

Special Report

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African States at the UN Human Rights Council in 2018

EDUARD JORDAAN

African perspectives
Global insights

Abstract

This report examines the records of the 13 African members of the UN Human Rights Council (HRC) during 2018. Specifically, the report assesses the commitment of African countries to international human rights. It bases its assessment on African countries' actions in two domains of the HRC's work: country-specific human rights problems and civil and political rights. The report demonstrates that during 2018, Tunisia, Côte d'Ivoire and Rwanda had the strongest commitment to international human rights while Ethiopia, Egypt and Burundi were the African states that most strongly opposed human rights. It further shows the diversity of African positions – on none of the 34 votes discussed in the report did African states vote in unison. Although the overall picture is one of an unwillingness to defend international human rights, African states ranged from mild support for to strong opposition to international human rights.

Abbreviations & acronyms

CSO	civil society organisation
DRC	Democratic Republic of Congo
HRC	Human Rights Council (UN)
OHCHR	Office of the UN High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
UAE	United Arab Emirates
UN	United Nations

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Cover image

UN Deputy High Commissioner for Human Rights, Kate Gilmore, stands during a statement during the UN Human Rights Council session on March 13, 2018 in Geneva. Flouting demands for Syria ceasefires shows a "monstrous indifference" to the suffering of millions of children in dire need of aid and a respite from violence, a top UN rights official said (Fabrice Coffrini/AFP via Getty Images)

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Contents

Abstract	2
Abbreviations & acronyms	3
<hr/>	
INTRODUCTION	6
The African Group	10
Focus areas: Country situations and civil and political rights	11
Country-specific situations	13
Georgia	14
Burundi	14
Myanmar and the Rohingya	15
Syria	16
Venezuela	17
Yemen	17
Civil and political rights	18
Women's rights	19
Peaceful protest	20
Civil society space	20
Equal participation in political and public affairs	21
Approach to human rights	21
<hr/>	
COUNTRY PROFILES	23
Angola	23
Burundi	25
Côte d'Ivoire	26
Democratic Republic of Congo	27
Egypt	28
Ethiopia	30
Kenya	31
Nigeria	33
Rwanda	34
Senegal	36
South Africa	38
Togo	40
Tunisia	42
<hr/>	
ANALYSIS	44
<hr/>	
METHODOLOGY AND DATA	49

INTRODUCTION

This report examines the records of African members of the UN Human Rights Council (HRC) during 2018.

In 2006 the HRC replaced the UN Commission on Human Rights. The commission, according to then UN secretary-general Kofi Annan, had become a stain on the UN's reputation. Bloc voting marred the commission while many countries became members 'not to strengthen human rights but to protect themselves against criticism or to criticise others'.¹

The HRC was supposed to build on the strengths of its predecessor and overcome its weaknesses, but during its first years there was little evidence that it was an improvement. The African Group, in partnership with the Islamic bloc and the likes of China, Cuba and Russia, often obstructed the advancement of human rights. However, in late 2010 the HRC turned in a more liberal, rights-friendly direction. Evidence of such a turn includes new country-specific resolutions (eg, on Côte d'Ivoire, Iran and Belarus), the suspension of Libya's membership in 2011, and the adoption of various new resolutions on civil and political rights (eg, on religious freedom and on sexual orientation).²

The HRC meets for three general sessions per year in Geneva, Switzerland. Each lasts three to four weeks. It also has the capacity to convene brief 'special' sessions to address pressing problems. The HRC has 47 members, with membership distributed according to the size of the five regions of the UN. The African and Asian groups each occupy 13 seats, the Latin American and Caribbean Group eight, the Western European and Others Group seven, and Eastern Europe six. Membership is for three years. Members may not be immediately re-elected after two consecutive terms.

The purpose of the HRC is the worldwide promotion and protection of human rights. It might not have much ability to enforce its decisions, but it is nevertheless an important institution. All UN members can become HRC members, provided they win a majority of votes in the membership elections held in the General Assembly. While this representativeness grants it a good deal of moral authority, it also enables rights-abusing states to become members and thereby undermine this moral authority. The HRC provides a prominent setting for discussion and debate about human rights. It is also a good forum for sharing information, drawing attention to new problems and bringing existing problems under a human rights framework. Unlike most UN forums, non-governmental organisations are present in the room and have the right to participate in debates. This affords human rights defenders the opportunity to confront rights-violating regimes in ways that might not be possible in their home countries. Finally, the HRC has the ability to mandate

1 Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All: Report of the Secretary-General*, A/59/2005 (March 21, 2005).

2 Eduard Jordaan, "The African Group on the UN Human Rights Council: Shifting Geopolitics and the Liberal International Order", *African Affairs* 115, no. 460 (2016): 490-515.

investigations into human rights problems, including studies that can inform International Criminal Court prosecution. Given that rights-abusing regimes often deny the facts and their own culpability, the HRC's ability to get at the truth is an important weapon in the struggle for human rights.





BOX 1 HOW TO USE THIS REPORT

This report assesses the commitment of the 13 African HRC members during 2018 to international human rights. It focuses on each African member state's votes on country-specific and civil and political rights issues. The actions of African states are analysed based on their behaviour in five issue areas.

ISSUE AREA	RESOLUTIONS INCLUDED
Country-specific resolutions	Human rights situations in Belarus, Burundi, Georgia, Iran, Myanmar, Syria and Yemen but excluding Israel
Resolutions on Israel	Five general session resolutions and one special session resolution
Women's rights	Resolutions on discrimination against women and violence against women
Political freedom	Resolutions on peaceful protest, civil society space, and equal participation in politics
Civil and political rights	Resolutions on peaceful protest, civil society space, equal participation in politics, discrimination against women and violence against women (a combination of women's rights and political freedom issue areas)

The report both ranks African member states relative to one another and places each on a five-interval scale to specify the level of their commitment to human rights (see Table 1).

Table 1 Levels of commitment to human rights

	Strongly supportive of human rights	Almost always voted for the pro-human rights option
	Mildly supportive of human rights	Often abstained but sometimes voted for the pro-human rights option
	Unwilling to defend human rights	Almost always abstained or was so inconsistent that pro- and anti-human rights votes cancelled each other out
	Mildly against human rights	Often abstained but sometimes voted for the anti-human rights option
	Strongly against human rights	Almost always voted for the anti-human rights option

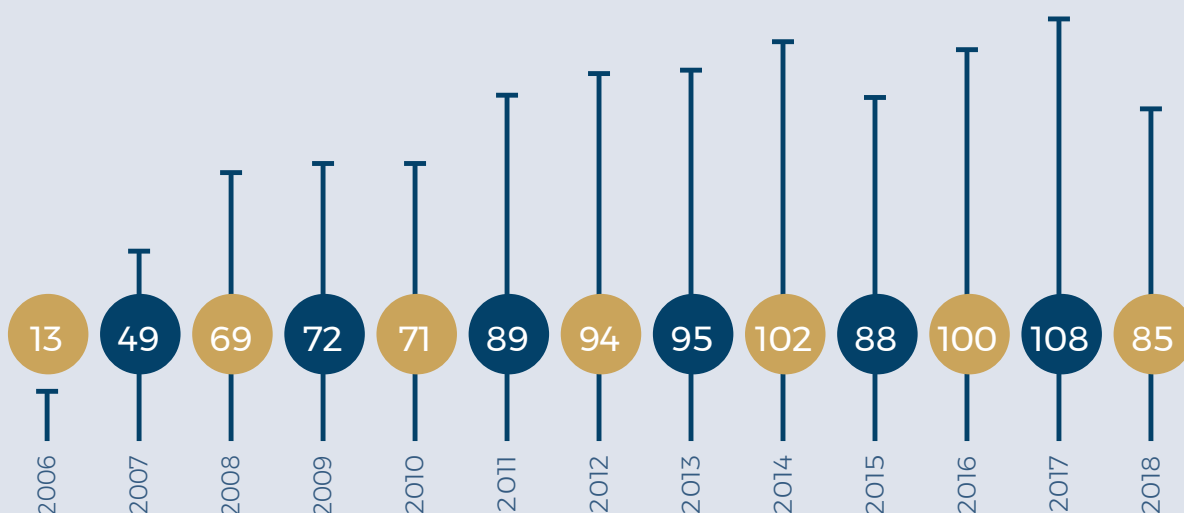
The introductory chapter explains the workings of the HRC and highlights relevant features of the African Group on the HRC. The chapter also presents the resolutions germane to this study and flags what is contentious about them. It closes with a brief presentation of the understanding of human rights that underpins this report.

The introductory chapter is followed by overviews of each African member's record on the HRC during 2018. These overviews mention various resolutions, but do not discuss them in detail. Readers are therefore encouraged, when reading a country overview, to consult the introductory chapter for more background on the various resolutions and overall votes.

Two further chapters follow the country overviews. The first of these attempts an analysis of the African Group's overall record. The final chapter presents the data and methodology behind the various rankings and categorisations used in the report.

At each general session the HRC adopts a large number of resolutions. The annual number of resolutions has increased steadily (see Figure 1). In 2008 the HRC adopted 69 general session resolutions. In 2009 this number was 72. By 2017 this number had climbed to 108, but dropped to 85 in 2018. The volume and breadth of the HRC's activities – states also participate in three two-week Universal Periodic Review³ sessions per year – make it difficult

Figure 1 Number of UN Human Rights Council general session resolutions per year



Source: Compiled by author based on information available at UN Human Rights Office of the High Commissioner, UN Human Rights Council, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Home.aspx>

³ The UPR is a mechanism of the HRC, under which the human rights situation of all UN members is peer reviewed every five years.

for small delegations to keep pace with and engage fully in its work. In recent years the HRC has been trying to become more efficient by, for instance, streamlining its agenda and reducing repetition, but, to date, this process has not yielded the desired efficiency.

HRC resolutions cover a range of themes. A handful deal with institutional matters or matters of principle, for instance, about the staffing of the UN Human Rights Office of the High Commissioner (OHCHR) or the appropriate extent of state cooperation with the UN. Most resolutions, however, address either country-specific or thematically organised human rights issues. About two-thirds are thematic, covering civil, political, social, economic and cultural rights. These resolutions address matters that range from children's rights to climate change, from extreme poverty to extrajudicial execution.

Country-specific resolutions make up about a quarter of HRC resolutions. Most fall under items 4 ('Human rights situations that require the Council's attention') and 10 ('Technical assistance and capacity building') of the HRC's standing agenda. There is some flexibility in the way item 10 resolutions are used,⁴ but typically, they are uncontroversial and adopted without a vote. Item 10 resolutions usually imply that a government acknowledges that serious human rights problems exist within its borders, but also that these are the result of capacity and technical shortcomings rather than malice. The assumption that a government is not a wilful rights violator and is serious about improving human rights is often a necessary pretence to secure a modicum of HRC involvement in a specific country.

Item 4 resolutions are more controversial and are often adopted through a vote. These resolutions accuse the government in question of deliberately violating human rights and call on it to refrain from such misdeeds. Item 4 resolutions usually mandate incisive investigations into the rights situation of the country in question. Critics argue that the proponents of item 4 resolutions are trying to 'name and shame' developing countries and are selective about which countries should be investigated, as well as that such resolutions are generally counterproductive. In recent years, beginning with the 2011 resolution on Sri Lanka, a growing number of critical country resolutions have been adopted under item 2 ('Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General').⁵

In addition to items 4 and 10 resolutions, the HRC devotes an entire agenda item (item 7) – there are only 10 items – to the 'human rights situation in Palestine and other occupied Arab territories'. The singling out of Israel in this way is frequently presented as evidence of the HRC's bias against Israel. Devoting a full agenda item to Israel means that at each of the HRC's three general sessions there is ample opportunity to discuss and condemn Israel's actions. Moreover, every year the HRC adopts a number of resolutions on Israel. In 2018

4 For example, UN Human Rights Council, "Resolution 36/31, Human Rights, Technical Assistance and Capacity-building in Yemen", A/HRC/RES/36/31 (October 3, 2017).

5 For example, HRC, "Resolution 39/16, Human Rights Situation in Yemen", A/HRC/RES/39/16 (October 5, 2018); HRC, "Resolution 39/1, Promotion and Protection of Human Rights in the Bolivarian Republic of Venezuela", A/HRC/RES/39/1 (October 3, 2018).

there were six.⁶ By comparison, during the same period the HRC adopted 10 item 4 and 11 item 10 country resolutions. One of the ironies of Israel-related resolutions is that many of the states that push these tough resolutions are against subjecting other countries to international scrutiny. These states try to get around this bit of hypocrisy by claiming that Israel-related resolutions are not country-specific, but are thematic resolutions concerned with occupation. This move, as an Ethiopian diplomat has remarked, is simply ‘semantics’.⁷ The large number of states that vote in favour of Israel resolutions but oppose other critical country-specific resolutions means that a country’s record on Israel alone tells us very little about its commitment to international human rights.

The African Group

The African Group occupies 13 seats on the HRC. Using Freedom House’s measure,⁸ in 2018 only three of the African members of the HRC were ‘free’: Senegal, South Africa and Tunisia. Another four – Côte d’Ivoire, Kenya, Nigeria and Togo – were ‘partly free’ and six – Angola, Burundi, the Democratic Republic of Congo (DRC), Egypt, Ethiopia and Rwanda – were ‘not free’. This a slight deterioration from the African Group’s 2017 membership, when it had four ‘free’ members, four ‘partly free’ members, and five classified as ‘not free’.

The African Group entered the newly created HRC with a reputation for unity and resistance to international human rights. An infamous display of this unity was its insistence, in 2003, in the face of vehement criticism, that Libya should be the next chair of the Commission on Human Rights.⁹ By proposing as many candidates as there were seats available, the African Group got various rights-abusing states onto the commission – in 2005, Congo (Brazzaville), Ethiopia, Egypt, Gabon, Sudan, Togo and Zimbabwe were commission members. According to a former Algerian ambassador, the rationale for acting as a bloc is straightforward: failure to do so would ‘spell disaster for weaker countries’.¹⁰

The African Group’s resistance to international human rights remained evident during the HRC’s first few years. The group was behind an attempt to curtail the independence

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- 6 HRC, “Resolution 37/33, Human Rights in the Occupied Syrian Golan”, A/HRC/RES/37/33 (April 6, 2018); HRC, “Resolution 37/34, Right of the Palestinian People to Self-determination”, A/HRC/RES/37/34 (April 13, 2018); HRC, “Resolution 37/35, Human Rights Situation in the Occupied Palestinian Territory, including East Jerusalem”, A/HRC/RES/37/35 (April 13, 2018); HRC, “Resolution 37/36, Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the Occupied Syrian Golan”, A/HRC/RES/37/36 (April 6, 2018); HRC, “Resolution 37/37, Ensuring Accountability and Justice for All Violations of International Law in the Occupied Palestinian Territory, including East Jerusalem”, A/HRC/RES/37/37 (April 6, 2018); HRC, “Resolution S-28/1, Violations of International Law in the Context of Large-scale Civilian Protests in the Occupied Palestinian Territory, including East Jerusalem”, A/HRC/RES/S-28/1 (May 22, 2018).
- 7 Allehone Abebe, “Of Shaming and Bargaining: African States and the Universal Periodic Review of the United Nations Human Rights Council”, *Human Rights Law Review* 9, no. 1 (2009): 33.
- 8 Freedom House scores countries on 10 political rights indicators and 15 civil liberties indicators. These scores allow Freedom House to assign a country two ratings – one on political rights, the other on civil liberties. Each rating ranges from one to seven, with one being the most free and seven the least free. The average of the political rights and civil liberties scores yields a ‘freedom rating’. Based on their ‘freedom rating’, countries are categorised as either ‘free’, ‘partly free’ or ‘not free’.
- 9 “Libya Takes Human Rights Role”, BBC (January 20, 2003), <http://news.bbc.co.uk/2/hi/africa/2672029.stm>.
- 10 Idriss Jazairy, “The Role of Regional Groups and Coordinators: A Case Study – the African Group”, in *The First 365 Days of the United Nations Human Rights Council*, ed. Lars Muller (Geneva: Baden, 2007), 129.

of the HRC's investigators, its special procedures system, by subjecting them to a 'code of conduct'.¹¹ In 2006-7 the African Group tried to obstruct investigations into massive human rights violations in Darfur. Although Khartoum refused to issue visas to the HRC's investigative team, the team still wrote a report. The bulk of the African Group tried to delegitimise the report. Between 2008 and 2011 the African Group also repeatedly prevented attempts to conduct thorough investigations into the severe human rights problems in the DRC.¹²

Despite its reputation for unity, the African Group has increasingly voted in a less unified way.¹³ A report on its voting on country situations and civil and political rights at the HRC during 2017 – the predecessor to this report – found that African states voted together on only four out of the 33 votes studied.¹⁴ Of the 34 votes studied in the present report, African Group members were not unified on any of the votes.

Focus areas: Country situations and civil and political rights

This report assesses the commitment of African countries to international human rights based on their actions in two domains of the HRC's work: country-specific human rights problems and civil and political rights.

