# Nikki Haley Lays Out Reform Agenda for UN Human Rights Council

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Earlier this year, U.S. Secretary of State Rex Tillerson sent a letter to human rights groups telling them that Washington was evaluating the U.N. Human Rights Council and that continued U.S. participation would depend on considerable reform of the body. Tillerson did not elaborate on the kinds of reforms the United States wanted. But in a speech delivered last week before the Graduate Institute in Geneva, Switzerland, U.S. Ambassador to the United Nations Nikki Haley provided the long-awaited details.

She began with a brief history of the United Nations’ handling of human rights issues. The U.N. Commission on Human Rights, she noted, failed to live up to its responsibilities, so much so that former U.N. Secretary General Kofi Annan called for replacing it with a new body: the current Human Rights Council. Unfortunately, the council remains plagued by the same flaws that led to the demise of the old commission. The council’s three biggest problems are:

* Bias against Israel. According to Hillel Neuer of UN Watch, in its first decade (2006 to 2016), the council adopted 68 resolutions condemning Israel and 67 condemning the rest of the world’s countries combined. This bias continues, with another five anti-Israel resolutions adopted earlier this year. Moreover, Israel is the only country subject to a separate agenda item, Agenda Item 7, “Human rights situation in Palestine and other occupied Arab territories.” Every other country is examined under Item 4, “Human rights situations that require the Council’s attention.”
* Human rights abusers win seats to the council. Governments deemed “not free” and “partly free” by Freedom House historically have comprised a majority of the council’s members. Not even the world’s most repressive regimes have been excluded. Currently, China, Cuba, Saudi Arabia, and other human rights violators sit on the Human Rights Council. Ambassador Haley rightly condemned council member Venezuela, whose government has been shooting protesters in the streets. She has asked that Venezuela voluntarily leave the council or for the U.N. member states to suspend its council membership as they did to Libya in 2011.
* Failure to address serious human rights situations equally and objectively. The council has been able to address “low hanging fruit” situations, passing resolutions when the target countries either are willing to cooperate (such as the recent resolution on Sri Lanka) or are abject pariah governments (like Syria or North Korea). But the body has been unable or unwilling to adopt resolutions on serious human rights abuses by governments such as China, Cuba, Russia, Venezuela, Saudi Arabia, and Zimbabwe that are powerful or have support among their peers.

Despite these accurate criticisms, Ambassador Haley said, “America does not seek to leave the Human Rights Council. We seek to re-establish the council’s legitimacy.” She identified two main reforms that the United States is seeking:

* Competitive council elections and an end to the practice of secret voting. Council seats are allocated by geographic region. Regions have frequently gamed the system by offering “clean slates” -- offering the same number of candidates standing for election as there are open seats. This practice makes it easier for repressive states to win seats on the council. Haley’s remarks suggest the United States wants to foster competitive elections by requiring regions to offer more candidates than open seats. In addition, Washington wants the members to vote on the record. As Haley noted, “countries that are willing to support a human rights violator to serve on the Human Rights Council must be willing to show their faces. They know who they are. It’s time the world knows who they are.”
* Eliminate Agenda Item 7 and the council’s support for the anti-Israel boycott, divestment, and sanctions (BDS) movement. Council scrutiny of human rights practices should be devoid of special treatment -- positive as well as negative. Israel’s human rights practices should be examined under Agenda Item 4, just like every other nation. As Haley observed:

The council’s effort to create a database designed to shame companies for doing business in Israeli controlled areas is just the latest in this long line of shameful actions. Blacklisting companies without even looking at their employment practices or their contributions to local development, but rather based entirely on their location in areas in conflict is contrary to the laws of international trade and to any reasonable definition of human rights. It is an attempt to provide an international stamp of approval to the anti-Semitic BDS movement. It must be rejected.

These reforms are entirely reasonable. In fact, they are rather modest. Additional reforms could and should be sought both to arrest the increasing budgetary and time demands of the council’s mushrooming agenda and to improve transparency and accountability.

When asked, Ambassador Haley refused to say whether future U.S. participation in the council depends on adoption of these reforms. But certainly the implication was there. She ended by stating unequivocally:

These changes are the minimum necessary to resuscitate the council as a respected advocate of universal human rights. For our part, the United States will not sit quietly while this body, supposedly dedicated to human rights, continues to damage the cause of human rights…

The status quo is not acceptable. It is not a place for countries who champion human rights.

I call on all like-minded countries to join in making the Human Rights Council reach its intended purpose.

Let the world be on notice: We will never give up the cause of universal human rights. Whether it’s here, or in other venues, we will continue this fight.

To legitimately fulfill its mandate, the council must be a reliable, fair, and impartial advocate for human rights and fundamental freedoms. No nation is perfect and neither will the council, made up of imperfect states, ever be perfect. But the United States is right to expect better.

If other nations refuse to adopt Ambassador Haley’s reasonable reforms, it will be a clear sign that they prefer the flawed, overly politicized rights council we have today. In that case, the United States would be justified in looking elsewhere to advance human rights.