

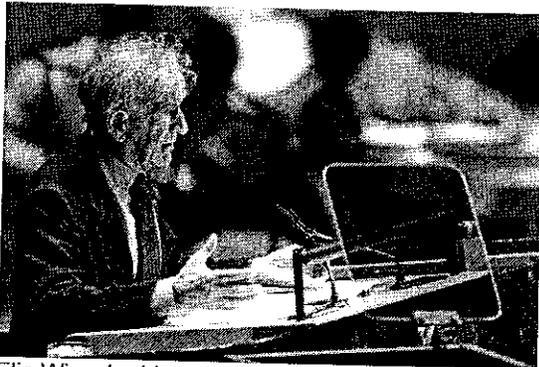


WORLD JEWISH CONGRESS
American Section

RECLAIMING THE UN CHARTER

White Paper
on Reforming the United Nations

September 2005



Elie Wiesel addressing Special Session of the UN General Assembly to commemorate the 60th anniversary of the liberation of the Nazi concentration camps, January 24, 2005



Secretary-General Kofi Annan presenting plan for UN reform, "In Larger Freedom," March 21, 2005

UN Photos

RECLAIMING THE UN CHARTER

The World Jewish Congress, an umbrella of Jewish communities around the world, was among the first non-governmental organizations (NGOs) to join the call for a United Nations in the aftermath of World War II, having earlier been the first to warn the world of Hitler's Final Solution. We now face an unprecedented opportunity to reassess and overhaul the United Nations.

On March 21, 2005, Kofi Annan, Secretary-General of the United Nations, unveiled "In Larger Freedom," an unprecedented proposal for reform of key UN institutions and processes. In September 2005, world leaders are converging on the UN's New York headquarters to respond to the Secretary-General, mark the UN's 60th anniversary, and review implementation of development goals.

The WJC agenda identifies three issues which are indispensable to the UN's credibility as an institution: Promoting human rights, combating anti-Semitism, and according equal rights to all UN member states. These issues are integral to the UN's purpose. As an organization that preceded and supported the creation of the United Nations and its human rights apparatus, the WJC strongly supports the Secretary-General's push for a new and effective Human Rights Council to replace the morally indefensible Commission on Human Rights. Beyond the need for a smaller membership and stricter membership criteria, we also advocate basing the Council in New York, where the Commission once enjoyed the profile and accountability required to effectively hold nations to account.

Without combating the specific form of racism which gave impetus to the universal fight for justice, and without accepting as equal the one nation founded largely in response to anti-Semitism, the UN and the international community cannot claim moral authority in calling for mutual respect and human rights. Secretary-General Annan has cautioned, "A United Nations that fails to be at the forefront of the fight against anti-Semitism and other forms of racism denies its history and undermines its future." If member states cannot even attempt making the world safer for Jews, they betray the UN Charter, which the Secretary-General has said "came as a direct response to the horrors of Nazism and the Holocaust."

The UN as a legal entity may not control the region-based "group system" which continues to discriminate against the State of Israel, but neither can the UN claim to be all-inclusive. If the UN needs the independently administered regional groups to facilitate consultations and ensure geographic equity in elections to UN bodies, governments should heed the Secretary-General's call for rectifying the anomaly of Israel's effective exclusion from many UN bodies.

This White Paper highlights three areas in which the UN must aspire to the principles of its own Charter: a serious human rights mechanism, combating anti-Semitism, and equal membership rights for Israel. Beyond structural adjustments, the UN as a community must reform to meet its own standards.

The UN has often been used to castigate Jews or the Jewish state, and some UN bodies have been established specifically to demonize Israel. Phasing out destructive or obsolete UN structures and practices is important. But without specifically changing the UN's underlying 'operating system', new impediments can always arise to replace the old.

At the recommendation of the WJC American Section, the WJC Governing Board, meeting in Cordoba, Spain, approved a preliminary platform on June 7, 2005. Dr. William Korey, a leading authority and scholar on the United Nations and human rights, has researched and analyzed key aspects of the UN, focusing on the proposal for a new Human Rights Council that would replace the deeply flawed and irredeemable Commission on Human Rights.

RECOMMENDATIONS

Human Rights Council

- Headquarters or annual high-level session based in New York, where UN leadership and world opinion can watch and be heard (the Commission on Human Rights was based in New York, until political factors moved it to the relative isolation of Geneva);
- Status equal to the Security Council and the Economic and Social Council;
- 20-30 members maximum;
- To qualify for membership, governments must reaffirm their commitment to the Universal Declaration of Human Rights, and publish the reaffirmation and full Declaration text in major national media;
- New members must be approved by two-thirds of the General Assembly;
- Any Council members whose human rights record has not been recently reviewed should be the first subjects of any country-by-country review.

Addressing Anti-Semitism

In 1960, the Commission on Human Rights, meeting in New York, adopted a stand-alone resolution condemning post-War manifestations of anti-Semitism and calling on all members to submit reports on the status of anti-Semitism and governmental response in their respective countries (over 30 governments complied with this request). Nearly a half-century later, unable to actualize such a resolution within the General Assembly or even to reprise it in the Commission, the UN is not true to its principles or to its dramatic potential.

The January 2005 UN special session on the Holocaust was more indispensable for the UN than for the Jewish people. For the first time, the United Nations formally recognized the central tragedy of the 20th century, the culmination of 2,000 years of evolving and persistent hate. Without explicitly and exclusively condemning anti-Semitism, and without calling for actions to combat this scourge, the UN can never fully realize the goals and claims enshrined in the Universal Declaration or in the preamble of the Charter.

Full Inclusion of Israel

Israel's limited membership in a regional group only for voting purposes, and only in New York, is unacceptable. The Secretary-General has openly called for Israel's full inclusion, but a review of the broader group system may also be in order. The entire 'group system' violates fundamental UN principles. The regional groupings operate independently of UN oversight and accountability, yet the UN nevertheless relies on them and its legitimacy suffers as a result. So long as only one country – ironically, the state created in the wake of the same catastrophe which spurred the UN's own founding – does not enjoy equal rights, the entire UN process remains flawed.

A “CREDIBILITY DEFICIT”: The UN Commission on Human Rights

Never in the history of the United Nations has one of its principal organs been subjected to the kind of scathing criticism, voiced recently by a High-Level Panel of international statesmen and foreign affairs specialists, as has the UN Commission on Human Rights. Indeed, such harshness is extremely rare in the annals of modern international institutions. Rather succinctly, the Panel’s report determined the Commission’s “eroding credibility and professionalism” have generated a “legitimacy deficit”. The document concluded that the deficit casts “doubts on the overall reputation of the United Nations.”¹

The Commission’s membership was especially singled out. The High-Level Panel found that, in recent years, states have sought membership on the Commission “not to strengthen human rights but to protect themselves against criticism or to criticize others.”² The Commission’s recent record has hardly shown “a demonstrative commitment to the promotion and protection of human rights” — the very purpose of its existence, as spelled out in the UN Charter — but rather “the maintaining [of] double standards in addressing human rights concerns.” Under these circumstances, the Commission “cannot be credible.” The indictment was stinging and powerful.

