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# THE EU AND HUMAN RIGHTS AT THE UN: 2010 REVIEW

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## SUMMARY

Over the last year, the EU has struggled to make an impact on human rights at the UN, despite working more closely with the Obama administration than it was able to do with the previous administration. As a result, it is now clear that deepening divisions over human rights at the UN were not just a by-product of Bushism. The EU's 'voting coincidence score' – reflecting the level of support from other countries for its positions on human rights in the General Assembly – has fallen from 52% last year to 42% this year. There have also been splits within the EU on votes in the Human Rights Council on Israeli actions in the Middle East, which has weakened the EU's reputation for coherence on fundamental values at the UN.

This update – the second annual update to ECFR's 2008 report on the EU and human rights at the UN – underlines important long-term trends. The Obama administration's policy of engagement at the UN has only persuaded a few countries to shift their stances on human rights and big non-Western democracies – especially Brazil – continue to drift away from the EU's positions. Attempts to reverse this trend through technical reforms in the UN's human rights system will likely fail. A European drive for broader UN reforms such as expanding the Security Council would be a gamble but could persuade rising powers to rethink their positions on human rights.

In the last year, some deep-seated European illusions about the United Nations human rights system have been badly shaken. During the Bush era, debates at the UN may have been increasingly cantankerous, but it was easy to blame this on America's confrontational attitude.<sup>1</sup> The European Union and other liberal advocates of multilateralism (notably Latin American democracies) faced a two-front battle, opposing US initiatives to undercut the UN on the one hand and the efforts of powers such as China and Russia to set limits to human rights on the other hand. The Obama administration, with its strategy of engagement, seemed to offer a way out of the impasse. However, this has not become a reality.

In our last annual analysis of voting on human rights, we noted that the new administration had lowered tensions over human rights in its first months in office, not least by ending the Bush administration's boycott of the UN Human Rights Council (HRC).<sup>2</sup> But there was not yet a dramatic transformation at the UN. In the 12 months since then, a few countries have moved toward US and EU positions. Yet this has been offset by a group of states that are swinging the other way – including African states and former EU allies such as Brazil.

As a result, it is now clear that the deepening divisions over human rights at the UN were not just a by-product of Bushism.

<sup>1</sup> Richard Gowan and Franziska Brantner, *A Global Force for Human Rights? An Audit of European Power at the UN* (ECFR, 2008).

<sup>2</sup> Richard Gowan and Franziska Brantner, *The EU and Human Rights at the UN: 2009 Review* (ECFR, 2009).

In fact, the new administration's engagement has underlined rather than reduced some rifts. In particular, three crises have shown the limits of UN human rights diplomacy:

- **Iran:** The US, backed by the EU, has tried through the HRC to shame Tehran over its repression of the Green Revolution, but a June declaration condemning Iran's record was signed by only 56 of the 192 member states.
- **Sudan:** Having put pressure on the Sudanese government over Darfur at the UN by backing the International Criminal Court's indictment of Sudan's president for genocide, the EU and the US have shifted toward pragmatic support for the regime in a last-ditch attempt to avert looming violence in South Sudan.
- **Gaza:** European governments have split over whether to condemn Israel's actions in Gaza, culminating in the dispute over the *Mavi Marmara* incident, in which Israeli commandos killed members of a humanitarian flotilla bound for Gaza in disputed circumstances in May 2010. The Israel-Palestine dispute has long poisoned diplomacy at the UN. Now it is harming the EU's image as a cohesive force for human rights.

These crises raise questions about the role of the EU and the US in debates on human rights at the UN. For western powers, immediate security considerations – such as sanctions on Iran and stability in Sudan – are crowding out human rights issues to an ever greater degree.

## The post-Bush effect

Although the Obama administration declared that it would engage in UN human rights diplomacy from January 2009, its new approach has started to make an impact only in the last 12 months, partly because of the UN General Assembly's calendar.<sup>3</sup> The administration has also shifted from its initial strategy of engagement without conditions to a more robust approach at the UN, particularly on Iran, where it has gained China and Russia's support for new Security Council sanctions. The last year has thus marked a delayed post-Bush reckoning at the UN. The question was, could the EU and US develop a shared agenda and persuade rising powers to work with them on human rights?

EU-US relations at the UN remain surprisingly testy at a tactical level. They have improved since 2009, when the new American team's efforts at engagement – such as co-sponsoring a resolution on the stereotyping of religions with Egypt – were viewed as naïve by battle-hardened European diplomats. The Europeans still grumble that the US is often ready to concede too much to Asian and African negotiators at the EU's expense in multilateral talks. US officials dismiss

<sup>3</sup> The majority of votes on human rights in the General Assembly take place in the last quarter of each year – so the Obama administration could not set a new course on these resolutions until late 2009.