The exclusion of economic rights does not mean that they are not important – they are. However, economic rights are excluded for a number of reasons. First, the large number of resolutions on economic rights puts it beyond the scope of this project, especially if we consider the importance of economic considerations to resolutions that are not strictly on economics, such as on health, education and climate change. Second, African countries almost always vote the same on economic rights issues, thus preventing us from differentiating among them in terms of their commitment to international human rights. Third, support for economic rights on their own is not a good indicator of overall commitment to human rights – the most repressive HRC members typically vote in favour of economic rights resolutions.

Significantly, this report excludes from its calculations two issues that were included in last year's report: resolutions on Israel and the resolution on judicial integrity. These resolutions are a poor indicator of a state's commitment to human rights.

11 Philip Alston, "Hobbling the Monitors: Should UN Human Rights Monitors Be Accountable?", *Harvard International Law Journal* 52, no. 2 (2011): 592.

12 Jordaan, "The African Group on the UN Human Rights Council".

13 Jordaan, "The African Group on the UN Human Rights Council".

14 Eduard Jordaan, "Introduction", in *African States at the UN Human Rights Council in 2017*, ed. Eduard Jordaan (Johannesburg: SAIIA, 2019), 24.

During 2018 the HRC adopted six resolutions pertaining to Israel. Five of the resolutions recur annually: on human rights in the Golan Heights, on Israeli settlements, on Palestinian self-determination, and on violations of human rights and of international law in the Occupied Palestinian Territory. All were adopted by a vote. The HRC adopted a sixth at a special session 'on the deteriorating human rights situation in the occupied Palestinian territory, including East Jerusalem'. At issue was the Israeli response to protests in Gaza that began on 30 March 2018. In his statement, Zeid Ra'ad Al Hussein, the UN High Commissioner for Human Rights, noted the 'appalling' recent events in Gaza during which 87 Palestinians were killed by Israeli security forces.¹⁵ The resultant resolution condemned Israel's disproportionate response to the protests and demanded that Israel end its blockade of Gaza, among other things. The resolution also established a commission of inquiry 'to identify those responsible; to make recommendations, in particular on accountability measures, all with a view to avoiding and ending impunity and ensuring legal accountability, including individual criminal and command responsibility, for such violations and abuses'.¹⁶ Of these six resolutions, only the resolution on the Golan Heights drew significant opposition; Western states – Israel's principal allies – either supported or abstained on the other resolutions. A large majority of African states voted for the Israel resolutions, with only Togo voting against some of them. Indeed, the African record alerts us to the inappropriateness of including Israel resolutions when considering countries' commitment to international human rights. During 2018 African states voted for country-specific resolutions other than on Israel 23% of the time, but voted yes on Israel resolutions 76% of the time.¹⁷ Angola, Burundi, Ethiopia, Kenya and South Africa voted in favour of all six Israel resolutions but did not vote for any of the other country-specific resolutions.

The 'Integrity of the judicial system' resolutions are aimed at the US' practices of extraordinary rendition and detaining alleged combatants and terrorists without trial. This is indeed a serious human rights violation in need of the HRC's attention. The problem with the judicial integrity resolutions is that the title promises a wide-ranging resolution but then only focuses on American misdeeds. The main sponsor (Russia) and its co-sponsors (Belarus, China, Cuba, Ethiopia, Syria, United Arab Emirates [UAE] and Venezuela) of the 2018 resolution¹⁸ are all highly authoritarian and have deeply flawed judicial practices. Prior to adoption, the US demanded a vote on the resolution. The resolution passed 23-2-22 (Yes-No-Abstain), with nine African states voting in favour and four abstaining. Such strong African support is striking in light of the reluctance of African states to support civil and political rights in other votes. In fact, of the eight votes on civil and political rights studied in this report, there were never more than three African states to vote for the strongest human rights option. During 2018 African states voted for the pro-human rights option on civil and political rights only 20% of the time, compared to Africa's 69% support

15 Zeid Ra'ad Al Hussein, "Statement to the HRC", *UN Web TV* (May 18, 2018), <http://webtv.un.org/meetings-events/human-rights-council/special-sessions/watch/1st-meeting-28th-special-session-of-human-rights-council/5786571192001/?term=#player>.

16 HRC, "Resolution S-28/1".

17 During 2018 African states cast altogether 156 votes on non-Israel country-specific resolutions. Of these, 18 (12%) were votes against, 36 (23%) were in favour, and 102 (65%) were abstentions. The African Group also cast 78 votes on Israel resolutions. Of these, 4 (5%) were against while 59 (76%) were in favour, and there were 15 (19%) abstentions.

18 HRC, "Draft Resolution 37/L.11, Integrity of the Judicial System", A/HRC/37/L.11/Rev.1 (March 20, 2018).

for the judicial integrity resolution.¹⁹ Rather than measuring support for human rights, the judicial integrity resolution is mostly reflective of a state's willingness to confront the US.

The rest of this section gives an overview of country-specific and civil and political rights issues to which states participating in the HRC during 2018 had to respond.

BOX 2 SUMMARY OF METHODOLOGY

This report examines the African states' positions on 34 votes – 26 related to country-specific situations and eight to civil and political rights. With each vote there are three options: yes, no, abstain. Abstentions were given a score of one. The most pro-human rights votes (sometimes a yes, sometimes a no) received a score of two. The least pro-human rights option was scored as zero. Since there were multiple votes on some issues (eg, on Syria) and only one on others (eg, on Venezuela), the average score of each African country on each issue is calculated. Within one issue (eg, on Syria) all votes per issue – whether on a resolution, an amendment or a procedural matter – are weighted the same.

Using these averages, African members of the HRC are ranked relative to one another in categories such as 'overall record', 'country situations', 'civil and political rights', 'political freedom' and 'women's rights'. Since rankings do not reveal the strength of a country's commitment to human rights, countries' scores on the categories mentioned above are used to place them on a ratio scale with five intervals: 'Strongly against human rights'; 'Mildly against human rights'; 'Unwilling to defend human rights'; 'Mildly supportive of human rights'; and 'Strongly supportive of human rights'.

For a fuller explanation of the methodology and presentation of the data, please see the chapter 'Methodology and data'.

Country-specific situations

During 2018 the HRC adopted 14 invasive country resolutions (excluding the six on Israel). These resolutions expressed at least serious concern about the human rights abuses in target countries, authorised or expressed support for investigations into these problems, and were opposed by the target countries. Resolutions on Eritrea, North Korea and South Sudan were adopted without a vote. Four resolutions on the civil war in Syria, two on Myanmar/Rohingya, and single resolutions on Belarus, Burundi, Iran, Venezuela and Yemen were adopted by vote.

¹⁹ During 2018 African states cast 101 votes related to civil and political rights resolutions, the judicial integrity resolution excluded. Of these, 39 (38.6%) were votes against, 20 (19.8%) were votes in favour, and 42 (41.6%) were abstentions.

In 2018 the HRC adopted nine item 10 country resolutions. The African Group was the main sponsor of six of these – on the Central African Republic, Libya, Mali, Sudan and two on the DRC. All item 10 resolutions except the one on Georgia were adopted without a vote.

The rest of this section discusses the Georgia resolution as well as the more unusual invasive country-specific resolutions on Burundi, Myanmar and the Rohingya, Syria, Venezuela and Yemen.

Georgia

Despite having the support of the Georgian government, the resolutions ‘Cooperation with Georgia’ have been subject to a vote. In 2008 Russia invaded the Georgian regions of South Ossetia and Abkhazia. Russia-backed separatists remain in control of these regions. A March 2017 HRC resolution pointed out that various UN human rights monitors had been denied access to the disputed areas. The resolution demanded access for the OHCHR and requested a report-back from the UN High Commissioner for Human Rights.²⁰ In August 2017 the OHCHR found that the ongoing refusal of the authorities in control of the disputed regions to grant it access ‘raises legitimate questions and concerns about the human rights situation of the population living there’.²¹ The OHCHR also concluded, according to available information, that discrimination on the basis of ethnicity was widespread in the disputed regions.²² A 2018 draft resolution expressed concern at such discrimination and about the inability of internally displaced persons to return to their homes. The draft resolution asked the OHCHR to update the HRC on the Georgian situation.²³ Venezuela objected to various aspects of the draft, including that it went against the UN Charter’s prohibition on international interference in the domestic affairs of states,²⁴ even though it was Georgia itself that was inviting such interference. The resolution was adopted through a vote, 19-5-23 (Yes-No-Abstain), showing that most states wanted to remain on the sidelines of a dispute in which the major powers were involved. Only three African states voted in favour, while one opposed the resolution.

Burundi

In September 2016 the HRC created a commission of inquiry to investigate possible human rights crimes committed in Burundi since April 2015 with a view to holding perpetrators accountable.²⁵ Ghana was the only African country to vote for this resolution; others abstained. Burundi subsequently refused to allow commission members into the country.

20 HRC, “Resolution 37/40, Cooperation with Georgia”, A/HRC/RES/37/40 (April 9, 2018).

21 UN, *Report of the United Nations High Commissioner for Human Rights on Cooperation with Georgia*, A/HRC/36/65 (August 17, 2017), 7.

22 UN, *Report on Cooperation with Georgia* (2017), 16.

23 HRC, “Resolution 37/40”.

24 Venezuela, “Statement to the HRC”, *UN Web TV* (March 23, 2018), <http://webtv.un.org/search/ahrc37.27-vote-item10-56th-meeting-37th-regular-session-human-rights-council-/5757155793001/?term=georgia&sort=date&page=28#player>.

25 HRC, “Resolution 33/24, Situation of Human Rights in Burundi”, A/HRC/RES/33/24 (October 5, 2016).

The commission compiled its report by interviewing more than 500 people from a distance and in countries with Burundian refugees.²⁶ In its report, published in August 2017, the commission reported various ‘extremely cruel’ violations²⁷ and found that the government’s defence and security forces were the ‘principal perpetrators’ of these violations.²⁸ The commission recommended prosecuting the alleged perpetrators.²⁹ It further proposed extending its mandate for another year to allow it to conduct further and more thorough investigations.³⁰ Burundi rejected the report.³¹ A September 2017 resolution that proposed extending the commission of inquiry’s mandate was adopted 22-11-14, with mostly Western states as well as two African states voting in favour (Botswana and Rwanda), while five African states opposed the resolution and six abstained.³² At the same HRC session the African Group tried to subvert the investigation and protect the Burundian government by creating an investigation over which the Burundian government had the final say.³³ In August 2018 the commission of inquiry reported that violations such as summary execution, enforced disappearance, arbitrary arrest and detention, torture, sexual violence, and violations of the freedoms of expression, association, assembly and movement continued into 2018. The Burundian government was behind these violations, which were occurring with impunity. In light of these facts, the commission recommended that its mandate be extended for another year.³⁴ An EU-sponsored resolution proposing such an extension was put to a vote, with only one African state voting in favour, while three opposed it and the rest abstained.³⁵

Myanmar and the Rohingya

In March 2017 the HRC created an international fact-finding mission to investigate alleged human rights abuses against the Rohingya and other groups in Rakhine State in Myanmar ‘with a view to ensuring full accountability for perpetrators and justice for victims’.³⁶ In December 2017, amid persistent ethnic cleansing of the Rohingya population, the HRC convened a special session. The High Commissioner reported acts of ‘appalling barbarity’ committed against the Rohingya, including deliberately burning people to death inside their homes; murder of children and adults; indiscriminate shooting of fleeing civilians; widespread rape of women and girls; and the burning and destruction of houses, schools,

26 UN, *Report of the Commission of Inquiry on Burundi*, Doc. A/HRC/36/54 (August 11, 2017), 3.

27 UN, *Report on Burundi* (2017), 4.

28 UN, *Report on Burundi* (2017), 6.

29 UN, *Report on Burundi* (2017), 19.

30 UN, *Report on Burundi* (2017), 18.

31 Burundi, “Statement to the HRC”, *UN Web TV* (September 19, 2017), <http://webtv.un.org/search/id-commission-of-inquiry-on-burundi-contd-17th-meeting-36th-regular-session-human-rights-council-/5580223558001/?term=burundi&sort-date&page=12#>.

32 HRC, “Resolution 36/19, Renewal of the Mandate of the Commission of Inquiry on Burundi”, A/HRC/RES/36/19 (October 4, 2017).

33 HRC, “Resolution 36/2, Mission by the Office of the United Nations High Commissioner for Human Rights to Improve the Human Rights Situation and Accountability in Burundi”, A/HRC/RES/36/2 (October 4, 2017).

34 UN, *Report of the Commission of Inquiry on Burundi*, A/HRC/39/63 (August 8, 2018), 16-17.

35 HRC, “Resolution 39/14, Situation of Human Rights in Burundi”, A/HRC/RES/39/14 (October 2, 2018).

36 HRC, “Resolution 34/22, Situation of Human Rights in Myanmar”, A/HRC/RES/34/22 (April 3, 2017).

markets and mosques.³⁷ A group of Muslim-majority countries sponsored a resolution that asked the High Commissioner to provide regular oral updates on the situation of the Rohingya and to monitor Myanmar's cooperation with various UN investigative mechanisms.³⁸ Eight African countries voted for the resolution, one against, and four abstained.

A March 2018 resolution criticised Myanmar for failing to cooperate with the international fact-finding mission and renewed the mandate of the Special Rapporteur on Myanmar.³⁹ Six African countries voted for the resolution, with only one against. In September 2018 the HRC-authorized international fact-finding mission reported violations that 'are shocking for their horrifying nature and ubiquity', many of which 'undoubtedly amount to the gravest crimes under international law'.⁴⁰ The authors of the report further recommended 'that named senior generals of the Myanmar military should be investigated and prosecuted in an international criminal tribunal for genocide, crimes against humanity and war crimes'.⁴¹ A draft resolution, sponsored by the EU and the Organisation of Islamic Cooperation (OIC), created a mechanism 'to collect, consolidate, preserve and analyse evidence ... and to prepare files in order to facilitate and expedite fair and independent criminal proceedings ... in national, regional or international courts or tribunals'.⁴² The resolution was adopted convincingly with a vote of 35-3-7, with eight African states voting in favour, one against, and four abstaining.

Syria

In April 2011 the HRC began to adopt resolutions on what was at first the Syrian government's heavy-handed response to anti-regime protests that later morphed into civil war. Since March 2012 the HRC has adopted a resolution on the Syrian conflict at each of its regular sessions. In 2018 the HRC adopted three resolutions titled 'The human rights situation in the Syrian Arab Republic' and a fourth titled 'The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic'. The HRC also held a debate on events in Eastern Ghouta. All four of these resolutions were put to a vote. In addition, each of the resolutions was subject to a number of hostile amendments, all of which were rejected after a vote. The amendments were primarily about two things: to complain about sanctions against Syrian individuals and government agencies and to paint opponents of

37 Zeid Ra'ad Al Hussein, "Special Session of the Human Rights Council on the Human Rights Situation of the Minority Rohingya Muslim Population and Other Minorities in the Rakhine State of Myanmar: Statement to the HRC", HRC (December 5, 2017), <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22487&LangID=E>.

38 HRC, "Resolution S-27/1, Situation of Human Rights of Rohingya Muslims and Other Minorities in Myanmar", A/HRC/RES/S-27/1 (December 8, 2017).

39 HRC, "Resolution 37/32, Situation of Human Rights in Myanmar", A/HRC/RES/37/32 (April 9, 2018).

40 UN, *Report of the Independent International Fact-finding Mission on Myanmar*, A/HRC/39/64 (September 12, 2018), 19.

41 UN, *Report on Myanmar*, 1.

42 HRC, "Draft Resolution 39/L.22, Situation of Human Rights of Rohingya Muslims and Other Minorities in Myanmar", A/HRC/39/L.22 (September 22, 2018).

the regime as terrorists.⁴³ The purpose behind depicting those fighting against the Assad regime as terrorists was to excuse the regime's brutal actions. In addition, there was a vote on a Venezuelan proposal to end the debate on the human rights problems in Eastern Ghouta.

How did African states fare on the various votes related to human rights in Syria? In short, Africa's record is poor. No African states opposed the proposal to end the debate on human rights in Eastern Ghouta. With regard to the 13 amendment votes, the majority of African states abstained. The only opposition to these hostile amendments took place when two African states (Kenya and Togo) voted against one of these amendments.⁴⁴ There was slightly more support for the resolutions, but in all cases most African votes were abstentions.

Venezuela

In September 2018 the HRC adopted its first resolution on Venezuela. The resolution referenced a June 2018 OHCHR report that documented state-driven human rights violations since August 2017, including the use of arbitrary detention, torture and ill-treatment, as well as violations of the rights to health and food. The report placed these violations against a backdrop of a repression of political dissent.⁴⁵ The resolution further remarked on the refugee crisis that stemmed from the Venezuelan government's repression and mismanagement of the economy and called on the government to accept international humanitarian aid. The resolution asked the OHCHR to prepare a comprehensive report on human rights in Venezuela.⁴⁶ African states were not keen on the resolution. Only one African state voted for the resolution, three opposed it, while the rest abstained from the resolution that was adopted 23-7-27.