UN Secretary-General Kofi Annan made it clear that he welcomed the High-Level Panel’s pointed criticism of the Commission. If the Universal Declaration of Human Rights “remains one of the [UN] Organization’s greatest achievements,” he said, “we cannot move forward without restoring the credibility and effectiveness of our human rights mechanisms....”³

Proposed Solution by High-Level Panel

*What solution is there for a compromised mission that undermines the broader goals of the United Nations? The High-Level Panel generally recommended “upgrading the Commission” to become a “Human Rights Council”, no longer subservient to the Economic and Social Council (ECOSOC), but an independent body on par with ECOSOC and the Security Council.*⁴

At the same time, the panel wanted the proposed body to reflect “the weight given to human rights” as a central purpose of the UN. The Preamble to the UN Charter commits “to reaffirm faith in fundamental human rights....”⁵ In addition to highlighting human rights as a UN priority, the Panel recalled that for its first two decades, the members of the Human Rights Commission were “key players in the human rights area and who had the professional qualifications and experience necessary for human rights work.”⁶ During its early years, the Commission included such human rights giants as Eleanor Roosevelt, who was its chairperson; René Cassin of France, who would later win a Nobel Peace Prize; Charles Malik of Lebanon, a Christian existentialist philosopher; and Carlos Romulo of the Philippines, who went on to receive a Pulitzer Prize. Other stellar representatives came from Chile, China, and the Soviet Union.⁷ The early luminary types no longer occupy seats at Commission meetings.

More distressing, the current membership includes Sudan, notorious for ongoing genocide in Darfur, and other leading human rights violators such as China, Cuba, Saudi Arabia, and Zimbabwe.

¹ UN General Assembly. *The Report of the High-Level Panel on Threats, Challenges and Change*, 3 December, 2004, p. 64. (A/59/565).

² *Ibid.*, p. 74.

³ *Ibid.*, p. 3.

⁴ *Ibid.*, p. 74.

⁵ UN. “Charter of the United Nations.” Preamble. 1945.

⁶ *The Report of the High-Level Panel*, p. 74.

⁷ For an analysis of the early years of the Commission, see Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*. Random House, 2001. See especially, pp. xx-xxi.

In 2003, the representative of Libya, an egregious abuser of human rights, was elected to the chairman's seat initially occupied by Mrs. Roosevelt. The vote at the time was 33 to 3 in favor of Libya, the rest abstaining or absent. At the time, Freedom House ranked Libya among the ten worst human rights offenders in the world.⁸ Human Rights Watch stated it had "a long record of human rights abuse."⁹

But the High-Level Panel's justification for the blistering critique of Commission membership is hardly confined to the worst offenders. Applying Freedom House criteria to the Commission's membership list reveals that only 16 of the 53 countries are genuinely "free" – the other 37 nations (or 70 percent) are either "not free" or "partly free".¹⁰ Given this lopsided political and ideological composition, it is hardly surprising that the Commission displays a strongly anti-Israel bias. Over the last four decades, no less than 25 percent of all its resolutions critical of individual human rights violators have condemned Israel.¹¹ It also explains why such human rights abusers as Syria, Saudi Arabia, China and Zimbabwe have never been subjected to a hostile resolution.

Most of the anti-Israel resolutions emerged from a special agenda item of the Commission, first adopted in 1993 – "Question of the violation of human rights in the occupied Arab territories, including Palestine." Israel suffers the distinction of being the only country in the world to be annually reviewed and censured by the Commission, proceeding from the annual report of a Special Rapporteur specifically appointed for the purpose. Violations by other countries are all grouped together under one agenda item. This situation not only disadvantages Israel, but distracts from ongoing and severe human rights violations around the world and sends a message that human rights will not be judged or applied with a single, objective standard.

Facilitating Anti-Semitism: A Recent Example

Beyond its singling out of the Jewish state, the Commission on Human Rights has also provided a forum for anti-Semitic invective.

One of the ugliest incidents in UN Commission history began on March 11, 1997, shortly after then-Special Rapporteur Hannu Hallunen had introduced his report. The long-serving Palestinian observer to the Commission, Nabil Ramlawi, took the floor. Toward the end of a speech focusing on Israel's settlement policy – which he declared to be "mass extermination" of the Palestinians – he suddenly accused the Jewish state of "other genocidal acts", alleging that "the Israeli authorities had infected 300 Palestinian children with the HIV virus by injection during the years of the Intifada."¹² The incendiary charge recalled the ancient blood libel canard so often used throughout history to justify or stir up popular violence against Jews.

⁸ Freedom House. *Freedom in the World 2004: The Annual Survey of Political Rights and Civil Liberties*. Rowman and Littlefield, 2004.

⁹ Human Rights Watch. Letter to South African President, Thabo Mbeki by Executive Director of Human Rights Watch, Kenneth Roth. 6 August 2002.

¹⁰ Freedom House, p. 9.

¹¹ Anne Bayefsky. "The UN and the Jews." *Commentary*. February 2004, p. 44.; and Anne Bayefsky. "One Small Step." *The Wall Street Journal*. 21 June 2004.

¹² UN Economic and Social Council. Commission on Human Rights, 53rd session. Summary record of the 3rd meeting. 11 March 1997, para. 37. (E/CN.4/1997/SR.3).

The reaction within the Commission was intriguing.¹³ When the Israeli observer, Ambassador Neville Lamdan, called the charge a “blatant lie”, Ramlawi responded that his source was a story in Israeli newspapers, an assertion which Lamdan declared to be inconceivable. A week later, on March 17, Lamdan sent a letter to Commission Chairman Miroslav Somol of the Czech Republic, in which he traced the origins of the “blood libel” and referred to the Ramlawi accusation as a “callous manipulation of this despicable libel.” His letter was entered into the records of the Commission. Although Chairman Somol initially repudiated the Ramlawi allegations, a delegation of Arab ambassadors prevailed on Somol to apologize to Ramlawi for “any harm this may have caused you.”¹⁴

Just prior to the Commission’s 1998 session, having himself criticized the 1997 events, Secretary-General Kofi Annan wrote to United Nations Watch Chairman Morris Abram that “one of my major preoccupations as Secretary-General is to speak out vigorously against anti-Semitism.” It may be the first time any UN Secretary-General ever committed himself so strongly to the struggle against anti-Semitism.