## Brazil: an absent friend at the UN?

In our original report on the EU's power at the UN, we said that Europe's closest allies included Latin American democracies such as Brazil and Chile. But we highlighted that while these countries saw themselves as “upholders of the UN”, they still sided with developing countries against the EU on issues such as social and economic rights.<sup>4</sup> This division has expanded significantly in the case of Brazil, which surprised Washington and European capitals with its efforts to forge a nuclear deal with Iran in May 2010.

Brazil's actions on Iran were consistent with a worldview that is also evident in its human rights diplomacy at the UN. Last year, it voted with the EU on human rights only a third of the time. It not only sided with developing countries on generic developments issues in the General Assembly and the HRC, but also abstained on the country-specific resolutions on Iran, North Korea and (for the first time, in 2009) Myanmar. Unlike Argentina and Chile, Brazil did not sign this summer's HRC declaration on Iranian repression. Brazilian officials frame this position in terms of their own experience emerging from dictatorship: engagement, they argue, is far more effective than any types of sanctions. The growing divide between the EU and Brazil comes despite their commitment in joint strategic documents to liaise on human rights matters at the UN.

Brazil's diplomacy is not solely altruistic. It is increasing its investment in many developing countries, especially in Africa, and it is rumoured that outgoing President Luiz Inácio Lula Da Silva wants to become UN Secretary-General. If Lula is replaced as president by a more conservative candidate, it is possible that Brazil might move closer to EU positions again. But any Brazilian president is likely to share Lula's view that his country deserves a seat on the Security Council – as he told *El País* this year, the Council has decision-making power that the G20 lacks, and so remains Brazil's priority.<sup>5</sup>

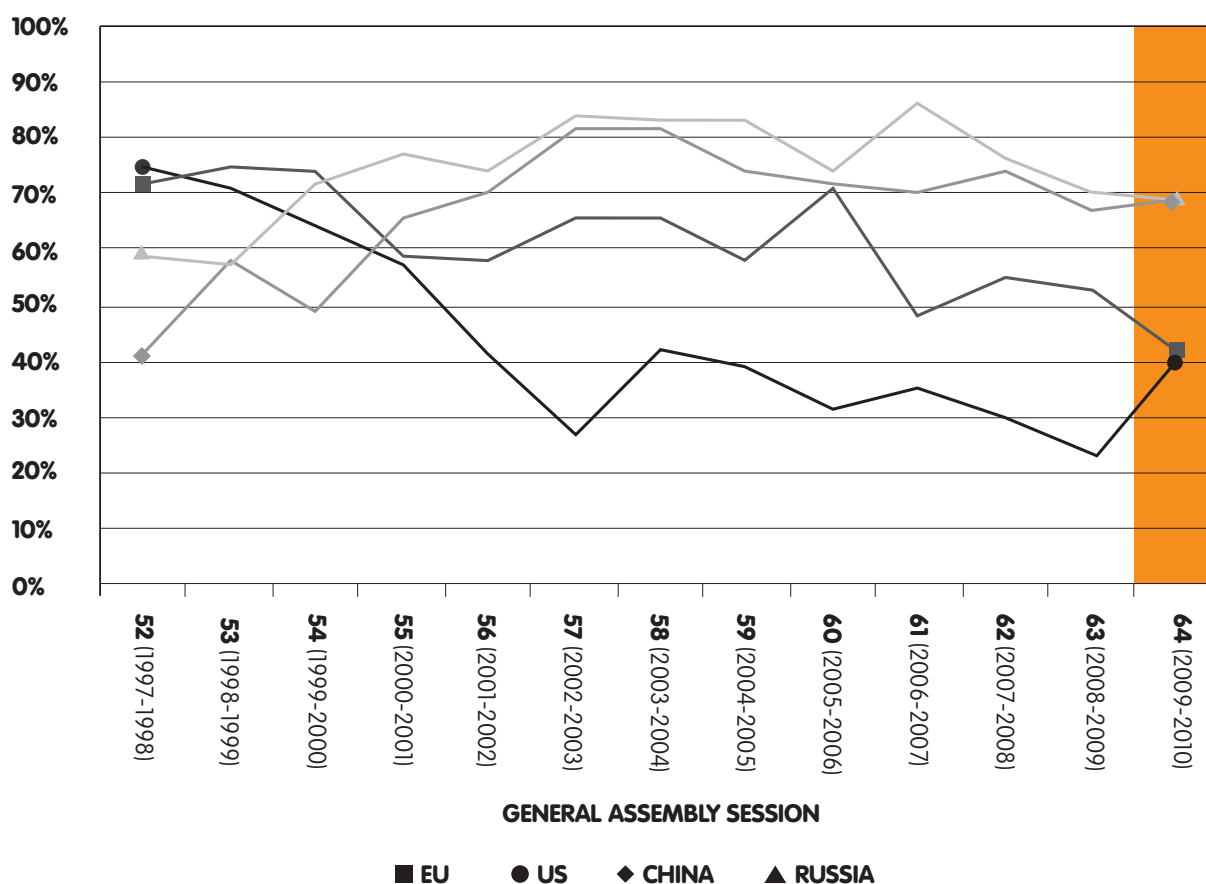
this as little more than Old World pettiness. Nevertheless, despite these disputes, the EU and the US have hung together on human rights at the UN on the strategic level. During the 2009-10 session of the General Assembly, 15 human rights resolutions came to a vote. The US and a united EU voted the same way in two-thirds of these. There has been a similar level of agreement in the HRC since the US took up its seat in 2009.

