

## **The Third Totalitarian Threat**

Address by Richard Schifter, former U.S. Representative in the UN Commission on Human Rights and former U.S. Deputy Representative in the UN Security Council to the Durban II "Counter-Conference" at Fordham Law School in New York City on April 20, 2009.

If Adolf Hitler had lived to 120, today would be the day he died. While he has, fortunately, not been bodily with us for the past 64 years, his spirit, regrettably, is still alive and very much alive in Geneva this week. As we have focused on Durban II, we have appropriately remembered Durban I, where anti-Israeli propaganda initially intertwined with antisemitism. Whatever product the wordsmiths in Geneva may come up with, the dominant forces in Geneva will have seen to it that the anti-Israel message of Durban I is reaffirmed.

There is no doubt that Durban I and Durban II are matters of serious concern. Yet, as we examine the context in which these UN-sponsored conferences are held, we must necessarily come to the conclusion that the anti-Israel and antisemitic phenomenon of these meetings is only the tip of the UN iceberg. Or, to use another metaphor, we deal at this Durban II meeting, as we did with Durban I, with only a symptom of the debilitating disease from which the UN suffers,

The perfectly legitimate and highly worthy cause of opposition to racism, which is the alleged reason for the gatherings, was from the very start subverted by the totalitarians that dominate the UN General Assembly and who are making full use of the Assembly and its offshoots in their continuing campaign against democracy, civil liberties, and the rule of law. They are engaged in a campaign against the basic principles of the Enlightenment, principles that were enshrined in the UN Charter.

What we are witnessing now worldwide is the third major totalitarian attack on these principles. In its modern form the ideology of democracy and human rights emanated from the Netherlands in the 17<sup>th</sup> Century and then spread to the United States, England, France, Germany in the 18<sup>th</sup> and 19<sup>th</sup> Centuries, and beyond that region in the 20<sup>th</sup> Century. It is no longer a way of governing limited to the West. India, it is worth keeping in mind, has for many years been the world's largest democracy. Japan and South Korea are democracies and so are many smaller non-Western countries.

It is indeed appropriate that we are meeting on the day that marks not only the opening of Durban II, but also the day once known in Germany as the Geburtstag des Fuehrers, the birthday of the leader. For it was Hitler who led the initial totalitarian attack on the Enlightenment, turning first on the democratic process in his own country and then seeking to bring all of Europe under his control..

In the course of the 20<sup>th</sup> Century we experienced not only Hitler's attack on the Enlightenment, which led to World War II, but also Stalin's repressive and expansionist policies, which precipitated the Cold War. Both World War II and the Cold War were conflicts resulting from profound differences in ideology. And now, in the 21<sup>st</sup> Century, we, whose way of life is based on the principles of the Enlightenment, are the objects of

the third totalitarian attack, an attack undertaken, strange as it may seem, by an informal *de facto* alliance of neo-fascists and neo-communists, an alliance that unites Mahmoud Akhmadinejad with Hugo Chavez.

The proceedings in Geneva at the Durban II meeting are vivid proof to the world of what that new alliance seeks to accomplish. Under the mantle of opposition to racism, it seeks to attack the Western world and our basic concepts of freedom. Its manipulation of significant human rights issues is well illustrated by its approach to the issue of slavery. It is only the wrongful transatlantic slave trade that is attacked. The slave trade in East Africa, undertaken by non-Westerners, including Arabs, is deliberately omitted. Nor is there any mention in the Durban II drafts of the racist aspect of the current conflict in Darfur, which Colin Powell has correctly characterized as genocidal.

While there is a need for us to follow the Durban II proceedings closely for what they reveal regarding the agenda of the new totalitarians, we need also to recognize that Durban II is just one forum of a much larger enterprise, an enterprise that makes full use of the United Nations system to advance its cause, the cause of the new totalitarianism. Israel, I submit, is the canary in the coal mine. The new totalitarians view as their enemies all those who are committed to the way of life that emanated from the Enlightenment.

