

ECWF FACT SHEET

BIAS AGAINST ISRAEL IN THE UNITED NATIONS HUMAN RIGHTS COUNCIL IN GENEVA

1. What is the UN Human Rights Council (UNHRC)?

The Human Rights Council was created by the General Assembly in 2006 and is the main inter-governmental forum in the UN for questions relating to human rights.

None of the Council's resolutions and decisions are legally enforceable but they do contain strong political commitments.

Some countries use the UNHRC as a platform to advance their political agendas against Israel aware that they will receive press coverage.

2. Why do countries with glaring human rights records manage to become, or remain, members of the Council?

Nikki Haley, former US Ambassador to the United Nations, and others, have argued for reform of the criteria for membership on the Council. They argue that the world's worst offenders should not be not allowed to sit on the Council under any circumstances. <https://fas.org/sgp/crs/row/RL33608.pdf>

At present, any Country, can run for election. Countries get elected to the Council because of the voting process.

Composition of the Human Rights Council

The HRC is comprised of **47 member states** elected by an absolute majority of **193 member states** in accordance with a equitable geographical distribution weighted in favour of Asia and Africa.

13	African States
13	Asia-Pacific States
6	Eastern European States
8	Latin American and Caribbean States
7	Western European and other States

There is a system of fixed seats for *each* of the 5 regional groups which encourages the making of appointments based on an exchange of political favours.

Proposed amendments to the voting process include:

- making the voting process more OPEN or
- encouraging more States to stand for election.

Many would be surprised to learn that there are democratic countries who have never held a seat on the Council.

Below are two charts outlining recent and current HRC members who serve for a period of three years.

Countries cannot run for immediate re-election after they have served two consecutive terms.

Countries who currently sit on the Council and who have very questionable human rights records include *Qatar, Bahrain, the Philippines, Angola, Eritrea and Venezuela*. Former human rights 'violators' who sat on the UNHRC recently include *China and Cuba*.

Terms	African States (13)	Asian States (13)	Eastern European States (6)	Latin American & Caribbean States (8)	Western European & Other States (7)
2017—20	<u>Angola</u> <u>Democratic Republic of the Congo</u> <u>Nigeria</u> <u>Senegal</u>	<u>Afghanistan</u> <u>Nepal</u> <u>Pakistan</u> <u>Qatar</u>	<u>Slovakia</u> <u>Ukraine</u>	<u>Chile</u> <u>Mexico</u> <u>Peru</u>	<u>Australia</u> <u>Spain</u>
2016—19	<u>Egypt</u> <u>Rwanda</u> <u>Tunisia</u> <u>South Africa</u>	<u>China</u> <u>Iraq</u> <u>Japan</u> <u>Saudi Arabia</u>	<u>Croatia</u> <u>Hungary</u>	<u>Brazil</u> <u>Cuba</u>	<u>United Kingdom</u> <u>United States</u>
2015—18	<u>Burundi</u> <u>Ivory Coast</u> <u>Ethiopia</u> <u>Kenya</u> <u>Togo</u>	<u>South Korea</u> <u>Kyrgyzstan</u> <u>Mongolia</u> <u>Philippines</u> <u>United Arab Emirates</u>	<u>Georgia</u> <u>Slovenia</u>	<u>Ecuador</u> <u>Panama</u> <u>Venezuela</u>	<u>Belgium</u> <u>Germany</u> <u>Switzerland</u>

Asia-Pacific States (13)	Eastern European States (6)	Latin American & Caribbean States (8)	Western European & Other States (7)
2020–2022 [18]	<u>Libya</u> <u>Mauritania</u> <u>Sudan</u> <u>Namibia</u>	<u>Indonesia</u> <u>Japan</u> <u>Marshall Islands</u> <u>South Korea</u>	<u>Armenia</u> <u>Poland</u> <u>Venezuela</u>
2019–2021	<u>Burkina Faso</u>	<u>Bahrain</u>	<u>Bulgaria</u> <u>Argentina</u> <u>Austria</u>