However, this greater agreement between the EU and the US has had only a limited effect on other countries' behaviour.

<sup>4</sup> See Richard Gowan and Franziska Brantner, *A Global Force for Human Rights? An Audit of European Power at the UN* (ECFR, 2008), p. 27.

<sup>5</sup> Jorge Marirrodiga, “Brasil es un país serio y este es un camino sin retorno”, *El País*, 20 May 2010.

Voting coincidence with China, the EU, Russia and the US  
on human rights votes in the General Assembly, 1997–2010  
(in cases of EU consensus)



In fact, the last year has arguably highlighted differences between the “West and the Rest” in the UN – and, ironically, this is *because* the Obama administration has cut through a lot of Bush-era policies.

Before 2009, the US habitually opposed a series of generic human rights resolutions (for example, on issues such as the rights of the child and the right to food) that virtually all other governments supported. The supposed goal of such opposition was to stem the tide of global governance. The EU picked up easy wins by voting against the US on these issues. In 2008, we noted that the EU enjoyed a “voting coincidence score” (indicating the amount of support received from other states on human rights issues in the General Assembly) of 55 percent. But this was inflated by the EU’s opposition to quixotic US positions: “exclude these essentially symbolic votes . . . and the EU’s support level on human rights is as low as 40 percent.”<sup>6</sup>

The Obama administration has dropped some of its predecessor’s ideological votes. However, the EU and the US still clash with non-western countries on generic issues ranging from high principle (religious freedom) to the UN’s internal politics (“equitable geographical distribution in the membership of the human rights treaty bodies”).<sup>7</sup> It also continues to fight over resolutions on four cases: Iran, Israel/Palestine, Myanmar and North Korea. The US shift may have ended some disagreements, but it has narrowed the focus on others.

In statistical terms, this shift stripped away the EU’s artificially-inflated level of support. In 2009–2010, its voting coincidence score fell to 42 percent in the General Assembly. The US score was close to the EU’s at 40%.<sup>7</sup> China and Russia meanwhile both scored 69%.

However, these figures cannot capture the complex diplomacy on individual votes. An annual resolution raising concerns about Myanmar’s human rights situation – passed

<sup>6</sup> See Richard Gowan and Franziska Brantner, *A Global Force for Human Rights? An Audit of European Power at the UN* (ECFR, 2008), p. 21.

<sup>7</sup> See UN document A/Res/64/173.

## Voting Patterns

In ECFR's original 2008 report on the UN, we divided non-EU states into three groups: (i) "Wider Europe", a bloc of the EU's neighbours typically voting with the Union; (ii) "Liberal Internationalists", non-European countries voting with the EU more than 50% of the time; (iii) "Swing Voters", countries voting with the EU 35-50% of the time; and (iv) the "Axis of Sovereignty", countries voting with the EU less than 35% of the time.

In last year's update we reported that countries were drifting away from the liberal bloc towards the Axis of Sovereignty. This year, the numbers have been shaken by the Obama administration's decision to drop some unpopular Bush-era positions (described in the main text). In 2009-10, 92 countries voted with the EU less than a third of the time, compared to just 16 two years ago. Because of the complicated statistical factors involved – and to clarify the categories among the EU's opponents – we have defined the "Axis of Sovereignty" as countries voting with the EU less than 25% of the time.

Nonetheless, the figures still look bad for the EU. More than half of the non-EU members of the Mediterranean Union are "swing voters" or members of the "axis of sovereignty". More than three quarters of signatories of the Cotonou Agreement (the EU's trade and aid framework with African, Caribbean and Pacific countries) vote with the EU less than half the time. Even among countries defined as "free" or "partly free" by Freedom House, the US think-tank, majorities are typically opposed to EU positions.

### *Wider Europe*

*(16 non-EU European states usually voting with the EU):*  
Albania, Andorra, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Georgia, Iceland, Liechtenstein, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, Turkey, Ukraine.

### *Liberal internationalists*

*(22 non-European countries voting with the EU 51%-75%):*  
Argentina, Australia, Canada, Chile, Fiji, Gambia, Israel, Japan, Kiribati, Marshall Islands, Mexico, Micronesia, Nauru, New Zealand, Palau, Peru, Samoa, Sao Tome and Principe, South Korea, Seychelles, Timor-Leste, United States of America.