I have been around long enough to remember the speech given by Emperor Haile Selassie of Ethiopia in 1936 at a session of the League of Nations Assembly to appeal for action against Mussolini's Italy, which had invaded his country. In his speech he warned:

“It is collective security: it is the very existence of the League of Nations. It is the confidence that each State is to place in international treaties... In a word, it is international morality that is at stake.”

The Emperor's words were heard but no meaningful action was taken. The League quietly faded from the world scene as World War II approached. It had failed in its mission. When the League's successor, the UN, was created in 1945, it was hoped that it would function far better than its predecessor. It is now 64 years later. As we look at the UN Charter's very first statement of purpose for the United Nations, that of maintaining international peace and security, we can hardly say that UN's record in that field has been a resounding success. International morality remains at risk.

The world's inability to use the UN to advance the cause of international peace and security does not mean that none of the purposes of the Charter have been served by the UN system. If we drop from Article 1, paragraph 1 of the UN Charter, which refers to the maintenance of international peace and security, to paragraph 3, we shall find the statement of another purpose of the UN: “to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in encouraging respect for human rights and for fundamental freedoms.”

While the Security Council was hamstrung by the Soviet Union's “nyet” to efforts to maintain peace, the democracies, constituting a majority of the General Assembly in the early years of the UN, went to work to implement paragraph 3. In 1946, following up on the Charter's promise that

the UN would promote respect for human rights, the Assembly established the UN Human Rights Commission. Under the leadership of Eleanor Roosevelt, the Commission promptly went to work on drafting the document which became known as the Universal Declaration of Human Rights. The Universal Declaration, reflecting fully the thoughts of John Locke, as expressed in 1689 in his "Two Treatises of Government" and incorporated a hundred years later into the French Declaration of the Rights of Man and the Citizen and into the U.S. Bill of Rights, spelled out with specificity precisely what was meant by the term "human rights." It is appropriate to note that in 1948, when the Universal Declaration was adopted by the UN General Assembly by the affirmative vote of 48 of its 56 members, no member voted "no." Eight members, 6 Soviet bloc states plus Saudi Arabia and South Africa abstained.

In these early years of the UN's existence, the General Assembly also created other entities whose task it was to implement the UN's commitment to humanitarian work, such as the World Health Organization, the United Nations Children Fund, and the Office of the United Nations High Commissioner for Refugees, all three of which have done highly useful work in their respective fields and are functioning well to this day.

The truly creative period of the UN General Assembly came to an end around 1970. It came to an end as a result of the extraordinarily clever maneuvering of the totalitarians represented at the UN and the failure of the democracies to match their clever manipulations. From the founding of the UN until the 1960's, the Soviet bloc had consistently been outvoted by the democracies at the UN. That has now to come to an end.

As it was, the diplomats representing the Soviet Union and its East European satellites at the United Nations lacked the finesse needed to succeed in a parliamentary setting in which mere bluster would not suffice to win votes. But they found a close ally who had the skills needed to build a new majority bloc in the United Nations General Assembly. It was Fidel Castro.

Castro assembled a highly competent cadre of diplomats, who took on the task of building an international network of institutions that would operate in opposition to the United States. Though clearly aligned with the Soviet bloc, Castro got Cuba admitted to the Non-Aligned Movement and in due course turned the Non-Aligned and a parallel organization, the Group of 77, into mouthpieces for the Moscow line.

An important step on the way toward taking control of the Non-Aligned and the G-77 organizations was for Castro to link up with the Arab League and the Organization of the Islamic Conference. At the September 1973 summit of the Non-Aligned Movement, the NAM, where Castro sought to line up the NAM with Moscow, he was initially challenged by Muammar Qaddafi, who wanted the Non-Aligned to remain truly non-aligned. It was at that point that Castro appears to have realized how he could best attain his goal: he broke diplomatic relations with Israel and added Israel to the United States on his and the entire Soviet bloc's enemies list.

Castro had no genuine interest in the Palestinian cause. The purpose of his move in 1973 and in Cuba's key role since that time in the anti-Israel effort at the UN was to build a strong bloc at the UN of opponents of the United States. He was aware of the fact that between 1959 and 1972, the membership of the United Nations had increased by more than 60%, from 82 to 132. 35 of the additional 50 members belonged to the Organization of the Islamic Conference, which had been founded in 1969, or were newly-independent African states, or both. What Castro was well aware of was that by breaking ties with Israel, he would be able to get Qaddafi's help in lining up the votes of the Organization of the Islamic Conference. But there was still the question of how to reach out to those African states that did not belong to the OIC.