Yemen

In reports presented to the HRC, the High Commissioner has made repeated calls for an international, independent inquiry into violations of international human rights law and international humanitarian law committed in the Yemeni civil war, a conflict that has endured since March 2015.⁴⁷ In September 2017 a group of countries, led by the Netherlands, tabled a draft resolution that proposed the type of investigation the High Commissioner had spoken about. The draft resolution proposed a commission of inquiry to identify perpetrators of human rights violations in the Yemen conflict to ensure that

43 HRC, "Amendment to Draft Resolution A/HRC/37/L1", A/HRC/37/L2-5 (March 2, 2018); HRC, "Amendment to Draft Resolution A/HRC/37/L38", A/HRC/37/L60 (March 21, 2018); HRC, "Amendment to Draft Resolution A/HRC/38/L20", A/HRC/38/L28-31 (July 4, 2018).

44 HRC, "Amendment to Draft Resolution A/HRC/37/L38", A/HRC/37/L60.

45 OHCHR, *Human Rights Violations in the Bolivarian Republic of Venezuela: A Downward Spiral with No End in Sight* (New York: UN, June 2018), ii.

46 HRC, "Resolution 39/1".

47 UN, *Situation of Human Rights in Yemen: Report of the United Nations High Commissioner for Human Rights*, A/HRC/33/38 (August 4, 2016), 2; UN, *Situation of Human Rights in Yemen, Including Violations and Abuses since September 2014: Report of the United Nations High Commissioner for Human Rights*, A/HRC/36/33 (September 13, 2017), 17.

they 'are held accountable'.⁴⁸ Saudi Arabia, whose airstrikes were the 'leading cause of civilian deaths',⁴⁹ fought against the draft resolution.⁵⁰ A compromise text agreed to the appointment of a group of eminent international and regional experts to, among other things, 'establish the facts and circumstances surrounding the alleged violations and abuses [in Yemen] and, where possible, to identify those responsible'.⁵¹ The resolution was adopted by consensus.

Having had access to Yemen, in August 2018 the group of eminent international and regional experts delivered their report. Given the large number of relevant incidents, they did not aim to be exhaustive but rather to present the principal patterns of human rights violations. The expert group found that the governments of Yemen, Saudi Arabia and the UAE were responsible for violations such as unlawful killing, arbitrary detention, rape, torture, and enforced disappearance, and for violations of international humanitarian law such as attacks in violation of the principles of distinction, proportionality and precaution.⁵² The report included a 'mapping of actors', an 11-page list of those involved on various sides of the conflict. The list was a tool to help readers make sense of the conflict. It was not an indictment, but with Saudi Crown Prince Mohammad Bin Salman named on the list, Saudi Arabia opposed a 2018 resolution seeking to extend the mandate of the expert group for another year to allow for further investigation.⁵³ Only one African state voted for the resolution, two opposed it, and 10 abstained. During the same session the HRC adopted another resolution on Yemen, an Arab Group-sponsored text asking the OHCHR to supply technical assistance to the Yemeni government and the National Commission of Inquiry.⁵⁴ Belgium and the other sponsors of the first resolution welcomed the provision of technical assistance, but argued that the 'dire' human rights situation in Yemen required an in-depth international investigation.⁵⁵ Nevertheless, the second, technical assistance resolution passed without a vote.

Civil and political rights

During 2018 the HRC adopted a range of resolutions on civil and political rights. Most of these were adopted without a vote, whether on amendments or the final resolution, such

48 HRC, "Draft Resolution 36/L.4, Situation of Human Rights in Yemen", A/HRC/36/L.4 (September 22, 2017).

49 HRC, "Resolution 36/33, Situation of Human Rights in Yemen, Including Violations and Abuses since September 2014", A/HRC/36/33 (September 13, 2017), 7.

50 Patrick Wintour and Julian Borger, "Independent Investigation Will Look into Human Rights Abuses in Yemen", *The Guardian* (September 29, 2017), <https://www.theguardian.com/world/2017/sep/29/yemen-un-investigation-human-rights-abuses>.

51 HRC, "Resolution 36/31".

52 UN, *Report of the United Nations High Commissioner for Human Rights Containing the Findings of the Group of Eminent International and Regional Experts and a Summary of Technical Assistance Provided by the Office of the High Commissioner to the National Commission of Inquiry*, A/HRC/39/43 (August 17, 2018), 14-15.

53 HRC, "Resolution 39/16".

54 HRC, "Resolution 39/21, Technical Assistance and Capacity-building for Yemen in the Field of Human Rights", A/HRC/RES/39/21 (October 8, 2018).

55 Belgium, "Statement to the HRC", *UN Web TV* (September 28, 2018), <http://webtv.un.org/meetings-events/human-rights-council/regular-sessions/39th-session/watch/ahrc39l.23-vote-item10-41st-meeting-39th-regular-session-human-rights-council-/5841567442001/?term=#player>.

as resolutions on the right to privacy, freedom of religion or belief, access to justice, violence and discrimination on religious grounds, human rights on the Internet, the incompatibility between democracy and racism, and the safety of journalists. One resolution, on judicial integrity, went to a vote, but for the reasons given above is excluded from this report. Five resolutions were subject to hostile amendment proposals prior to their consensual adoption. These were resolutions on discrimination against women, violence against women, the right to peaceful protest, civil society space, and equal participation in political and public affairs. The rest of this section introduces the resolutions on which amendment voting took place. Voting on amendments matters because it is often here, rather than during the final adoption, that the important action takes place and countries' positions become visible.

Women's rights

During the June 2018 session the HRC adopted two resolutions on women's rights – one focusing on violence against women, the other on discrimination against women. Mexico and Colombia were the main sponsors of the resolution on discrimination against women.⁵⁶ There were 63 co-sponsors, including only two African states.⁵⁷ The resolution drew two attempts at hostile amendment. The first proposed amendment, sponsored by Russia, sought to prevent the provision of 'universal access to evidence-based comprehensive sexuality education'.⁵⁸ As the language in the amendment suggests, this amendment was motivated by animus towards LGBT rights. Five African states supported the amendment while three opposed it. Russia's amendment proposal was rejected. The second hostile amendment came from Saudi Arabia. Saudi Arabia wanted the removal of the mention of 'intimate partner violence' from a paragraph in the draft resolution condemning gender-based violence against women and girls.⁵⁹ Four African states supported Saudi Arabia's unsuccessful proposal, while three opposed it and four abstained from the vote.

Canada was the main sponsor of the resolution on violence against women.⁶⁰ This resolution had 76 co-sponsors, including eight African states.⁶¹ Russia, however, introduced an unfriendly amendment to the resolution. The amendment responded to the role of education in bringing about respectful relationships based on gender equality. Similar to what it had recommended with regard to the discrimination against women resolution, Russia proposed deleting a specific call for states to provide 'comprehensive sexuality education' in their educational programmes.⁶² Six African states supported Russia's amendment, while three voted against. The HRC rejected Russia's proposal 25-13-6.

56 HRC, "Draft Resolution 38/L.1, Elimination of All Forms of Discrimination Against Women and Girls", A/HRC/38/L.1/Rev.1 (3 July 2018).

57 Botswana and Rwanda.

58 HRC, "Amendment to Draft Resolution A/HRC/38/L.1/Rev.1", A/HRC/38/L.24 (July 5, 2018).

59 HRC, "Amendment to Draft Resolution A/HRC/38/L.1/Rev.1".

60 HRC, "Draft Resolution 38/L.6, Accelerating Efforts to Eliminate Violence Against Women and Girls: Preventing and Responding to Violence Against Women and Girls in Digital Contexts", A/HRC/38/L.6 (July 2, 2018).

61 Benin, Botswana, Malawi, Mali, Rwanda, South Africa, Tunisia and Zambia.

62 HRC, "Amendment to Draft Resolution A/HRC/38/L.6", A/HRC/38/L.32 (July 4, 2018).

Peaceful protest

The HRC has been adopting resolutions related to the right to peaceful protest since 2011, but it was in 2014 that contestation over the resolution increased. In 2014 and 2016 the resolutions were subject to various hostile amendments. There were also votes on the resolution itself. In 2018 the resolution titled 'The promotion and protection of human rights in the context of peaceful protests' passed without a vote,⁶³ but there was an attempt at amending it. Specifically, China and Russia proposed inserting a paragraph calling on states to 'ensure that organisers and leaders of protests are cognisant that they have duties and responsibilities with regard to the proper conduct of those participating in the protests organised under their auspices'.⁶⁴ Human Rights Watch has criticised this type of amendment as a ploy to deflect from the responsibilities of states to protect individuals from rights violations.⁶⁵ The hostile amendment was put to a vote – five African states supported it, while two opposed it. The amendment was rejected 23-14-8.

Civil society space

At the June 2018 session Chile, Ireland, Japan, Sierra Leone and Tunisia tabled a draft resolution on civil society space.⁶⁶ The text took its cue from an OHCHR report on the participation of civil society organisations (CSOs) in international and regional organisations. The report noted that CSOs that participate in these forums often faced problems such as reprisals and opaque accreditation procedures and decisions.⁶⁷ The draft resolution addressed these and other problems while emphasising the importance of civil society in advancing international human rights and calling on states to respect and protect CSOs.⁶⁸ China, however, attacked the resolution with three hostile amendments. The first proposed amendment wanted more scope to use legislation to restrict the funding of CSOs.⁶⁹ The second was a call to respect the sovereignty of states in the way they dealt with such organisations.⁷⁰ The third was to delete references to recommendations by the High Commissioner for Human Rights on good practices for creating an enabling environment for civil society.⁷¹ The African Group was relatively supportive of the first two amendments, with African states voting 5-2-6 and 5-1-7. They were more reluctant to support the third amendment, with three states voting for the amendment and three against, the rest abstaining.

63 HRC, "Resolution 38/11, The Promotion and Protection of Human Rights in the Context of Peaceful Protests", A/HRC/RES/38/11 (July 16, 2018).

64 HRC, "Amendment to Draft Resolution A/HRC/38/L.16", A/HRC/38/L.26 (July 4, 2018).

65 Human Rights Watch, "Open Letter to Member States of the UN Human Rights Council" (March 26, 2014), http://www.ishr.ch/sites/default/files/article/files/140326_letter_council_25_protest_oppose_amendments.pdf.

66 HRC, "Draft Resolution 38/L.17, Civil Society Space: Engagement with International and Regional Organisations", A/HRC/38/L.17/Rev.1 (July 4, 2018).

67 UN, *Procedures and Practices in Respect of Civil Society Engagement with International and Regional Organisations: Report of the United Nations High Commissioner for Human Rights*, A/HRC/38/18 (April 18, 2018).

68 HRC, "Draft Resolution 38/L.17".

69 HRC, "Amendment to Draft Resolution A/HRC/38/L.17/Rev.1", A/HRC/38/L.37 (July 5, 2018).

70 HRC, "Amendment to Draft Resolution A/HRC/38/L.17/Rev.1", A/HRC/38/L.38 (July 5, 2018).

71 HRC, "Amendment to Draft Resolution A/HRC/38/L.17/Rev.1", A/HRC/38/L.39 (July 5, 2018).

Equal participation in political and public affairs

At the HRC's September 2018 session Botswana, the Czech Republic, the Netherlands and Peru tabled the draft resolution 'Equal participation in political and public affairs'. The text emphasised 'the critical importance of equal and effective participation in political and public affairs for democracy, the rule of law, social inclusion, economic development and advancing gender equality and empowerment of women and girls, as well as for the realisation of all human rights and fundamental freedoms'. The draft resolution further sought to present OHCHR guidelines on the effective implementation of the right to participate in public affairs as the appropriate orientation for states in realising the aforementioned right.⁷² China, Pakistan and South Africa, however, introduced an amendment to highlight the voluntary nature of the OHCHR guidelines.⁷³ The proposed oral amendment went to a vote. Although the amendment was rejected 22-18-7, six African states voted for it, while three were against and four abstained.

Approach to human rights

Studying human rights on the HRC poses a number of challenges. First, although all HRC resolutions use the language of human rights, not all are used to advance human rights. Some are vehicles for asserting the principle of national sovereignty against the universality of human rights, some demand international 'cooperation' on human rights – code for not criticising states for rights abuses – while other resolutions stifle or obstruct potential investigations into rights violations.

Second, the HRC is an interstate organisation and that means that human rights at the HRC are always politicised. Geopolitics matter and can lead to anomalous consequences. Iran is subject to annual UN investigations into its domestic rights situation while its neighbours, Bahrain, Saudi Arabia and Iraq, whose domestic rights records are no better, are not. These discrepancies have to do with the distribution and networks of global power. Sometimes power and the purposes of international human rights align – as in the case of Iran. When the interests of powerful states are at odds with the advancement of human rights – as in the cases of Bahrain, Saudi Arabia and Iraq – the challenge is to bring human rights norms to bear to the greatest extent possible given the global power realities. The recent HRC-mandated investigations into the Yemeni civil war is an example of what is possible despite the contrary interests of the powerful. In such a contextual approach, merely mentioning human rights problems in a state as powerful and intolerant of criticism as China, for example, becomes a victory of sorts. To be sure, simply mentioning China's violations is feeble compared to an action such as imposing annual UN investigations on China – an impossibility – but for states at the HRC to mention the country's human rights

72 HRC, "Draft Resolution 39/L.14, Equal Participation in Political and Public Affairs", A/HRC/39/L.14/Rev.1 (September 28, 2018).

73 China, "Statement to the HRC", *UN Web TV* (September 28, 2018), <http://webtv.un.org/%C2%BB/watch/ahrc39l14rev1-vote-item3-40th-meeting-39th-regular-session-human-rights-council-/5841390015001/?term=&page=1#player>.

violations is an act of courage⁷⁴ and an expansion of what seems possible in the current configuration of power.

Third, human rights are often cast as something that the powerful West imposes on a subjugated Global South. There is little doubt that the origins of human rights lie principally – but not exclusively⁷⁵ – in the West. On the HRC, claims about human rights ‘imperialism’ are misplaced, for a number of reasons. On the HRC, developing countries are not powerless – they make up about two-thirds of the membership. Indeed, developing countries often band together to adopt resolutions favourable to them and at a cost to the West. Moreover, hypocrisy on human rights is not a Western preserve. The treatment of Israel best illustrates developing world hypocrisy – developing countries often oppose country-specific resolutions but then gang up to condemn and investigate Israel. Furthermore, developing countries repeatedly (and voluntarily) affirm their commitment to human rights. In addition, it might not make one popular, but it is possible for states to break with their allies to support human rights. While there are HRC resolutions that reflect a North–South divide, there are arguably more that draw support across the North and South. Finally, as this study demonstrates, developing countries, and African countries in particular, do not have homogenous positions on human rights.

In light of the above, this study does not delve into the history and gaps in the HRC’s treatment of human rights. Rather, the assessment of African countries’ records at the HRC is relatively ahistorical. The focus is on what happened during 2018 with little attention on the wider institutional and geopolitical backdrops. Furthermore, although human rights are a product of our time, this study approaches human rights as universal and timeless.

74 Human Rights Watch, *The Costs of International Advocacy: China’s Interference in United Nations Human Rights Mechanisms* (September 5, 2017), <https://www.hrw.org/report/2017/09/05/costs-international-advocacy/chinas-interference-united-nations-human-rights>.

75 Stephen Jensen, *The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge: Cambridge University Press, 2016).

COUNTRY PROFILES

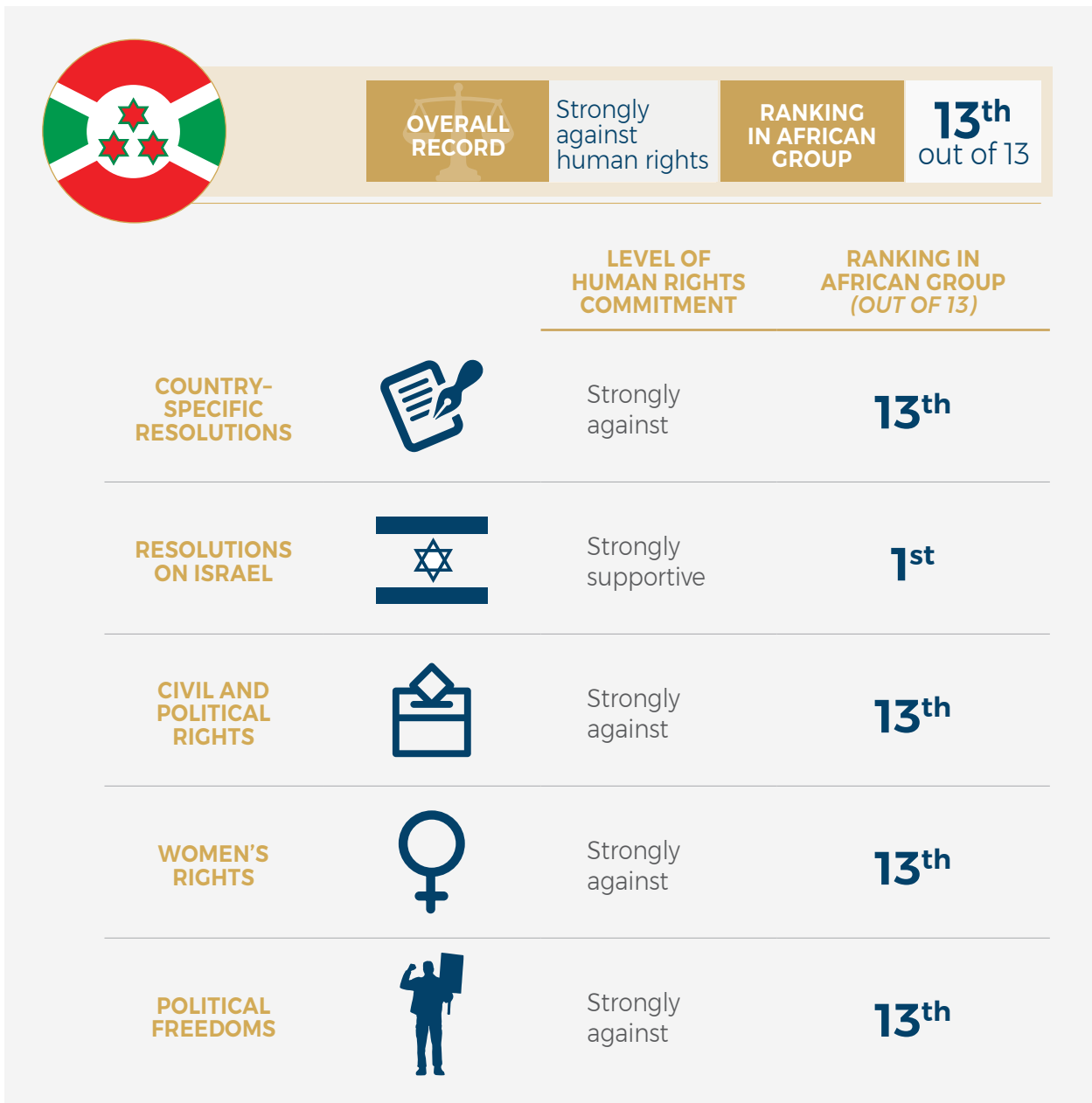
Angola



In 2018 Angola was a middling performer in the African Group and was generally not willing to defend human rights. Its reluctance is most evident in its votes on country-specific resolutions. Angola abstained on all 12 votes on country-specific resolutions discussed in the report, as well as on all the procedural and amendment votes related to Syria. By contrast, and like seven other African countries, it voted yes on all six of the HRC's 2018 resolutions on Israel.