### *Swing voters*

*(93 countries voting with the EU 26-50% of the time):*

*Trending the Liberal Internationalists (voting with the EU 36-50% of the time):*

Antigua and Barbuda, Armenia, Belize, Botswana, Brazil, Burundi, Costa Rica, El Salvador, Ghana, Guatemala, Haiti, Honduras, Jamaica, Lebanon, Liberia, Madagascar, Malawi, Maldives, Mauritius, Mongolia, Morocco, Panama, Papua New Guinea, Paraguay, Rwanda, Saint Lucia, Saudi Arabia, Sierra Leone, Solomon Islands, Tanzania, Uruguay, Togo, Tonga, Tuvalu, Vanuatu.

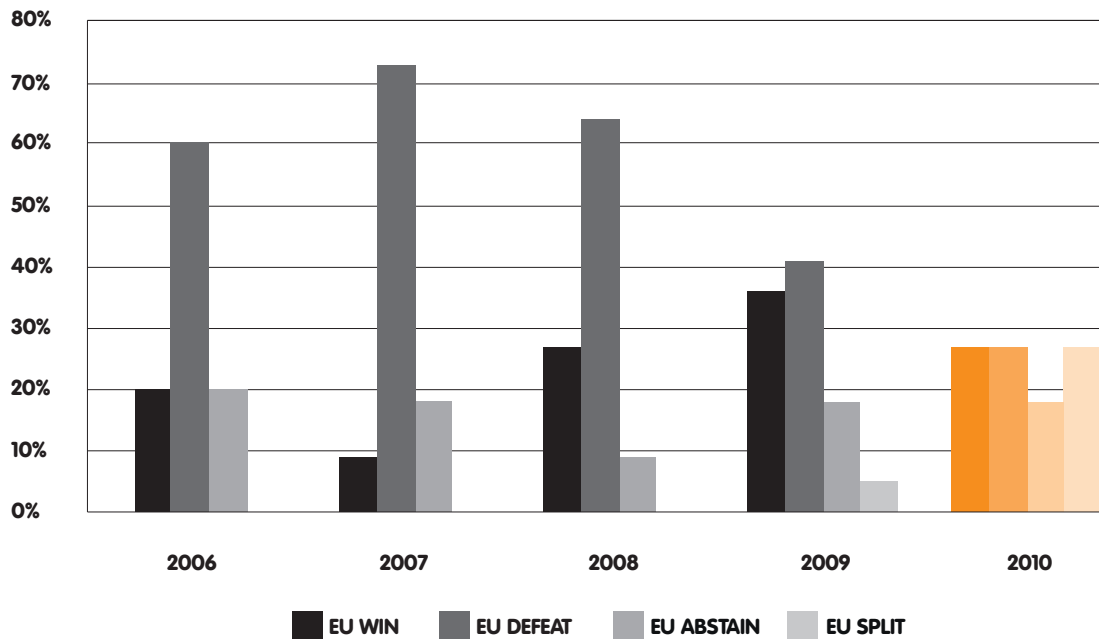
*Trending towards the Axis of Sovereignty (voting with the EU less than 35% of the time):*

Afghanistan, Angola, Bahamas, Bahrain, Barbados, Benin, Bhutan, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Eritrea, Ethiopia, Gabon, Grenada, Guinea-Bissau, Guyana, Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Lesotho, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Nigeria, Pakistan, Philippines, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Singapore, Somalia, South Africa, Suriname, Swaziland, Thailand, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Yemen, Zambia.

### *Axis of Sovereignty*

*(34 countries voting with the EU less than 25% of the time):*  
Algeria, Azerbaijan, Bangladesh, Belarus, Bolivia, China, Comoros, Cuba, Democratic Republic of Congo, Egypt, Equatorial Guinea, Guinea, India, Indonesia, Iran, Kyrgyzstan, Laos, Libya, Malaysia, Myanmar, Nicaragua, North Korea, Oman, Russia, Senegal, Sri Lanka, Sudan, Syria, Tajikistan, Tunisia, Venezuela, Vietnam, Zimbabwe.

## EU performance in votes on resolutions adopted by the HRC (2006–2010)



with 80 votes in favour in 2008 – won 15 extra supporters. But it lost nine others, including Brazil and Norway. Similar fluctuations were repeated across a wide range of votes. Continuing recent trends, African states moved further away from Western positions.

The overall message from the General Assembly is clear. The Obama administration's re-engagement in UN human rights diplomacy has persuaded some non-Western countries to rethink their positions. But, in general, the drift away from the West continues, and core disagreements will continue to split the UN membership in the years ahead. There are also divisions within the EU over how to limit the damage of these splits. Some governments favour launching more resolutions on social and economic rights to mollify developing countries, but the Czech Republic in particular opposes any suggestion that Europe should dilute its commitment to political and individual rights.