It did not take the Castro and Qaddafi alliance very long to find an answer to that question. Only weeks after the September 1973 NAM summit, the General Assembly considered a resolution that called for more pressure on South Africa to end the apartheid regime. The clique that had begun to manipulate the UN chose Burundi to offer an amendment which referred to “the unholy alliance between Portuguese colonialism, South African racism, Zionism and Israeli imperialism.” The amendment was adopted by a two-to-one majority. By linking Zionism with South African racism, many of the non-Muslim states of Africa were brought into the new alliance. This was the first shot in the drumfire that has continued at the UN to this very day.

The government of Burundi of those days brought truly unique qualifications to the discussion of racism. In the preceding year, the army of Burundi, led by Tutsis, had killed about 100,000 Hutus, for no reason other than their ethnicity. I should add that Burundi is a vastly different country today. In recent years its voting record on Israel-related issues at the UN has been one of the better records. Still, the Burundi initiative of 1973 was the first effort to use the issue of Israel to bring sub-Saharan African states into the anti-democratic bloc at the UN.

In the memoir of his year at the UN, entitled *A Dangerous Place* Pat Moynihan quotes from a letter that he had received from Leon Gordenker, a professor of international relations at Princeton and an expert on the United Nations, who had called Moynihan’s attention to the Burundi initiative in the fall of 1973. In 1975 Gordenker wrote Moynihan to complain about the failure of the United States to engage in a concerted effort at the UN to win votes:

“Surely a government that can negotiate with China and the Soviet Union can organize enough persuasiveness to reduce the production of pernicious symbolism and to win the support from sensible regimes for human rights.”

In his memoir Moynihan explains the reason for this failure:

“American diplomacy put overwhelming emphasis on seeking friendly relations with individual other countries. The institutional arrangement for this was the ambassador and his embassy. To get an embassy was the great goal of the career officer; having achieved it, his final object was to be judged a successful ambassador by maintaining friendly relations. Anything that interfered with this goal was resisted by the system. In recent years, and notably in the new nations, the one aspect of foreign policy that could most interfere with this object was the voting behavior of so many of the small or new nations in multilateral forums, behavior hostile to the United States. In consequence the ‘bilateral system’ resisted, and usually with success, the effort to introduce multilateral considerations into its calculations.”

These words, let us note, were written in 1975. It is now 34 years later. They are as relevant today as they were then. Our mission to the UN lacks the needed back-up in the capitals of UN member states.

That back-up is needed because of the vastly different manner in which our mission operates when compared to our principal opponents. Once a Cuban diplomat is assigned to the UN he stays there and, over the years, truly learns the business of multilateral diplomacy. As he continues in the UN system, he watches his counterparts from other countries arrive, begin to learn the routine, and then depart as their tour of duty at the UN comes to an end, and they are replaced by a new set of diplomats getting ready to learn the UN routine.

There is another aspect to the Cuban performance. While there are missions to the UN that operate under specific instructions from their respective governments, there are many other missions that receive no specific instructions, allowing their representatives at the UN to make their own decisions on how to vote. It is that aspect of the UN system that has been fully utilized in building the anti-democratic bloc. For one, arrangements are made for missions to be rewarded for their cooperation by being elected to positions in the UN system that are of special interest to them. For another, an informal job placement service operates at the UN that enables relatives of cooperating diplomats to obtain jobs in the UN Secretariat. As one diplomat once put it to me: "After you have been at the UN for a little while, you start playing the UN game and you forget about your country."

There is more to it than that. I recall an incident from the time in which I represented the United States in the UN Human Rights Commission. Having done the needed parliamentary work, I had gotten a resolution adopted that the Cubans had opposed. Immediately following the vote, the Cuban representative rose to accuse me of having bribed some of the representatives so that they would vote with the United States. After the meeting had adjourned, I asked colleagues from other missions whether that really happens at the UN. They all thought I was terribly naïve. "Of course it happens," they said. "The Cubans do it all the time. So do the Libyans."