[19]	<u>Cameroon</u>	<u>Bangladesh</u>	<u>Czech</u>	<u>Bahamas</u>	<u>Denmark</u>
	<u>Eritrea</u>	<u>Fiji Republic</u>		<u>Uruguay</u>	<u>Italy</u>
	<u>Somalia</u>	<u>India</u>			
	<u>Togo</u>	<u>Philippines</u>			
	<u>Angola</u>	<u>Afghanistan</u>			
2018–2020	<u>DR Congo</u>	<u>Nepal</u>	<u>Slovakia</u>	<u>Chile</u>	
[20]	<u>Nigeria</u>	<u>Qatar</u>	<u>Ukraine</u>	<u>Mexico</u>	
	<u>Senegal</u>	<u>Pakistan</u>		<u>Peru</u>	

*Source:Wikipedia https://en.wikipedia.org/wiki/United_Nations_Human_Rights_Council

3. Why is there so much focus on Israel in the UNHRC when notorious violators of human rights such as Iran, North Korea, Cuba, Venezuela, China or Russia are barely mentioned?

Human Rights Council sessions follow an order of the day where *ten* agenda items are discussed.

Israel is the **ONLY** Country in the world that has a dedicated or permanent item against it, **ITEM 7**.

ITEM 7 focuses on “the impact of the Israeli Occupation on Human Rights in Palestine and other occupied Arab Territories and it also covers the right of the Palestinian people to self-determination.”

In practice the existence of ITEM 7 means that Israel must be discussed at **each and every** meeting of the Council which makes it seem that Israel is a worse violator of Human Rights than countries like Syria, Iran or North Korea.

Item 7 was approved by the General Assembly in 2007 during the Bush Administration, at a time when the United States refused to run for a seat on the Human Rights Council. Inclusion of Item 7 was political.

Many have said that the decision of the Council to include ITEM 7 is an example of what can happen when the US is not actively safeguarding the interests of Israel at the UN.

Many countries, including the US and Israel, decline to attend debates under Item 7. These countries argue that any issues concerning Israel should be discussed under the General Debate Item 4 where matters about *any* country can be raised.

An example of what has been discussed under Item 7 recently was the initiative of the United Nations High Commissioner for Human Rights to create a database or 'blacklist' of all companies who do business in the Israel settlements in occupied territories.

ITEM 7

“Despite the promise of reform, the new council revived the infamous agenda item, now as Item 7. No other country in the world is subjected to a stand-alone focus that is engraved on the body’s permanent agenda, ensuring its prominence, and the notoriety of its target, at every council meeting. The council’s credibility and legitimacy remain compromised as long as one country is singled out while serial human rights abusers escape scrutiny. “ Hillel Neuer, UN Watch

Item 7 negates the council’s founding principles of non-selectivity and impartiality. Indeed, UN Secretary-General Ban Ki-moon criticized this act of selectivity a day after it was instituted. On June

20, 2007, Mr. Ban “voiced disappointment at the council decision to single out Israel as the only specific regional item on its agenda, given the range and scope of allegations of human rights violations throughout the world.”

Former UN Secretary Kofi Annan said “I believe the actions of some UN bodies may themselves be counterproductive. The Human Rights council, for example, has already held three special sessions focused on the Arab-Israeli conflict. I hope the Council will take care to handle the issue in an impartial way, and not allow it to monopolize attention at the expense of other situations where there are no less grave violations, or even worse”

UN Secretary -General Kofi Annan, addressing the Security Council, 12 December 2006

* All quotes cited in written testimony by Hillel Neuer of UN Watch speaking to Hearing of the Senate Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy
May 25, 2017

Britain’s Foreign Secretary Jeremy Hunt has also stated that Agenda Item 7 “undermines the credibility of the world’s leading human rights forum” and “obstructs the quest for peace in the Middle East.”

