### [8.1.2] Requirements for membership in the Human Rights Coucil - Debate!

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[MatthiasMS](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1917784) 13 days ago

What kind of scrutiny should States applying for membership in the Human Rights Council be faced with?

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122 responses

1. [28 votes (click to vote)](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/courseware/606de32afd7e4d1f9b47701b70142078/2e914cf2cd094e21b906669f4effab11/) [KateWatson](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3372762)

13 days ago

While I personally believe that States wishing to be a member of the Human Rights Council should be more heavily scrutinized, I find difficulty finding the exact level of scrutiny. It would be naive to say that states can have participated in absolutely no human rights violations or acts of terrorism, but there are few (if any) states that have not.

When it comes to acts of terrorism, states whose governing bodies have been proven to be actively involved in acts of terrorism or passively allowing acts of terrorism by groups within the state should not be allowed to be a member of the HRC.

When it comes to human rights violations, it is more difficult for me to draw the line. We say that all human rights are equal, yet some seem to take precedence. So maybe the violations of first tier human rights should be weighed heavier? There should also be some kind of frequency counter, as well. States repeatedly and frequently committing human rights offenses should be scrutinized just as much.

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* + It is also ironic that the US voted against the Council on that basis when they them selves have been exposed as violating human rights on a large scale - waterboarding in Guantanamo bay, violation of privacy rights as exposed by Edward Snowden et al and use of the death penalty to name but a few examples.

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-posted 6 days ago by [EileenKing](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1910495)

* + I'm cynical, no state can be a member of HRC.

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-posted 6 days ago by [lifeforresearch](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1757363)

* + If there are no states withou violation of human rights why do we not seek for the states with the smallest amount of violation?

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-posted 6 days ago by [Walter\_Knorz](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2037033)

* + I also agree to some extent with a coment above ,stating that "been cynical no state could be a member of HRC" .

Without been so categoric ,nevertheless I think that a sort of screening should be applied in order to avoid the case of blatant violators of human rights seating in a consess that should convene to judge them rather then including them in their mist .

The representative for the USA John R .Bolton is right in demanding more stringent rules for accepting members but as often happens he should start by trying to correct gross violations of Human Rights by his country .

Unfortunatelly as in many other contests the strongest makes the rules or try's to and the Council for Human Rights is not an exception .

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-posted 6 days ago by [Alepalms](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2835840)

* + For the purpose of constant improvement I think that we can define "baseline" for Human Rights and work to improve it. Best achievements and best practices in several areas ( international law, government, politics etc etc)must be role model for the states. Each state must work and implement solutions and best practices from developed countries.

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-posted 6 days ago by [ZoranIsrael](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1227738)

* + This is a really difficult question. On the one hand it can be argued that only states with a very good human rights record should be able to join but on the other hand this might also lead to yet another international body being let by mainly western states and hence the council might be seen as western rather than universal.

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-posted 6 days ago by [Lyck](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2882459)

* + Ambassador Ulibarri from Costa Rica had a good point. Everybody knew what they were getting when they elected Libya to the council. It is probably easier to help a country mend its ways if they must present their position and try to defend it in public. The USA’s position on “enhanced interrogation techniques” is a good example of something that could not be defended for a sustained period.

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-posted 6 days ago by [jco4edx](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2054092)

* + I agree with Kate Watosn. I'd like just put in addition that the speech of the United States' vote by Ambassador John R. Bolton, when mentioning his “willingness to consider alternatives to satisfy the need for a strong mechanism to exclude the worst human rights violators” and concern that “there should be no place on the new Council for countries where there is objective evidence of systematic and gross violations of human rights” is absolutely correct, but, unfortunately, in contradiction with the "enhanced interrogation techniques" applied officialy by the country.

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-posted 6 days ago by [Gianitalo](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3372244)

* + Perhaps there is a purpose in nudging States into better human rights by making the State a part of the international community.

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-posted 6 days ago by [Siouxland](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2055989)

* + I agree that states that are taking part must be willing to be scrutinized however we need to worry about keeping our own doorstep as clean as we are judging others.