In opening the new session of the Commission, Chairman Somol stated that the Commission should be “guided...by the words of the Secretary-General” and that allegations containing “racist, xenophobic, anti-Semitic...features must be avoided” as inconsistent with the Commission’s human rights purpose. Ramlawi finally acknowledged that “Palestine health authorities” had informed him that his AIDS virus allegations “were not accurate.” No apology was offered and no regrets were tendered about the most odious and heinous fabrication in the Commission’s history.¹⁵

In a speech in late March 1998, the Secretary-General expressed his satisfaction with the statement made finally by Somol at the Commission. Hate propagation, he said, “deserves universal condemnation.” Significantly, he called for a “broader fight against anti-Semitism.” Noting that 1998 marked the 50th anniversary of the Universal Declaration of Human Rights, he expressed the view that the occasion might appropriately warrant the UN recommending to member states that they combat all such racist manifestations.¹⁶ The recommendation was not acted upon at the time, nor in subsequent years.

Combating Anti-Semitism: A Forgotten Precedent

Conventional wisdom may dismiss the feasibility of using UN mechanisms specifically to combat anti-Semitism. It even overlooks the instances when UN fora have provided a ready platform for anti-Semitic vitriol. In an earlier, less cynical era, the UN actively fought anti-Semitism in a way that also drove the broader campaign against all forms of racism. Not only can it be done, it already has been done.

When a worldwide outburst of anti-Semitic manifestations occurred in late-1959 and early 1960, the Commission reacted resolutely. The triggering incident occurred on Christmas Eve 1959, in Cologne, West Germany. As the West German government reported to the Human Rights Commission, a memorial stone erected “for the victims of National Socialism” was vandalized with black varnish. Several hours

¹³ The details were spelled out in a report sent to the author by Felice Gaer, Director of the American Jewish Committee’s Jacob Blaustein Institute for the Advancement of Human Rights. It was entitled, “Anti-Semitism at the UN: PLO ‘Blood Libel’ Accusations at the 53rd United Nations Commission on Human Rights. A Chronology through August 1, 1997.”

¹⁴ UN Economic and Social Council. Commission on Human Rights. Letter from the Chairman of the Commission on Human Rights to the Palestinian observer for the UN Commission on Human Rights. 17 March 1997. (E/CN.4/1997/127).

¹⁵ Gaer, op cit.

¹⁶ UN Press Release. “Secretary-General Says It is Essential for Israel and Her Adversaries to Commit Themselves to Comprehensive Peace.” 25 March 1998. (SG/SM/6504).

later, that city's rebuilt synagogue was "besmirched" in three places with swastikas and an anti-Semitic threat. The episode was followed in West Germany, including West Berlin, by 470 separate incidents.¹⁷

The German government's report devoted 54 pages to this case, to the suspects apprehended and tried, and the judgments and punishment rendered. Clearly, the authorities in Bonn took the manifestations very seriously. But the desecrations were by no means confined to the Federal Republic of Germany. Amazingly, a "swastika epidemic" swept much of the Western world, targeting synagogues, Jewish community centers, and Jewish institutions. Over 1,500 such incidents took place in numerous countries.

Relevant UN bodies responded vigorously. On January 11, 1960, the subsidiary of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, met in New York and immediately took up the issue. The Sub-Commission was considered a body of experts not representing countries but, in fact, several of them took orders from their respective governments.

The opening paragraph of the resolution adopted by the Sub-Commission was revealing of its attitudes:

“Deeply concerned by the manifestations of anti-Semitism and other forms of racial and national hatred and religious prejudices of a similar nature, which have recently occurred in various countries, reminiscent of the crimes and outrages committed by the Nazis prior to and during the Second World War....”¹⁸

The Sub-Commission then went on to condemn “these manifestations as violations of the principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights...” with the determination that “it is the responsibility of the international community to speak out against these manifestations.” The resolution's title registered the determination and commitment of the Sub-Commission members: “Manifestations of Anti-Semitism and Other Forms of Racial and National Hatred and Religious Prejudice of a Similar Nature.” Strikingly, Resolution 5 (XVI) made specific reference to the “crimes” of Nazism before and during World War II. Clearly, it was the Holocaust which the Sub-Commission members had in mind, but that term had not yet entered common usage.

The UN Commission on Human Rights met one month after the Sub-Commission, also in New York. The Commission unanimously adopted Resolution (XVI), “Manifestations of Anti-Semitism and Other Forms of Racial Prejudice and Religious Intolerance of a Similar Nature,” on March 16, 1960, following the lines set down by the Sub-Commission. The Commission reiterated “deep concern” about “manifestations of anti-Semitism” which, it was thought, “might be once again the forerunner of other heinous acts endangering the future.” Reference to Nazism was dropped; the focus, instead, was the future. The resolution called upon public authorities and private organizations “to make sustained efforts to educate public organizations with a view to the eradication of the racial prejudice and religious intolerance reflected in such manifestations....” The resolution requested the Secretary-General to work with governments and NGOs to “obtain any information or comments relevant to such manifestations and public reaction to them, the measures taken to combat them, and their causes or motivations....” In response, over 30 governments submitted reports of varying length.¹⁹

¹⁷ UN Economic and Social Council. Commission on Human Rights. Sub-Commission on Prevention of Discrimination and Protection of Minorities. “Manifestations of Anti-Semitism and Other Forms of Racial Prejudice and Religious Intolerance of a Similar Nature.” 3 January 1961, p. 10. (E/CN.4/Sub.2/208/Add.2).

¹⁸ UN Commission on Human Rights. Sub-Commission on Prevention of Discrimination and Protection of Minorities. pp. 58-59. (E/CN.4/800; and E/CN.4/sub.2/206). The Commission consisted of two experts from Africa, three from Asia, two from Latin America, four from Western Europe, two from Communist countries of Eastern Europe, and one from the United States.

¹⁹ UN Economic and Social Council. Official Records, 30th session. “Report to the Economic and Social Council on the sixteenth session of the Commission.” Supplement Number 8. 29 February – 18 March 1960, pp. 1-24. The following governments submitted reports: Austria, Belgium, Brazil, Burma, Byelorussian SSR, Cambodia, Canada,

At the same time, the Commission sought to connect the “swastika epidemic” with “violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights.” The “manifestations of anti-Semitism” constituted “a threat to the human rights and fundamental freedoms of all peoples....” The theme advanced by the Sub-Commission and the Commission in 1960 is equally relevant today and, indeed, a number of Secretary-General Annan’s own statements have reflected this approach.

By the end of 1960, however, and during the sessions of the UN General Assembly, the earlier key references to anti-Semitism disappeared. In a remarkable feat of wordsmithing, “Manifestations of Anti-Semitism” became “Manifestations of Racial and National Hatred” – the title of General Assembly Resolution 1510 (XV), adopted on December 12, 1960.²⁰ A preambular paragraph carried a somewhat lengthier version of the original title, also replacing the word anti-Semitism with “manifestations of racial and national hatred, religious intolerance and racial prejudice....” A second paragraph suggests an odd kind of double-talk: “Sharing the grave concern of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities about these manifestations....” What manifestations? The Commission and the Sub-Commission had been very explicit, so this Orwellian inversion was nothing but audacious. The operative paragraph now read: “Resolutely condemns all manifestations and practices of racial, religious and national hatred....”

