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Geneva Conventions

By ANNE BAYEFSKY

What is it about standing up for human rights that the United Nations finds so difficult?

A year ago, then Secretary-General Kofi Annan dissolved the U.N. Commission on Human Rights under pressure, after the commission discredited itself repeatedly, even electing a Libyan chairman. Now its successor -- the U.N. Human Rights Council -- is proving itself to be worse than what it replaced.

This week the council marked its first anniversary in Geneva, Switzerland, by adopting an agenda that is an affront to the civilized world. It deletes the job of investigating human rights violations in the brutal dictatorships of Belarus and Cuba and instead focuses its attention uniquely on Israel. It also serves notice through a new code of conduct that other human rights investigators will heretofore be on a short leash: A newly adopted Code of Conduct states that failure to exercise "restraint," "moderation" and "discretion" will be grounds for dismissal.

The U.N. General Assembly created the council without specifying membership criteria, such as, say, actually respecting human rights. The council now includes the likes of Angola, Azerbaijan, China, Cuba, Egypt, Qatar, Russia and Saudi Arabia. Less than half of its members, using the Freedom House's yardstick, are fully free democracies. And after a successful take-over bid of regional blocs within the council, the Organization of the Islamic Conference now dominates it.

The result is a decimation of a human rights system created over decades, with a new intense focus on Israel. Israel has been the subject of three special sessions, has been singled out in 75% of the council's state-specific resolutions and will continue to be routinely condemned until council members decide "the occupation" is over -- an occupation many members believe began with Israel's creation.

Meanwhile, there's been a deafening silence about the other 190 U.N. members along with hints that investigations into other countries will soon end. There were a few resolutions which encouraged more cooperation with Sudan. Another

resolution, this one on freedom of opinion and expression, and which has been a feature of the commission since 1985, never made it through the council. It was derailed by the Group of Arab States.

The council did adopt a resolution entitled "Combating Defamation of Religions." It says that speech must "be exercised with responsibility" and limited to protect "public order, public health or morals and respect for religions and beliefs." The only religion mentioned is Islam.

With proceedings translated and broadcast on the Web, the council now serves as a platform for terrorist sympathizers. Last week, Algeria called the violence of Palestinians a "legitimate" means "to liberate themselves" and, in an attempt to shield the discrimination against Israel, said that "anti-Semitism is not the privilege of a small group . . . Arabs as well are victims of this type of prejudice." On Sudan, the council waited six months and then decided to start another U.N. fact-finding mission. When Sudan refused to let the human rights monitors into the country, the council created an "expert group" that remained in Geneva to focus on reviewing U.N. documents. This week the council gave the group six more months. Meanwhile, two million people have been displaced and up to 400,000 have died in Darfur.

The council will subject each U.N. member to a "universal periodic review." But then the reviewers will include the council's human rights abusers and the reviews will take place just once every four years. They will also be conducted under guidelines spelling out that they "should take into account the specificities of countries" and that they "be conducted in a . . . non-confrontational and non-politicized manner" and "not be overly burdensome to the concerned state."

The final act of the council's first year also designated a new method to appoint "independent" U.N. human rights investigators. From now on the council itself will choose them. New governing rules also reduce the investigators' authority to draw attention to individual cases or issue urgent appeals for action.

John Bolton, then U.S. ambassador to the U.N., saw all of this coming a year ago. He advised voting against the council's creation and against the U.S. running for election to it (the U.S. followed his advice). His instincts have now been proven right. Credit also goes to Canada, a council member, which this week demanded that the council vote on its plans for the coming years. Council Chairman Luis Alfonso d'Alba, of Mexico, stymied the Canadian effort. The request for a vote was then itself voted down 46-1.

The political lesson here is that the U.S. and Canada don't have the power to push the council to protect human rights, and the European Union would rather sacrifice Israel and hide its own weakness by joining the consensus. This gives the enemies of human rights a façade of credibility. It also leaves U.S. taxpayers, who foot 22% of the bill for all of this, with only one option: Stop funding the U.N. Human Rights Council. Ms. Bayefsky edits www.EyeOnTheUN.org, is a senior fellow at the Hudson Institute and is a professor at Touro College in New York. U.N. Human Rights Council.