The situation has been even tougher for the EU and the US in the 47-member HRC, where opponents of liberal positions are in the majority – and non-European democracies split with the EU even more frequently than in the General Assembly. In the final session of the HRC in 2009, the EU did not support a single one of the resolutions that were ultimately passed on a contested vote. Although there have been few votes so far this year (see chart), the EU has split on a number of prominent resolutions concerning the Middle East, which will be described in the next section.

Conversely, the EU has successfully tabled consensus resolutions on human rights in Myanmar and North Korea this year, in addition to some generic resolutions. But, as the EU's own annual report *Human Rights and Democracy in the World* admitted in 2009, the EU is defensive about whether the HRC should track individual countries' human rights situations at all.<sup>8</sup>

European officials continue to be publicly optimistic about the Universal Periodic Review (UPR) – a mechanism by which all countries' human rights records are regularly reviewed by other governments at the HRC – although others complain that its impact is limited.

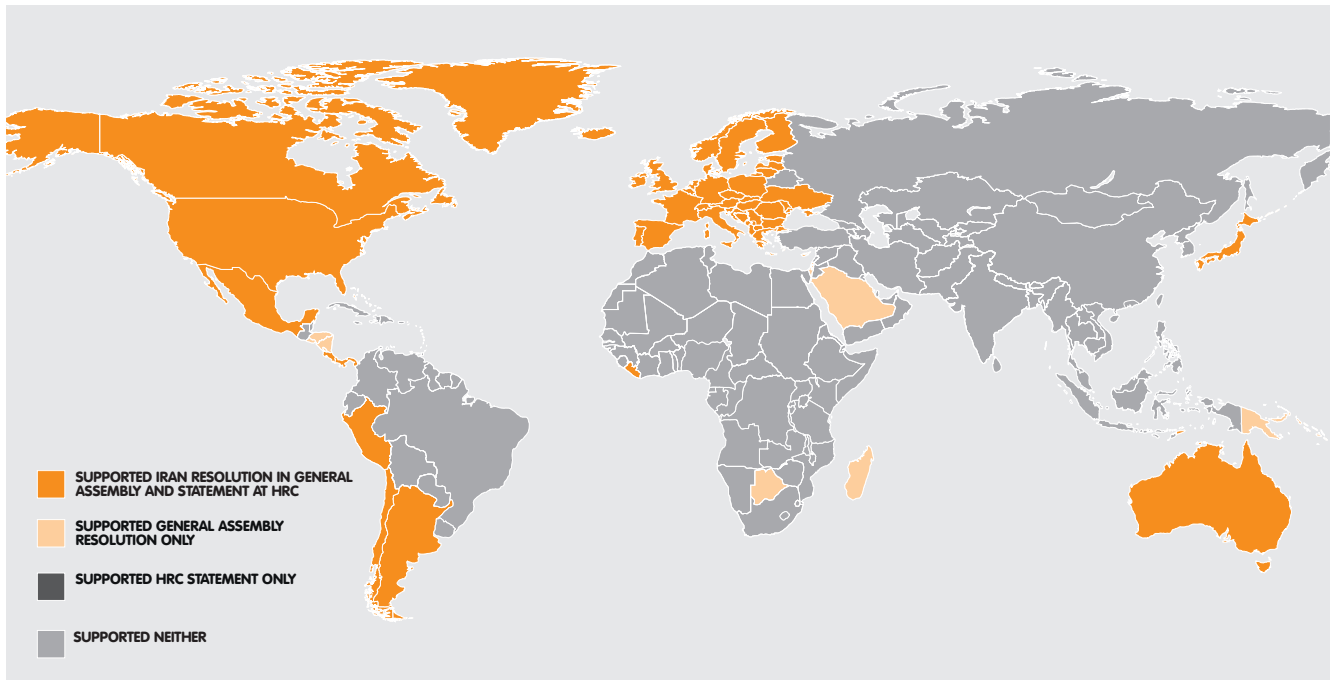
The US has made a point of preparing for its first appearance before the UPR in 2010 with care, organizing internal consultations in symbolic spots such as New Orleans and Birmingham, Alabama. But the UPR's impact on countries with poor human rights records is still unclear. While the Democratic Republic of Congo accepted a series of suggestions on improving its human rights – many of them from EU members – in 2009, UN experts report little progress on them a year later.<sup>9</sup>

In both the General Assembly and HRC, therefore, the EU and US have yet to engineer a deep change in the politics

<sup>8</sup> See *Human Rights and Democracy in the World – a Report on EU action between July 2008 and December 2009*, p. 110, available at [www.consilium.europa.eu/uedocs/cmsUpload/A4\\_HR\\_2009p\\_EN\\_def.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/A4_HR_2009p_EN_def.pdf).

<sup>9</sup> The author is indebted to Alice Richard of ECFR for this point.

## Supporters and opponents of the Iran resolution in General Assembly and Statement at HRC at the UN, 2010



of human rights. Does this matter? Many analyses suggest that countries' positions on human rights resolutions have little impact on their domestic human rights situations.<sup>10</sup> But 2010 showed that the UN human rights system is still thrust centre-stage in at least one region: the Middle East. And, while the EU usually maintains unity on human rights at the UN, Middle Eastern crises leave it split.