I am sure you agree that we should not pay bribes to ambassadors. But I have not found it easy to understand why we were under specific instructions at the UN never to suggest any relationship between U.S. foreign assistance and UN voting. I recognize that we should understand why Egypt or Pakistan would vote against the U.S. at the UN, but why, for example, should we not make it clear to the Philippines or Vietnam, which during the current fiscal year receive about \$100 million, each in U.S. foreign assistance that our resources are limited and that these limited resources will, in the first instance, be made available to states that are prepared to reciprocate our friendship?

During my stay at the UN I also learned exactly how the leaders of the anti-democratic forces transmit their voting instructions to their following. The explanation that democratic members of the NAM or the G-77 offer to explain their anti-democratic votes is that they vote the NAM or the G-77 "consensus." That raises the question of how that consensus is reached.

During my stay at the UN Mission in the early 1980's I was offered an explanation by an ambassador from a NAM state with whom I was having lunch. In the course of our conversation he asked me whether I knew how the NAM consensus was formed. When I told him that I did not know, he said: "You know, we used to be on the other side." By that he meant on the pro-Soviet side. He continued by telling me that on the day preceding any meeting of the NAM caucus, which had 101 members at that time, the friends of the Soviet Union, about 17 or 18 states, would have a special meeting. When they were all assembled, a small group would enter the room, always including Cubans. That group would then give out instructions on how the assembled representatives should act when they met the next day at the meeting of the full NAM caucus. Each representative would be assigned a specific task, to make a motion on a position to be taken by the NAM, to be the first speaker in support of a motion, or to be the second speaker in support. Then, the next day, when the full caucus met, the whole scenario would be played out. My colleague concluded his account of NAM procedure by saying: "And there sits the silent majority and just goes along."

To return to the events following the 1973 Burundi amendment to the anti-apartheid resolution: as we so well know, having developed the theme of correlating Zionism with apartheid, the other

side did not let go. At the International Women's Year Conference in July 1975 in Mexico City a resolution was adopted which called for the elimination of Zionism, apartheid and racial discrimination. The news from Mexico City focused, of course, on the emphasis that had been placed on the rights of women, but another step had been taken in the Zionism is racism campaign. Then, in November of that year that formula was made UN doctrine by the UN General Assembly by its adoption of the "Zionism is Racism" resolution, by a vote of 72 to 35 with 32 abstaining. Confirming the bargain that had been struck, the new controlling alliance put together by Castro and Qaddafi furnished 68 of the 72 affirmative votes. Brazil and Mexico, Cyprus and Malta provided the remaining four. A majority of the "no" votes was provided by the Western Group, but it was joined by Latin American, Caribbean and sub-Saharan African states. In addition, many of these non-Western states abstained.

What deserves mention is that if Mexico had voted "no" rather than "yes" or if Colombia and Guatemala had joined the United States in voting "no" rather than abstaining, the resolution would have been adopted only if the General Assembly had voted that the resolution was not "important." That is so because with these minor vote changes, the resolution would not have received the two-thirds vote required by the Charter for important resolution. I am mentioning these details to underline the validity of Moynihan's observation that our side does not do the needed parliamentary spade work at the UN. That is, as noted, in sharp contrast to the extraordinarily effective work done by the Cubans to this day. My guess is that they were well aware of the two-thirds majority requirement and worked hard to attain that result.

That is how the Zionism is racism campaign got started at the UN. Now let us move fast forward to December 22, 2007, when the UN General Assembly had before it a resolution that authorized the allocation of about \$7 million to fund the operation of a committee, chaired by Libya, whose task it was to prepare Durban II. The resolution passed by a vote of 105 to 46. The fact that the "no" vote fell only slightly short of one-third plus 1 is particularly important in this setting because the resolution raised a budgetary question and budgetary questions require two-thirds for passing. The option of deciding that budgetary questions are not important is not available because the Charter says explicitly that they *are* important and thus require a two-thirds vote.