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-posted 6 days ago by [Loralyn](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2004964)

* + I fully agree with the view that states that repeatedly violate the law should be checked. In my just due by such State Council on the protection of human rights should be consistent means to endeavor to monitor the situation in some critical states.

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-posted 5 days ago by [mishulka91](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3559104)

* + If any state prove involve in terririssom withen state shoud teken strong action on group of terror.if state failer it should be out from HRC.

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-posted 5 days ago by [Pradhumansinh](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3545375)

* + I agree with most of the statements above. However, despite the fact that most countries violate human rights in one way or another,the purpose of entering the HRC is to stop this abuse. Therefore, I believe that countries should be granted entrance to HRC, but if they continue to abuse human rights they should be out of it. These countries should be under heavy scrutiny just after entering the HRC. Being an advocate of human rights is not a stable condition granted to states upon entrance to HRC, but a dynamic situation which should be constantly scrutinized.

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-posted 5 days ago by [Anestis24](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1151309)

* + While I agree that it is hard to decide which violations should be considered too grievous for a state to sit on the council, perhaps a time period could be used to ensure that violators are less likely to take a seat. For example, if a major violation has happened within the last 10 years, or during the same regime, then maybe the country should be rejected or called upon to prove that it has improved human rights conditions in the country since the violations. Again, this wouldn't be a perfect system, but if you have a regime, like Gadafi's, that was known for it's human rights abuse in the past, it is like that they will resurface. A regime change may mean that the country is starting off with a clean slate, but a 10 year waiting period from the last offence may be the sufficient amount of time to see if that is the case or not.

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-posted 5 days ago by [Kasiayar](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2542486)

* + Like others I am a bit staggered by the hypocrisy of the United States. In general though I am wondering if the room for discussion and improvement might be diminished by removing countries from the council. It might be more practical for the council to examine its own members using agreed guidelines and have them work toward improvement with agreed penalties if benchmarks are not achieved. For example, a financial penalty for richer countries that could be redirected towards poorer ones. Ideally this would be in place as a system before the abuses occur so that the country has no room to argue. If they back down on their own agreements then I guess there is no option but to throw them out.

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-posted 5 days ago by [LindsayW](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3440458)

* + I am very glad to read that most of participants in this discussion agree and share the same view on double standards and hypocrisy of the biggest countries. However, I think that all should work together to achieve higher standards and correct improper behavior for the benefit of global community.

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-posted 4 days ago by [Pesica](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2179499)

* + Excluding countries too much would not permit to dialogue with them about the human rights violation they make, and would leave very little possible candidates. Better to accept the countries to have a council with enough countries, that would provoke discussions between them and allow some emulation to be "better" on human rights than their neighbours to allow them to critize the others ones. Countries completely out of the council for their big human rights violations will just not care.

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-posted 4 days ago by [MarieLisbonne](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3178831)

* + We should then find a balance between the need for a strict scrutiny of human rights violations by canditates and the consideration that only a few number of States would be eligible if the treshold is set too high.

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-posted 4 days ago by [Virginiecerexhe](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3386128)

* + A mechanism should be systematically laid down so that the threshold would not be too high...

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-posted 4 days ago by [Anamoaba](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2026866)

* + I think many states are not scrutinize well...before they are given membership

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-posted 4 days ago by [papattah](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/410193)

* + I agree with ZoranIsrael that there should be a baseline level State's are judged on. While the level need not be unachievably high (for developing countries), State's who are close to the baseline should need to provide indicators and benchmarks of their strategies for improvement.

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-posted 4 days ago by [sfoxton](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1612305)

* + No state is perfect. Every state violates some human rights some of the time. But allowing a state that systemically, blatantly and continuously violate human rights to be a member of HRC turns its membership into a mockery when a member of the HRC is entitled to participate in the deliberation of other states' human right records and HRC matters. I agree that the level of scrutiny should at least be of the state's record in how it treats the most important and fundamental human rights.

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-posted 4 days ago by [DominicK65](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/935881)

* + Is it even possible to find a State that has not violated human rights in the past.

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-posted 4 days ago by [JasonJude](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3552493)

* + "Power follows the status" countries with vast economic and arms power always try to keep all prestigious and influential positions in international law within their own hands. But for real and effective composition of an organization there should be equal representation from third world world and first world. Otherwise the purpose of any such organization shall be vitiated.