Abstentions also marked its record on civil and political rights, but with only one human rights-friendly exception. In response to Saudi Arabia's proposal to delete condemnation of 'intimate partner violence' against women and girls from a paragraph in a draft resolution on discrimination against women, Angola, alongside two other African states, voted against the amendment. Lukewarm as Angola's voting record on civil and political rights may be, it is enhanced by its frequent co-sponsorship of civil and political rights resolutions – on digital privacy, access to justice for persons with disabilities, the incompatibility between racism and democracy, the right to equal participation in public affairs, and the safety of journalists.

Burundi



As in the previous year, in 2018 Burundi had the worst record all African members of the HRC. Apart from the HRC's six resolutions on Israel, all of which Burundi voted for, it always voted for the most anti-human rights position on offer. In other words, it voted against all 12 country-specific resolutions, in favour of all 13 hostile amendments on the various Syria resolutions, and in favour of all proposals to weaken resolutions on civil society, peaceful protest, the right to participate in politics, and women's rights. Clearly uninterested in promoting international human rights, Burundi's prime reason for being on the HRC seems to be to frustrate scrutiny of the human rights violations that have been taking place within its borders.

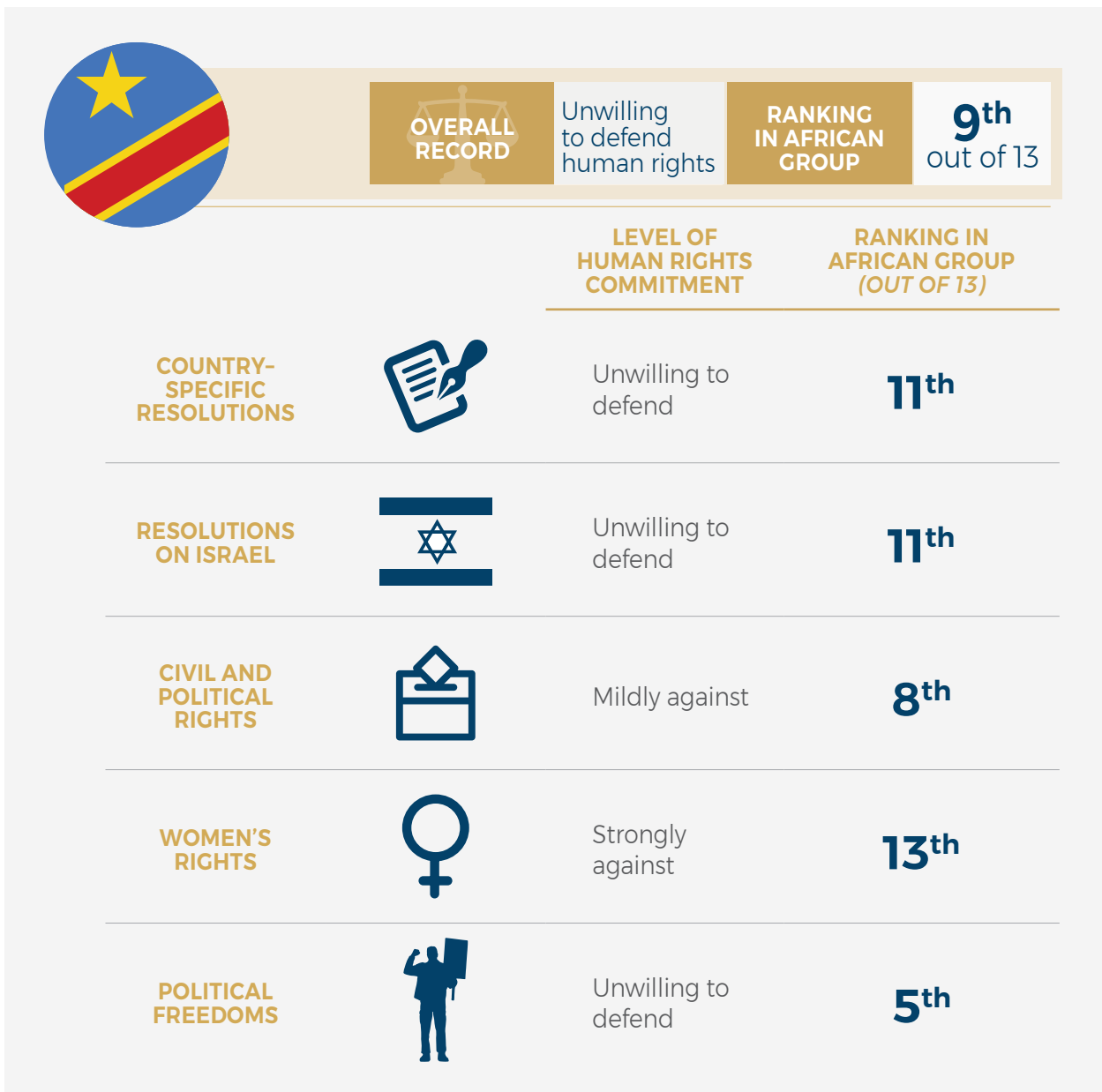
Côte d'Ivoire

	OVERALL RECORD Mildly supportive of human rights	RANKING IN AFRICAN GROUP 2nd out of 13
	LEVEL OF HUMAN RIGHTS COMMITMENT	RANKING IN AFRICAN GROUP (OUT OF 13)
COUNTRY-SPECIFIC RESOLUTIONS 	Strongly supportive	1st
RESOLUTIONS ON ISRAEL 	Strongly supportive	1st
CIVIL AND POLITICAL RIGHTS 	Unwilling to defend	5th
WOMEN'S RIGHTS 	Unwilling to defend	5th
POLITICAL FREEDOMS 	Unwilling to defend	5th

During 2018 Côte d'Ivoire had one of the strongest HRC records on human rights among African Group members, thus continuing its positive performance of previous years. Most notably, Côte d'Ivoire was the only African country whose record on country-specific resolutions could be considered strong. It voted yes on all but two country-specific resolutions, abstaining only on the Burundi and Venezuela resolutions. While Côte d'Ivoire voted in favour of all four Syria resolutions, its voting on the motion to stop the discussion of the situation in Eastern Ghouta as well as the various amendments against the resolution was weak – it abstained on all 14 of these votes.

Although Côte d'Ivoire had the fifth best record on civil and political rights among African Group members, its record was nevertheless weak. During 2018 Côte d'Ivoire abstained from all votes on hostile amendments to civil and political rights resolutions.

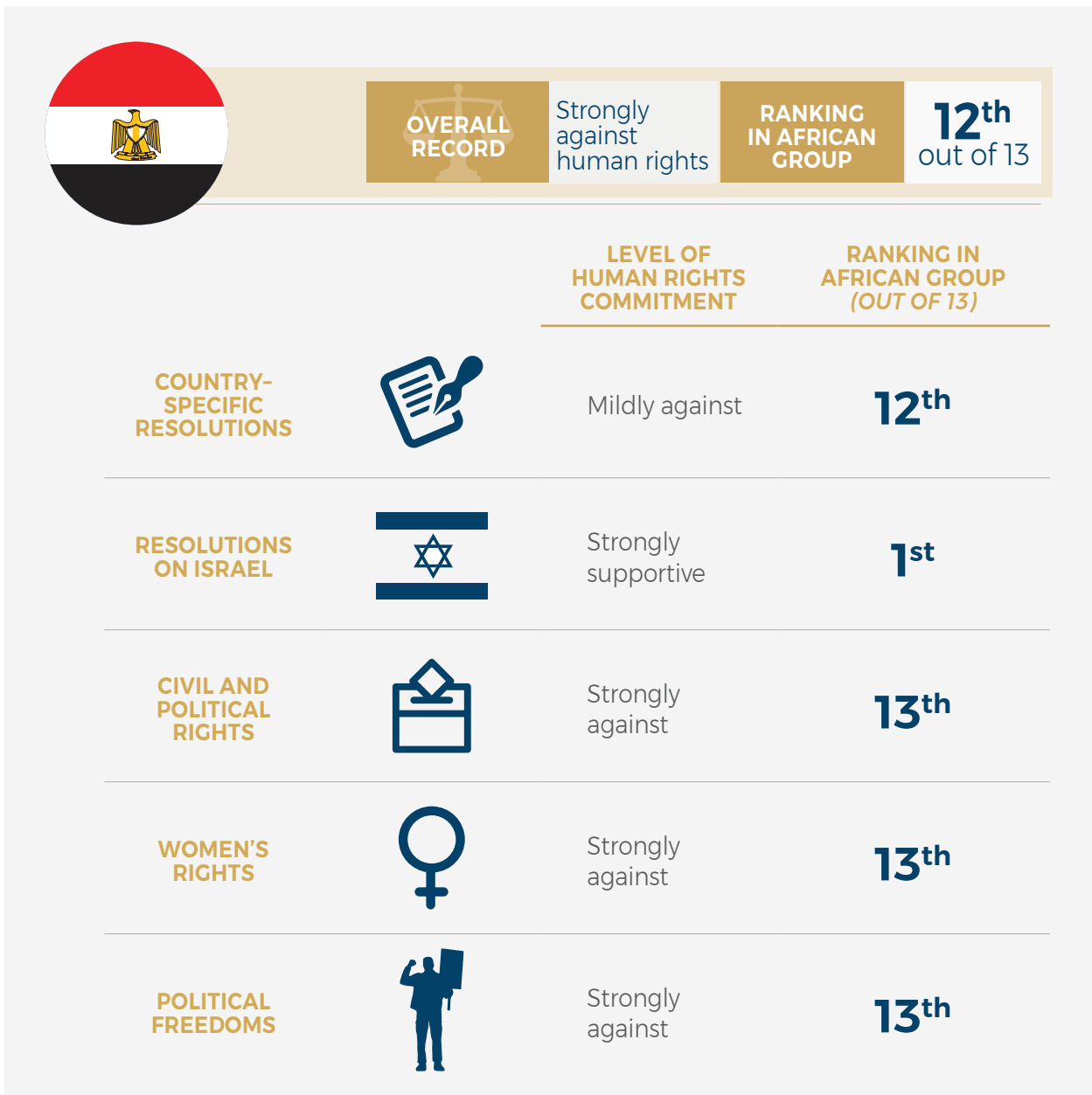
Democratic Republic of Congo



The DRC's 2018 record on the HRC placed it towards the bottom of the African Group. It was generally unwilling to defend human rights. Indeed, the only two instances of the DRC – of the resolutions and issues discussed in this report – defending human rights were its vote in favour of the Georgia resolution and its vote, alongside seven other African states, in favour of the resolution addressing the persecution of the Rohingya. Acting against human rights, it opposed resolutions on Venezuela and Burundi. Other than the aforementioned, the DRC abstained on all other votes related to country-specific resolutions.

While the DRC only voted on two of three amendments to resolutions on women's rights, its opposition to these rights manifested itself in its complete support for the hostile amendments. Its fifth-placed ranking on political freedoms flatters to deceive. The DRC abstained from all votes on hostile amendments to resolutions dealing with political freedoms.

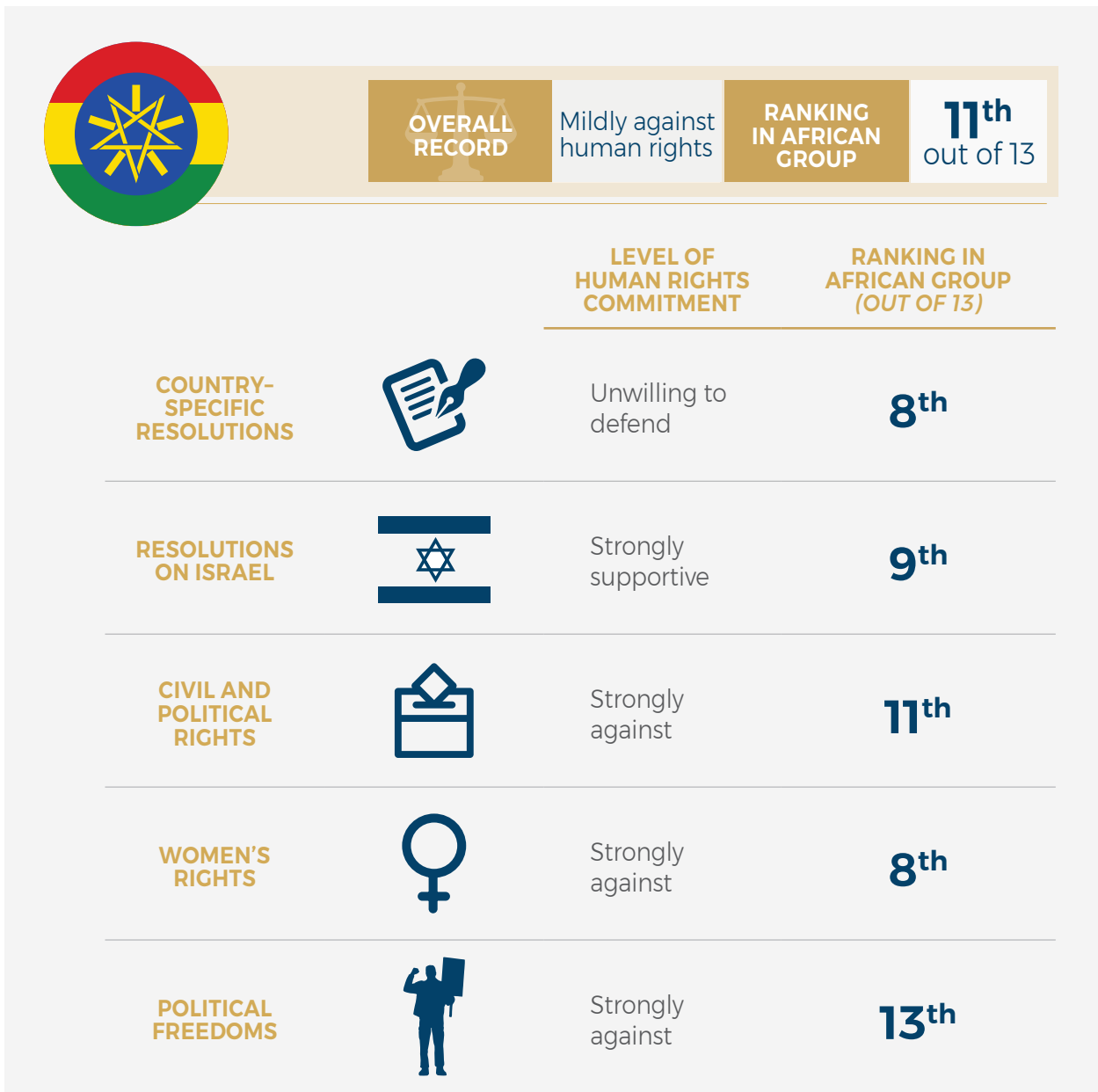
Egypt



During 2018, as in 2017, only Burundi had a worse record on the HRC than Egypt. Whereas Burundi voted against all country-specific resolutions and supported all hostile amendments and actions related to Syria's resolutions, Egypt did not quite plumb such depths. Rather unusually, it cast two pro-human rights votes on a country situation other than Israel: Myanmar. The March resolution was EU-sponsored whereas both the EU and the OIC sponsored the September resolution on the Rohingya. Egypt further abstained on the Iran, Georgia and the four Syria resolutions, as well as on six of the 14 amendment/procedural votes on Syria. More in character were Egypt's votes against resolutions on Belarus, Burundi, Venezuela and Yemen. It further supported eight of the 13 anti-human rights amendments on the various Syria resolutions.

