

## **UN on the road to failure**

It really was an extraordinary and ambitious idea, to ask all the countries in unison, the assembled nations of the world, to sign a founding text, the Universal Declaration of Human Rights. One of its main architects, the French jurist René Cassin, had to fight in 1948 for the declaration to be “universal “and not just “international.” He was one of those who, like us, think that the suffering of victims is the same everywhere, and that an African or an Asian has as much right as a European not to be tortured.

But, 60 years later, this principle of universality is denied by many states. In Asia, for example, senior officials can often be heard extolling the merits of their “national” concept of human rights. They prefer, they say, to put the community’s well-being first whereas as we, in Europe, just think of the individual. And if a journalist, government opponent or trade unionist is imprisoned or beaten? No, that is not a human rights violation. It is just a measure to safeguard public order and reassure decent citizens.

This way of thinking is hypocritical and unacceptable. Especially when you know that those who drafted the Universal Declaration included not only European jurists but also a Lebanese diplomat, a Chilean, and even a Chinese academic, Peng-chun Chang, the ambassador of a young nation embroiled in civil war.

It is in Geneva that the UN’s failure is most obvious. The UN system, which requires nations to be judges and judged at the same time, is schizophrenic. The UN Human Rights Commission became totally discredited in 2003 when it chose Libya’s representative to be its chairperson. It disbanded itself soon afterwards, amid the ensuing outcry, and was replaced by the UN Human Rights Council.

But the hopes placed in the UN’s new guard dog were quickly dashed. When the first council was elected in May 2006, its members included countries in which the death penalty, torture, impunity, arbitrary detention and denial of basic rights seem to be essential components of their societies. The UN put Algeria, Saudi Arabia, Azerbaijan, Bangladesh, China, Cuba, Nigeria and Russia in charge of defending the Universal Declaration of Human Rights. The machinery was still brand new but it was already beginning to squeak.

What has happened since then is just as heartening. In less than two years, the council has terminated the mandates of its independent experts – the only UN officials who escape the dictates of a government – in charge of monitoring the situation in Cuba, Belarus and even Democratic Republic of Congo, where the recent killings and flood of refugees in the east of the country indicate an impressive degree of respect for human dignity. The council also refused to appoint an expert for Turkmenistan, which – as everyone knows – is one of the world’s most open and welcoming countries.

China, Uzbekistan, Russia and others have meanwhile manoeuvred behind the scenes and struck deals to ensure that a majority of countries opposes any resolution criticising them. And the deals are effective. Votes are not cast according to the seriousness of the

situation in a country but according to the possible advantages that the country or its allies can offer in return. China wins all the battles in this game. Using its enormous economic power, it ensures that it is systematically supported by countries on whom it lavishes loans, subsidies and other aid accords. Most of the countries in Africa and many of the Asian ones find out how they are going to vote in the Geneva office of the Middle Kingdom's permanent representative.

Meant to defend the universality of values, the UN Human Rights Council has lost its way. It is used to serve the interests of governments that do not want to see themselves branded as the world's worst human rights violators. The UN secretary-general needs to pull himself together and demand that measures be taken. The first of these measures could be to establish eligibility criteria for countries to be members of the council, criteria based on respect for human rights and support for the main international treaties and their implementation. This would not solve all the problems, but it would at least have the merit of keeping verbose autocrats away from the rostrum.