

Conflict Prevention and Resolution Forum

“How is the United Nations promoting human rights and what is the role of the United States?”

March 14, 2006

The March CPRF addressed how the United Nations is promoting human rights and what the role of the United States is. Speakers were Michael Posner, President of Human Rights First; Lee Feinstein, Senior Fellow for U.S. Foreign Policy and International Law and Deputy Director of Studies at the Council on Foreign Relations; and Theodore Piccone, Executive Director and Co-Founder of the Democracy Coalition Project.

Michael Posner spoke in a broad context about the United Nations Commission on Human Rights (UNCHR), its first chair Eleanor Roosevelt and the standards she set for the Commission. He addressed the debate over the proposal for a new Human Rights Council which would replace the existing current Human Rights Commission. Posner outlined seven elements of the current debate:

- The need for greater accountability on War Crimes;
- Duty or responsibility to protect (how does a body that is focused on human rights deal with emergencies effectively and quickly?);
- Process of mainstreaming human rights issues;
- Process of operating in the field (the US has been instrumental and a major benefactor in augmenting forces and operational personnel sizes of many of the organizations responsible for fieldwork);
- How to strengthen treaty obligations (why use an international body when it can just be overruled?);
- Monitoring and strengthening special procedures;
- How to fix the political apparatus (it currently operates poorly, slowly and too bureaucratically).

Mr. Posner explained that a major challenge to the proposed council is the United States' desire to project its will onto the outcome of the vote. He used the analogy of “a flying buttress” to describe the way that the U.S. tells others what to do and what they do not like. He sees the new proposed Council as a step away from a discredited institution that can no longer function. He makes a careful distinction that within the proposed Council is not seen as ideal and that many measures were not fought for as hard as they should have been, but that the overall result will be positive if the Council passes. Lastly, Posner stressed that the Council needs to be viewed within the context of the larger United Nations system.

During his presentation, Lee Feinstein commented that after the damaging effects of the image of the UN and the United States in the public eye (because of the Iraq War for example), the UN

has engaged in a serious self-reflection phase. One product of that phase is the proposal for a new human rights body that is more capable of acting and enforcing. Kofi Annan, despite his managerial problems, deserves credit for his efforts to improve the UN. Feinstein sees a tremendous amount of agreement on the major issues concerning human rights. Since most of the goals of the United States and the UN globally are similarly aligned (though implementation and bureaucratic processes differ greatly), there is at least an ongoing dialogue and opportunity for common ground to be reached. While Feinstein is not opposed to the Council, he feels that it is not adequate. He would rather see more negotiations for a firmer election process within the proposed Council

Ted Piccone suggests that the democracies of the UN form a formal caucus to coordinate on democracy and human rights issues. He pointed to an example of an informal caucus, "The Community of Democracy," currently chaired by Mali, and formerly by Chile. Piccone feels there are three main groups in the UN - strong champions of human rights who support the human rights initiatives and lobby for them; spoilers who benefit from a weak UN in terms of human rights enforcement; and a middle group that moves according to its temporal goals, wants, and allies. Piccone spoke about the proposed Human Rights Council and the improvements he views it has over the Commission. It would meet more frequently, thus allowing for a faster response to situations and more flexibility in crisis situations. The direct and individual voting would result in more competition in the election and campaigning of seats. It would help to keep (though not guarantee) member states with human rights violations from getting a seat on the Council. Finally, Piccone points out that all countries up for election to the Council would be subject to periodic review. He emphasized that while the U.S. has held a strong position against the proposed Council, it and other member states must cooperate for the Council to be effective.