4. What is the evidence of a disproportionate focus by the UNHRC on Israel compared with other countries?

- From the UNHRC's creation in June 2006- June 2016, **135** resolutions have been passed criticizing countries. **68** out of these **135 were against Israel** which is a total of **more than 50%**.
- As of 2018, **Israel has been condemned in 78 resolutions by the Council** since its creation in 2006. The Council has resolved more resolutions condemning Israel than the rest of the world combined.
- In the 73rd session of the UN General Assembly (2018-2019) which meets in New York, the **EU states voted for 16 out of 21 resolutions singling out Israel** while failing to introduce **one** UN General Assembly resolution on the human rights situation in China, Venezuela, Saudi Arabia, Belarus, Cuba, Turkey, Pakistan, Vietnam, Algeria, or on 175 other countries. Only **one** resolution each was introduced to criticize Iran, Syria, North Korea, Crimea, Myanmar and the U.S. for its embargo on Cuba.
- A 2016 Brookings Institution report on *Country Specific scrutiny at the UNHRC* notes that: “Since 2006, the Human Rights Council has mandated 16 commissions of inquiry. **Of those 16, seven (almost half) concern Israel/Palestine.** Since 2006, Human Rights Council mandated commissions of inquiry have submitted 35 reports to the Council. **Reports on the human rights situation in Israel/Palestine accounted for 12 of the 35 reports, or roughly 34 percent.**

* Country Specific Scrutiny at the UNHRC, Ted Piccone and Naomi McMillen, May 2016 Working Paper. Brookings Institution

5. What is the position of European Union member states on Item 7

EU member states are mostly passive actors who avoid taking a principled stand against the disproportionate focus on Israel relative to the other 175 countries. For some, this may be because the European Union policy is not to recognize any changes to borders since Israel's victory in the 1967 war (6 day war), including with regard to Jerusalem, other than those changes agreed to by Israel and the Palestinians.

Noteworthy Western European countries have started to speak out because they recognize that the UNHRC has lost its credibility and because many grave human rights situations receive little or no attention by the Council.

In 2018, **Britain**, for the first time in history, voted 'no' to all four Arab-sponsored resolutions which attacked Israel pursuant to Item 7.

Denmark, a new member of the Council, also fully supported Israel on the four votes.

On the annual “accountability” resolution that called on prosecution of Israel IDF Soldiers for “war crimes”, Brazil, Ukraine and **Hungary** changed their votes to “no”.

**UN Watch, 23 May 2019 on-line briefing*

6. Why is it important to teach high school and university students about the disproportionate attention Israel receives in the United Nations Human Rights Council?

Very few NGOs speak out regularly against the systemic anti-Israel bias in the UN.

Some noteworthy NGOs who fight tirelessly for fair treatment of Israel in the UNHRC include [UN Watch](#), [World Jewish Congress](#) and [the European Union of Jewish Students \(EUJS\)](#).

The younger generation cannot develop a critical perspective unless they are informed of how the UNHRC works in practice.

School children are taught that the United Nations is a global, intergovernmental organization established after the second world war to maintain international peace and security. At its inception the UN had 51 member states while today it has 193. The UNHRC is one of the most widely recognized transnational human rights bodies.

Model United Nations (MUN), is an educational simulation and/or academic activity in which students can learn about diplomacy, international relations and the United Nations. MUN involves and teaches participants speaking, debating, and writing skills, in addition to critical thinking, teamwork, and leadership abilities. https://en.wikipedia.org/wiki/Model_United_Nations . Some University MUN programs do include the UN Human Rights Council (example: <https://www.harvardmun.org/unhrc>)

The United Nations provides a guide for schools who do MUN. <https://www.un.org/node/44556>

However commendable this educational simulation is, students must be taught critical thinking. They should understand that the Human Rights Council, one of the world's most *visible* international human rights bodies, does not always act in good faith or with neutrality. While the United Nations does commendable work in certain arenas, its human rights institution must not be idealized. The young are often passionate about social justice issues, certainly Human Rights and protection of the environment, however more can be done to educate them about real world politics. Doing so will help them evaluate critically the fairness of political institution voting rules and processes.

