

# The U.N., the U.S. and the Commission on Human Rights

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*Carol Reilley Urner, Laura Roskos*  
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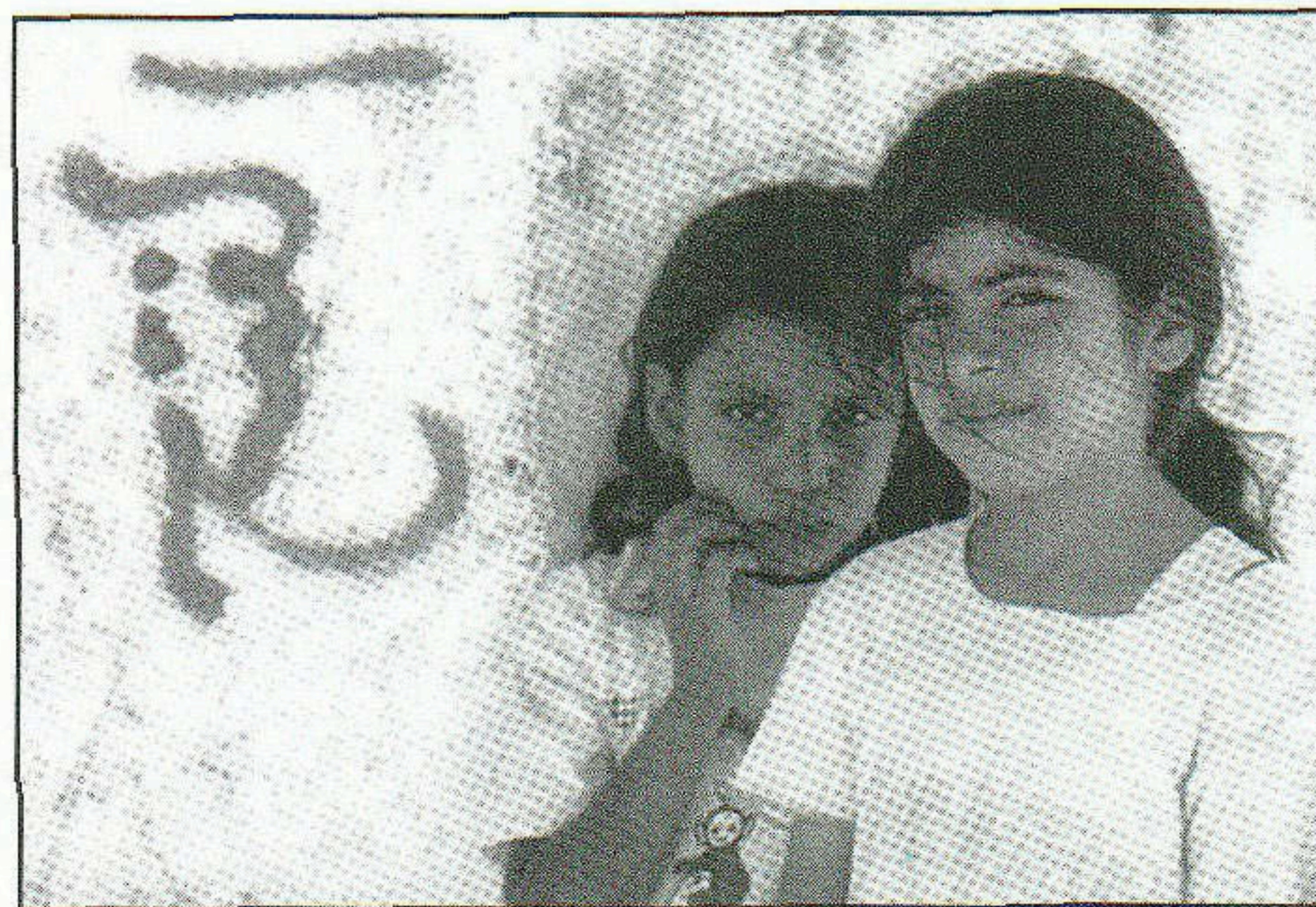
**F**or 58 years the Commission on Human Rights (CHR) has overseen the negotiation of a complex web of human rights treaties, codifying the vision of the Universal Declaration of Human Rights into international law. By now every nation in the world has ratified at least one of the six major treaties and entered the process of self-examination and reporting required under each treaty, bringing their own laws into conformity with agreed international standards. The European Union actually requires ratification of all six major treaties as a prerequisite for membership.

Of course the U.S. Administration and Congress are presently dominated by men who have never had much respect for the treaties that now form the basis for international human rights law. These are men who have redefined the four freedoms of Franklin Roosevelt — freedom of speech, freedom of religion, freedom from want and freedom from fear — as freedom to move capital, goods, services and labor across national boundaries. And of course they want these freedoms for legal persons (i.e. corporations) as well as for natural persons (i.e. human beings). In the United States today, these are the four freedoms that are now considered basic and that our government increasingly goes out on a limb to defend.

Of the six major human rights treaties, the U.S. Senate has ratified only three, and those only during the early Clinton Administration. These include the International Covenant on Civil and Political Rights (ICCPR) which codifies the first 22 articles of the UDHR into international law, and the international conventions on racial discrimination and against torture. The present administration has claimed to observe these laws, albeit grudgingly, but during the first five years in office failed to submit the required reports on progress in implementing them.

Now it appears that the present administration has been violating even the three ratified treaties, hence triggering an investigation by both the Commission on Human Rights, and the treaty bodies responsible for monitoring each individual treaty.