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-posted 4 days ago by [mahmudrashed](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/940283)

* + One cannot argue with the fact that there should be a high level of scrutiny. However, Is there a reason why the Human Rights Council maintains its present level of scrutiny? I refuse to believe that the council did not factor in the fact that the level of scrutiny should be high. Is it possible that it maintained its level of scrutiny so as not to discourage membership and to encourage the active efforts of states who want to be in the ''good books''?

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-posted 3 days ago by [Alufa](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3519603)

* + No body is perfect , but i agree with USA about excluding the transgressors !

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-posted 3 days ago by [selimmiles](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2288606)

* + I think that each State have made violations in human right field, however there are same of them, who normally use violate the human rights and other who use the excuse of combat terrorism, to bypass some right. it is uncontestable that the national security is a priority in a indipendent and sovreign State. At the same time the freedom is one of the most important right, so it is very difficult to judge if there are or not possibilities to derogate some rights, as a sistematic measure for repression of crimes. Personally I think that could be possible in some case, depend of different situations, but it is important don't forget the finalities why the derogation is acceptable and its limits.

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-posted 3 days ago by [UgoDG](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1933322)

* + Yes, a certain benchmark for membership is needed which should be based on the human rights treaties to which the States are signatories. Using the treaties in this way could actually be a way to make them more effective and pertinent!

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-posted 3 days ago by [KarinAndersson](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2804373)

* + Considering a state's performance on each of the 9 treaties, as suggested above, would be a good place to start. Acknowledging that within all states certain violations have inevitably occurred, it would be more important to examine a) if ongoing, whether the current administration was involved in the violations, and if not, whether they took any steps to prosecute the violators b) whether the violations were systematic, targeted or a result of any underlying goal (such as ethnic cleansing) and c) what reparations have been made to the victims. I do not think that financial penalties would work- the states would not pay and no one could force them. Of course states can opt out at any time, so the point is to encourage them to stay engaged and supported to improve- which is probably why Israel has been given its 'observer' status, despite its appalling HR record.

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-posted 3 days ago by [FCRR](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3268826)

* + I agree with many of the points previously made however I am somewhat reluctant to bend to former Ambassador Bolton's view of selection criteria based on HR abuse and Terrorism. The latter is especially problematic as we need large countries to be party to the Council otherwise it becomes toothless in other UN forums like the Security Council. Terrorism as a selection criteria is also problematic due to the widespread support of non state actors by differernt nation states.

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-posted 3 days ago by [carrphilippe](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3059498)

* + Certain minimum requirements regarding the respect of HR could be established. If one of these requirements are not met, at least in some degree the candidate country would not be accepted as a Council Member.

If a council member status regarding HR happens to change, that country should be given a reasonable amount of time to correct that situation.

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-posted 3 days ago by [EdgarVE](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2695937)

* + Scrutiny is necessary.

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-posted 2 days ago by [ismailk](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1388953)

* + i agree with this, but also we should keep in mind that there is no country that is 100% not a human right violator. what it is to be considered in membership is the level of the violation that a state is facing before that state can be granted membership

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-posted 2 days ago by [dennismsechu](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3503547)

* + Very difficult question. Agree with KateWatson. We need to worry about the degree of violation since probably no state would be a member if they were required to be totally blameless. As a condition to remaining a member perhaps require the improvement of their own problems with human rights.

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-posted 2 days ago by [GlennaSue](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2592729)

* + The issue is similar to wonder if some states corresponds not accept the United Nations by the different circumstances that could be attributed directly or indirectly.

Great scapegoat the United States of America, seemeth lead us to forget that the universe come from an explosion (big bang). However, the principles of world peace and disarmament affecting major nations, identified model.

The selectivity criterion responds, I suppose, to an imperial realism that is far less useful than a honest realism.

This way, the realistic sincerity, it would shuffle the notion of self-determination.

Without further. N.

