> (last visited Sep. 7, 2020).

¹³² Concluding Observations on the fifth periodic report of Uzbekistan, Human Rights Committee, UN Doc. CCPR/C/UZB/CO/5, ¶ 44 (May 1, 2020).

¹³³ *Freedom in the World 2020: Uzbekistan*, *supra* note 126.

Discussion

According to Freedom House, Uzbekistan fails to meet the basic standards for freedom and democracy with a ranking of “Not Free” (10/100).¹³⁴ The current Acting President Mirziyoyev came to power in 2016, after President Karimov who had served for 25 years died of a stroke. He was elected through an irregular parliamentary process which OSCE monitors said was “devoid of genuine competition.”¹³⁵ While acknowledging that Mirziyoyev has instituted some reforms, Freedom House describes Uzbekistan as “an authoritarian regime with little movement toward democratization.”¹³⁶

Some of President Mirziyoyev’s reforms relate to freedom of the press, including granting press passes to foreign reporters, reducing internet blackouts and making more news and NGO websites accessible, and releasing journalists from prison.¹³⁷ Nevertheless, press freedom remains severely restricted and Uzbekistan is considered to be a “very serious situation” for press freedom by Reporters without Borders.¹³⁸

Uzbekistan has a long history of religious persecution, particularly of jailing religious Muslims on charges of terrorism and extremism.¹³⁹ Although the situation has improved somewhat under President Mirziyoyev, it is still highly restrictive. According to Human Rights Watch, thousands, mostly peaceful religious believers, are jailed on extremism and other political charges.¹⁴⁰

In December 2018, former Uzbek diplomat Kadyr Yusupov who had served as Uzbekistan’s head of mission to the OSCE was arrested and charged with treason. He was held incommunicado and denied communication with his family and attorney for five months. While in detention, Yusupov—who has a history of mental illness—was subjected to psychological torture, with regular threats of rape to himself and his wife and daughter as well as threats to arrest his sons. In January 2020, he was convicted of treason following a closed trial.¹⁴¹ In September 2019, after more than two years in prison, Turkic scholar Andrei Kubatin was exonerated of trumped up treason charges for having shared scholarly material with other academics. He had been physically abused by the security services.¹⁴²

Other violations in Uzbekistan include abuse of the LGBT community and forced labor. Uzbekistan is one of only two post-Soviet states which to criminalize consensual same-sex relations which is

¹³⁴ *Id.*

¹³⁵ *Id.*

¹³⁶ *Id.*

¹³⁷ *Id.*

¹³⁸ *2020 World Press Freedom Index*, *supra* note 58.

¹³⁹ Nadine Maenza and Nury Turkel, *Uzbekistan Must Stay on the Path of Religious Freedom Reform*, THE DIPLOMAT (July 9, 2020), <https://thediplomat.com/2020/07/uzbekistan-must-stay-on-the-path-of-religious-freedom-reform/>.

¹⁴⁰ *HRW Report: Uzbekistan*, *supra* note 126.

¹⁴¹ *Uzbekistan: Release Retired Diplomat*, HRW (June 11, 2019), <https://www.hrw.org/news/2019/06/11/uzbekistan-release-retired-diplomat>.

¹⁴² *Uzbekistan: Scholar imprisoned for espionage absolved and released*, EURASIANET (Sep. 27, 2019), <https://eurasianet.org/uzbekistan-scholar-imprisoned-for-espionage-absolved-and-released>; Agnieszka Pikulicka-Wilczewska, *Why is a Turkic languages scholar imprisoned in Uzbekistan?* AL JAZEERA (Aug. 4, 2019), <https://www.aljazeera.com/indepth/features/turkic-languages-scholar-imprisoned-uzbekistan-190801120104671.html>.

punishable by a prison term of one to three years. Hate crimes against the LGBT community and their family members are also common.¹⁴³

Although the government has made progress on eradicating forced labor, the practice continues in Uzbekistan's cotton industry. Regrettably, the government aids the practice through its quota system which punishes region heads for failing to meet government set quotas.¹⁴⁴

UN Voting Record

Negative: Uzbekistan voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, Cuba, and Syria and failed to support resolutions for human rights victims in Crimea and Myanmar. Uzbekistan backed human rights abusers through a resolution denying the right to sanction such regimes.

