

United States Mission to the United Nations

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Explanation of Vote by Ambassador John R. Bolton, U.S. Permanent Representative to the United Nations, on the Human Rights Council Draft Resolution, in the General Assembly, March 15, 2006

Thank you, Mr. President,

Since the creation of the United Nations in 1945, the United States has been one of the strongest proponents for its meaningful engagement on human rights issues. Eleanor Roosevelt, the U.S. delegate to the first UN Commission on Human Rights, was one of the driving forces in the drafting of the Universal Declaration on Human Rights. The United States has been on the forefront of human rights and democracy promotion - both in our own nation and around the world.

The United Nations was founded on the principle that nations must cooperate with one another to help alleviate human suffering. In coming years, we will be judged on whether we created UN human rights machinery that was effective and strong. We must determine whether the UN Human Rights Council will be a body that the world will respect and take seriously - a status no longer characteristic of the UN Commission on Human Rights.

UN Secretary General Kofi Annan established ambitious but appropriate goals for the effort to reform the Commission on Human Rights. Though all of us recognized that the Commission on Human Rights needed changing, it was the Secretary General who framed the discussion by saying that "the Commission's capacity to perform its tasks has been increasingly undermined by its declining credibility and professionalism," which "casts a shadow on the reputation of the United Nations system as a whole."

To help the Member States move forward, he made a number of proposals to improve the body, as did the United States and other Member States. We appreciate UNGA President Jan Eliasson's efforts to create an effective human rights body, as well as the efforts of Ambassador Kumalo and Ambassador Arias. Through their leadership, some of these goals were achieved with this text, and there are provisions that make improvements over the existing Commission on Human Rights. But on too many issues the current text is not sufficiently improved.

In focusing on the membership of the body, the United States was in excellent company. The Secretary-General had targeted this as the fundamental problem with the Commission, noting, "states have sought membership of the Commission not to strengthen human rights but to protect themselves against criticism or to criticize others." We strongly agreed with the Secretary-General, and our preeminent concern was always about the credibility of the body's membership.

The Secretary-General also proposed a strong tool to fix this - he proposed that the Council elect its members by a two-thirds majority. This proposal is not included in the resolution before us today, and it should be. The higher hurdle for membership would have made it harder for countries that are not demonstrably committed to human rights to win seats on the Council. It would have helped to prevent the election of countries that only seek to undermine the new body from within.

The United States also proposed an exclusionary criteria to keep gross abusers of human rights off the

Council. This proposal would have excluded Member States against which measures are in effect under Chapter VII of the UN Charter related to human rights abuses or acts of terrorism. We also expressed a willingness to consider alternatives to satisfy the need for a strong mechanism to exclude the worst human rights violators.

Sadly, these suggestions were not included in the new text. The resolution before us merely requires Member States to “take into account” a candidate’s human rights record when voting. And the provision for the General Assembly to suspend an elected member of the Council requires a two-thirds vote, a standard higher than that for electing members.

Our position on the need for a strong, credible membership is one of principle, and one we know that others here today share. We extend our appreciation to those Member States that agreed with our assertion that there should be no place on the new Council for countries where there is objective evidence of systematic and gross violations of human rights, or where United Nations sanctions have been applied for human rights violations. Some Member States have signed letters and plan to make statements to this effect. Although these commitments could not ultimately change our position on this draft resolution, they represent a welcome and appropriate effort on behalf of many dedicated Member States.

We had a historic opportunity to create a primary human rights organ in the UN poised to help those most in need and offer a hand to governments to build what the Charter calls “fundamental freedoms.” The Council that is created will be our legacy. We must not let the victims of human rights abuses throughout the world think that UN Member States were willing to settle for “good enough”. We must not let history remember us as the architects of a Council that was a “compromise” and merely “the best we could do” rather than one that ensured doing “all we could do” to promote human rights.

Mr. President, absent stronger mechanisms for maintaining credible membership, the United States could not join consensus on this resolution. We did not have sufficient confidence in this text to be able to say that the HRC would be better than its predecessor.

That said, the United States will work cooperatively with other Member States to make the Council as strong and effective as it can be. We will be supportive of efforts to strengthen the Council and look forward to a serious review of the Council’s structure and work. We remain committed to support the UN’s historic mission to promote and protect the basic human rights of all the world’s citizens. The real test will be the quality of membership that emerges on this Council and whether it takes effective action to address serious human rights abuse cases like Sudan, Cuba, Iran, Zimbabwe, Belarus, and Burma.

As always, our commitment to support all UN institutions that advance democracy and human rights remains a high priority, as does our commitment to ongoing reform efforts throughout the UN system.

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