### European divisions on the Middle East

The centrality of the Israel-Palestine conflict to human rights diplomacy at the UN is so well-known that many analysts treat it as a given. Our study of UN voting patterns, like those in similar recent studies, excludes the large number of votes on Palestinian issues that come round at the General Assembly every year. These votes – which pitch the US and Israel against nearly all other states, including the EU – have a ritualistic air.

However, the last two years have seen a series of incidents in the Middle East disrupt UN diplomacy even more severely than usual – with a particular impact on the EU. Last year, some EU states (the Czech Republic, Germany, Italy, the Netherlands and Poland) boycotted the UN's "Durban II" conference on racism in Geneva in protest over the anti-Israeli implications of the outcome document. This year, there have been bigger splits.

The first was the over the Goldstone Report on Israel's Operation Cast Lead in Gaza in the winter of 2008-9. The

report, which was commissioned by the HRC and published in September 2009, accused both Israel and Hamas of war crimes and raised the possibility of prosecution in the International Criminal Court. The HRC voted to endorse the report in 2010, and the EU divided again. Hungary, Italy, the Netherlands and Slovakia voted against it – as did the US – while France and the UK abstained.

A second split opened up over the *Mavi Marmara* incident, in which ten people were killed. The HRC discussed the incident the following month and adopted a resolution calling for a Goldstone-type investigation. Italy, the Netherlands and the US voted against the resolution, Slovenia voted in favour, and Belgium, France, Slovakia and the UK abstained.

These divisions not only made headlines, but are also significant as they represent almost the *only* European divisions at the HRC since its inception. Crucially, they have damaged the image of the EU as a cohesive body in UN human rights debates, which the bloc's union's members have made great efforts to foster. The EU's unity, it appears, does not extend to the highest item on the UN's human rights agenda. This may have some diplomatic utility—France and Britain leveraged the HRC's call for an international report on the *Mavi Marmara* to pressure Israel into launching an internal investigation into the incident with international observers— but it still makes the EU look weak.

While Palestine has topped the HRC's agenda, the EU and the US have been frustrated by the fact that Iran's human rights abuses do not get similar attention. In late 2009, the General Assembly passed an annual resolution raising concerns about

<sup>10</sup> See summary in Eric A. Posner, *The Perils of Global Legalism* (Chicago University Press, 2009), pp.185-191.

human rights in Iran. As with Myanmar, a number of states switched their votes on this from 2009, which resulted in a small rise in the number of countries in favour from 69 to 74. Although Saudi Arabia was one of those to back the resolution for the first time, those that opposed or abstained included Brazil, China, India and Russia. Turkey did not vote.

In the spring, with the US ratcheting up pressure for new sanctions on Iran, Tehran ran for a seat on the HRC. It was generally believed that if it succeeded, the Americans would have to walk out of the HRC. However, the crisis was averted when Iran dropped its candidacy in return for a seat on a UN committee dealing with women's rights.

In June, having won a new sanctions resolution, the US joined Norway in sponsoring a statement at the HRC (open to all states to support) commemorating the first anniversary of Iran's Green Revolution and condemning Iranian repression. This was backed by 56 states, including all members of the EU. However, no Arab countries signed. In fact, the only signatories from outside Europe and the America were Liberia, Timor-Leste, Tonga and Vanuatu. Pakistan's ambassador to the UN explained that members of the Organization of the Islamic Conference (OIC) disapproved of "naming and shaming" countries at the HRC.<sup>11</sup> Although the statement won media attention, it made the West's influence look depleted.

## Human rights diplomacy in a multipolar world

While the EU and the US have tried – but only very fitfully succeeded – to revitalize human rights diplomacy in the General Assembly and HRC in 2009 and 2010, there has been an inevitable sense that the real action is elsewhere. This is true in two ways. Firstly, the UN itself was eclipsed in 2009-10 by the rise of the G20 as a centre for multilateral engagement – although the G20 lost its momentum as the worst of the global economic crisis seemed to pass.

Secondly, even when international attention has focused on the UN, human rights have appeared to be of secondary importance. Initiatives to censure Iran for repression have taken a back seat to the pursuit of sanctions through not only the Security Council but also mechanisms including the G7 and the EU. Similarly, ongoing human rights abuses in Darfur have been overshadowed by the search for stability in South Sudan.

Even the HRC's brief moments in the limelight in debates over Palestine seem insignificant in retrospect. The US drive to conclude a peace deal between Israel and Fatah has eclipsed – if far from erased – memories of Goldstone and the Mavi Marmara.