Unlike on country situations, Egypt's record on civil and political rights is almost wholly against human rights. A further stain on its record is its co-sponsorship with Russia and Saudi Arabia of two hostile amendments on women's rights. The only redeeming aspect of Egypt's record on civil and political rights is its co-sponsorships of two resolutions: on the safety of journalists and on the right of persons with disabilities to enjoy access to justice.

Ethiopia



During 2018 Ethiopia had one of the worst HRC records among the African Group. On country-specific situations, its actions were predictable: it abstained.

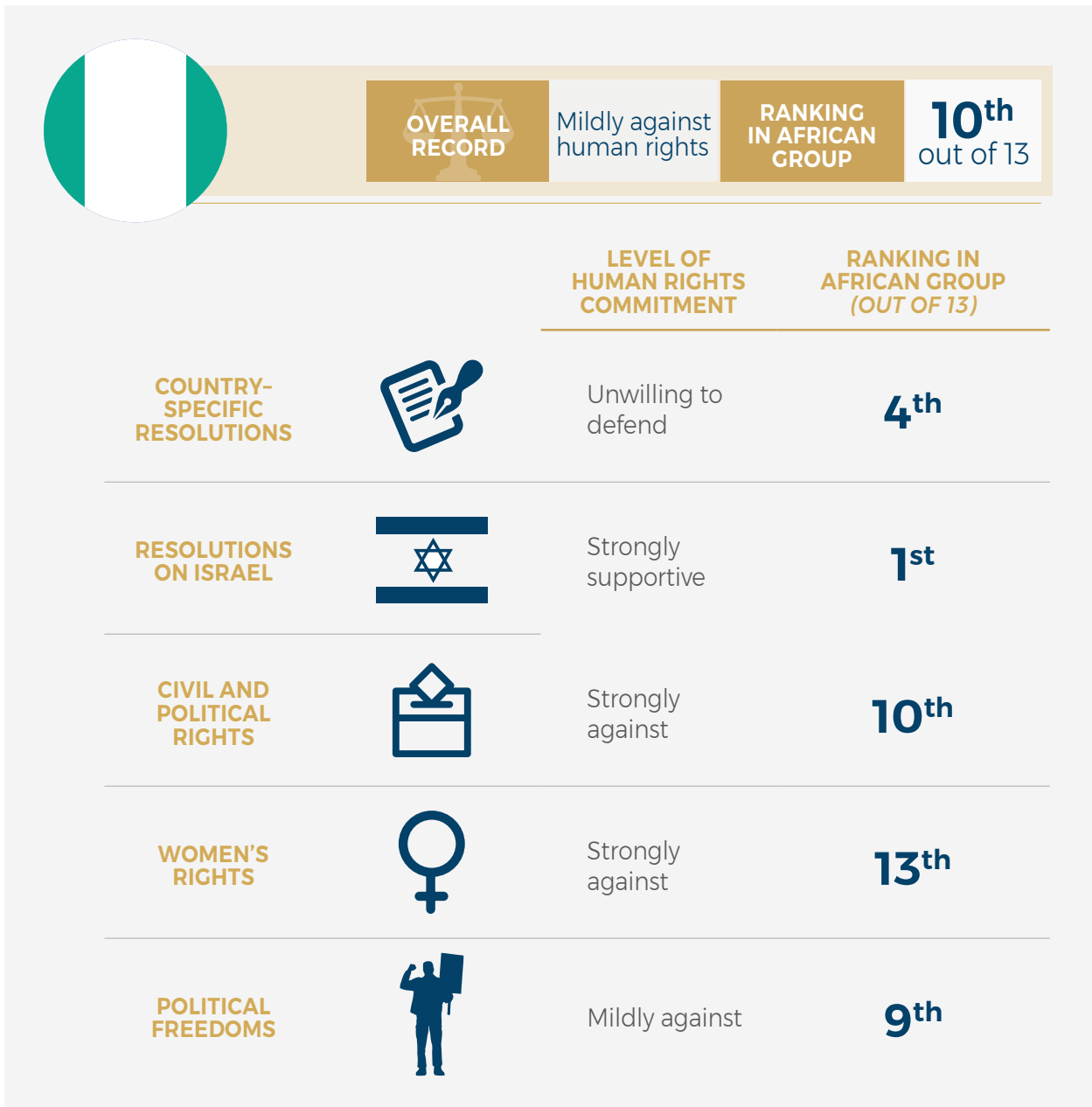
Ethiopia's actions on civil and political rights were even worse. It supported all anti-human rights amendments on resolutions on peaceful protest, civil society space, and equal participation in politics. It supported two of the three hostile amendments on women's rights and abstained on one, a Saudi proposal to delete the condemnation of 'intimate partner violence' from a resolution on discrimination against women. Ethiopia's only redeeming action on civil and political rights was its co-sponsorship of a resolution on the incompatibility between racism and democracy.

frequently human rights violations thereby justified.⁷⁶ Apart from this vote, Kenya always abstained on votes pertaining to country-specific resolutions.

Its second human rights-positive vote was its opposition to a hostile oral amendment seeking to emphasise that the OHCHR's guidelines on the effective implementation of the right to participate in public affairs should only be voluntary. It was one of three African states to oppose this amendment. Other than this vote, Kenya supported or went along with amendments aimed at weakening resolutions on women's rights and political freedoms. Its bleak voting record on civil and political rights is ameliorated slightly by its co-sponsorship of two resolutions on civil and political rights, namely on privacy in the digital age and on the safety of journalists.

⁷⁶ HRC, "Amendment to Draft Resolution A/HRC/37/L.38", A/HRC/37/L.60.

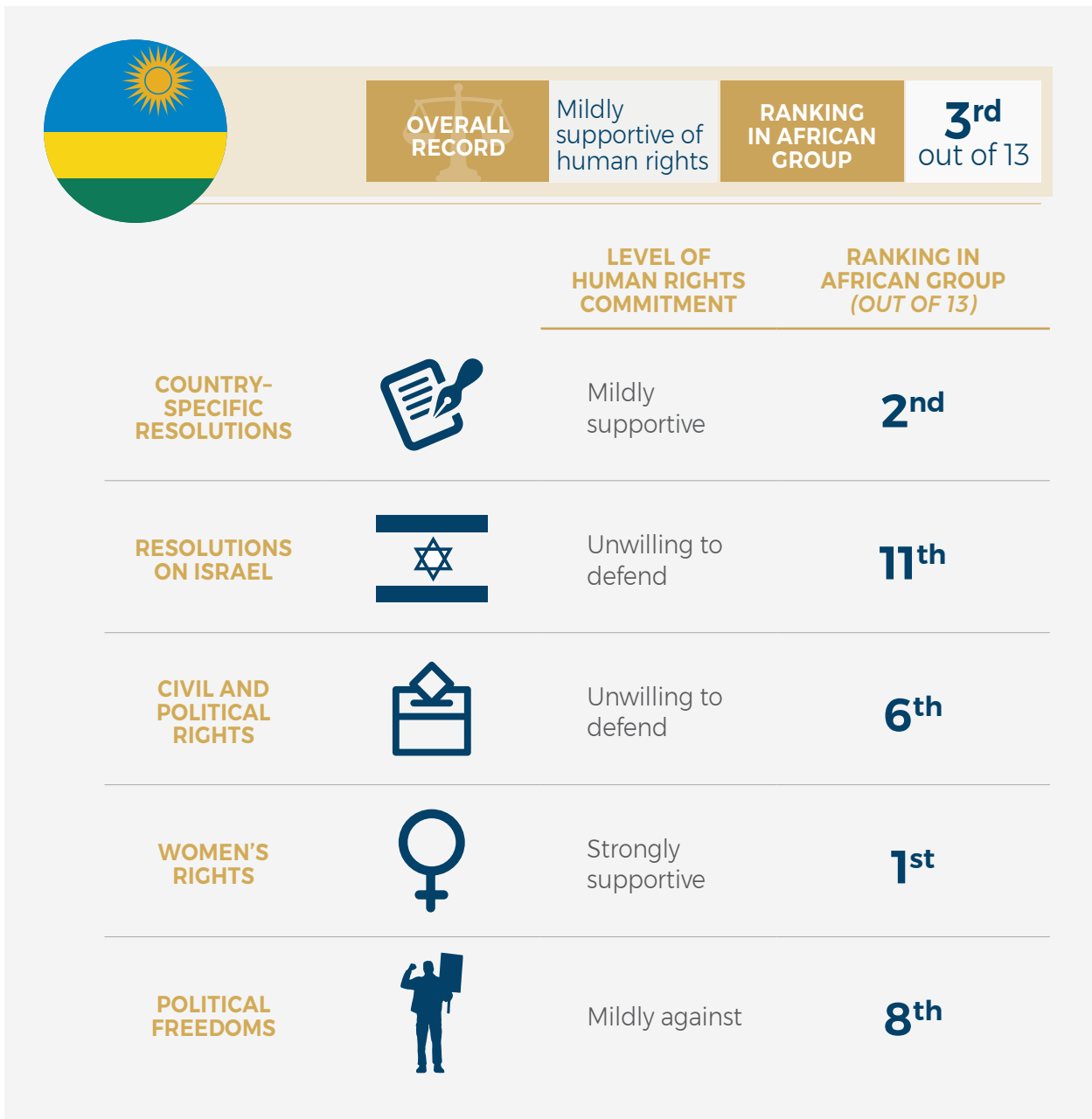
Nigeria



Nigeria's 2018 record on the HRC is very poor. It abstained on all country-related votes except two – both OIC-backed resolutions related to Myanmar and the Rohingya, a persecuted Muslim minority.

Commendably, Nigeria was one of the main sponsors of a resolution on human rights and the Internet, a text that in essence affirmed the right to free speech. It also co-sponsored a resolution on the incompatibility of racism and democracy. Nevertheless, its voting record on civil and political rights was worse than its record on country-specific resolutions. Nigeria supported all three anti-women's rights amendments. It also supported three of the five amendments attacking political freedoms; the best it could muster were abstentions on the remaining two hostile amendments.

Rwanda

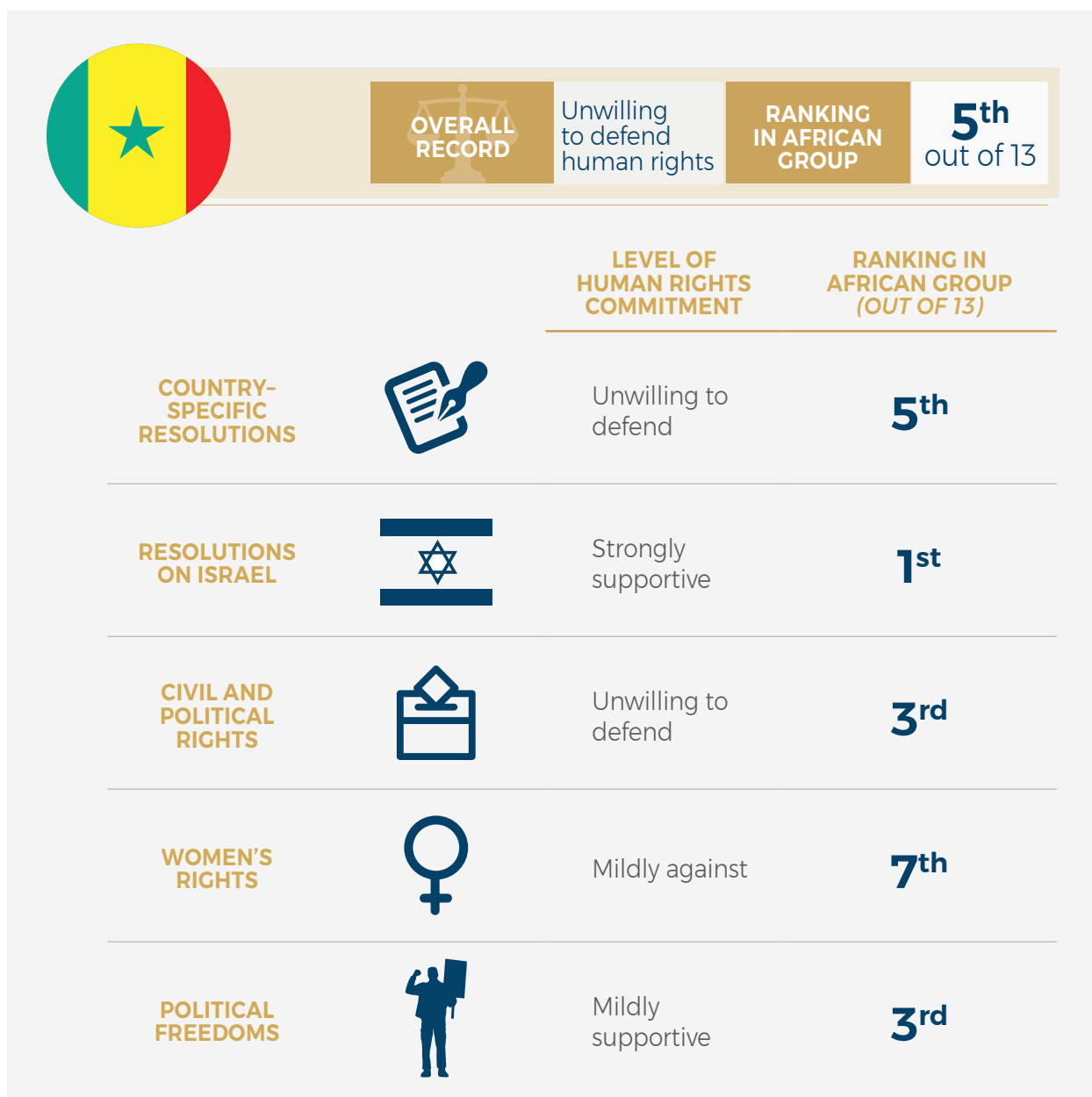


In 2018, as in 2017, Rwanda demonstrated that its commitment to international human rights was considerably stronger than that of most African Group members. As in previous years, Rwanda was one of only a few African countries to support critical country-specific resolutions. In 2018 it voted yes on all four Syria resolutions, as well as on resolutions on Venezuela, the Rohingya and Myanmar, and Burundi. Indeed, it was the only African state to vote in favour of the resolutions on Burundi and Venezuela.

As in previous years, Rwanda exhibited a strong commitment to women's rights. It co-sponsored both the resolution on violence against women and that on discrimination against women. Although Rwanda did not cast a vote on one of the hostile amendments to

a women's rights resolution, it opposed the other two amendments. On political freedoms, its record is more mixed. While it was one of only three African states to oppose unfriendly amendment proposals to the resolution on civil society space (Togo and Tunisia were the others), Rwanda supported the weakening of resolutions on peaceful protest and the right to equal participation in politics.

Senegal

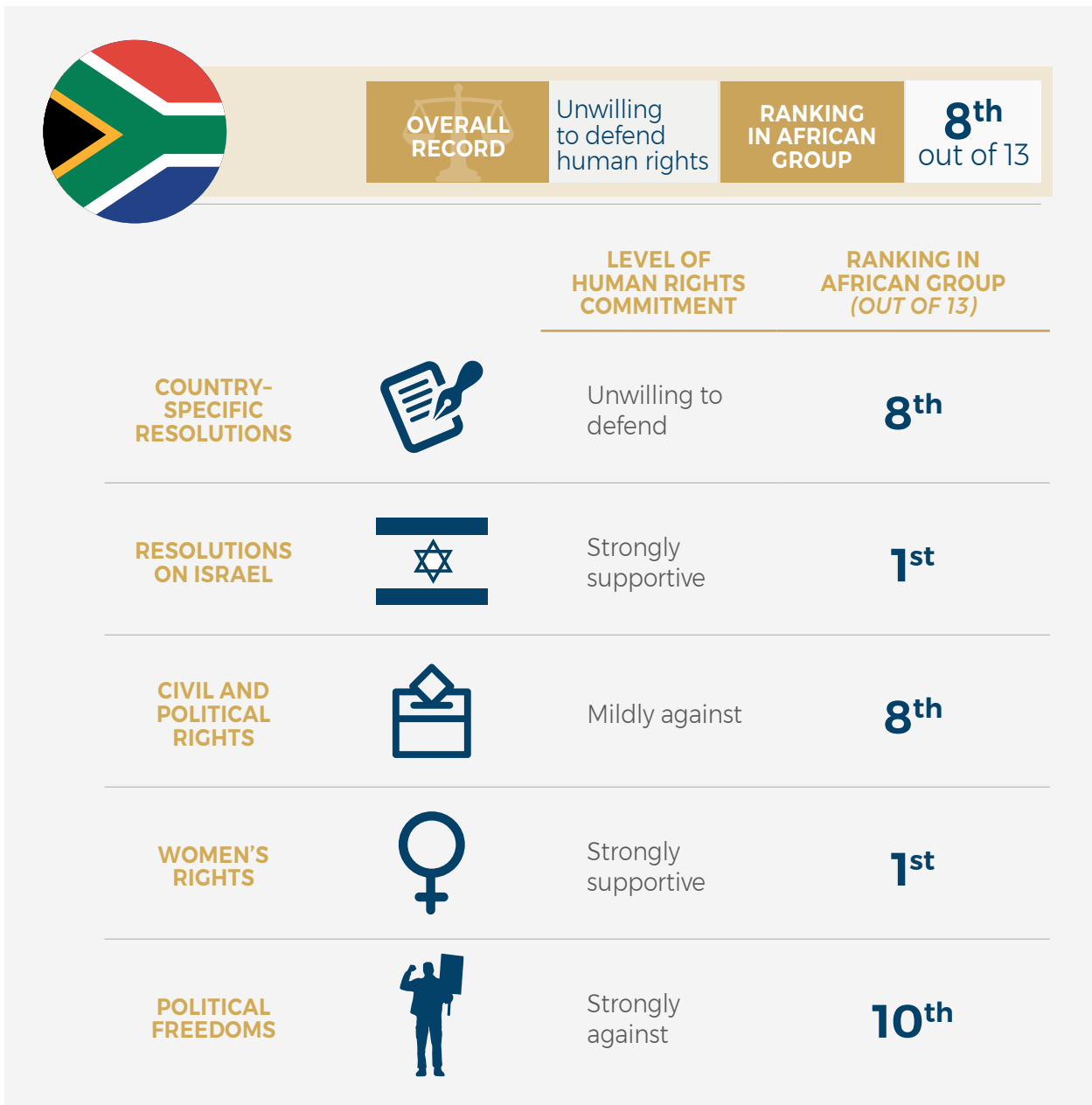


In 2018 Senegal's record on the HRC was weak. Despite ranking fifth among African states on country-specific situations, it undertook only three actions in support of such resolutions. Two actions related to the resolution on Eastern Ghouta in Syria. First, Senegal voted against Venezuela's proposal to prematurely end the discussion of the human rights situation in Eastern Ghouta. Second, it then voted in favour of the resolution on Eastern Ghouta. Senegal's third progressive country-specific action was to vote alongside the rest of the OIC in support of the September resolution on the Rohingya. For the remainder, it always abstained.

