

Calendar No. 287

110TH CONGRESS
1ST SESSION**S. 1698****[Report No. 110–137]**

To provide that no funds appropriated or otherwise made available by any Act for contributions for international organizations may be made available to support the United Nations Human Rights Council.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2007

Mr. COLEMAN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 25, 2007

Reported by Mr. BIDEN, with an amendment

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

To provide that no funds appropriated or otherwise made available by any Act for contributions for international organizations may be made available to support 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “The Human Rights
3 Council Funding Reform Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 The Senate makes the following findings:

6 (1) The severe loss of credibility of the United
7 Nations Human Rights Commission, whose members
8 have included Libya, Sudan, and Cuba, led United
9 Nations Secretary General Kofi Annan to remark in
10 2005 that the Human Rights Commission was
11 “casting a shadow on the reputation of the United
12 Nations system as a whole” and to call for the cre-
13 ation of a new United Nations human rights institu-
14 tion.

15 (2) Calls for the reform of United Nations
16 human rights institutions led to a proposal for a new
17 Human Rights Council to replace the Human Rights
18 Commission, which was adopted by the United Na-
19 tions General Assembly on March 15, 2006, in Gen-
20 eral Assembly Resolution 60/251 (2006).

21 (3) The United States voted against General
22 Assembly Resolution 60/251 (2006) because the pro-
23 posed structure of the Human Rights Council did
24 not contain provisions designed to address the fun-
25 damental flaws of its predecessor body, such as a re-

1 requirement that members of the Council be democ-
2 racies that respect human rights.

3 (4) The United States chose not to run in the
4 elections for membership in the Human Rights
5 Council in 2006 and 2007 for fear that the Council
6 would reflect the same patterns as the Human
7 Rights Commission.

8 (5) The stated purpose of the Human Rights
9 Council is to objectively and non-selectively promote
10 and protect human rights in the entire world, and
11 therefore in all 192 Member States of the United
12 Nations.

13 (6) The Human Rights Council is composed of
14 47 members, 24 of which are considered “free de-
15 mocracies” by Freedom House in its 2007 “Free-
16 dom in the World” report.

17 (7) The current members of the Human Rights
18 Council include countries such as Cuba, Angola,
19 Azerbaijan, and Saudi Arabia.

20 (8) During the first year of operation of the
21 Human Rights Council, which included 5 regular
22 sessions and 4 special sessions, the only country in
23 the world that was directly condemned as a violator
24 of human rights was Israel.

1 (9) In its first year of operation, the Human
2 Rights Council passed only 12 state-specific resolu-
3 tions: 9 resolutions that condemned the Government
4 of Israel, and 3 resolutions on Sudan that did not
5 condemn the Government of Sudan.

6 (10) Freedom House lists 19 countries in its
7 2007 “Freedom in the World” report as the “Worst
8 of the Worst” regimes that violate human rights, yet
9 none of these countries has been the subject of a
10 resolution by the Human Rights Council except for
11 Sudan.

12 (11) During its first year, the Human Rights
13 Council held 4 special sessions to address the most
14 egregious and urgent human rights issues, with 3
15 sessions dedicated to Israel and 1 session dedicated
16 to Sudan.

17 (12) The Human Rights Council special session
18 on Sudan held in December 2006 resulted in the ap-
19 pointment of an assessment mission to Darfur led by
20 Nobel Peace Prize Laureate Jody Williams, and this
21 assessment mission submitted a report (referred to
22 in this resolution as the “Williams Report”) to the
23 Human Rights Council in March 2007 that con-
24 cluded that the Government of Sudan was respon-

1 sible for “large-scale international crimes in
2 Darfur”.

3 (13) The Human Rights Council has not con-
4 demned the Government of Sudan in spite of the
5 Williams Report and the numerous reports docu-
6 menting the human rights violations of the Govern-
7 ment of Sudan compiled by the United Nations High
8 Commissioner for Human Rights.

9 (14) On June 19, 2007, the Human Rights
10 Council adopted governing rules that further dis-
11 credit the Council’s operations, including—

12 (A) the establishment of only 1 country-
13 specific permanent agenda item for the “Pro-
14 gram of Work” on “human rights violations
15 and implications of the Israeli occupation of
16 Palestine and other occupied Arab territories”;

17 (B) the elimination of the mandates of the
18 special investigators for human rights for Cuba
19 and Belarus, despite extensive reporting by
20 these investigators indicating that there are
21 widespread, systematic violations of human
22 rights taking place in both countries; and

23 (C) the adoption of measures that limit the
24 independence of operations of the Office of the
25 United Nations High Commissioner for Human

1 Rights and hinder the ability of independent
 2 human rights investigators to report findings on
 3 human rights abuses.

4 **SEC. 3. PROHIBITION ON FUNDING FOR THE UNITED NA-**
 5 **TIONS HUMAN RIGHTS COUNCIL.**

6 ~~Notwithstanding any other provision of law, no funds~~
 7 ~~appropriated or otherwise made available by any Act for~~
 8 ~~contributions for international organizations may be made~~
 9 ~~available to support the United Nations Human Rights~~
 10 ~~Council.~~

11 **SEC. 3. TEMPORARY PROHIBITION ON FUNDING FOR THE**
 12 **UNITED NATIONS HUMAN RIGHTS COUNCIL.**

13 *(a) IN GENERAL.—No funds appropriated or otherwise*
 14 *made available by any Act for fiscal years 2008 or 2009*
 15 *for contributions to international organizations may be*
 16 *made available to support the United Nations Human*
 17 *Rights Council.*

18 *(b) EXCEPTIONS.—The prohibition under subsection*
 19 *(a) shall not apply for a fiscal year if, during that fiscal*
 20 *year—*

21 *(1) the President determines and certifies to the*
 22 *Committee on Foreign Relations of the Senate and the*
 23 *Committee on Foreign Affairs of the House of Rep-*
 24 *resentatives that the provision of funds to support the*

- 1 *United Nations Human Rights Council is in the na-*
- 2 *tional interest of the United States; or*
- 3 *(2) the United States is a member of the Human*
- 4 *Rights Council.*

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