Thus, although the Obama administration has done away with the confrontational diplomacy of the Bush years, human

### The African agenda

African issues, including the large UN peace operations in the Congo and Sudan, continue to take up a huge amount of time in the Security Council. However, African governments have successfully pushed back against EU and US efforts to concentrate on the continent's human rights situation at the UN. This pushback has involved significant efforts to curtail UN human rights monitoring of African situations – although the EU has defended the roles of UN special rapporteurs in Burundi, Sudan and Somalia. African states have also argued that the International Criminal Court (ICC) focuses too much on their affairs and serves Western interests.

Although EU members have kept up a formal defense of the ICC and the HRC in African affairs, they have also had to make de facto concessions on the decisive case of Sudan. Although Sudan's President Bashir is under indictment for genocide by the ICC, the EU and the US have given his regime uneasy support over the last year as it held (controversial) elections and prepared for a referendum on independence in South Sudan in January 2011. There is widespread concern that the referendum may lead to significant violence: bloodshed is already rising in the region. While the EU and the US say they still want to see Bashir answer the charges against him one day, concerns about stability – or at least justifiable humanitarian concerns for the people of southern Sudan – trump justice for now. Important African governments, such as South Africa's, say they want better relations with the EU on human rights. But they have already indicated the terms on which they will deal.

rights diplomacy remains marginal to the main thrust of deal-making in the emerging multipolar world. It can be argued that the HRC's difficulties add up to a sort of "intentional redundancy", allowing states to "vent and posture" for domestic and international audiences while continuing constructive talks elsewhere.<sup>12</sup>

These uncomfortable conclusions should not detract from efforts to make gradual improvements in human rights through new mechanisms such as the UPR. But it is highly unlikely that significant improvements in the UN human rights system can be achieved through solely technical initiatives. Diplomats are pessimistic about an inter-governmental review of the HRC slated for 2011. There is little incentive for countries that oppose Western agendas on human rights to reduce their current leverage at the UN.

<sup>11</sup> Stephanie Nebehay, "U.S. Claims Victory After Iran Rebuked at U.N. Human Rights Body", *Reuters*, 15 June 2010, available at <http://www.reuters.com/article/idUSTRE65E40W20100615>.

<sup>12</sup> See Richard Gowan and Bruce D. Jones, "Conclusion: International Institutions and the Problem of Adaptation", in Bruce D. Jones, Shepard Forman and Richard Gowan, *Cooperating for Peace and Security* (Cambridge University Press, 2009), p. 314.

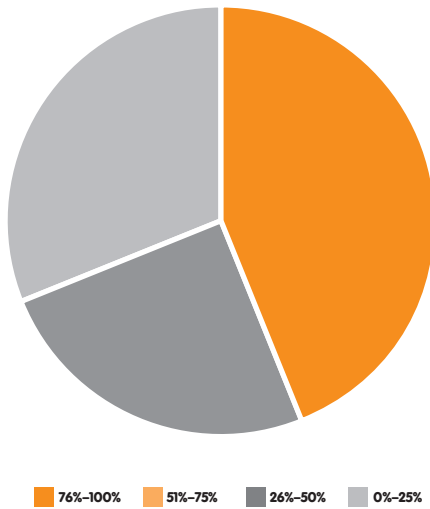
## Level of Support for EU Human Rights Positions in the UN General Assembly by Groups of States, 2009-10

As ECFR's 2008 report emphasized, the EU often struggles to win natural allies over to its positions on human rights at the UN. The data from the last year only confirms this challenge.

These pie-charts show how support for EU positions breaks down among its close neighbours and its wider circle of contacts in the developing world, and also among full and partial democracies.

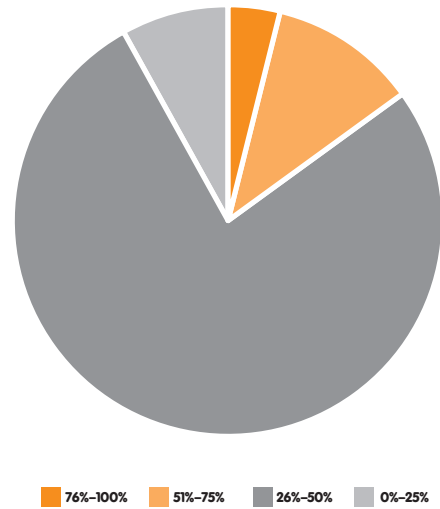
Each pie-chart shows what percentage of each group falls into the four General Assembly voting coincidence categories listed on page 4: the Axis of Sovereignty, the Swing Voters, the Liberal Internationalists and the European Bloc.

Mediterranean Union



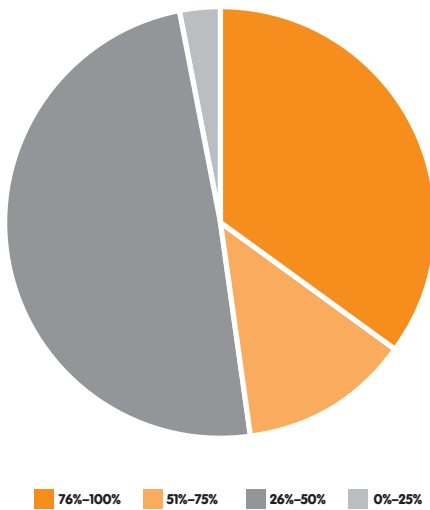
In spite launching the Mediterranean Union in 2008, the EU can only rely on regular support from roughly half the non-EU members of this new grouping.