What happened was that the Soviet Union had become a champion of the Third World through its successful initiative in winning adoption by the General Assembly of a Declaration in the General Assembly calling for an end to colonialism.²¹ Moscow had long opposed any reference to anti-Semitism, partly because it might evoke Stalin’s virulent anti-Semitic purges. Its Communist satellite, Czechoslovakia, took the initiative in the General Assembly’s Third Committee with a draft eliminating the reference to anti-Semitism.²² The USSR and Czechoslovakia, together with other Soviet satellites called upon the General Assembly to condemn racism “regardless of the form it took.”

Although the General Assembly failed to follow their lead, the Commission and Sub-Commission in 1960 could not be accused of a “credibility deficit” or of maintaining a double standard on human rights.

Transferring the Commission to Geneva: 1973-74

Absent from discussions of where to base the new Human Rights Council is the fact that the Commission on Human Rights was originally in New York, and that its decline coincided with the move to Geneva. The assumption today is that such a body can only be housed in Geneva, and it is mistaken.

The physical move of the Commission (and its Sub-Commission) to Geneva, Switzerland, was a landmark development. This transfer functionally isolated the Commission from the UN Headquarters, and from a segment of the non-governmental community that otherwise could have raised human rights issues more directly and might have strengthened the Commission’s credibility and effectiveness. The move also helped isolate the Commission from the watchful and attentive eyes of the media.

Ceylon, Costa Rica, Denmark, El Salvador, Federal Republic of Germany, Federation of Malaya, Finland, Ghana, Haiti, Ireland, Israel, Italy, Mexico, Netherlands, New Zealand, Norway, Peru, Philippines, Polish People’s Republic, Republic of Korea, Spain, Sweden, Tunisia, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America. (E/CN.4/Sub.2/208).

²⁰ UN General Assembly. Official Records, 15th Session. 3rd Committee. 943rd meeting. 12 December 1960.

²¹ UN General Assembly. “The Declaration on the Granting of Independence to Colonial Countries and Peoples.” 14 December 1960. Significantly, it was adopted two days after the resolution condemning “Manifestations of Racial, Religious and National Hatred.”

²² UN General Assembly. Official Records, 15th Session. 3rd Committee. 20 October 1960. (A/C.3/L/848/Rev.2).

Very few major international human rights NGOs had their headquarters or offices in Geneva, and major international news media had few, if any, regular correspondents posted there. With respect to public opinion, the difference between New York and Geneva was monumental. In New York, the Commission occupied center stage in the international arena just as it had during Eleanor Roosevelt's day; in Geneva, it could not fail to be marginalized.

How and why this shift came about is shrouded in mystifying technical discussions about rental costs and the price of housing and educating staff and their families. The story began with a shortage of office space at UN Headquarters in New York. The General Assembly's Fifth Committee (Administrative and Budgetary) adopted a resolution on December 17, 1969, calling upon the Secretary-General to make a "systematic inquiry" into the "possibility and desirability" of moving units out of New York.²³ Two years later, the Committee requested the Secretary-General to prepare a "comprehensive study" of problems "created by the shortage of space at Headquarters."²⁴

A document prepared the following year by the new Secretary-General, Kurt Waldheim, concluded that the Division of Human Rights, comprising 70 staff, could be efficiently transferred from New York to Geneva in 1973.²⁵ Of course, if the Division was moved, the Commission on Human Rights – which depended on the Division's research and assistance – would be compelled to follow. Presumably, the Secretary-General was to consider whether – from a "functional and operating standpoint" – a unit marked for transfer to Geneva could work as "effectively" as it had in New York. Given the Charter's close linkage between peace (or security) and human rights, this move out of Headquarters would seem to diminish its effectiveness.

The Secretary-General's positive view on relocating of the Human Rights Division was echoed by the Fifth Committee. Relocation was scheduled to take place in 1973.

That move, however, was interrupted when Waldheim chose to "defer action" as a result of new financial considerations. If he had originally thought that "staff costs" would be lower in Geneva than in New York and, therefore, the relocation could result in "savings", now he identified "a continuing upward movement in the cost of living in Geneva." In addition, "a devaluation of the United States dollar in relation to the Swiss franc during 1973" had radically altered the economic picture.²⁶

The ensuing discussion in the General Assembly would demonstrate that the move to Geneva was political and not economic. In the Fifth Committee's sessions during autumn 1973, Waldheim was subjected to strong criticism for his decision to delay. A listing of the speakers in the attack provides some insight into the political motivation: Algeria, Bulgaria, Cuba, Democratic Yemen, Egypt, France, Ghana, Iraq, Libya, Saudi Arabia, Tunisia, USSR, Upper Volta, and Yemen.²⁷

²³ UN General Assembly. 5th Committee. Resolution 2618 (XXIV). New Construction and Major Alterations at United Nations Headquarters. 17 December 1969.

²⁴ UN General Assembly. 5th Committee. Resolution 2895 (XXVI). Headquarters Accommodation. 22 December 1971.

²⁵ UN General Assembly. 27th session. "Rental of office space at Headquarters: Report of the Secretary-General." 22 November 1972, p. 2. (A/C.5/1462). In an ironic twist, 15 years later Waldheim himself would serve to undermine UN credibility when the World Jewish Congress uncovered that he had, as the U.S. Department of Justice later concluded, "Assisted or otherwise participated" in mass deportations, executions, and other Nazi war crimes in Greece and Yugoslavia. Since 1987, Waldheim has been legally barred from ever entering the United States.

²⁶ UN General Assembly. Official Records, 28th session. "Proposed Programme Budget for the Biennium 1974-1975 and Medium-Term Plan for the Period 1974-1977. Office accommodations at New York, Geneva and other locations, Report by the Secretary-General." 6 August 1973, p. 2. (A/C.5/1511).

²⁷ UN. Yearbook, 1973. Administrative and Budgetary Questions, p. 870.

The speakers from Bulgaria, Ghana, Saudi Arabia and the USSR actually acknowledged that “the decision to move the Division [on Human Rights] was politically rather than financially motivated.” Overwhelmingly, except for the inclusion of France, the list demonstrated the power of the recent alliance of the Soviet bloc with the Third World countries, especially the Arab states.

The Political Motivation

What was the acknowledged “political” motivation?

No details were offered publicly, but it was widely rumored among human rights NGOs in New York that the Soviet Union strongly resented Western democracies using the New York-based Commission to raise issues that proved quite embarrassing for Moscow. These issues included the Soviet crackdown on dissidents, and a resurrection of vitriolic anti-Semitism masquerading as anti-Zionism. Airing of these matters by governments and NGOs, when reported in the major New York media (*The New York Times*, *The New York Herald Tribune*, and *The New York Post*) greatly amplified the criticism within the Commission chamber.