Perhaps in response to those investigations — and to memos prepared by U.S. civil society organizations and the City Council of Berkeley at the request of the Human Rights Committee (HRC which monitors the



Two young residents in the Acqba Jaber camp for Palestinian refugees in the West Bank. Located just outside Jericho, the camp is run by the United Nations Relief and Works Agency for Palestine Refugees. Photo: U.N.

ICCPR) — the U.S. State Department finally submitted the required reports in late 2005. Nonetheless, the State Department has still refused to answer questions on subjects like the Patriot Act, torture in Guantanamo and in Iraqi and Afghani prisons.

While this “constructive dialogue” has been playing itself out in Washington, D.C., New York and Geneva, the Bush Administration has become increasingly aggressive in its criticism of the United Nations in general and the CHR in particular. Nowadays, administration spokespersons usually refer to the Commission on Human Rights as “discredited.” This antagonism began after the Bush Administration took power, when, in 2002, the U.S. failed to gain a seat on the Commission despite intense lobbying towards that objective. That same year, the U.S. forced the resignation of Mary Robinson as High Commissioner for Human Rights. Since then, the White House has expressed vocal dismay at countries such as Libya, Cuba, Zimbabwe, Sudan and China being elected as members of the Commission. These recent hostilities are consistent with a more longstanding pattern of disruptive behavior. For example, U.S. State Department representatives, including Colin Powell, behaved antagonistically at U.N. sponsored global summits in Durban and Johannesburg, and dashed the hopes of women from around the world with their obstructionist stance toward reaffirmation of the 1995 Beijing Platform for Action on its 10th anniversary.

In the months leading up to last September’s U.N. Reform Summit, the U.S. pushed hard for dismantling the Commission. The Administration pressed for reorganizing human rights work under a new umbrella: a smaller human rights council no longer subsidiary to the Economic and Social Council. Despite mounting international criticism, the U.S. still perceives itself as a

*Continued on page 27* ➤

## ➤ HUMAN RIGHTS

from page 13

leader in human rights. Therefore, its ambassador argued that membership in this slimmed-down body should be limited to states with good human rights records, in part, because the new council would have power to request the Security Council to impose sanctions or take military action against those it judged to be abusing human rights.

Kofi Annan and a significant number of other governments also sought replacement of the commission with a council and this was approved in principle at the 2005 U.N. Reform Summit. Its parameters were to be negotiated under the leadership of the President of the General Assembly.

However, as of this writing, negotiations on the size, shape and functions of the new Council are thus far not producing the body the Bush Administration and some others have sought. Other nations are resisting reforms that will result in a smaller Council the U.S. can dominate and early negotiations indicated little reduction in size. Supervision has indeed shifted from the Economic and Social Council as the U.S. demanded, but the new Council is still under the General Assembly, rather than an independent entity as the U.S. proposed. And the General Assembly, where the U.S. sits as just one among 191 nations, insists upon remaining true to the U.N. Charter, the treaties already negotiated, and the three pillars of the U.N.: human rights, human security and the right to development.

International WILPF is watching the process carefully, and working to ensure that NGOs will continue to have significant access and influence in the Human Rights monitoring and oversight processes. We hope the new Council will continue the vital work the Commission on Human Rights has accomplished, helping all nations to move forward in their observance and implementation of human rights law.

In U.S. WILPF our task is moving our own country toward adherence to the three treaties already part of the supreme law of our land. Members of WILPF's Advancing Human Rights/CEDAW Issue Committee have been participating in a working group comprised of U.S.-based civil society organizations which has been in dialogue with the U.N. Human Rights Committee over domestic violations of the International Covenant on Civil and Political Rights. Copies of some of the reports filed with the HRC through this process are now available on the WILPF website at:

[www.wilpf.org/issues/humanrights/shadowreport.htm](http://www.wilpf.org/issues/humanrights/shadowreport.htm)

At the same time, WILPF recognizes the urgency of ratifying the other three treaties. Shamefully the U.S. is one of very few governments (and the only developed

nation) which has not ratified CEDAW on women's rights, and the only national government in the world which has not ratified the Convention on the Rights of the Child (CRC).

Especially important, however, is the International Covenant on Economic, Social and Cultural Rights (ICESCR) which codifies the last eight articles of the Universal Declaration of Human Rights into law. The ICESCR directly challenges the commodification of natural resources, such as water, land and all other natural resources, as well as the commodification of social goods such as education and healthcare. In addition, WILPF sees the ICESCR as a potentially powerful tool for dismantling militarism and corporatism. Nations that have embraced human rights (such as those in the European Union, all of which have ratified six major human rights treaties) have had more success in making room for both entrepreneurship and the common good, and in balancing aspects of capitalism and socialism while ensuring human security and human rights. As members of an international organization, we can help the U.S. learn from the experiences of those nations.

More than 90 years ago Jane Addams and our other foremothers began WILPF's work on both human rights and ending the scourge of war. Eleanor Roosevelt and countless other WILPF members have done much to move the process forward. We must remain committed to continuing the work that they began.

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## ➤ TRUTH, RECONCILIATION

continued from page 8

member Ann Powers. "I felt the need to be part of that (TRC) process and I felt like I was."

For more information visit [www.greensborotrc.org](http://www.greensborotrc.org) or [www.gjf.org](http://www.gjf.org).

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*Lucy Wagner Lewis is a long-time WILPF member. She and her mother, the late Jean Wagner, were among those in Greensboro on November 3, 1979. Jean Wagner was a former WILPF Southern Regional Vice-President, who had been part of a WILPF delegation to Northern Ireland in the mid '70s to witness human rights abuses in that country.*