



# General Assembly

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## Human Rights Council

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Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 May 2016]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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## Freeing States from the Tyranny of Other States

Like termites eating at a house, the double standards at the United Nations (UN) eat at the very core of the guiding principles and universal values set by the international community. Termites go undetected for years, hidden behind walls and coverings, with a terrifying reputation for the damage they are capable of. Likewise, the double standards at the UN go undetected, hidden behind insincere diplomacy, selectivity, and dominance-based insulations and other obstructions, with the terrifying damage of compromising the credibility of the UN and undermining its capability in maintaining peace and security.

In the words of Martin Luther King “we will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people.” In the Middle East, people have been gravely violated yet most member states at the UN continue to be silent. Martin Luther King’s call to action is as relevant today as it was in 1963.

Israel’s occupation of Palestine is a glaring case in question. How to explain the decades-long, blindly biased U.S. support of Israel; an apartheid State! Time and again, resolutions of the Security Council against Israel’s grave violations of Palestinians rights are vetoed by the United States. Year after year, resolutions of the UN General Assembly condemning Israel’s crimes against Palestinians, resolutions by the Human Rights Council (HRC), resolutions by the UN Educational, Scientific and Cultural Organization (UNESCO), resolutions by the World Health Organization (WHO), resolutions by the Committee on the Elimination of Discrimination against Women (CEDAW), the mountains of reports by UN special procedures and treaty bodies, all are arrogantly pushed aside. Even the opinion of the International Court of Justice concerning the legal consequences of the construction of the Apartheid wall in the Occupied Palestinian Territories (OPT) has been totally ignored. It is evident that what recommendations human rights defenders make, or critical reports UN experts and civil society organizations present, are hardly considered a matter of priority or concern to the so called leaders of human rights and democracy.

In January 2016, the UN Special Rapporteur on the situation of human rights in the Palestinian territories, Makarim Wibisono, submitted his resignation to the President of the Human Rights Council after Israel had repeatedly denied him access to the occupied Palestinian territories (OPT). Unfortunately, the efforts of his predecessors were also frustrated every step of the way.

Generation after generation of Palestinians have been promised peace, development, democracy and hope but got nothing. The Oslo Peace Accord had to fail because the pursuit of justice goes hand in hand with the pursuit of peace, and where there is no justice, there is more transgressions, unfairness, inequality, and one race given power over another.

UN involvement and resolutions continue to be renewed year in and year out, but states parties to human rights instruments have yet to act to ensure that international crimes are prosecuted, as written in the Geneva Conventions.

Over the years, what has paralyzed the UN from acting to put an end to the Israeli non-compliance with international law is the veto power of the United States.

While the UN Charter begins with the words “We the people of the United Nations, determined to save succeeding generations from the scourge of war”, the Palestinian case has languished for almost a century since the Balfour Declaration. Albert Einstein articulated in few words what has been painfully witnessed by all: “It would be my greatest sadness to see Zionists do to Palestinian Arabs much of what Nazis did to Jews”.

The decades-long wrongs perpetrated by this Occupying Power have been eroding the integrity of the United Nations, undermining the authority of international law, corrupting the culture of human rights, and shaming the struggle against racism.

All human rights standards have been swiftly swept under the red carpet covers of insincere diplomacy and trampled upon. This hypocrisy at the UN of the Western European and Others Group (WEOG) continues unabated, while some keep the appearance of sticking to human rights and others not even that!

Other alarming cases of extreme brutality are the U.S. wars of plunder and conquest in the region. The tyrannical control over the resources of the defenseless Iraqi people has exposed the corrupt U.S. war industry and racist propaganda leashed for the benefit of the now-booming private military companies that thrive on warmongering. The dirty work of paving the way for setting up fiercely oppressive puppet states has been outsourced to armies of mercenaries that call themselves private security companies. They are guns for hire fighting like in the Wild West free from any oversight that should typically exist in a civilized world. Their state-sanctioned breath-taking violence throws overboard all conventions for the sole guiding principle of profit.

Evidently, there is something deeply perverse about the privatization of illegal wars and utilization of mercenaries with far-reaching implications. U.S. wars of aggression have created refugees twice displaced or three times uprooted. For private military firms and the international mercenary market servicing the leading forces of this new world disorder, war is business and business is good. The very word “war,” therefore, has become misleading! In the words of **Naomi Klein**, author of *The Shock Doctrine*, **“rather than recognizing that we owe a debt to migrants forced to flee their lands as a result of our actions (and inactions), our governments will build ever more high-tech fortresses and adopt even more draconian anti-immigration laws. And, in the name of “national security,” we will intervene in foreign conflicts over water, oil, and arable land, or start those conflicts ourselves. In short our culture will do what it is already doing, only with more brutality and barbarism, because that is what our system is built to do”.**

In this organized disorganization of legitimizing the illegitimate, Syria has also suffered from the crafters of extremism and terrorism. Its disillusioned and disenfranchised people have been left in the wake of nothing but smoke and rubble by the barbarian actions of groups privately armed, deployed, and mobilized in similar neo-mercenary rebranding ways! What kind of impostures and chaos-designers are benefitting from such barbarity where the sovereignty of nations and self-determination of people are looked on as matters of indifference! In their modern crusade for world hegemony, how much longer can the powerful at the UN pretend to represent the interests and aspirations for the progress of humanity by invading countries and/or contributing to their destruction?

Every nation benefits from having a mirror held before it to reflect how the international community sees its contribution to global governance and universal justice. The United States has been paralyzing not only the United Nations, but also the International Criminal Court (ICC) from its very beginning. Its withdrawal from the Rome Statute, the adoption of the American Service members’ Protection Act (2002), and the bilateral agreements to guarantee the non-extradition of U.S. citizens to the ICC demonstrate the official American position towards universal order and justice. How can the Court exercise its universal mandate when the unrivalled superpower threatens states with unilateral sanctions in the case of their ratifying the treaty or cooperation with the Court?

This conflict of wills of the powerful versus the powerless is especially evident in the UN Security Council and is causing the problems of legitimacy of international legal institutions like the United Nations and International Criminal Court (ICC), which have to protect their independence against the most powerful nation-state in a unipolar world.

Some members of the European Union (EU) cannot seem to help the status-quo within the context of the existing state of affairs, any more than weaker states can, but defend it!- it defies all conventions!

In May-September 2015, the United States participated in its second Universal Periodic Review (UPR), accepting in whole or in part 260 out of 343 recommendations. The greatest cause for concern continues to be the ongoing lack of willingness to ratify certain human rights treaties such as the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD) and the Rome Statute.

**NGOs call on the international community to closely follow the implementation of the recommendations to ensure, among other things, that the United States: ratifies its outstanding human rights treaties, establishes a National Human Rights Institution in accordance with Paris Principles, takes practical steps to eliminate racial**

**discrimination, allows the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment full access to its detention facilities, prosecutes perpetrators of torture, closes Guantanamo Bay and other similar detention facilities, and signs the Rome Statute of the International Criminal Court.**

EAFORD  
May 2016

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