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-posted 2 days ago by [nickolinoc](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1252215)

* + Most interesting opinions and sentiments, most of which I agree with share. I single out comments by LindsayW, Pesica and and M Lisbonne above as representative of my own thoughts on the question, without repeating what the and others have already said. I just wish to reiterate the point that there is such hypocrisy in the world (a given; I would think every State has a violation of human rights "under its belt " in one way or antoher) and that excluding any one State (deemed to be a serious violator of HR) would simply close any opportunity to debate and make rogue States to account, if they are excluded straightaway. Thank you so much to the individuals I mentioned above, and everyone else for the methodical and thoughtful comments.

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-posted 2 days ago by [EdBP](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2646970)

* + I agree with Eileen. Also, I think the scrutiny is subjetive. It wil be difficult to distinguish or differentiate the human rights violations.

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-posted 2 days ago by [Yuri13](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3525165)

* + I agree that scrutiny is important but where to draw the line and who to draw it

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-posted a day ago by [fredrikheldal](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2938665)

* + I agree with the point some of you raised above that letting states with a dismal record concerning human rights protection join the Council may serve as an incentive to do better in the future. However, these members should be closely scrutinized and excluded if they do not improve on that account. As it is very difficult to draw a predefined line when a country has to leave the Council, I would leave it up to democratic procedures - i.e. by vote - to exclude a member (or not to exclude it). However, I would probably lower the threshold from a 2/3 vote to - let's say - a 50% one.

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-posted a day ago by [Almagro](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/398597)

* + I also think its a paradox that the US, gross violator of rights against torture and privacy, demands scrutiny for other countries.

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-posted a day ago by [danypark](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1893376)

* + I feel like many others on the board. Countries looking to become members, need to be heavily scrutinized when it comes to their human rights records. As I don't believe there are many possible members with an absolute "clean record". I think the Term "gross" could be use to attain a level that should be particularly focused upon.

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-posted a day ago by [namendoza](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/858424)

* + I agree with many people who say that it would be hard to find a state with no violations in it's past. I do however think their should be a minimum standard in order to discount gross violators. I also think that the momentum of the countries progress on human rights should be considered. A countries past is not as important as it's current attitude and commitment. This is also why the ability to suspend members is important.

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-posted a day ago by [AlisJay](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2448121)

* + I think that the Human Rights Council should review the numbers of the cases in the National Human Rights Institutions, the local and international trials about Human Rights, as a test or experiment to determine the quality, safety, performance, usefulness, or public acceptance of States that apply for membership in the Human Rights Council.

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-posted a day ago by [CarlosCRS](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2865235)

* + I totally agree with Kate Watson. It is also a very difficult issue

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-posted about 24 hours ago by [JulieThonus](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3483378)

* + I think scrutiny is essencial

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-posted about 8 hours ago by [IreneBecerra](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2678513)

* + Yes of course countries that apply for membership in the Human Rights Council should have their human rights records examined, but not by the likes of John R. Bolton it is to be hoped! Perhaps the Marshal Islands and Palau would be good candidates as I am sure that they have impeccable records on human rights, except from some rather strange voting habits at the UN that is!

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-posted about 6 hours ago by [MPC44](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2710888)

* + I agree with Kate, and I think since it is hard to find non-guilty state it might be better to focus on present attitude toward human rights. For example, to show how they are working on current issues.

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-posted about 5 hours ago by [HiromiY](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/3496497)

* + I agree with Kate and HiromiY.

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-posted about 4 hours ago by [CaroleReid](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/2874611)

* + Well said Kate.

I agree that there should be a reasonably high standard of respect for human rights in a nation before it could be admitted into the HRC. What type of 'proof' are we talking about though? The HRC doesn't have the resources or means to investigate all possible human rights abuses, and it would be inappropriate for the HRC to work off unsubstantiated allegations. To address these issues I think that the onus should be on the nation seeking admission to demonstrate a holistic and thorough respect for human rights, including by addressing any concerns raised by the HRC.

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-posted about 3 hours ago by [SusiH](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/1220511)

* + I too thought what Kate Watson said at the start of this discussion section was a good response and agree there.

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-posted less than a minute ago by [KarenWest](https://courses.edx.org/courses/LouvainX/Louv2.01x/1T2014/discussion/forum/users/341562)