U.S. Thwarted in Bid to Change U.N. Rights Council’s Approach to Israel

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Nearly a year ago, Nikki Haley, the U.S. ambassador to the United Nations, issued an ultimatum to the U.N.: reform the U.N. Human Rights Council with a view to easing its criticism of Israel, or face an American walkout.

But a diplomatic campaign by Washington to bring about such a reform ran aground this month, as key European allies said they would not support a vote at the U.N. General Assembly on ending the rights council’s special scrutiny of Israel.

The development leaves Haley diplomatically isolated on a key American priority and increases the likelihood that the United States will withdraw from yet another international institution that enjoys the backing of Washington’s key allies, according to several U.N.-based diplomats.

“They seem to be headed for the exit,” said one European diplomat involved in the discussions with the United States.

Kelley Currie, the U.S. representative to the U.N. for social and economic affairs, hosted two meetings at the U.S. Mission to the United Nations with a group of Western governments earlier this month to detail U.S. plans.

She presented a copy of a U.S. draft General Assembly resolution that would eliminate a special category of rights violations — known as Agenda Item 7 — committed in occupied Palestinian territories. No other part of the world has its own agenda item. The U.S. resolution is part of a broader streamlining effort that would also make it easier to expel countries that abuse human rights from the council. There were no takers.

The initiative prompted pushback from European governments and human rights advocates, who fear it could inflict long-lasting damage to the world’s principal human rights agency and undermine efforts to expose human rights violations elsewhere.

Specifically, European diplomats fret that the United States may lose control over negotiations in the General Assembly, where any state has the right to add spoiler amendments to the U.S. draft. Countries such as China and Russia, they warn, would likely exploit the negotiations to push back on other provisions favored by the United States, including annual reviews of country’s human rights records, and the establishment of commissions of inquiry that probe human rights abuses in places like Syria and North Korea.

There would also be nothing to prevent Muslim countries from introducing their own amendment preserving Israel’s status as the lone country subject to special treatment.

“We’d be stuck with a weakened council without the United States,” the European diplomat said.

The Human Rights Council was established in 2006, replacing the U.N. Commission on Human Rights, whose credibility had been tainted by the presence of member states with abysmal rights records.

The U.S. ambassador to the United Nations at the time, John Bolton, helped persuade then-President George W. Bush not to join the newly established rights council, arguing that it fell short of American expectations.

“We want a butterfly. We don’t intend to put lipstick on a caterpillar and call it a success,” the now-national security advisor said at the time.

But former President Barack Obama reversed the decision within months of his inauguration, reasoning that the United States could help strengthen the institution and protect Israel by working within it.

President Donald Trump and Haley have repeatedly warned that the United States would withdraw if it couldn’t get the changes it seeks, particularly the provision on Israel.

Human rights proponents warn that forcing a showdown in the U.N. General Assembly could expose deep fissures in the world’s attitude towards the importance of human rights.

“Our organizations are deeply concerned that proceeding with a draft resolution being circulated by the United States … may weaken rather than strengthen the Human Rights Council,” according to a letter signed by 17 human rights groups, including Amnesty International and the International Federation for Human Rights.

“It is highly likely that the resolution will be subject to hostile amendments that would seek to weaken the council.”

Human rights advocates say they support many of the U.S. aims to strengthen the council, including by eliminating the agenda item singling out Israel. But reopening the council’s charter for fresh negotiations risks blowing up the entire enterprise, they warn.

They say the United States would have more leverage in defending Israel’s interest by remaining a member of the council.

During the council’s earliest years, including before the United States joined, the council’s delegates devoted 15 percent of its time debating Israel’s rights record. That figure fell by nearly half, to 8 percent, for the period from 2012 to 2016, when the United States served on the council.

“There’s no question that the Human Rights Council could be strengthened, but overall its proven to be an excellent forum for naming and shaming countries that commit egregious rights violations like North Korea, Syria, Burma, or the Saudi-led coalition in Yemen,” said Louis Charbonneau, the U.N. representative for Human Rights Watch. “But bringing it to the General Assembly could open a Pandora’s box.”

U.S. allies say Washington has yet to inform them whether it will continue to press for a vote, or withdraw its resolution and avoid an embarrassing outcome that highlights its isolation. But some still hold out hope that the United States can be persuaded to stay. “We don’t take the U.S.’s withdrawal from the Human Rights Council for granted,” said a second European diplomat.