Because the bulk of Countries eligible for UNHRC membership vote according to regional loyalties and political interest, it is obvious to many, including UN Secretary-Generals, that Israel is attacked disproportionately relative to other countries.

The world's media picks up on every decision made by the UNHRC against Israel. And the constant stream of negative publicity erodes beliefs many have concerning Israel's right to exist as a nation and to defend itself when necessary.

Specific example:

At the UN's annual *Commission on the Status of Women* meeting in 2017, [Israel was singled out as the only country in the world subjected to a condemnatory resolution on women's rights.](#) Out of the

Commission's 45 members, only Canada, the United Kingdom, Guatemala and Israel objected to the resolution while 30 voted in its favour. 11 Countries abstained.

The NGO *UN Watch* put out a statement on its website highlighting the absurdity of this:

“The Jewish state was harshly and repeatedly condemned in the resolution for allegedly being the “major obstacle” for Palestinian women “with regard to their advancement, self-reliance and integration in the development of their society. The resolution made no mention of how Palestinian women’s rights are impacted by Hamas, the Palestinian Authority, or their patriarchal society, nor were Palestinian victims of honor killings mentioned. Further, the UN commission ended its session by ignoring the world’s major abusers of women’s rights, including Saudi Arabia, Iran, Pakistan, and many others.”

And if this wasn’t enough, Saudi Arabia officially joined the Council on the Status of Women that same afternoon.

7. What is the United States Policy on the UN Human Rights Council?

In June 2018, the United States withdrew its membership on the UNHRC a second time citing a similar lack of confidence in the Council's credibility. Mme Nikki Haley accused the UNHRC of chronic anti-Israel bias noting that “when the Human Rights Council treats Israel worse than North Korea, Iran and Syria, it is the Council itself that is foolish and unworthy of its name. It is time for the countries who know better to demand changes.”

The United Nations Human Rights Council: Background and Policy Issues (Updated February 26, 2019) Congressional Research Service Report <https://fas.org/sqp/crs/row/RL33608.pdf>

The Council’s ongoing focus on Israel has continued to concern some Members of Congress. In addition to singling out Israel as a permanent part of the Council's agenda, other Council actions—including resolutions, reports, and statements by some Council experts—have generated significant congressional interest for what many view as an apparent bias against Israel. For example, some Members of Congress demonstrated considerable concern with a September 2009 Council report (often referred to as the “Goldstone Report” after the main author, Richard Goldstone, an independent expert from South Africa), which found “evidence of serious violations of international human rights and humanitarian law,” including possible war crimes, by Israel. The report received further attention in April 2011, when Goldstone stated that the report’s conclusion that Israel committed possible warcrimes may have been incorrect. In addition, the statements and findings of Richard Falk, the Council's previous Special Rapporteur on the Situation of Human Rights on Palestinian Territories Occupied since 1967, have drawn considerable criticism from many U.S. policymakers for apparent bias against Israel. More recently, some Members of Congress have expressed alarm regarding a March 2016 Council resolution that, among other things, requested OHCHR to produce a database of all business enterprises that have “directly and indirectly, enabled, facilitated and profited from the construction and growth of the (Israeli) settlements.” The United States has opposed this resolution. Some experts suggest that the Council’s focus on Israel is at least partially the result of its membership composition. After the first elections, members of the Organization of Islamic Cooperation (OIC) held 17 seats on the Council, accounting for about one-third of the votes needed to call a special session. 15 OIC members currently serve on the Council. Some experts contend that blocs such as the African Group and Non-Aligned Movement (NAM), who may at times account for the majority of Council seats, tend to view economic and security issues as more important than human rights violations.”