On civil and political rights Senegal abstained, apart from two exceptions. The first was its backing of Saudi Arabia's request to remove the condemnation of 'intimate partner

violence' from a women's rights resolution. The second – and this time pro-human rights – intervention was its vote against a hostile amendment on the resolution on the right to equal participation in political and public affairs. Its marginally positive record on political freedoms is augmented by its co-sponsorship of three resolutions on political freedom, specifically, a free speech resolution on human rights and the Internet as well as on the right to peaceful protest and on the right to equal participation in political and public affairs.

South Africa



As in previous years, during 2018 South Africa's record on the HRC was poor. It placed in the bottom half of the African Group in terms of willingness to defend international human rights. Its only rights-positive votes were on women's rights. South Africa opposed all three hostile amendments to the two women's rights resolutions adopted during the year. Further testament to South Africa's commitment to women's rights was its co-sponsorship of the resolution on violence against women. Unlike Botswana and Rwanda, however, it did not co-sponsor the Mexico-led resolution on discrimination against women.

South Africa's positions on political freedoms were among the African Group's most regressive. It abstained on all three hostile amendments to the civil society space resolutions, and voted in favour of weakening the resolution on the right to peaceful

protest. Even worse, alongside China and Pakistan, South Africa sponsored an amendment to weaken the resolution on the right to equal participation in political and public affairs, specifically seeking to dampen the resolution's ambition to make the OHCHR's guidelines on effectively implementing this right a principal reference point for states.

On country-specific situations, South Africa, as in previous years, abstained regardless of the extent of human rights violations taking place in the country in question.

resolutions. Unusually for an African country, Togo was a co-sponsor of an item 4 resolution on another African country, South Sudan. It is also unusual among African countries for its support of Israel. No other African country voted against any of the six 2018 resolutions on Israel – Togo opposed four of them.

Tunisia



Tunisia improved its ranking among African members of the HRC from fifth in 2017 to first in 2018. Its first place is the result of its strong performance on civil and political rights. It was the only African country to oppose all eight hostile amendments on civil and political rights. To see how unusual this is, compare Tunisia's record to that of Rwanda: while second on civil and political rights, Rwanda only opposed four of seven hostile amendments on civil and political rights (it missed one of the amendment votes).

One gets a further sense of Tunisia's commitment to civil and political rights through its extensive sponsorship of resolutions. Remarkably, Tunisia was one of the main sponsors of three civil and political rights resolutions: human rights and the Internet, civil society space, and the safety of journalists. In addition, it added its name as co-sponsor to resolutions

on privacy in the digital age, violence against women, the right to peaceful protest, the incompatibility of racism and democracy, and the right to equal participation in political and public affairs.

Even though Tunisia ranked first among African states, its record on country-specific situations was weak. On Syria, it only voted for one of the four resolutions and abstained on the rest. Damningly, Tunisia supported 12 of the 13 hostile amendments on the Syria resolutions. Apart from its support for one of the Syria resolutions, Tunisia's only other positive votes on a country situation were on Myanmar and the Rohingya, resolutions that had the blessing of the OIC. Apart from the aforementioned three resolutions, Tunisia abstained from all other country-specific resolution votes.

ANALYSIS

What conclusions may be drawn from the African Group's behaviour on the HRC during 2018?

One striking aspect is the African Group's divergence. African states have a reputation for bloc voting at the UN, but, as this and *African States at the UN Human Rights Council in 2017* show,⁷⁷ this characterisation is no longer apt. With regard to the 34 2018 votes in question – 18 on Syria, 8 on other country-specific resolutions, and 8 on civil and political rights – African states never voted the same. There was always at least one African state that voted yes, one that voted no and one that abstained on each particular vote.

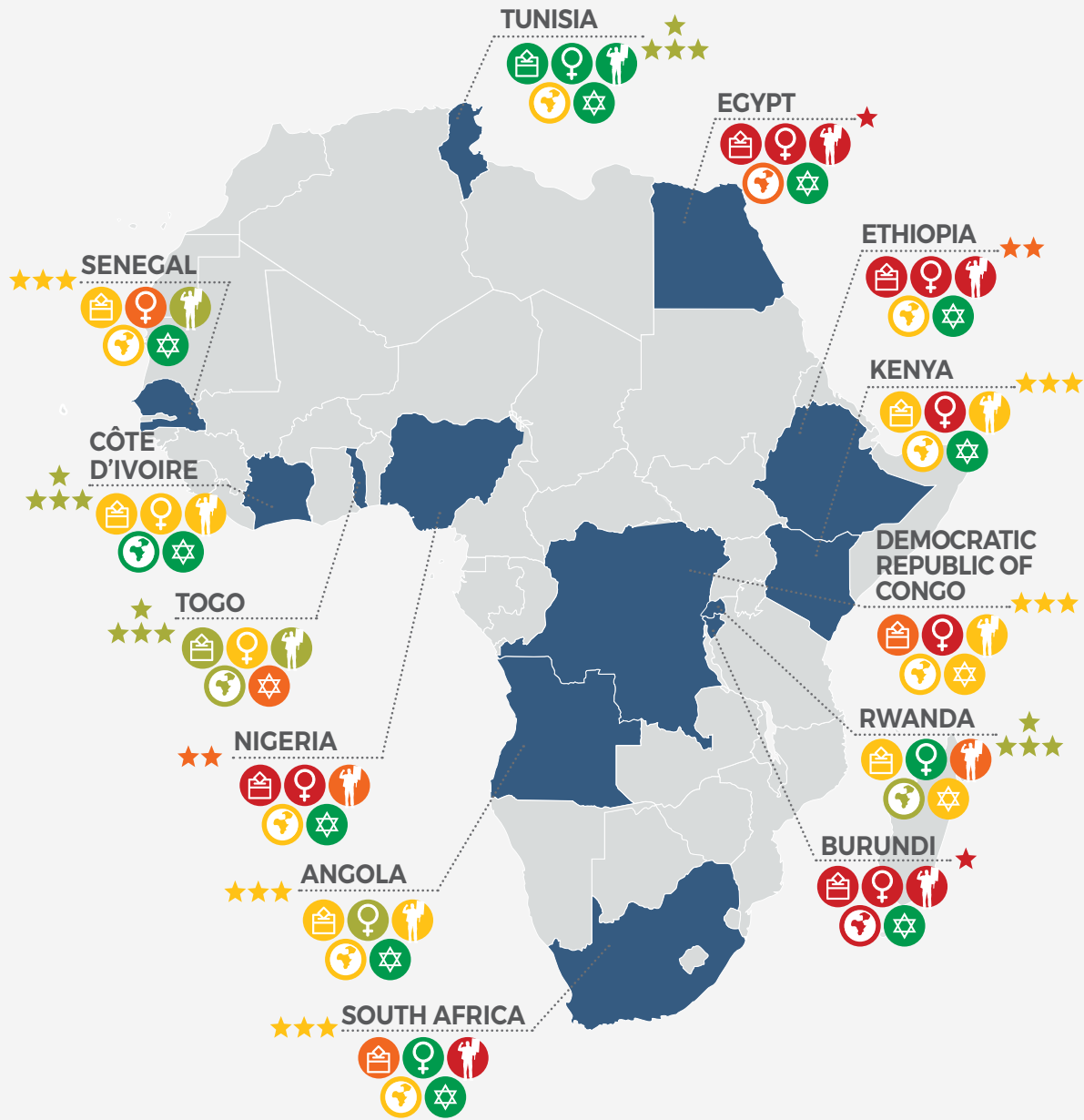
Figure 2 further shows the varied levels of commitment to different aspects of human rights. The range of African positions suggests that we should be suspicious of those who claim to represent an African position on human rights. On many issues there is no single African position on human rights. Those who presume to speak for Africa often do this to obstruct human rights, but the implication of the diversity of African positions on the HRC is that positions that are friendly to human rights also have a basis in fact.

African states have a reputation for obstructing the advancement of human rights at UN forums. The 2017 report cast doubt on such a view. In 2017 a majority of African states voted for pro-human rights positions on human rights defenders, racism, the persecution of the Rohingya, and the socially constructed roots of discrimination against women (an aspect of a women's rights resolution). In 2018, however, the African Group's record appears less supportive of human rights. There were no African majorities on any of the civil and political rights votes. In fact, in none of the civil and political rights votes did more than three African states vote for the pro-human rights option (Table 4). On country situations, in 2018, as in 2017, the Rohingya resolution was the only text that received majority African support.

While, African states are not strong defenders of human rights – Table 1 shows that no African state achieved the categorisation of being generally 'strongly supportive' of human rights – the overall voting pattern suggests that it is less a case of Africa opposing international human rights than one of an *unwillingness to defend* them. The principal evidence is that, of the votes considered in this report, African states voted against human rights 21% of the time, but abstained 65% of the time (Table 2).

⁷⁷ Eduard Jordaan, ed., *African States at the UN Human Rights Council in 2017* (Johannesburg: SAIIA, 2019), <https://saiia.org.za/research/african-states-at-the-un-human-rights-council-in-2017/>.

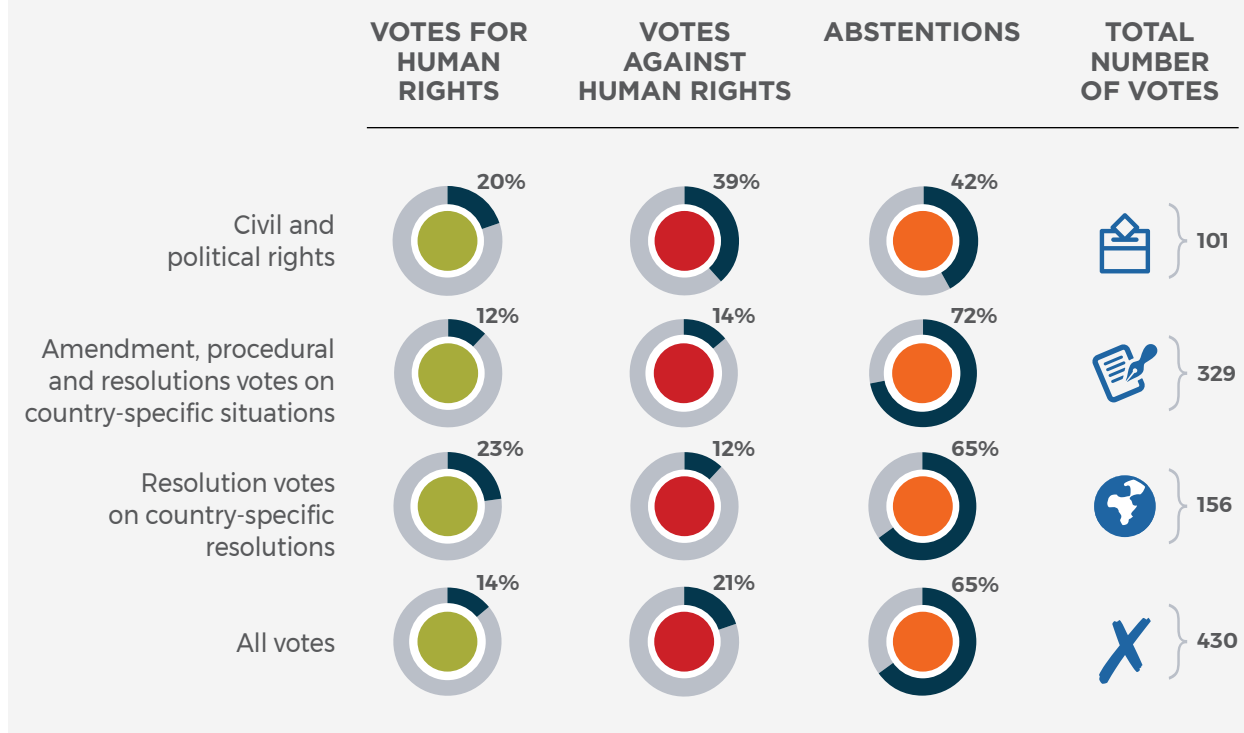
Figure 2 Summary of commitment levels per issue



Key

Strongly supportive of human rights	Overall
Mildly supportive of human rights	Country-specific resolutions
Unwilling to defend human rights	Resolutions on Israel
Mildly against human rights	Civil and political rights
Strongly against human rights	Women's rights
	Political freedoms

Figure 3 Total votes for or against human rights



For African states, their colonial and postcolonial experience in many ways is a story of sovereignty denied, and they are thought to be highly protective of the sovereignty principle.⁷⁸ According to this line of thinking, the sovereignty principle provides weak African states with a measure of protection against powerful actors. This supposed insistence on sovereignty leads us to expect that African states would oppose intrusive country-specific resolutions. Indeed, African states are rarely among the list of sponsors and co-sponsors of critical country-specific resolutions. Moreover, the African Group frequently sponsored consensually-adopted ‘technical assistance and capacity-building’ resolutions on other African states. Such resolutions have the advantage of obtaining the agreement of the African countries that are subject to them. These resolutions pierce the sovereignty of the countries in question, but they also function to forestall criticism and more invasive international scrutiny.

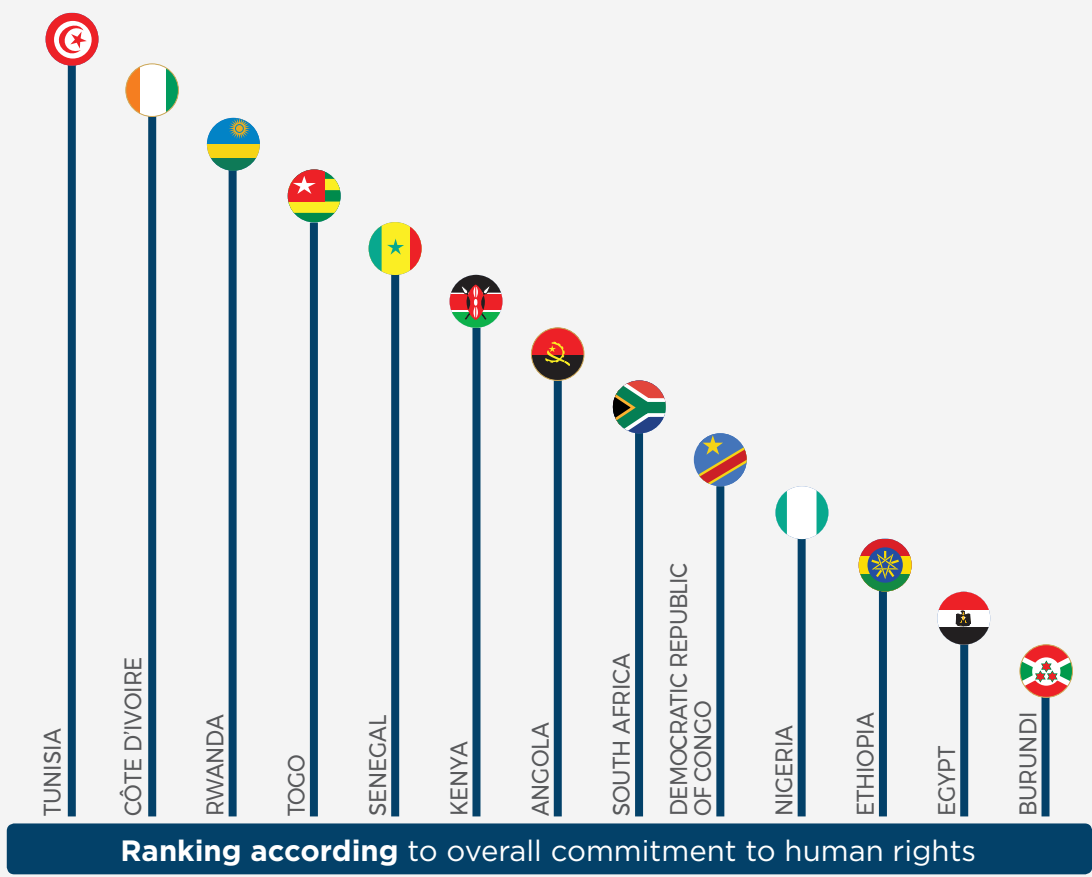
Nevertheless, African states do not present a blanket opposition to intrusive country-specific resolutions. None of the country-specific resolutions adopted during 2018 drew the opposition of more than three African states. As for support for critical country-specific resolutions, the texts on Belarus, Burundi, Venezuela and Yemen each received only one African vote. This is feeble, but it should also be noted that five African states voted for the resolution on Eastern Ghouta in Syria, six for the resolution on renewing the mandate of the

78 Christopher Clapham, *Africa and the International System: The Politics of State Survival* (Cambridge: Cambridge University Press, 1996).