While the USSR was a prime advocate for the transfer, it was apparent that the Arab states thought that they would also benefit. Their attacks on Israel, especially when they took a harshly bigoted approach toward the Jewish state, would not be easily overlooked by the New York press. The later media silence surrounding the PLO observer’s outrageous 1997 libel slander at the Commission attests to Geneva’s isolation from world opinion.

If the Soviet interest in a new location was patently evident, how does one explain France’s involvement with the initiative? Its inclusion among the mostly Arab and Soviet satellite states urging the move was anomalous. In the Fifth Committee debate, the French spokesman pointed out that “the Secretary-General’s decision should not have been based on contingencies [the inflation rate in Geneva and the declining value of the dollar] which might be of a temporary nature.”²⁸ Clearly, the rationale had dramatically shifted from the initial excuse of higher costs in New York. The prevailing explanation at the time, in the context of France’s post-Gaullist cultural nationalism, was that Geneva was a UN center where the native language was French, as distinct from the UN Headquarters in New York where English is dominant.

In sharp contrast to the Soviet-French-Arab position, a group of Western democracies vigorously defended the Secretary-General’s postponing of the move, saying that he “had acted wisely and had kept in mind what he considered to be the best interests of the [UN] Organization.”²⁹ They asserted “that the financial considerations were weighty and not to be lightly disregarded.”

The democracies went further, framing their case in terms of promoting human rights which, in any case, should have been at the very heart of the argument and decision. The representatives of Australia, Denmark, Mauritius, Sweden and the United States asserted that “a division as important as the Division of Human Rights should not be isolated from other bodies at Headquarters with which its work was closely connected.” The Swedish representative was especially vigorous: The Division’s work, he said, was very much connected with the Office of the Secretary-General and the Office of Legal Affairs and, therefore, the Division “should not be isolated” from these and other UN bodies which have links to human rights work.³⁰

²⁸ Ibid.

²⁹ Ibid. Among these democracies were Australia, Brazil, Canada, Colombia, Denmark, Japan, Mauritius, the Philippines, Sweden, and the United States.

³⁰ UN General Assembly. Official Records, 28th session. 5th Committee. 1590th meeting. 1 November 1973, p. 173.

The Fifth Committee was not swayed by the Western entreaties. A draft resolution introduced by Yemen called upon the Secretary-General “to expedite the transfer of the Division of Human Rights to Geneva.” The other listed sponsors of the resolution reflected the dominant Soviet-Arab axis at the General Assembly: Algeria, Sudan, Ukraine, USSR, and the United Arab Emirates. On November 5, 1973, the Fifth Committee approved the resolution, and on December 18 the General Assembly endorsed it. Relocation followed in 1974.³¹

The perverse climax of Soviet-Arab influence was November 9, 1975, when the General Assembly adopted the infamous resolution redefining Zionism as a form of racism. In 1991, with the Soviet collapse and a full-blown U.S. diplomatic campaign, the General Assembly revoked the resolution. In 2004, at a UN Seminar on anti-Semitism, Kofi Annan would characterize the 1975 resolution “equating Zionism with racism” as constituting “an especially unfortunate decision.”³² He also acknowledged “that the United Nations’ record on anti-Semitism has at times fallen short of our ideals.”

Erasing the “Credibility Deficit”

That the UN Commission on Human Rights has outlived its usefulness and effectiveness was painfully clear to Kofi Annan. The General Assembly’s 2000 “Millennium Declaration” sought a “reaffirmation” of faith in the UN Charter and to “rededicate ourselves” to uphold “respect for human rights and fundamental freedoms.”³³ In the opening paragraph of the Secretary-General’s report, “In Larger Freedom: Towards Development, Security and Human Rights for All,” Annan wrote: “Five years into the new millennium, we have it in our power to pass on to our children a brighter inheritance....”³⁴ He stated that “if we act boldly...we can make people everywhere...enjoy their fundamental human rights.”

Annan borrowed the High-Level Panel’s language when he declared in this, his major UN reform proposal, that the Commission was “increasingly undermined by its declining credibility and professionalism.” As a result, he added in rather sharp language, “a credibility deficit has developed, which casts a shadow on the reputation of the United Nations system as a whole.”

Later, in a speech to the UN Commission on Human Rights on April 7, 2005, the Secretary-General contended that the Commission’s own “peer review” – evaluation of the human rights practices of UN member states – is distinguished by “politicization and selectivity that are hallmarks of the Commission’s existing system.”³⁵ He also bitterly criticized the way in which some “specific country resolutions” have been adopted. The procedure, Annan noted, “has attained an unhealthy degree of politicization.”

In his March 2005 “In Larger Freedom” report, the Secretary-General proposed to replace the 53-member Commission with a much smaller Human Rights Council, as suggested by the High-Level Panel. The membership of the new Council would be elected by a two-thirds majority of the UN General Assembly, enabling the circle of democracies to exercise obvious leverage and scrutiny in the selection process.

³¹ UN. Yearbook, 1973. p. 870. The Committee adopted the resolution by a vote of 62 to 21, with 19 abstentions. The General Assembly vote was 101 to 15, with 14 abstentions, the additional votes in favor coming from the Third World.

³² UN Press Release. “Throughout History Anti-Semitism Unique Manifestation of Hatred, Intolerance, Persecution Says Secretary-General in Remarks to Headquarters Seminar.” 21 June 2004. (SG/SM/9375).

³³ UN General Assembly. “United Nations Millennium Declaration.” 18 September 2000. (A/RES./55/2).

³⁴ UN General Assembly. “In Larger Freedom: Towards Development, Security and Human Rights for All: Report of the Secretary-General.” 21 March 2005. (A/59/2005).

³⁵ Ibid. “Addendum. Human Rights Council: Explanatory Note by the Secretary-General.” 23 May 2005. (A/59/2005/Add.1).

As for the Council membership itself, he wanted it understood that those elected to it “should undertake and abide by the highest human rights standards.” In his April 7 presentation to the Commission, the Secretary-General added that the new Council must be “more accountable” and comprise “a society of the committed.” The smaller membership would enable it to have “more focused debates and discussions.” Undoubtedly, he did not envision another session of the UN Commission on Human Rights. Louise Arbour, the UN High Commissioner for Human Rights, told the Associated Press in Geneva: “I certainly hope that we will not see a session like this one.”³⁶

The Council’s role would be upgraded. While the current Commission is chosen by the UN Economic and Social Council and subordinate to it, the new Council would be independent of ECOSOC, though initially under the General Assembly. As a “standing” body, it would not be limited to an annual six-week session as the Commission is, but would remain in continuous session.

The Secretary-General’s proposal included a “new key peer review function” for the Council, which is particularly notable.³⁷ It would “evaluate the fulfillment” of all the human rights obligations of all UN member states. Each member state would come up for review on “a periodic basis.” This rotating process would begin with the Council’s own members, unless they had been reviewed soon before joining the Council, thereby further deterring gross human rights abusers from seeking to join the Council.

