

-Humanitarian Law RULES!

Center for the Study of Humanitarian Law
Newsletter

What Does the U.S. Withdrawal from the U.N. Human Rights Council Really Mean for Human Rights?

Reading through the transcript of U.S. Ambassador to the U.N., Nikki Haley announcing the U.S. withdrawal from the U.N. Human Rights Council (the Council) on June 19, 2018, at first seems reasonable as she explains the two specific reasons for the split: (1) the Council's biased focus on and against Israel, and (2) the Council's admission and inclusion of countries with major human rights violations. After giving the Council an ultimatum a year ago in Geneva to reform or see the U.S. leave, the U.S.'s departure merely propagandizes the idea that staying on the "hypocritical" Council legitimizes it.¹ Reading the situation that way, one may think the U.S. is simply playing hard ball, fulfilling a year-old promise.

Yet, a deeper look into the situation, the players, and their motivations sheds light on what's really happening on the U.N.'s stage.

Ms. Haley's concerns are not new, nor unique to her position.² When the Council was re-formed in 2005, then-President Bush opted not to join, yielding to pressure from then-U.N. Ambassador John Bolton, who now holds the position of National Security Advisor for U.S. While President Obama and U.S. Ambassador to the U.N., Samantha Power acknowledged the same concerns in 2008, they believed they could have more influence by working and lobbying within the Council rather than outside it. A 2017 comparative report by the Council on Foreign Relations concluded that Israel-specific resolutions decreased by more than half after the U.S. joined the Council in 2009, supporting their approach.³

While both U.S. political parties can agree that it is important and vital to the international community that the U.S. stand up for global human rights, they may disagree which path should the U.S. take to achieve that goal.

Unfortunately, Ms. Haley's demand last year and The U.S.'s departure from the Council was mostly for theatrics and her publicly-placed blame on various NGOs for supposedly undermining her efforts was pure gas lighting.⁴

It is interesting to note that the announcement of the U.S.'s departure from the Council came one day after the U.N. criticized the Trump Administration's order to criminalize illegal entry and asylum-seekers at the U.S. border, thus separating families without communication or a timeframe for being reunited – arguably a human rights issue.

Even with President Trump leading the U.S., it is a powerful nation. Its recent actions suggest that the U.S. does not want to fight on behalf of human rights as Ms. Haley claims it does. Rather, the U.S.'s withdrawal from the Council does the exact opposite, as removing U.S. leadership can allow state actors with negative human rights records more influence on the direction of the Council. President Trump's true motivations for withdrawal are unknown, but given his Administration's human rights record, the U.S. departure was likely never about actually legitimizing human rights.

¹ <https://www.state.gov/secretary/remarks/2018/06/283341.htm>

² <https://www.undispatch.com/nikki-haley-wants-two-reforms-un-human-rights-council-else/>

³ <https://www.undispatch.com/the-united-states-is-quitting-the-un-human-rights-council-heres-why-thats-a-bad-idea/>

⁴ <https://edition.cnn.com/2018/06/21/politics/haley-human-rights-groups-spat/index.html>

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June 2018

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