Special Rapporteur on Myanmar, and eight for the resolution that created the Independent Investigative Mechanism for Myanmar, mandated to prepare files for the criminal prosecution of those guilty of the most serious violations of international law. Moreover, in June 2018 Somalia and Djibouti sponsored an item 4 resolution on human rights in Eritrea, which was adopted without a vote. Despite the above variations, the main pattern is of African states abstaining. During 2018 African states abstained on 72% of all country-specific votes (that is, on resolution, amendment and procedural votes), and abstained 65% of the time on the final resolution vote. African states voted yes on the final country-specific resolution 23% of the time, and opposed it only 12% (Table 2). In other words, while African states generally do not support intrusive country-specific resolutions other than on Israel, they also do not strongly oppose such resolutions.

Figure 3 ranks the 2018 African members of the HRC according to their commitment to international human rights during this year.

Figure 3 Ranking according to overall commitment to human rights



During its first stint on the HRC, from 2006–2007, Tunisia had a regressive record, but following the Arab Spring and Tunisia’s subsequent democratisation it has developed one of the most pro-human rights voting records among African states. Tunisia is the only African country categorised as ‘strongly supportive’ of political freedoms. Senegal and South Africa, two of the three ‘free’ members of the African Group, according to Freedom House’s classification, fall well short. This report found both countries overall to be ‘unwilling to defend’ human rights. South Africa’s classification as ‘strongly against’ political freedom, a categorisation it shares with Burundi, Egypt and Ethiopia, is especially noteworthy. Rwanda’s record is, as in 2017, firm, although its vote on Iran went from a Yes in 2017 to an Abstention in 2018. Egypt is at the bottom end, which is where it has placed since the HRC began. In fact, its votes in favour of resolutions on Myanmar – where Muslim minorities are the main victims – are a departure from its longstanding opposition to country-specific resolutions. Burundi, as in 2017, places last. During 2018 Burundi voted for the most anti-human rights option on offer in each instance.

As with last year’s report, one significant implication arises. It concerns the relationship between a country’s domestic human rights record and its performance on the HRC. The HRC, like its predecessor, has long been criticised for admitting rights violators as members. For instance, in a press release Freedom House stated that it ‘strongly opposes the election of countries to the UN Human Rights Council that do not respect and uphold the Council’s basic principles, including freedom of speech, press, and assembly as well as the rule of law’. Specifically, ‘Africa’s representatives should reflect the Council’s goal of protecting and promoting human rights. Having governments known for blatant disregard of their citizens’ fundamental rights casts a shadow on the credibility of the Council as a global human rights body’. Freedom House then names three African countries as unworthy of membership: Burundi, Ethiopia and Togo.⁷⁹ As the above ranking shows, Freedom House was right about Burundi and Ethiopia. It was wrong, however, about ‘partly free’ Togo, which ranked ahead of ‘free’ Senegal and South Africa. Indeed, Côte d’Ivoire, second on the list, has the same freedom rating as Togo. Rwanda, consistently one of the best performers on the HRC, is ‘unfree’. ‘Partly free’ Kenya, which also has the same freedom rating as Togo, and ‘unfree’ Angola both outranked South Africa, the 2018 African HRC member with the best freedom rating. In short, domestic respect for human rights seems to be a weak predictor of HRC performance. Although the report did not examine this, a better predictor of anti-human rights behaviour seems to be past performance on the HRC as well as being under, or in danger of coming under, an HRC investigative mandate.

79 Freedom House, “UN HRC Should Reject Election of Burundi, Ethiopia and Togo” (October 27, 2015), <https://freedomhouse.org/article/un-hrc-should-reject-election-burundi-ethiopia-and-togo>.

METHODOLOGY AND DATA

This report categorises, ranks and evaluates the performance of African members of the HRC during their 2018 tenure. The purpose of this chapter is to demonstrate and explain the principles, calculations and choices behind these categorisations and rankings.

As noted in the introductory chapter, and in contrast to the 2017 report, this year's report excludes from calculations voting on Israel-related resolutions as well as on the resolution on judicial integrity to determine a country's commitment to human rights. The Israel and judicial integrity resolutions are poor indicators of commitment to international human rights. Their inclusion would have distorted the results of this report and undermined its aim, namely, to judge the commitment of African members of the HRC to international human rights. In some places, African countries' records on Israel are included, one purpose behind which is to contrast these records with their unwillingness to support other issues.

Tables 4 and 5 present the way African states voted on country-specific as well as civil and political right resolutions, amendments and procedural motions.

TABLE 4 VOTES ON THEMATIC RESOLUTIONS AND AMENDMENTS 2018																
Resolution title	Type / no.	Vote count	Session	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
Discrimination against women	Amend L.24	12-24-7	38	A	Y	A	-	Y	Y	Y	Y	N	A	N	A	N
Discrimination against women	Amend L.35	11-24-7	38	N	Y	A	-	Y	A	A	Y	-	Y	N	A	N
Violence against women	Amend L.32	13-25-6	38	A	Y	A	Y	Y	Y	Y	Y	N	A	N	A	N
Peaceful protest	Amend L.26	14-23-8	38	A	Y	A	A	Y	Y	A	A	Y	A	Y	N	N
Civil society space	Amend L.37	14-22-10	38	A	Y	A	A	Y	Y	Y	Y	N	A	A	A	N
Civil society space	Amend L.38	15-21-10	38	A	Y	A	A	Y	Y	Y	Y	A	A	A	A	N
Civil society space	Amend L.39	12-24-10	38	A	Y	A	A	Y	Y	A	A	N	A	A	N	N
Equal participation	Oral amend	18-22-7	39	A	Y	A	A	Y	Y	N	Y	Y	N	Y	A	N

Key: Y = yes; N = no; A = abstain

TABLE 5 VOTES ON COUNTRY-SPECIFIC RESOLUTIONS, AMENDMENTS AND PROCEDURAL MOTIONS 2018

Resolution title	Type / no.	Vote count	Session	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
E Ghouta (Syria)	End debate	4-25-8	37	A	-	A	A	A	A	-	-	N	N	-	-	A
	Amend L.2	10-19-17	37	A	Y	A	A	Y	A	-	A	A	A	A	A	Y
	Amend L.3	9-19-18	37	A	Y	A	A	A	A	-	A	A	A	A	A	Y
	Amend L.4	9-20-17	37	A	Y	A	A	A	A	-	A	A	A	A	A	Y
	Amend L.5	4-23-19	37	A	Y	A	A	A	A	-	A	A	A	A	A	A
	Res 37/1	29-4-14	37	A	N	Y	A	A	A	A	A	Y	Y	A	Y	Y
Syria	Amend L.60	8-25-14	37	A	Y	A	A	Y	A	N	A	A	A	A	N	Y
	Res 37/29	27-4-16	37	A	N	Y	A	A	A	A	A	Y	A	A	Y	A
	Amend L.28	10-21-15	38	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.29	7-22-16	38	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.30	10-21-15	38	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.31	9-21-16	38	A	Y	A	A	A	A	A	A	A	A	A	A	Y
	Res 38/16	26-5-15	38	A	N	Y	A	A	A	A	A	Y	A	A	Y	A
	Amend L.26	9-24-14	39	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.27	12-22-13	39	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.28	12-22-13	39	A	Y	A	A	Y	A	A	A	A	A	A	A	Y
	Amend L.29	11-22-14	39	A	Y	A	A	A	A	A	A	A	A	A	Y	Y
	Res 39/15	27-4-16	39	A	N	Y	A	A	A	A	A	Y	A	A	Y	A
Iran	Res 37/30	21-7-19	37	A	N	Y	A	A	A	A	A	A	A	A	A	A
Myanmar	Res 37/32	32-5-10	37	A	N	Y	A	Y	A	A	Y	Y	A	A	Y	Y
Georgia	Res 37/40	19-5-23	37	A	N	Y	Y	A	A	A	A	A	A	A	Y	A
Belarus	Res 38/14	19-6-21	38	A	N	Y	A	N	A	A	A	A	A	A	A	A
Venezuela	Res 39/1	23-7-27	39	A	N	A	N	N	A	A	A	Y	A	A	A	A
Myanmar (Rohingya)	Res 39/2	35-3-7	39	A	N	Y	Y	Y	A	A	Y	Y	Y	A	Y	Y
Burundi	Res 39/14	23-7-17	39	A	N	A	N	N	A	A	A	Y	A	A	A	A
Yemen	Res 39/16	21-8-18	39	A	N	Y	A	N	A	A	A	A	A	A	A	A
Syrian Golan	Res 37/33	25-14-7	37	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	N	Y
Palest self-det	Res 37/34	43-2-1	37	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y
Human rights OPT	Res 37/35	41-3-2	37	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	N	Y
Israeli settlements	Res 37/36	34-4-8	37	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	N	Y
International law OPT	Res 37/37	27-4-15	37	Y	Y	Y	A	Y	A	A	Y	A	Y	Y	N	Y
Deteriorating human rights in OPT	Res S-28/1	29-2-14	S-28	Y	Y	Y	Y	Y	A	A	Y	A	Y	Y	A	Y

Key: Y = yes; N = no; A = abstain

These votes were scored in the following way: With each vote, there are three options: yes, no, abstain. Abstentions were given a score of one. The most pro-human rights votes (sometimes a yes, sometimes a no) were assigned a score of two. The least pro-human rights option was scored as zero. Absences were not scored. Tables 6 and 7 show the conversion of all the votes in tables 4 and 5.

TABLE 6 SCORING OF VOTES ON THEMATIC RESOLUTIONS AND AMENDMENTS 2018																
Resolution title	Type / no.	Vote count	Session	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
Judicial system	Res	23-2-22	37	-	-	-	-	-	-	-	-	-	-	-	-	-
Discrimination against women	Amend L.24	12-24-7	38	1	0	1	-	0	0	0	0	2	1	2	1	2
Discrimination against women	Amend L.35	11-24-7	38	2	0	1	-	0	1	1	0	-	0	2	1	2
Violence against women	Amend L.32	13-25-6	38	1	0	1	0	0	0	0	0	2	1	2	1	2
Peaceful protest	Amend L.26	14-23-8	38	1	0	1	1	0	0	1	1	0	1	0	2	2
Civil society space	Amend L.37	14-22-10	38	1	0	1	1	0	0	0	0	2	1	1	1	2
Civil society space	Amend L.38	15-21-10	38	1	0	1	1	0	0	0	0	1	1	1	1	2
Civil society space	Amend L.39	12-24-10	38	1	0	1	1	0	0	1	1	2	1	1	2	2
Equal participation	Oral amend	18-22-7	39	1	0	1	1	0	0	2	0	0	2	0	1	2

Key: 2 = vote in support of human rights; 0 = vote against human rights; 1 = abstention

TABLE 7 VOTES ON COUNTRY-SPECIFIC RESOLUTIONS, AMENDMENTS AND PROCEDURAL MOTIONS 2018

Resolution title	Type / no.	Vote count	Session	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
E Ghouta (Syria)	End debate	4-25-8	37	1		1	1	1	1			2	2			1
	Amend L.2	10-19-17	37	1	0	1	1	0	1		1	1	1	1	1	0
	Amend L.3	9-19-18	37	1	0	1	1	1	1		1	1	1	1	1	0
	Amend L.4	9-20-17	37	1	0	1	1	1	1		1	1	1	1	1	0
	Amend L.5	4-23-19	37	1	0	1	1	1	1		1	1	1	1	1	1
	Res 37/1	29-4-14	37	1	0	2	1	1	1	1	1	1	2	2	1	2
Syria	Amend L.60	8-25-14	37	1	0	1	1	0	1	2	1	1	1	1	2	0
	Res 37/29	27-4-16	37	1	0	2	1	1	1	1	1	2	1	1	2	1
	Amend L.28	10-21-15	38	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.29	7-22-16	38	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.30	10-21-15	38	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.31	9-21-16	38	1	0	1	1	1	1	1	1	1	1	1	1	0
	Res 38/16	26-5-15	38	1	0	2	1	1	1	1	1	2	1	1	2	1
	Amend L.26	9-24-14	39	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.27	12-22-13	39	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.28	12-22-13	39	1	0	1	1	0	1	1	1	1	1	1	1	0
	Amend L.29	11-22-14	39	1	0	1	1	1	1	1	1	1	1	1	0	0
	Res 39/15	27-4-16	39	1	0	2	1	1	1	1	1	1	2	1	1	2
Iran	Res 37/30	21-7-19	37	1	0	2	1	1	1	1	1	1	1	1	1	1
Myanmar	Res 37/32	32-5-10	37	1	0	2	1	2	1	1	2	2	1	1	2	2
Georgia	Res 37/40	19-5-23	37	1	0	2	2	1	1	1	1	1	1	1	2	1
Belarus	Res 38/14	19-6-21	38	1	0	2	1	0	1	1	1	1	1	1	1	1
Venezuela	Res 39/1	23-7-27	39	1	0	1	0	0	1	1	1	2	1	1	1	1
Myanmar (Rohingya)	Res 39/2	35-3-7	39	1	0	2	2	2	1	1	2	2	2	1	2	2
Burundi	Res 39/14	23-7-17	39	1	0	1	0	0	1	1	1	2	1	1	1	1
Yemen	Res 39/16	21-8-18	39	1	0	2	1	0	1	1	1	1	1	1	1	1
Syrian Golan	Res 37/33	25-14-7	37	2	2	2	1	2	2	2	2	1	2	2	0	2
Palest self-det	Res 37/34	43-2-1	37	2	2	2	1	2	2	2	2	2	2	2	2	2
Human rights OPT	Res 37/35	41-3-2	37	2	2	2	1	2	2	2	2	1	2	2	0	2
Israeli settlements	Res 37/36	34-4-8	37	2	2	2	1	2	2	2	2	1	2	2	0	2
International law OPT	Res 37/37	27-4-15	37	2	2	2	1	2	1	1	2	1	2	2	0	2
Deteriorating human rights in OPT	Res S-28/1	29-2-14	S-28	2	2	2	2	2	1	1	2	1	2	2	1	2

Key: 2 = vote in support of human rights; 0 = vote against human rights; 1 = abstention

To prevent the numerous votes on, for example, Syria reducing the significance of single votes on, for example, Iran or Belarus, the next step was to work out a country's average on a particular issue. To do this, the various votes per issue were given the same weight and were then divided by the number of votes on this issue to yield a score from 0 and 2. For example, there were 18 votes related to Syria: four resolutions, 13 amendments and one procedural motion. The procedural motion, amendment votes and resolutions votes were given the same weight. Assuming a country participated in all 18 Syria votes, the sum of 18 vote scores is divided by 18. In an instance where a country missed a vote, the denominator is adjusted accordingly. For instance, Kenya missed five Syria votes. Its issue score is therefore the sum of the 13 votes it did cast divided by 13.

The following issue areas had multiple votes and were compressed into a score between 0 and 2: Myanmar (2 resolution votes), Syria (4 resolution votes, 13 amendment votes and 1 procedural vote), Israel (5 general sessions resolutions and 1 special session resolution), women's rights (2 amendment votes related to the resolution on discrimination against women and 1 amendment vote related to the resolution on violence against women), and civil society space (3 amendment votes). A score of 2 per issue is the highest possible and reflects the strongest possible commitment to human rights, 0 per issue is the lowest possible score and reflects the strongest possible antagonism towards human rights.

Tables 8 and 9 give the issue scores.

