



General Assembly

Distr.
GENERAL

A/HRC/S-2/NGO/7
11 August 2006

ENGLISH ONLY

HUMAN RIGHTS COUNCIL
Second special session
11 August 2006

**Written statement* submitted by United Nations Watch (UN Watch),
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[10 August 2006]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s) and its content is the author's sole
responsibility.

Today the UN Human Rights Council holds yet another Special Session to single out Israel for denunciation, this time over the war ignited by Hezbollah. Even if the sponsors of this session had good intentions, as a General Assembly subsidiary the Council is precluded by Article 12 of the UN Charter—and common sense—from tackling a dispute that is already before the Security Council. But as recent events have proven, the world body's human rights institutions are—tragically—willing to break even their own most basic rules in the mad rush to slam the Middle East's only democracy.

Like its two previous sessions, Council members today will solemnly assemble, denounce Israel—while ignoring mass killing of black Africans in Sudan, the jailing of journalists in Cuba, repression of women in Saudi Arabia, and countless other violations in the UN's other 191 countries—and then congratulate themselves on a job well done.¹

That this session will run afoul of the UN's own rules, and give strength and succor to Hezbollah and Hamas and their sponsors, Iran and Syria, was perhaps to be expected after the silence that greeted identical trespasses by related UN human rights bodies.

CERD's Abuse of Mandate

First, it was the Committee on the Elimination of Racial Discrimination (CERD).²

Many thought the UN's 1991 repeal of the "Zionism is Racism" resolution marked an end to the world body's promotion of this canard. Not so. On the same day that Iran's President Ahmadinejad renewed his call for the destruction of the Jewish state, the UN's top racism committee revived the racism libel against Israel, thereby supplying Teheran with renewed international moral justification for its stated goal.

Last Thursday, the CERD suspended its normal work to address "the humanitarian crisis in Lebanon." Not only is this topic entirely outside CERD's mandate, but it was framed in a lopsided manner, so that the humanitarian suffering of Israeli civilians would be entirely ignored.

Since July 12, when Hizbullah ignited the crisis by crossing the international border to murder and kidnap Israeli soldiers, the Iran-sponsored terrorist organization has fired more than 3,000 rockets into Israel. A million Israelis are either displaced or living in and out of bomb shelters, dozens have been killed, while further thousands have been injured.³ Yet one would not know any of this from the CERD's presentation of the issue.

The special CERD session was the initiative of a few panel members led by Mahmoud Aboul-Nasr, a former Egyptian diplomat and Arab League official. Mr. Aboul-Nasr is notorious for his 1998 support of convicted Holocaust denier Roger Garaudy, which was

¹ See Hillel Neuer, "[The UN and Israel](http://www.unwatch.org/site/apps/nl/content2.asp?c=bdKKISNqEmG&b=1317489&ct=2837385)," Canada's *National Post*, July 26, 2006.

² See Hillel Neuer, "[Where Israel Still Equals Racism](http://www.unwatch.org/site/apps/nl/content2.asp?c=bdKKISNqEmG&b=1317489&ct=2872079)," *The Jerusalem Post*, August 10, 2006.

³ See Professor Irwin Cotler, MP, "[Israel, Terrorism and the Laws of War](http://www.unwatch.org/site/apps/nl/content2.asp?c=bdKKISNqEmG&b=1317489&ct=2865921)," *CJN*, August 3, 2006.

roundly criticized at the time by his colleague (now CERD Chairman) Mr. Regis de Gouttes. Mr. Aboul-Nasr had stated before the panel that the Holocaust was "not sacrosanct" and justified questioning the number of Jews killed.

To his credit, Chairman de Gouttes began last Thursday's debate by listing the other UN entities already dealing with the crisis, and by warning his colleagues that "the trust and legitimacy of the Committee is at stake." In response, Mr. Aboul-Nasr objected to being "lectured on our competence and what we can't do," and demanded that the members "condemn Israel in the strongest terms."

Some of his colleagues were all too happy to oblige. Brazilian expert Jos Augusto Lindgren Alves accused Israel of "blatant racism," which, he added, was "at the root of its disproportionality" in Lebanon. He asked if Israel "would react the same way to exterminate an entire population if Hizbullah launched the same attacks from a non-Arab country." Jos Francisco Cali Tzay of Guatemala suggested that Israel's actions were close to "mass genocide." The South African, Patricia January-Bardhill, said that Israel's response reflected "institutionalized racism."

Pakistani member Agha Shahi justified Hizbullah's attacks on Israel as an exercise of "the right of resistance against occupation." Mr. Aboul-Nasr similarly asserted that Hizbullah is not a terrorist group but "a resistance movement," like the French resistance in World War II. Never mind that the UN in 2000 certified Israel's complete withdrawal from southern Lebanon to the international border, or that, in the words of UN Secretary-General Kofi Annan, "Hizbullah's provocative attack on July 12 was the trigger of this particular crisis."