Cotonou Group



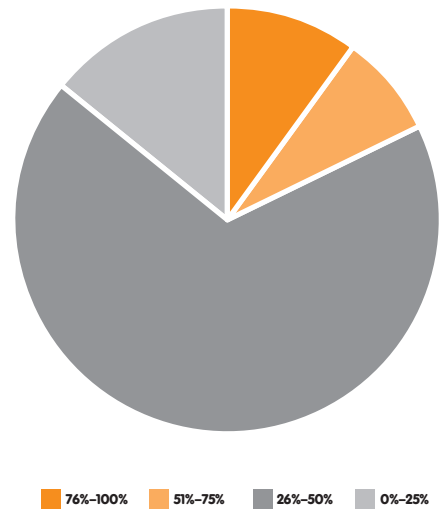
Among the African, Caribbean and Pacific countries – signatories of the Cotonou Agreement with the EU – a vast majority are Swing Voters.

Free Countries



Among countries rated free by the American think-tank Freedom House ([www.freedomhouse.org](http://www.freedomhouse.org)), fewer than 50% usually back EU positions . . .

Partly free countries



. . . while most “partly free” countries oppose the EU most of the time.



Unless, that is, Western countries are prepared to create a very different set of incentives by proposing a far broader set of changes to the multilateral system. There are some signs that they might do so. Speaking in New York this spring, President Sarkozy said he wanted to use France's presidency of the G20 and chairmanship of the G8 in 2011 to launch an effort to reshape the Security Council.<sup>13</sup> Then, in a speech to ambassadors in August, he focused on the reform of international financial institutions, but predicted that this would send "a strong signal to the UN General Assembly on an interim reform of the Security Council."<sup>14</sup>

British foreign secretary William Hague promises that his government will be "at the forefront of those arguing for the expansion of the United Nations Security Council."<sup>15</sup> As we noted above, this may be the only UN reform that can satisfy rising powers such as Brazil. It would be naïve and foolish to argue that the EU should embark on Security Council reform in an effort to strengthen its position in the HRC. But it is possible that, if rising powers were given a greater voice in mainstream diplomatic decision-making in New York, they might moderate their tone in Geneva. It is equally conceivable that expanding the Security Council might turn it into another, more influential, version of the HRC.

The EU is in a difficult position on Security Council reform, as its members still differ over Germany's desire to have a permanent or (in UN jargon) "semi-permanent" seat.<sup>16</sup> On the other hand, without serious discussion of the Security Council's future, there is an equally good chance that the EU's engagement of the UN system will continue to follow the pattern we have described here: exhausting, defensive and detached from real diplomacy.

### Methodological note

To calculate voting coincidence with the EU on human rights, we took all votes on draft human rights resolutions adopted by the General Assembly in which the EU's members voted "in favour" or "against" together. (Resolutions adopted without a vote were excluded.) We calculated the voting coincidence of non-EU members by dividing the number of votes cast by non-EU countries coinciding with the EU's positions by the overall number of votes, abstentions and no-shows of all non-EU countries on these resolutions, giving us a percentage score for support for EU positions.

We excluded those cases in which the EU split from our calculations. When non-EU states abstained or did not participate in a vote, their vote was coded as partial disagreement, weighing half as much as full disagreement.

We applied the same calculations to China, Russia and the US. "Human rights votes" refers to those on resolutions from the Third Committee of the General Assembly, which deals with "social, humanitarian and cultural" affairs.

For a full methodology, see [www.ecfr.eu](http://www.ecfr.eu).

<sup>13</sup> Oyvind Gustavsen, "At Columbia, Sarkozy Calls for Change at U.N.," *New York Times*, 29 March 2010, available at <http://cityroom.blogs.nytimes.com/2010/03/29/at-columbia-sarkozy-calls-for-change-at-u-n/>.

<sup>14</sup> The speech, to the 18th Ambassador's Conference in Paris on 25 August 2010, is available at <http://www.franceonu.org/spip.php?article5123>.

<sup>15</sup> William Hague, "Britain's Foreign Policy in a Networked World", speech at Foreign & Commonwealth Office, 1 July, 2010, available at <http://www.fco.gov.uk/en/news/latest-news/?view=Speech&id=22462590>.

<sup>16</sup> UN experts have proposed "semi-permanent" Security Council seats that would last five or more years (as opposed to current non-permanent seats, which last two years and would be instantly renewable. This could allow countries such as Brazil, India, Japan and Germany to remain on the Security Council indefinitely.

## ABOUT ECFR

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