¹⁴³ HRW Report: *Uzbekistan*, *supra* note 126; Darina Solod, *In Uzbekistan, homosexuality is illegal. Here's what LGBT life is like there*, OPEN DEMOCRACY (Feb. 25, 2020), <https://www.opendemocracy.net/en/odr/uzbekistan-homosexuality-illegal-heres-what-lgbt-life/>.

¹⁴⁴ Komala Ramachandra, *Forced Labor Persists in Uzbekistan Cotton Fields*, HRW (June 25, 2020), <https://www.hrw.org/news/2020/06/25/forced-labor-persists-uzbekistans-cotton-fields>; Catherine Putz, *Umida Niyazova on Forced Labor in Uzbekistan*, THE DIPLOMAT (June 4, 2019), <https://thediplomat.com/2019/06/umida-niyazova-on-forced-labor-in-uzbekistan/>.

“QUESTIONABLE” CANDIDATES

We determined that the qualifications for Human Rights Council membership of **Bolivia, Côte d’Ivoire, Malawi, Mexico, Nepal, Senegal, Ukraine** are questionable due to their human rights and/or UN voting records.

BOLIVIA

Bolivia fails to meet the basic standards for democracy according to Freedom House which classifies it as “partly free.” While democratic elections have been held regularly, evidence of electoral manipulation in the 2019 elections led to mass protests and violence, as well as the resignation of longtime president Evo Morales and other top officials. Senator Jeanine Áñez became the interim president until new elections could be held. While in power, Morales persistently sought to eliminate presidential term limits. Also, the dominance of his Movement toward Socialism (MAS) party made it difficult for opposition parties to gain power. Human rights violations in Bolivia include: torture by government officials, arbitrary detention, concerns about judicial independence, restrictions on freedoms of expression and association, violence against journalists, corruption, crimes against LGBT and child labor.

In addition, Bolivia has a mixed voting record at the General Assembly where it failed to support resolutions for victims of violations in Syria, Iran and Crimea by being absent for the votes. Bolivia also sided with dictatorships and against democracies when it voted in favor of a resolution that seeks to erode universal rights in favor of “cultural diversity” while endorsing an Iranian-sponsored “Center for Human Rights and Cultural Diversity;” and a resolution denying the right to level sanctions against regimes that violate human rights. These resolutions were opposed by 53 democracies. However, Bolivia did support a resolution for victims of violations in Myanmar.

CÔTE D’IVOIRE

Côte d’Ivoire fails to meet the basic standards for democracy according to Freedom House which classifies it as “partly free.” It continues to suffer from internal instability due to the lingering consequences of the armed conflict that ended in 2011. Freedom House reports that the root causes of that conflict remain, including ethnic and religious tensions, land disputes, corruption and impunity. Human rights violations in Côte d’Ivoire include: arbitrary killings by police, arbitrary detention, political prisoners, lack of independence of the judiciary, restrictions on freedoms of expression and association, crime of violence against women and LGBT and child labor.

In addition, Côte d’Ivoire has a mixed voting record at the General Assembly where it failed to support resolutions for victims of violations in Syria, Iran and Crimea by abstaining. Côte d’Ivoire also sided with dictatorships and against democracies when it voted in favor of a resolution that seeks to erode universal rights in favor of “cultural diversity” while endorsing an Iranian-sponsored “Center for Human Rights and Cultural Diversity;” and a resolution denying the right to level sanctions against regimes that violate human rights. These resolutions were opposed by 53 democracies. However, Côte d’Ivoire did support a resolution for victims of violations in Myanmar.

MALAWI

Malawi fails to meet the basic standards for democracy according to the Freedom House which

classifies it as “partly free.” Although it holds democratic elections and respects basic civil liberties, Malawi has an intrinsic corruption problem. Human rights violations in Malawi include: extrajudicial killings, arbitrary arrests, corruption, crimes against women, criminalization of same-sex conduct, violence and discrimination against minorities, particularly persons with albinism.

