

The Betrayal of Human Rights at the UN: New Council, Old Woes

By Thorsten Benner

BERLIN –

Exactly two months ago UN Secretary-General Kofi Annan proclaimed “a new era in the human rights work of the United Nations”. Addressing the first session of the new UN Human Rights Council he expressed his hopes for a „culture of cooperation and commitment, inspired by mature leadership“. Commentators around the world were quick to remark that it was precisely a lack of mature leadership that prompted the US to vote against the creation of the Geneva-based Council. UN ambassador John Bolton argued that the US “did not have sufficient confidence” that the new body “would be better than its predecessor” – an explanation that the rest of the world and most human rights activists in the US shrugged off as yet another instance of US unilateralism rearing its ugly head.

Over the past two months, the majority of the Council’s members have worked hard to prove John Bolton right. The three blatantly one-sided resolutions targeting Israel are a prime example for the new Council’s dismal record. Already in the first regular session the Council voted to make Israel an agenda item for *all* future sessions, a degree of attention no other state in the world enjoys. Two special sessions adopted resolutions condemning Israel for human rights abuses in the occupied territories and in Lebanon while omitting any direct reference to Hamas or Hezbollah, their violations of international law, or to Israel’s right to defend itself. What is more, to date these have been the only country-specific resolutions adopted by a Council that has not bothered to call for either special sessions or resolutions on Darfur, Chechnya, the Congo, or Somalia.

This shameful record has prompted sharp criticisms from leading human rights organizations. Amnesty International observed that the Council “put politics before lives”. Human Rights Watch stated that the “one-sided approach taken by the Human Rights Council is a blow to its credibility and an abdication of its responsibility to protect human rights for all”.

This abdication is a direct result of the Council being held hostage by an irresponsible but effective majority: The members of the Group of Arab States and the Organization of the Islamic Conference joined by Cuba, South Africa, China and Russia and a number of Latin American states currently overpower a minority of human rights friendly countries including the EU members, Japan and Canada. This majority is leading the Council down the path of its predecessor, the UN Commission on Human Rights. Thirty percent of this body’s resolutions were directed against Israel. For the rest, serial human rights violators who represented a majority on the Commission were able to block any real investigations of their own human rights records.

While Mr. Bolton might be forgiven for uttering a self-congratulatory „I told you so“, *schadenfreude* is not a policy option. The present situation hurts US interests and those of its allies alike. This is all the more worrisome for the woes of the new Council are a reflection of a deeper trend that threatens to undermine all serious UN reform efforts: a new cold war at the UN pitting the industrialized countries against the 132-member strong G-77. They use their numerical majority outside the Security Council to further petty interests of patronage, counter US influence as a matter of principle or pursue their favourite pastime of Israel-bashing.

The US should work together with its allies to counter this trend and try to save the new Council. They should use the powers of moral suasion as well as hard economic and political incentives to ease individual countries out of the block of irresponsible voters. There is no inevitability for countries such as South Africa or Argentina to side with serial human rights abusers. At the same time, the US and its allies should make it clear that only a radical change of course can prevent the failure of the new Council. This would include the faithful implementation of the peer review process subjugating the human rights record of all members to mutual evaluations, the end of the one-sided obsession with Israel and an even-handed concern for human rights emergencies across the world. If such change occurs, the US should offer to come on board the Council for the next term. However, if a change of course does not happen by the end of this year, all countries serious about human rights should withdraw from the Council. Unlike with the Commission on Human Rights it should not take decades of decay for it to be officially discredited. For one thing is clear: Without a radical change of direction in Geneva we will have to wait another generation for the creation of a UN body that lives up to Eleanor Roosevelt's ideals.

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