

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5476

To withhold United States funding from the United Nations Human Rights Council.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mr. STEARNS (for himself, Mr. NORWOOD, Mr. WESTMORELAND, Mrs. CUBIN, and Mr. OTTER) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To withhold United States funding from the United Nations Human Rights Council.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The new United Nations Human Rights  
6 Council fails to adequately reform the United Na-  
7 tions Commission on Human Rights, thus pre-  
8 venting the Council from becoming an effective mon-  
9 itor of human rights throughout the world.

1           (2) The United Nations Commission on Human  
2 Rights was created in 1946 to monitor and prevent  
3 the abuse of human rights throughout the world. It  
4 has failed miserably to uphold even the most basic  
5 ideals enumerated in the United Nations Charter  
6 and the Universal Declaration on Human Rights. It  
7 has lost its credibility as an instrument for the pro-  
8 motion and protection of human rights and has in-  
9 stead allowed repressive regimes to shield themselves  
10 from criticism for their human rights violations.

11           (3) The membership of the United Nations  
12 Commission on Human Rights has constituted some  
13 of the worst abusers of human rights in the world,  
14 including the tyrannies of Cuba, Sudan, Libya,  
15 Belarus, the People's Republic of China, and  
16 Zimbabwe.

17           (4) The United Nations Commission on Human  
18 Rights failed to act or speak out against numerous  
19 cases of egregious human rights abuses, including  
20 the countless atrocities committed by communist re-  
21 gimes, the genocide in Rwanda in 1994, and the on-  
22 going genocide in Darfur caused by the Government  
23 of Sudan.

24           (5) The United Nations Commission on Human  
25 Rights failed to condemn countries that sponsor ter-

1       rorism (a glaring affront to human rights), including  
2       Iran, Syria, and North Korea.

3           (6) The United Nations Commission on Human  
4       Rights had repeatedly vilified Israel, the only democ-  
5       racy in the Middle East, while overlooking horrific  
6       human rights abuses throughout the Middle East. A  
7       recent study found that 30 percent of all country-  
8       specific resolutions of the Commission critical of  
9       human rights have been directed at Israel, but none  
10      against persistent violators like China, Myanmar,  
11      Syria, or Zimbabwe.

12          (7) United Nations Secretary General Kofi  
13      Annan has repeatedly emphasized that meaningful  
14      reform of the United Nations Commission on  
15      Human Rights is a key element for making the  
16      United Nations more accountable, effective, and effi-  
17      cient, and that “the Commission’s declining credi-  
18      bility has cast a shadow on the reputation of the  
19      United Nations system”.

20          (8) The creation of the United Nations Human  
21      Rights Council on March 15, 2006, failed to address  
22      the serious shortcomings of the United Nations  
23      Commission on Human Rights and fell far short of  
24      creating the small standing body composed of appro-  
25      priate countries that was initially envisioned by the

1 Secretary General Annan, in his March 2005 report,  
2 “In Larger Freedom: Towards Development, Secu-  
3 rity and Human Rights For All”.

4 (9) The United Nations Human Rights Council  
5 succeeds only in making superficial changes to the  
6 structure of the United Nations Commission on  
7 Human Rights, masquerading motion as reform and  
8 placebo as treatment.

9 (10) The United Nations Human Rights Coun-  
10 cil does not embody the recommended institutional  
11 reforms necessary to advance human rights.

12 (11) The United Nations Human Rights Coun-  
13 cil cannot monitor cases of human rights abuse  
14 throughout the world, nor even prevent egregious  
15 human rights violators from being elected to the  
16 council itself. The only supposed protection—that a  
17 country can be suspended if two-thirds of the mem-  
18 bers of the General Assembly agree to do so—is use-  
19 less, since less than half of the General Assembly  
20 could agree that Sudan was guilty of any human  
21 rights violations.

22 (12) The United Nations Human Rights Coun-  
23 cil only reduces the number of seats on the council  
24 to 47 from 53, which is not enough to make the  
25 Council more efficient or more effective.

1           (13) The United Nations Human Rights Coun-  
2           cil also retains geographical quotas that will only en-  
3           sure that human rights abusers will continue to have  
4           access to membership on the council. Indeed, Israel,  
5           a constant target of United Nations ire, had been  
6           discriminated against by being denied full  
7           participatory rights in regional group meetings asso-  
8           ciated with the operation of the United Nations  
9           Human Rights Commission, while non-members of  
10          the United Nations, such as the Holy See and the  
11          Palestinian observer, participated in such meetings.  
12          The geographic quota system ensures a majority of  
13          membership slots for the world's least democratic re-  
14          gions.

15          (14) The United States, while voting against  
16          the resolution creating the United Nations Human  
17          Rights Council, was unable to ensure that the Coun-  
18          cil would be structured to best promote and protect  
19          human rights around the globe.

20          (15) If the United States, working with other  
21          like-minded countries, is not able to adequately re-  
22          form the corrupt United Nations Human Rights  
23          Council, then the chances for the United States and  
24          other like-minded countries to effect the broader  
25          changes to the United Nations that are desired and

1 needed to make the institution more effective are  
2 much reduced.

3 (16) The first group of Member States elected  
4 to the new United Nations Human Rights Council  
5 includes nine countries that the democracy watchdog  
6 Freedom House designates as “not free”, including  
7 the People’s Republic of China, Cuba, Saudi Arabia,  
8 Russia, Pakistan, Tunisia, Algeria, Cameroon, and  
9 Azerbaijan.

10 **SEC. 2. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) the United Nations Human Rights Coun-  
13 cil—

14 (A) should be a body that upholds the  
15 ideals enumerated in the United Nations Char-  
16 ter and the Universal Declaration on Human  
17 Rights;

18 (B) should allow full participation by Israel  
19 in all operations associated with the Council;  
20 and

21 (C) should be made up of countries that  
22 hold regular, competitive, and democratic elec-  
23 tions, allow for freedom of expression, and have  
24 a credible civil society; and

1           (2) the United States should not support the  
2           United Nations Human Rights Council, and should  
3           withhold any financial support for the Council until  
4           meaningful reforms related to the responsibilities of  
5           the United Nations for the protection of human  
6           rights are carried out.

7   **SEC. 3. WITHHOLDING FUNDING FOR THE UNITED NATIONS**  
8                           **HUMAN RIGHTS COUNCIL.**

9           (a) **IN GENERAL.**—The Secretary of State shall with-  
10          hold from a United States contribution to a regularly as-  
11          sessed biennial budget of the United Nations an amount  
12          that is equal to the percentage of such contribution that  
13          the Secretary determines would be allocated by the United  
14          Nations to support the United Nations Human Rights  
15          Council.

16          (b) **EFFECTIVE DATE.**—Subsection (a) shall take ef-  
17          fect and apply beginning on October 1, 2006, with respect  
18          to annual dues paid by the United States to the United  
19          Nations each fiscal year in connection with United States  
20          contributions to the regularly assessed biennial budgets of  
21          the United Nations.

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