In addition, Malawi has a mixed UN voting record at the General Assembly. While it supported resolution speaking out for victims of abuses in Syria, Iran and Myanmar, it abstained on a resolution for victims of violations in Crimea and voted against a resolution for victims of violations in Cuba. Malawi also sided with dictatorships and against democracies when it voted in favor of a resolution that seeks to erode universal rights in favor of “cultural diversity” while endorsing an Iranian-sponsored “Center for Human Rights and Cultural Diversity;” and a resolution denying the right to level sanctions against regimes that violate human rights. These resolutions were opposed by 53 democracies.

MEXICO

Mexico is a “questionable” candidate primarily because it fails to meet the basic standards for democracy according to Freedom House which classifies it as “partly free.” This classification is reflective of violent organized crime which deeply impacts the ability of Mexican society to fully enjoy political rights and civil liberties. Moreover, corruption is an intrinsic problem. This includes billions of dollars circulating through drug cartels and rampant public-contract fraud. The number of deaths associated with organized crime has been increasing exponentially and reached an all-time high in 2019. Among others, five journalists and 13 human rights activists were killed in 2019. Human rights violations in Mexico include: involvement of public officials in unlawful killings, forced disappearance, and torture, impunity for violations against civil society and journalists and violence against LGBT.

Mexico has a positive voting record at the UN.

NEPAL

Nepal fails to meet the basic standards for democracy according to Freedom House which classifies it as “partly free.” Although Nepal has held democratic elections since 2006, government corruption is endemic. Even within Nepal’s top anti-corruption agency, some of the higher-ranking members have been accused of embezzlement, tax evasion, and money laundering. Human rights violations in Nepal include: unlawful killings, torture, arbitrary detention, site blocking and criminal defamation laws, restrictions on freedom of association, child labor and gender-based violence.

In addition, Nepal has a mixed UN voting record. At the General Assembly, it abstained and thus failed to support resolutions speaking out for victims of abuses in Syria, Iran, Crimea and Myanmar. It also voted against a resolution for human rights victims in Cuba. Nepal also sided with dictatorships and against democracies when it voted in favor of a resolution that seeks to erode universal rights in favor of “cultural diversity” while endorsing an Iranian-sponsored “Center for Human Rights and Cultural Diversity;” and a resolution denying the right to level sanctions against regimes that violate human rights. These resolutions were opposed by 53 democracies.

SENEGAL

Senegal fails to meet the basic standards for democracy according to Freedom House which classifies

it as “partly free.” This represents a status downgrade from “Free” to “Partly Free” in the last year. Although it is one of Africa’s most stable democracies, it has reduced competition from the opposition in recent years through politically motivated prosecutions and changes to the electoral laws. Human rights violations in Senegal include: unlawful killings by the government, torture, arbitrary arrests, lack of judicial independence, government corruption, criminalization of same-sex conduct and forced child labor.

In addition, Senegal has a mixed voting record at the General Assembly. While it voted in favor of resolutions speaking out for human rights victims in Syria and Myanmar, it voted against a resolution for victims in Cuba and abstained on resolutions for human rights victims in Iran and Crimea. Senegal also sided with dictatorships and against democracies when it voted in favor of a resolution that seeks to erode universal rights in favor of “cultural diversity” while endorsing an Iranian-sponsored “Center for Human Rights and Cultural Diversity;” and a resolution denying the right to level sanctions against regimes that violate human rights. These resolutions were opposed by 53 democracies.

UKRAINE

Ukraine is a “questionable” candidate primarily because it fails to meet the basic standards for democracy according to Freedom House which classifies it as “partly free.” Despite some recent positive reforms, government corruption is endemic. Furthermore, the police do not adequately respond to frequent attacks against journalists and minorities. In addition, the autonomous region of Crimea has been occupied by Russia since 2014. Human rights abuses in Ukraine include: arbitrary killings, torture and abuse of detainees, arbitrary arrest, problems with judicial independence, restrictions on freedom of expression, violence against journalists, crimes targeting persons with disabilities, ethnic minorities and LGBT.

Ukraine has a positive voting record at the UN.