At the same time, the Council would not forego dealing expeditiously with “any massive and gross violations” of human rights that might occur. The new Council is charged “to bring urgent crises to the attention of the world community.”

Significantly, many of the Secretary-General’s proposals call for the kinds of change that evoke the dream of Eleanor Roosevelt and her colleagues at the Commission’s inception. One final recommendation, however, calls for no change. Initially, in his March 2005 document, Annan said nothing about relocating the Council. But two months later, he wrote that “the Human Rights Council should be located in Geneva allowing it to work in close cooperation with the Office of the United Nations High Commissioner for Human Rights.”³⁸ Since its creation in 1993, this office has been based in Geneva.

The Secretary-General’s May 2005 comments allowed the possibility of “holding special sessions” in New York and even of having “specific sub-compartments” of its staff “based in New York so as to better interface” with the principal UN organs. In her earlier Associated Press interview, Commissioner Arbour had also suggested this, “if only to permit some interaction with the other [UN] Councils, the other organs of the United Nations.” The ECOSOC, for example, already rotates certain of its own sessions between New York and Geneva.

At the debates in 1973 about the proposed transfer, virtually all democracies except France had contended that the economic justifications for the move were no longer valid. Their conclusion, vigorously supported at the time by the chairman of the Commission, was that the transfer was dictated by “political” considerations, not those of efficiency or financial savings. In keeping with the current demands of the Secretary-General to “enhance” the human rights aspects of the UN, it would be advisable to base the new Council at the New York headquarters where the Commission made its greatest achievements.

³⁶ Associated Press [Geneva]. “UN Human Rights Commission Winds Up Annual Session Amid Criticism, Calls for Reform.” 21 April 2005.

³⁷ UN Press Release. “Secretary-General Outlines Major Proposals to Reform Human Rights Machinery, in Address to Geneva Human Rights Commission.” 7 April 2005. (SG/SM/9808).

³⁸ UN Doc. A/59/2005/Add.1, pp. 1-2.

Positive Response to Kofi Annan

As early as June 20, 2005, the Commission held its own “informal consultations” in Geneva with over 50 delegations, including a dozen NGOs. Surprisingly, according to the official summary of the informal discussion, “all delegations agreed that the work of the Commission had become politicized and selective and, hence, that reform was necessary.”³⁹

Delegations generally opposed making the Council a “principal organ” of the UN at this time, with many – including the Asian Group and the United States – preferring the Council to be “a subsidiary body of the General Assembly.” The Arab Group expressed doubts and suspicions regarding the proposed “peer review” system. It also insisted that “no criteria” other than the general criteria of the Charter “should apply to membership” in the Council. The Secretary-General’s idea for a small and more flexible Council was also challenged by numerous speakers. One delegation suggested a membership of 65 would be a “reasonable size.” India, which has always considered itself a leader of the Third World, argued that the current size of the Commission (53) would seem “to suit everybody.” The U.S., restating its official position, made clear “that a small, 20-member body would be ideal.”

By early August 2005, the sentiments on behalf of the Human Rights Council had significantly crystallized. In preparation for the meeting of the General Assembly, and after continuous consultations with member-states, the President of the General Assembly sent all UN delegations the “revised draft outcome document” for the September 2005 Millennium Summit +5 of world leaders. This excerpt on the Human Rights Council reflects the essence of the current consensus:

Pursuant to our commitment to give greater priority to human rights in the work of the UN and to strengthen the human rights machinery of the organization, we decide to establish a standing Human Rights Council, as a subsidiary organ of the General Assembly to be based in Geneva, in replacement of the Commission on Human Rights. The General Assembly shall review within 5 years whether the Council should be transformed into a principal organ.⁴⁰

The terms for membership on the Council were left open: The Council “shall comprise between 30 to 50 members, each serving for a period of three years to be elected directly by the General Assembly by a two-thirds majority.” There is, of course, a huge difference between 30 members and 50, with the high number reminding one of the present Commission and the lower suggesting a clear break with the past. Not surprisingly, the draft outcome document stipulated that in choosing the Council’s membership, “due regard shall be given to the principle of equitable geographical distribution....” But it also directed that “due regard” be given to “the contribution of member states to the promotion and protection of human rights.” The extent to which this will preclude the election of overtly human rights abuser states is unclear. Notably absent is Kofi Annan’s insistence that members of the new Council abide by “the highest human rights standards” and that they serve as “a society of the committed....”

The U.S., through its Deputy Ambassador to the UN, Anne W. Patterson, highlighted the membership issue as a primary consideration for the new Council. According to Ambassador Patterson, the Council’s very legitimacy and credibility depend on “clear objective criteria for membership.”⁴¹ As an example, she noted countries that were subject to UN sanction, “should not be considered for membership.” She also stressed that for the Council to be “manageable”, its membership should not exceed 30 countries.

³⁹ UN Press Release. Commission on Human Rights. “Commission on Human Rights Holds Informal Meeting on Secretary-General’s Reform Proposals.” 21 June 2005. (HR/CN/1110).

⁴⁰ UN General Assembly. “Revised Draft Outcome Document of the High-Level Panel Meeting of the General Assembly of September 2005 Submitted by the President of the General Assembly.” 5 August 2005. (A/59/HLPM/CRP.1/Rev.2).

⁴¹ Statement by Ambassador Anne W. Patterson, Deputy U.S. Permanent Representative to the United Nations, on United Nations Reform. 2 August 2005.

The U.S. Institute of Peace, a Congressionally funded operation that engages in foreign policy research, was mandated by Congress to form a special “Task Force on the United Nations” to study Annan’s proposals.⁴² This panel of prominent experts was headed by a former Speaker of the House of Representatives, Newt Gingrich, and former Senate Majority Leader George Mitchell. In its report, released on July 21, 2005, the Task Force formally urged that the U.S. “should support the creation of a Human Rights Council.” At the same time, it advocated that the Council ideally be “comprised of democracies” in order to effectively promote and enforce human rights.

“GOOD NEIGHBORS”: Resuming the Task of Confronting Anti-Semitism

The UN still has a certain unfinished business, which the Commission on Human Rights launched in March 1960 when it adopted the historic resolution on “Manifestations of Anti-Semitism and Other Forms of Racial Prejudice and Religious Intolerance of a Similar Nature.”

The 1960 resolution was sadly altered by the General Assembly in December 1960 and the word “anti-Semitism” simply disappeared from the official UN lexicon. It was restored by Secretary-General Kofi Annan at the June 2004 anti-Semitism seminar, when he called attention to the outbreak in Europe of “an alarming resurgence of this phenomenon [anti-Semitism] in new forms and manifestations.”⁴³ His remarks were prompted by a massive number of anti-Semitic incidents in Europe during the preceding three years. They included desecrations, firebombing of synagogues and Jewish community institutions, the widespread beating of Jews, and a significant increase of anti-Semitic tirades on the Internet.