Resolution title	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
Violence against women	1.3	0	1	0	0	0.3	0.3	0	2	0.7	2	1	2
Peaceful protest	1	0	1	1	0	0	1	1	0	1	0	2	2
Civil society space	1	0	1	1	0	0	0.3	0.3	1.7	1	1	1.3	2
Equal participation	1	0	1	1	0	0	2	0	0	2	0	1	2

TABLE 9 ISSUE SCORES: COUNTRY-SPECIFIC RESOLUTIONS, AMENDMENTS AND PROCEDURAL MOTIONS 2018

Resolution title	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
Syria	1	0	1.2	1	0.6	1	1.1	1	1.3	1.1	1	1.2	0.4
Iran	1	0	2	1	1	1	1	1	1	1	1	1	1
Georgia	1	0	2	2	1	1	1	1	1	1	1	2	1
Belarus	1	0	2	1	0	1	1	1	1	1	1	1	1
Venezuela	1	0	1	0	0	1	1	1	2	1	1	1	1
Myanmar	1	0	2	1.5	2	1	1	2	2	1.5	1	2	2
Burundi	1	0	1	0	0	1	1	1	2	1	1	1	1
Yemen	1	0	2	1	0	1	1	1	1	1	1	1	1
Israel-related	2	2	2	1.2	2	1.7	1.7	2	1.2	2	2	0.5	2

Here country-specific matters have been whittled down to eight issue areas (Israel is excluded), while thematic matters have been reduced to four issue areas (the issue of judicial integrity is excluded). The next step is to calculate a score for a country's overall commitment to human rights. In calculating the overall score, voting on country-specific and on civil and political rights is given the same weight. Practically, this means doubling the totals for the four thematic issues (for a maximum score of 16) to make it weigh the same as the eight country-specific issues (the maximum score a country can achieve is 16). The next step is to combine the totals for a maximum score of 32. In other words, if a country chose the pro-human rights option on each vote it would end up with a score of 32 (see Table 10).

TABLE 10 ISSUE SCORES: THEMATIC RESOLUTIONS AND AMENDMENTS 2018

	Angola	Burundi	Côte d'Ivoire	DRC	Egypt	Ethiopia	Kenya	Nigeria	Rwanda	Senegal	South Africa	Togo	Tunisia
Civil and political rights (out of 16)	8.6	0	8	6	0	0.6	7.2	2.6	7.4	9.4	6	10.6	16
Country-specific issues (out of 16)	8	0	13.2	7.5	4.6	8	8.1	9	11.3	8.6	8	10.2	8.4
Total (out of 32)	16.6	0	21.2	13.5	4.6	8.6	15.3	11.6	21	18	14	20.8	24.4

The scores in Table 10 allow us to rank African Group members of the HRC in 2018 in terms of their overall commitment to human rights, as in Table 3.

In addition, it is possible to rank African Group members on various other issues.

Figure 4 Ranking according to commitment to civil & political rights

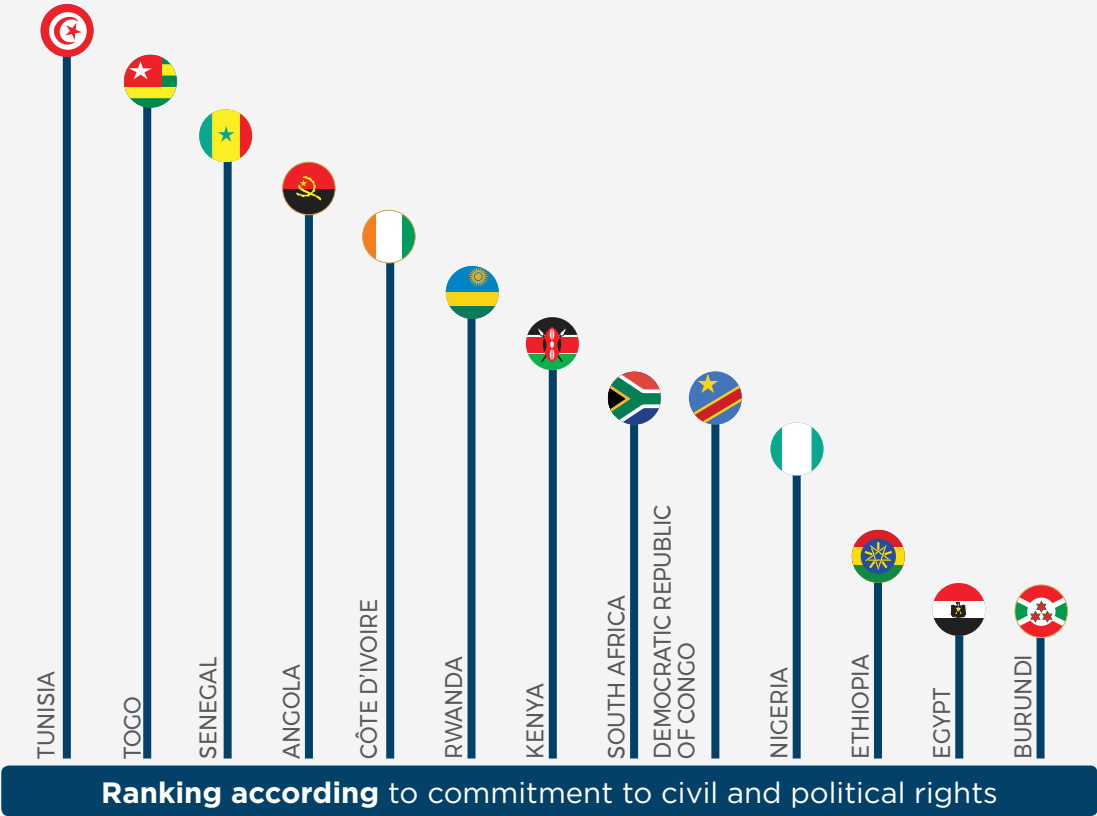


Figure 5 Ranking according to commitment to women's rights

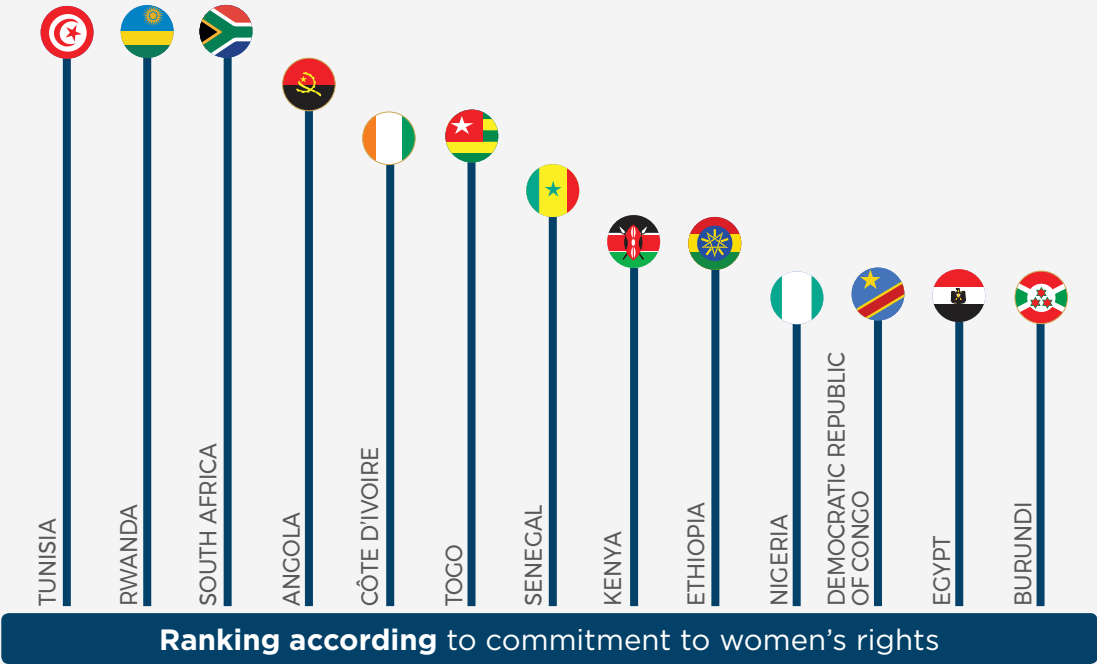


Figure 6 Ranking according to commitment to political freedoms (peaceful protest, civil society space, equal participation in politics)

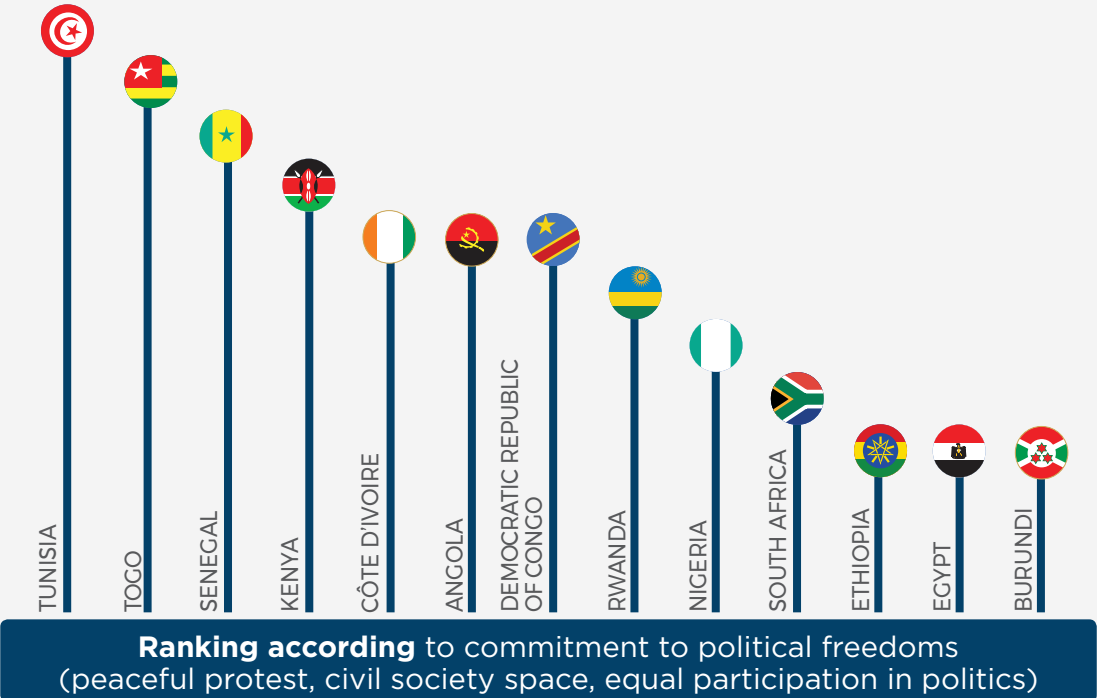


Figure 7 Ranking according to support for country-specific resolutions (excluding Israel)

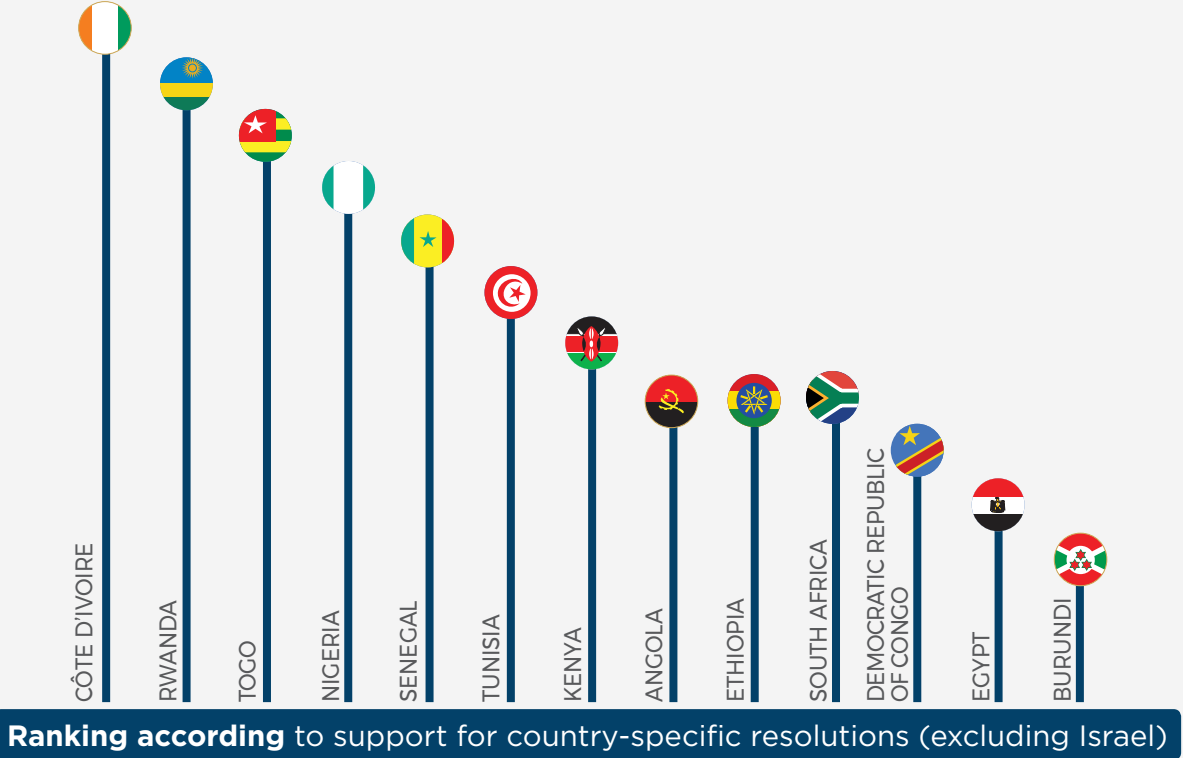
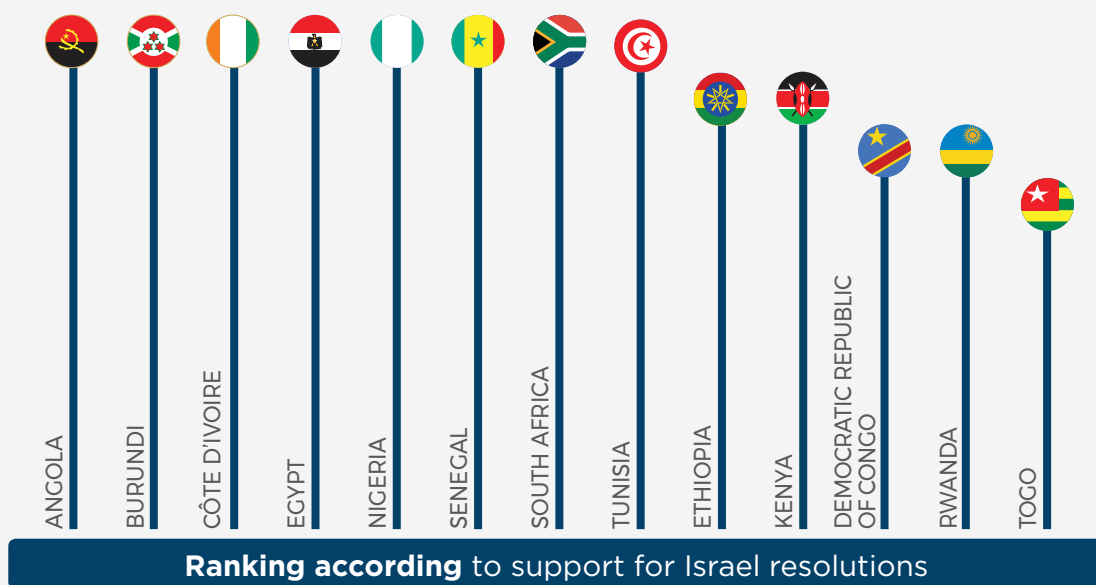


Figure 8 Ranking according to support for Israel resolutions



These rankings do not reveal the strength of a country's commitment to human rights. To achieve this, issue scores are placed on a ratio scale with five intervals: 'Strongly against human rights'; 'Mildly against human rights'; 'Unwilling to defend human rights'; 'Mildly supportive of human rights'; and 'Strongly supportive of human rights'. Indeed, this scale can be applied to a country's general record as well as to its performance in a specific issue area; for example, to reveal a country's commitment to women's rights. While countries are categorised based on their scores, the achievement of these scores implies the behaviours in Table 1.

Table 16 summarises the strength of African Group members' commitment to various aspects of human rights.

TABLE 16 SUMMARY OF AFRICAN HRC MEMBERS' LEVELS OF COMMITMENT TO HUMAN RIGHTS ON VARIOUS ISSUES

	Overall	Civil and political rights	Women's rights	Political freedom	Country-specific	Israel resolutions
 Angola	★★★★	★★★★	★★★☆☆	★★★★	★★★★	★★★★★
 Burundi	★	★	★	★	★	★★★★★
 Côte d'Ivoire	★★★☆☆	★★★★	★★★★	★★★★	★★★★★	★★★★★
 DRC	★★★★	★★★	★	★★★★	★★★★	★★★★
 Egypt	★	★	★	★	★★★	★★★★★
 Ethiopia	★★★	★	★	★	★★★★	★★★★★
 Kenya	★★★★	★★★★	★★★★★	★★★★	★★★★	★★★★★
 Nigeria	★★★	★	★	★★★	★★★★	★★★★★
 Rwanda	★★★☆☆	★★★★	★★★★★	★★★	★★★☆☆	★★★★
 Senegal	★★★★	★★★★	★★★	★★★☆☆	★★★★	★★★★★
 South Africa	★★★☆☆	★★★	★★★★★	★	★★★☆☆	★★★★★
 Togo	★★★☆☆	★★★☆☆	★★★☆☆	★★★☆☆	★★★☆☆	★★★
 Tunisia	★★★☆☆	★★★★★	★★★★★	★★★★★	★★★★	★★★★★



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