

Testimony
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Chairman Pitts, and members of the Tom Lantos Human Rights Commission, thank you for inviting me to testify today.

It is truly an honor to appear before this Commission, named for a great champion of human rights and advocate for U.S. leadership on these fundamentally important issues.

As you've said, this year marks the tenth anniversary of the establishment of the United Nations Human Rights Council (HRC), set up to replace its widely discredited predecessor, the UN Commission for Human Rights. As you know, the United States did not join the HRC until 2009, when this Administration determined that our active engagement would advance U.S. interests, by providing much-needed leadership to focus the Council on the most pressing and serious human rights challenges.

A review of the HRC's performance prior to our membership and since 2009 shows that there's no comparison. We made the right decision.

In its first three years, the Council failed to carry out its responsibility to promote universal respect for the protection of human rights, establishing no new country-specific special procedure mandates, eliminating mandates for Cuba and Belarus, and targeting Israel with five separate special sessions. Just prior to our joining the Council, the HRC in May 2009 adopted a resolution effectively congratulating the Sri Lankan government for actions that resulted in the deaths of tens of thousands of civilians. The Council oversaw a weakening of its defense of freedom of expression, allowing deeply troubling measures against defamation of religion to prosper, and largely ignored ongoing challenges to civil society throughout the world.

Working in concert with the like-minded members as a member of the Human Rights Council from 2009 through 2015, the United States pushed the HRC to condemn violations and establish effective mechanisms as never before. We have succeeded in:

First-- focusing on human rights violations by North Korea, including support for the Special Rapporteur and the establishment of a landmark Commission of Inquiry -- whose report drew worldwide attention to the DPRK's violations, including those that it said may amount to crimes against humanity, and prompted the UN Security Council to take up human rights in North Korea as a permanent agenda item;

Second-- highlighting Iranian human rights violations, including those involving political and religious repression, and the establishment of a Special Rapporteur on Iran;

Third -- establishing and sustaining UN monitoring of violations and abuses in Syria, particularly through the efforts of the Commission of Inquiry on Syria to help build the case for future accountability;

Fourth -- in 2010, creating the first new Special Rapporteur focused on fundamental freedoms in 17 years, the Special Rapporteur on the rights to freedom of peaceful assembly and freedom of association. That mandate was renewed in 2013;

Fifth -- promoting, through HRC resolutions and special procedures mechanisms, the rights to freedom of expression and association – including on the Internet, the elimination of discrimination against women and girls, and the human rights of LGBTI persons;

Sixth -- gaining the support of 78 UN member states to join us in an HRC statement countering violent extremism, while promoting human rights and fundamental freedoms;

Next, we secured the HRC's first resolution urging states to protect a child's and a woman's right to nationality;

-- We've also established a UN investigation into violations and abuses of human rights and related crimes committed in Sri Lanka during its civil war; and

-- Finally, we have addressed the human rights situation in Burma, including anti-Muslim violence and the plight of the Rohingya population, and ensuring the continuation of a Special Rapporteur on Burma.

We have strengthened the participation of civil society organizations in the Council's work and focused more attention on the shrinking space for civil society and the threats faced by journalists, human rights defenders and other activists. These issues were previously underrepresented or ignored altogether in the Council. Today, they are at the core of the UN Human Rights Council's agenda.

The HRC's actions shine a light on the worst violations of human rights and help create space for civil society to hold their governments to account. Civil society groups in Iran and Sri Lanka have recounted how valuable the Council's resolutions have been to their advocacy efforts. The HRC's work on technical assistance and cooperation on human rights has also spurred positive changes, with many countries seeking assistance and welcoming OHCHR offices in their countries to train police on human rights, improve elections, strengthen the judiciary, and help build civil society, to name just a few.

Of course, the Council remains an imperfect body. The HRC's current membership includes many states with poor human rights records. Many member states are opposed to country-specific resolutions in nearly all cases and keen to divert attention away from real human rights challenges. The abuse of procedure – for example, hostile amendments, no-action motions, objections to NGO participation, and introduction of competing resolutions – is on the rise. The tendency toward bloc voting is still strong. Finally, the Council maintains an agenda item, as you

said Mr. Chairman, devoted exclusively to the human rights situation in the Palestinian territories, which stands as a clear indication of its strong bias against Israel.

When we are on the Council, our presence, however, ensures that there is at least one member to call a vote and vote against anti-Israel resolutions, so that they at least do not pass by consensus. Prior to our joining the HRC, over one-half of all country-specific resolutions the Council adopted concerned Israel. Thanks to our leadership in greatly expanding the number of resolutions on situations in places like Syria, North Korea, and Iran, and our efforts to minimize the time and attention devoted to anti-Israeli measures, today about one-fifth of the HRC's country resolutions deal with the Palestinian territories. That's still far too many, but there is no doubt that the re-orientation of the HRC to deal with the world's worst violators would not have been possible without the U.S. in the chamber as a member. Indeed, with us off the Council this year – taking a mandatory year off while seeking re-election in the fall – the annual anti-Israel Item 7 resolutions were called to a vote at last month's session, but without any country voting “no.”

In this year off the UN Human Rights Council, the United States is as engaged as ever in supporting the Council as it acts in furtherance of its mandate, promoting universal respect for the protection of human rights worldwide. We intend to continue working closely with our friends and adversaries alike to help shape its agenda, fight bias against Israel, and advocate for a membership committed to taking on human rights challenges with courage and principled conviction. More can and must be done to expose and promote accountability for human rights violators and promote the values that we as Americans hold dear.

Thanks to our active engagement and leadership, the UN Human Rights Council is rather much closer to meeting its purpose and potential, and considerably more effective, than it used to be. Our national interest is served when multilateral institutions like the HRC work according to their missions, effecting change (however incremental at times) in situations that require collective action or in which our efforts alone could be easily dismissed as politically motivated.

Without the U.S. and fellow democratic states on the Council, the HRC would quickly become irrelevant, or much worse. With us there, we will continue to have a powerful voice in determining its course and helping it live up to its mission as the world's foremost human rights body.