Renouncing the international community’s lack of response to the Nazi barbarities of the 1930s, Annan declared that “this time, the world must not, cannot be silent.” The Secretary-General eloquently declared that “the fight against anti-Semitism must be our fight, and Jews everywhere must feel that the United Nations is their home, too.” He recalled that the Berlin Declaration on Anti-Semitism, adopted two months earlier by the 55-member Organization for Security and Cooperation in Europe (OSCE), “condemned without reserve all manifestations of anti-Semitism” and all other acts of intolerance, incitement, harassment, or violence against persons or communities based on ethnic origin or religious belief wherever they occur.

The Secretary-General offered a concrete proposal to the member states of the UN. They “could follow the excellent lead of the Berlin Declaration,” with the “hope” that the Berlin principles would be adopted by “broader membership of the United Nations.” The World Jewish Congress strongly endorses the Secretary-General’s views and urges the General Assembly to adopt a declaration against all manifestations of anti-Semitism, which was regrettably interrupted exactly 45 years ago.

Such action would dovetail with the most recent statement of Pope Benedict XVI on August 18, 2005, while visiting a synagogue in Cologne which had been destroyed by the Nazis and rebuilt after the war: “Today, sadly, we are witnessing the rise of new signs of anti-Semitism and various forms of general hostility toward foreigners.”⁴⁴ The Pontiff called the developments “a reason for concern and vigilance.” Significantly, the Cologne synagogue which he visited was precisely the one desecrated on December 25, 1959, which had triggered the “swastika epidemic” of 1960 and which prompted the significant action of the UN Commission on Human Rights.

⁴² Public Law 108-447.

⁴³ UN Press Release. “Throughout History.” (SG/SM/9375).

⁴⁴ Ian Fisher. “Pope Visits German Synagogue and Warns of Growing Anti-Semitism.” *The New York Times*. 20 August 2005.

In the Secretary-General's detailed 2004 discussion of anti-Semitism, he repeatedly recalled the horrors of the Holocaust and its impact upon the UN itself. He rendered the powerful and moving judgment that the United Nations had emerged from "the ashes of the Holocaust."

On January 24, 2005, the Secretary-General's words on the Holocaust were matched by action as the UN General Assembly convened its first-ever Special Session to address and commemorate the Holocaust.⁴⁵ The specific occasion was the 60th anniversary of the liberation of Nazi concentration camps. Dozens of delegations, some headed by foreign ministers, attended the day-long succession of speeches, including important statements by General Assembly President Jean Ping, Secretary-General Annan, and the foreign ministers of Israel, Germany, and Luxembourg (as President of the European Union). The fact that it took delicate negotiations to dissuade potential resistance from some delegations only underscores the commitment by General Assembly President Ping, Secretary-General Annan and many governments to ensure that the UN take responsibility as an institution representing the weight of global history and universal aspirations. Following the Special Session, the singing of Israel's national anthem and recitation of the Jewish prayer for the dead underscored this departure from 'business as usual'.

In his speech to the Special Session, the Secretary-General warned: "The United Nations must never forget that it was created as a response to the evil of Nazism, or that the horror of the Holocaust helped to shape its mission. That response is enshrined in our Charter, and in the Universal Declaration of Human Rights."⁴⁶ Equally moving was a speech he delivered in Jerusalem in March 2005, during the rededication of the famous Yad Vashem Holocaust museum: "Our [UN] Charter, the Universal Declaration of Human Rights, the Genocide Convention – indeed, much of the UN's mission itself – came as a direct response to the horrors of Nazism and the Holocaust."⁴⁷ His comments reflected a rare sensitivity and insight to the terribly tragic events of over a half century ago. That Annan had little patience for the Holocaust-deniers is clear: "We must counter those who spread lies and stereotypes."

Upon visiting Yad Vashem, Annan declared: "A United Nations that fails to be at the forefront of the fight against anti-Semitism and other forms of racism denies its history and undermines its future." He also tied the fate of the UN to that of world Jewry and to the state that represents a vital segment of the Jewish people – Israel. The "obligation" to combat anti-Semitism "links us to the Jewish people and to the State of Israel which rose, like the United Nations itself from the ashes of the Holocaust."

"THE EQUAL RIGHTS OF... NATIONS LARGE AND SMALL"

The UN Charter is our frame of reference as we both welcome and critique the Secretary-General's extraordinarily significant proposal for reforming the United Nations. The Charter states unequivocally: "The Organization is based on the principle of the sovereign equality of all its Members."⁴⁸

For too long a period, one state – Israel – was deprived of that equality because it alone was excluded from regional groups which, during the last several decades, have constituted the mechanism for membership selection to every major UN organ besides the full General Assembly. Until now, Israel has not been admitted to the geographical group to which it would belong – the Asian Group. After a long delay, the Jewish state was finally admitted in 2000 to the Western European and Others Group (WEOG),

⁴⁵ The Special Session was authorized by a UN General Assembly resolution adopted 22 November 2004. (A/RES/59/26). For a summary of all the speeches, see UN General Assembly Press Release GA/10330.

⁴⁶ UN Press Release. "'Such an Evil Must Never Be Allowed to Happen Again', Secretary-General Tells General Assembly Session Commemorating Liberation of Nazi Death Camps." 24 January 2005. (SG/SM/9686).

⁴⁷ UN Press Release. "Much of UN Mission Direct Response to Horrors of Nazism, Holocaust Says Secretary-General in Remarks at Jerusalem Dinner." 16 March 2005. (SG/SM/8763).

⁴⁸ "Charter of the United Nations." Chapter I. Article 2.

which also includes Canada, Australia, New Zealand, and the United States. But that opening only applies to the WEOG at UN Headquarters and not at other UN centers like Vienna, Geneva, and Nairobi.

Its limited WEOG status does place Israel in line for eventual membership in the UN Security Council and the Commission on Human Rights, for which elections are held in New York. Since Israel is admitted only in New York, and only for purposes of elections occurring mostly in New York – and not for policy consultations in any UN center – the Jewish state retains its unique second-class status among the other 190 UN member states.

The Secretary-General addressed this issue publicly while in Israel to commemorate the Holocaust. First, he expressed his appreciation that “at long-last” Israel had become a member of WEOG. But then, regretting its continued exclusion from the same regional group in other UN centers, he added, “I will do whatever I can to encourage” Israel’s membership at those centers. In strong concluding remarks, he declared: “We need to correct the long-standing anomaly that kept Israel from participating fully and equally in the work of the [UN] organization.”

Over the last few decades, the Commission has developed a “credibility deficit” of serious proportions. We welcome Secretary-General Kofi Annan’s constructive proposal to erase this deficit with his proposal for a Human Rights Council designed to deepen and extend the human rights vision of the UN Charter and the Universal Declaration of Human Rights. We also very much welcome the Secretary-General’s initiatives to address the Holocaust lessons which informed the UN’s very founding, including genuine actions to reject contemporary anti-Semitism, and to ensure that all countries are treated fairly within the membership structure.