Now let us take a look at how Durban II came about by comparing the December 2007 vote to the Zionism is Racism vote of November 1975. Here is what we find:

(1) Most of the Western states once again voted "no," although a few, Liechtenstein, New Zealand, Norway, and Switzerland switched to "abstain."

(2) The 25 Western states have now been joined by 18 East European states, some of which had voted "yes" in 1974. Others had not been in existence then, having been republics of the Soviet Union or Yugoslavia. Three Asian UN members also voted "no." They were South Korea, the Marshall Islands, and Palau.

(3) Most of the Latin American, Caribbean and African states that had voted "no" on "Zionism and Racism" in 1975 voted *for* funding Durban II in 2007.

As we make this comparison between the 1975 vote and the corresponding 2007 vote, we need to note that in the interim, in 1991, the Zionism is Racism resolution was repealed by a vote of 111 to 25. The repeal was the result of a major effort, undertaken by the then Assistant Secretary of State for International Organizations, John Bolton. The substantial margin of victory for our side was also the result of the fact that the Soviet bloc had dissolved, the Soviet Union was disintegrating, and the anti-democratic coalition at the UN was in utter disarray.

But this disarray did not last long. The anti-democratic forces at the UN quickly regained their footing and are once again in full operation. It is worth noting that while they used to fly the flag of the Non-Aligned Movement in earlier decades, they now sail under the flag of the Group of 77. There is only one significant difference between the NAM and the G-77. China does not belong to the former, but belongs to the latter. In fact the G-77 calls itself now the Group of 77 and China. China has become an increasingly significant player in the anti-democratic camp at the UN.

It is worth noting that China is one country that has no history of antisemitism, and has not been geopolitically engaged against Israel. On the contrary, Chinese intellectuals see parallels between their ancient culture and the ancient culture of the Hebrews. China has also excellent trade relations with Israel. But at the UN, China consistently votes against Israel. It does so because it seeks to embarrass the United States.

As we watch the totalitarians at work in Geneva this week, using the UN umbrella in their attacks on the basic principles on which the UN was founded, it is understandable that there are many observers who are prepared to give up on the UN. The response that I want to offer to these pessimists is that while we can clearly identify the symptoms of the disease from which the UN suffers, it is a disease from which it can be cured. All that is needed is for the governments of the democracies, particularly of the United States, to engage in more effective parliamentary work at the UN than it does now.

Let us just take a look at the roll calls on the two votes that I have cited the Zionism is Racism vote and the Durban II funding vote. On the first of these the “no” vote was 32.7%. On the second it was 30.5%, and insignificant difference in the percentages. What is striking as we look at this almost imperceptible change in percentages, is that the Freedom House categorizations for 1975 and 2007 show a wholly different percentage pattern. In 1975, Freedom House classified 27% of the UN membership as free. In 2007 the percentage of free countries was 46%, a truly substantial difference. Let me add that another 31% are classified as “partly free.”

Why was that difference not reflected in the votes on the two resolutions? The answer is that our side had indeed picked up Eastern Europe’s new democracies. But we had lost the support of Latin American, Caribbean, and African states, most of them fellow-democracies. The additional votes cast for our side were not the result of any diplomatic effort on our part. They reflected the political beliefs of these countries in democracy and human rights. The democracies whose votes we lost, on the other hand, were lost as a result of a failure on our part to engage them fully on UN issues, combined with the extraordinarily clever manipulation by the other side.

So, as we watch Durban II unfold, let us keep in mind that effecting change at the UN is not a hopeless cause. The percentage of UN member states that Freedom House classifies as “not free” is down to 22%. Under these circumstances should it not be possible for the democracies to return the UN to the principles spelled out in the Charter? I submit it can be done if the United States Government will commit itself to spend the time and energy needed to attain that goal. And it is our task, as citizens, to urge our Government to do just that.

Let me conclude my remarks by expressing the thanks of all us assembled here to those whose idea it was to arrange for this counter-conference and who did the necessary organizational work. It is important for all of us who believe in the fundamental principles on which the United Nations were founded to stand up against those who are fully engaged in efforts to subvert them. That is what this counter-conference is doing. And we shall overcome!



