The UN Human Rights Council Is a Deeply Flawed Body

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The United Nations cares about human rights so much that [i](http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx)[t has tenorganizations](https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx) working on human-rights-related issues. One of these is the UN Human Rights Council, the organization from which the U.S. withdrew Tuesday because of, among other things, its “chronic bias against Israel,” to quote Nikki Haley, the U.S. envoy to the UN.

Haley has a point. The Council’s rules single out Israel for scrutiny of its actions in the occupied Palestinian territories. No other country is similarly named. The broader problem, however, are the countries doing the scrutinizing: countries like Saudi Arabia, Venezuela, and Ethiopia.

The members of the 47-nation Council, who are elected for three-year terms by the UN General Assembly, are chosen geographically: Africa and Asia each get 13 seats; Latin America and the Caribbean get eight; Western Europe and others, which includes the U.S., Canada, Australia, and New Zealand, get seven; and Eastern Europe gets six.

Although this geographical quota system addresses the disparities in global representation, it is also the Council’s most serious flaw. With a few honorable exceptions, the overwhelming majority of countries outside the Western Europe and others grouping have flawed-to-abysmal human-rights records and policies. Many are not democracies. Few have representative governments. Fewer still have an incentive to pursue and commit to universal human rights. That these are the countries that criticize Israel, the only democracy in the Middle East, is bad enough; that they do it while pursuing their own draconian policies makes the membership laughable.

Consider the current members of the Council: Venezuela, where President Nicolas Maduro has strangled the political opposition and free speech; the Philippines, where President Rodrigo Duterte’s policies have resulted in extrajudicial killings of suspected drug dealers; Ethiopia, where a state of emergency in place since February gives the government draconian powers that it wields liberally; Cuba, where the idea of human rights have been discarded for decades; Hungary, where Prime Minister Viktor Orban’s policies have targeted the media, the opposition, civil-society groups, and immigrants; Saudi Arabia, where widespread abuses and arbitrary arrests continue; China, which has long stifled dissent; and Egypt, which has effectively banned any criticism of the government.

Amid this, the U.S. departure was not unexpected. [Last year Haley said](https://usun.state.gov/remarks/7828) that unless there were changes within the Council, the U.S. would “pursue the advancement of human rights outside of the Council.” She repeated those remarks Tuesday, noting: “For too long, the Human Rights Council has been a protector of human rights abusers.”

That’s the rationale the Bush administration used to eschew the Council when it was established in 2006, as a successor to the UN Human Rights Commission, another much-criticized organization. But the U.S. joined the Council in 2009 during the Obama years as part of its efforts to pursue multilateral engagements. Supporters noted that U.S. membership resulted in the Council [condemning actual human-rights abusers](https://foreignpolicy.com/2012/06/01/u-n-human-rights-council-condemns-actual-human-rights-abusers/)—such as Syria and Bahrain. As the Council on Foreign Relations [noted](https://www.cfr.org/blog/human-rights-council-give-credit-where-credit-due):

The Obama administration entered with an ambitious agenda rather than a diffident attitude. First, it ramped up its representation in Geneva, creating a Senate-confirmed ambassadorial slot focused entirely on the HRC, a position that Ambassador Eileen Donahoe would use to great effect. Second, it formulated a strategy to break up the entrenched regional bloc dynamics that have long stymied cooperation between developed and developing countries on human rights matters. Third, it determined to push critical country-specific resolutions, designed to “put more human rights violators in the hot seat,” brushing aside warnings that such a step would backfire. Finally, it sought to push forward thematic resolutions on important human rights topics.

The Obama administration’s view was that while the Council may be flawed, the U.S. presence would at least give a voice to the victims of human-rights violations around the world—though the administration’s [conservative critics disagreed](http://www.heritage.org/report/the-un-human-rights-council-no-better-obamas-engagement) that it ever achieved that.

The Trump administration, itself [under fire from the UN High Commissioner for Human Rights](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23174&LangID=E), a separate UN office, for its  policy of separating families attempting to cross the border illegally, sees things differently from its predecessor. The issue of Israel and changes within the Council were far too great a divide to bridge. With the U.S. gone from the Council, America’s allies in Europe will continue to advocate for human rights around the world—with a much more limited impact. The Council will continue, with the UN’s imprimatur, to condemn Israel. It will also likely give a free pass to many of the world’s worst abusers of human rights. As if to underscore that, Russia, which lost its seat on the council in 2016 amid opposition from human-rights groups, moved to rejoin the organization following Haley’s announcement.