About the Author

Dr. William Korey is a human rights scholar and activist who has played a key role in some of the major human rights struggles of the past half-century. He has taught and lectured around the world, and served in senior positions with the Anti-Defamation League and B'nai B'rith International. His many honors include grants from the Ford Foundation, Woodrow Wilson International Center for Scholars, U.S. Institute of Peace, and the Carnegie Corporation. Among Dr. Korey's major books are The Promises We Keep: Human Rights, the Helsinki Process and American Foreign Policy; NGOs and the Universal Declaration of Human Rights: A Curious Grapevine; and The Soviet Cage: Anti-Semitism in Russia.

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**United Nations
Economic and Social Council
Thirtieth Session**

**(XVI). MANIFESTATIONS OF ANTI-SEMITISM AND OTHER FORMS OF RACIAL
PREJUDICE AND RELIGIOUS INTOLERANCE OF A SIMILAR NATURE**

The Commission on Human Rights,

Noting with deep concern the manifestations of anti-Semitism and other forms of racial prejudice and religious intolerance of a similar nature which have recently occurred in various countries and which might be once again the forerunner of other heinous acts endangering the future,

Expressing its gratification that Governments, peoples and private organizations have spontaneously reacted in opposition to these manifestations,

Taking into account the recommendations on the subject by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/800, para. 194, resolution 3 B (XII)),

1. *Condemns* these manifestations as violations of principles embodied in the Charter of the United Nations and in the Universal Declaration of Human Rights, and in particular as a violation of the human rights of the groups against which they are directed, and as a threat to the human rights and fundamental freedoms of all peoples;
2. *Urges* States Members of the United Nations and members of the specialized agencies to take all appropriate action to prevent effectively such acts and to punish them where they have been committed;
3. *Calls* upon public authorities and private organizations to make sustained efforts to educate public opinion with a view to the eradication of the racial prejudice and religious intolerance reflected in such manifestations and the elimination of all undesirable influences promoting such prejudice, and to take appropriate measures so that education may be directed with due regard to article 26 of the Universal Declaration of Human Rights and principle 10 of the Declaration of the Rights of the Child adopted by the General Assembly in resolution 1386 (XIV);
4. *Requests* the Secretary-General to arrange, in consultation with the Governments of States Members of the United Nations and members of the specialized agencies in whose territory such manifestations have occurred, the United Nations Educational, Scientific and Cultural Organization, and non-governmental organizations in consultative status, to obtain any information or comments relevant to such manifestations and public reaction to them, the measures taken to combat them, and their causes or motivations;
5. *Requests* the Secretary-General to transmit all the above information and comments, from time to time, as received, to the members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;
6. *Requests* the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its next Session, to evaluate the materials received in response to the above requests, to draw such conclusions therefrom as seem to be justified, to recommend such action as seems to be desirable, and to report thereon to the Commission on Human Rights.

– Adopted unanimously at the 664th meeting, on 16 March 1960.

The World Jewish Congress Governing Board

**RESOLUTION
ON REFORMING THE UNITED NATIONS AND COMBATING ANTI-SEMITISM**

Whereas the Charter of the United Nations (UN) reaffirms

- (a) “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small
- (b) “to practice tolerance and live together in peace with one another as good neighbors,” and

Whereas the UN Secretary General has emphasized that the UN and the State of Israel were both founded upon the ashes of the Holocaust; and

Whereas the United Nations Secretariat in June 2004 sponsored a forum on anti-Semitism, and the UN General Assembly convened a historic Special Session in January 2005 commemorating the 60th anniversary of the liberation of Auschwitz; and

Whereas the World Jewish Congress (WJC) American Section in May 2005 sponsored a planning forum on anti-Semitism where senior diplomats and community leaders shared priorities for combating anti-Semitism, and the American Section adopted a resolution calling on the WJC Governing Board to implement specific strategies regarding the UN; and

Whereas the Secretary General has submitted a dramatic proposal for reforming the UN, “In Larger Freedom: Towards Development, Security and Human Rights for All,” to be considered by heads of state at the September 2005 summit in New York, including a call for replacing the deeply flawed Commission on Human Rights with a new and smaller Human Rights Council; and

Whereas in Geneva, far from public scrutiny, the nations with the very worst human rights records have been allowed to serve on the Human Rights Commission while flouting the basic principles of the Declaration of Human Rights, using their membership to block resolutions criticizing them and fellow violators; and

Whereas the State of Israel remains the target of multiple condemnations adopted annually by the UN General Assembly and the Commission on Human Rights, along with UN-funded entities devoted to questioning the legitimacy of the Jewish state; and

Whereas the Secretary General and the UN High Commissioner for Human Rights have noted the destructive bias of the Commission on Human Rights; and

Whereas Europe and other regions of the world have experienced a pandemic upsurge in anti-Semitic rhetoric and violence, in many cases fueled by political and government leadership and often in the guise of questioning Israel’s legitimacy; and

Whereas the WJC has promoted the goal of a stand-alone UN resolution to condemn anti-Semitism and call upon all nations to combat its manifestations; and

Whereas a growing number of world leaders have publicly supported adoption of a stand-alone resolution, and member states of international bodies such as the Organization for Security and Cooperation in Europe (OSCE) and the European Union (EU) have already committed to specific steps to counter anti-Semitism and prevent anti-Semitic violence and discrimination; and

Whereas the State of Israel is the only UN member state confined to limited membership in a regional group, the basic channel for nations to participate in deliberations and rotate onto membership on such key bodies as the UN Security Council and Commission on Human Rights; and

Therefore, the WJC Governing Board:

1. Instructs the WJC and urges affiliates to increase outreach to those governments that have already expressed their support for coordinated action against anti-Semitism to remind nations of the need for the UN to establish credibility on the issue of contemporary anti-Semitism, not just condemnations of past horrors; and
2. Encourages input from all regional and national affiliates, and from partner agencies, in advance of the September UN summit and 60th General Assembly session, regarding specific recommendations for maximizing the opportunities of the Secretary General's unprecedented call for UN reform; and
3. Instructs the World Jewish Congress to develop a set of results-oriented recommendations for reshaping the fundamentally flawed UN human rights machinery, including proposed criteria for membership in any new body; and
4. Specifically calls for any reshaped Human Rights Commission or new Human Rights Council to be based in New York City, exposed to the spotlight of international media coverage, and to restrict membership to those states whose governments reaffirm their commitment to the Universal Declaration of Human Rights, publish the Declaration and reaffirmation in all domestic electronic and print media, and permit international observers to verify this process prior to accession.

Adopted by the World Jewish Congress Governing Board, June 7, 2005, at Cordoba, Spain.



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