

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To impose restrictions on the expenditure of funds appropriated or otherwise made available for contributions for international organizations in support of the United Nations Human Rights Council.

**IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.**

**H. R. 2764**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COLEMAN

Viz:

1 On page 410, between line 15 and 16, insert the fol-  
2 lowing:

3 WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO  
4 THE UNITED NATIONS HUMAN RIGHTS COUNCIL

5 SEC. 699B. (a) The Senate makes the following find-  
6 ings:

7 (1) The severe loss of credibility of the United  
8 Nations Human Rights Commission, whose members

1 have included Libya, Sudan, and Cuba, led United  
2 Nations Secretary-General Kofi Annan to remark in  
3 2005 that the Human Rights Commission was  
4 “casting a shadow on the reputation of the United  
5 Nations system as a whole” and to call for the cre-  
6 ation of a new United Nations human rights institu-  
7 tion.

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

14 (3) The United States voted against General  
15 Assembly Resolution 60/251 (2006) because the pro-  
16 posed structure of the Human Rights Council did  
17 not contain provisions designed to address the fun-  
18 damental flaws of its predecessor body, such as a re-  
19 quirement that members of the Council be democ-  
20 racies that respect human rights.

21 (4) The United States chose not to run in the  
22 elections for membership in the Human Rights  
23 Council in 2006 and 2007 for fear that the Council  
24 would reflect the same patterns as the Human  
25 Rights Commission.

1           (5) The stated purpose of the Human Rights  
2 Council is to objectively and non-selectively promote  
3 and protect human rights in the entire world, and  
4 therefore in all 192 Member States of the United  
5 Nations.

6           (6) The Human Rights Council is composed of  
7 47 members, 24 of which are considered “free de-  
8 mocracies” by Freedom House in its 2007 “Free-  
9 dom in the World” report.

10          (7) The current members of the Human Rights  
11 Council include countries such as Cuba, Angola,  
12 Azerbaijan, and Saudi Arabia.

13          (8) During the first year of operation of the  
14 Human Rights Council, which included 5 regular  
15 sessions and 4 special sessions, the only country in  
16 the world that was directly condemned as a violator  
17 of human rights was Israel.

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

23          (10) Freedom House lists 19 countries in its  
24 2007 “Freedom in the World” report as the “Worst  
25 of the Worst” regimes that violate human rights, yet

1 none of these countries has been the subject of a  
2 resolution by the Human Rights Council except for  
3 Sudan.

4 (11) During its first year, the Human Rights  
5 Council held 4 special sessions to address the most  
6 egregious and urgent human rights issues, with 3  
7 sessions dedicated to Israel and 1 session dedicated  
8 to Sudan.

9 (12) The Human Rights Council special session  
10 on Sudan held in December 2006 resulted in the ap-  
11 pointment of an assessment mission to Darfur led by  
12 Nobel Peace Prize Laureate Jody Williams, and this  
13 assessment mission submitted a report (referred to  
14 in this section as the “Williams Report”) to the  
15 Human Rights Council in March 2007 that con-  
16 cluded that the Government of Sudan was respon-  
17 sible for “large-scale international crimes in  
18 Darfur”.

19 (13) The Human Rights Council has not con-  
20 demned the Government of Sudan in spite of the  
21 Williams Report and the numerous reports docu-  
22 menting the human rights violations of the Govern-  
23 ment of Sudan compiled by the United Nations High  
24 Commissioner for Human Rights.

1           (14) On June 19, 2007, the Human Rights  
2 Council adopted governing rules that further dis-  
3 credit the Council's operations, including—

4           (A) the establishment of only 1 country-  
5 specific permanent agenda item for the “Pro-  
6 gram of Work” on “human rights violations  
7 and implications of the Israeli occupation of  
8 Palestine and other occupied Arab territories”;

9           (B) the elimination of the mandates of the  
10 special investigators for human rights for Cuba  
11 and Belarus, despite extensive reporting by  
12 these investigators indicating that there are  
13 widespread, systematic violations of human  
14 rights taking place in both countries; and

15           (C) the adoption of measures that limit the  
16 independence of operations of the Office of the  
17 United Nations High Commissioner for Human  
18 Rights and hinder the ability of independent  
19 human rights investigators to report findings on  
20 human rights abuses.

21       (b)(1) No funds appropriated or otherwise made  
22 available by any Act for fiscal years 2008 or 2009 for con-  
23 tributions to international organizations may be made  
24 available to support the United Nations Human Rights  
25 Council.

1           (2) The prohibition under paragraph (1) shall not  
2 apply for a fiscal year if, during that fiscal year—

3           (A) the President determines and certifies to  
4 the Committee on Foreign Relations and the Com-  
5 mittee on Appropriations of the Senate and the  
6 Committee on Foreign Affairs and the Committee on  
7 Appropriations of the House of Representatives that  
8 the provision of funds to support the United Nations  
9 Human Rights Council is in the national interest of  
10 the United States; or

11           (B) the United States is a member of the  
12 Human Rights Council.