A few lonely voices disagreed with the decision to tackle the Israel-Lebanon issue and the utter disregard of Hizbullah's role in provoking the crisis and attacking Israeli civilians, but they had little impact.

The Danish and American experts both argued that the issue was beyond the panel's mandate, but to no avail. The American expert — Ralph F. Boyd, Jr., former Civil Rights Division chief at the US Department of Justice — also strongly criticized his colleagues for giving Hizbullah, and its Syrian and Iranian sponsors, a free pass.

As the chairman had feared, the members who abused CERD's mandate — in service of a one-sided political agenda — seriously damaged the body's credibility, not to mention their own. With only incomplete and not necessarily reliable information about a distant and still ongoing conflict — the Brazilian even admitted his statements were based on what he saw on television and that he did not know exactly what was happening on the ground — they were quick to indict Israel on absurd charges of racism.

Yet they said nothing at all about a genuine concern: the longstanding, vicious incitement of racial and indeed genocidal anti-Semitism that Hizbullah spreads around the world, including via its Al Manar satellite TV network. This does not speak well for their expertise.⁴

⁴ See Professor Irwin Cotler, MP, "[Ten Questions on the War](http://www.unwatch.org/site/apps/nl/content2.asp?c=bdKKISNqEmG&b=1317489&ct=2869133)," *Montreal Gazette*, August 8, 2006. <http://www.unwatch.org/site/apps/nl/content2.asp?c=bdKKISNqEmG&b=1317489&ct=2869133>

Resolutions from the UN's vast archive of one-sided condemnations of Israel are frequently cited by Teheran to justify its goal of eliminating the Jewish state. Such denunciations are issued routinely by the UN's political bodies, particularly the General Assembly and the Human Rights Council, which are dominated by the Arab and Islamic blocs.

Unfortunately last week, the anti-Israel virus that has long plagued those bodies spread to infect a supposedly professional committee. Chalk this one up as a win for extremists led by Ahmadinejad — and a loss for Israel, CERD, and the UN as a whole. It is also a loss for the genuine victims of race discrimination in the world, who deserve a truly expert and objective UN racism body.

Sub-Commission's Abuse of Mandate

After last week's abuse of mandate by CERD was greeted by silence, we saw yet another one this week, this time by the Sub-Commission on Human Rights.

This body has as a prime directive the instruction not to address country-specific situations. On Monday, however, the Sub-Commission openly and expressly violated this mandate to do exactly that, in condemning Israel regarding the Lebanon war.

This violation of its own rules was not done in error but rather with malice aforethought. As happened at CERD, here too there was a voice of reason that called attention to the abuse of mandate that this UN human rights body was about to commit. Following is a quote from the official UN summary of Monday's meeting:

FRANCOISE JANE HAMPSON, Sub-Commission Expert, said there were two separate issues - whether to do this, and what to do if so. **The Commission had given express instructions that the Sub-Commission was not to pass country-specific resolutions.** She had no fundamental objection to challenging this, as long as the Sub-Commission was sure of what it was doing. It was inevitable to mention the country concerned. **The Sub-Commission needed to be sure that it was breaking the rules, and was doing so at the very year that its existence was at stake [...]** (*emphasis added*)

To her credit, Ms. Hampson also sought to remedy the biased draft by including a general reference to all victims "in the region" -- presumably to include Israeli victims as well -- but this was rejected by the final statement, which only spoke about Lebanese suffering.

Conclusion

It is astonishing that these and other egregious breaches of mandate are being ignored by the responsible UN leadership. With the basic credibility of the UN human rights system at stake, we urge Secretary-General Kofi Annan, High Commissioner for Human Rights Louise Arbour, and the Human Rights Council Chair to speak out and safeguard these vital institutions. The UN will be unable to speak credibly in the name of international law while its own institutions openly flout the terms of their own authority. Moreover, for the

UN to be credible and effective as a peacemaker and human rights promoter with both sides in the Middle East, it must exercise a balanced approach.

Otherwise, the greatest loser will be human rights victims around the world. By diverting all of its resources to denouncing Israel, the Human Rights Council seems to have forgotten that its power to call special sessions was designed to address gross and persistent abuses of human rights around the world, and not just one country repeatedly.

Don't other world crises—mass rape in Darfur, four million killed in Democratic Republic of Congo, repression and strife in Burma, East Timor, Somalia—deserve special sessions?

We note that Canada, Japan, and E.U.-affiliated countries opposed the resolution of the last special session, for its failure to condemn the crimes by Hamas and other Palestinian terror organizations.

UN watch urges all members, especially the democracies, to once again reject this misuse of the Council, by speaking out forcefully and opposing any one-sided resolutions.

- - - - -