

# United States Senate

WASHINGTON, DC 20510

April 1, 2022

The Honorable Antony Blinken  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Secretary Blinken:

We write today to urge you again to instruct the Department of State to withdraw the United States from the United Nations Human Rights Council (UNHRC). With the Council's 49<sup>th</sup> session underway—and no indication that the UNHRC will eliminate its unprecedented permanent Commission of Inquiry (COI) on the Israel-Palestinian conflict—it is imperative that the United States ends its membership on the Council immediately.

Following last year's conflict with Hamas, the UNHRC held a special session on May 27, 2021, in which it established "an ongoing, independent, international commission of inquiry" to investigate "all alleged violations and abuses of international human rights law leading up and since 13 April 2021." Additionally, the resolution called on the COI to "investigate all underlying root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity." Nowhere did this mandate reference Israel's right to self-defense or delineate limitations to the COI probe.

Israel Ambassador and Permanent Representative of Israel to the UN Meirav Eilon Shahar has already indicated in a letter to COI Chair Navi Pilay that Israel will not comply with the Commission's probe. Rightfully, the letter calls out Pilay for "personally championing an anti-Israel agenda and three Commission members for repeatedly taking "public and hostile positions against Israel on the very subject-matter that they are called upon to investigate." It is also worth noting that Pilay has advocated for the BDS agenda and even compared Israel to Apartheid South Africa.

On February 8, 2021, you stated that the Human Rights Council "is flawed and needs reform, but walking away won't fix it. The best way to improve the Council, so it can achieve its potential, is through robust and principled U.S. leadership." However, it is evident that your decision to re-join the Council without first securing a commitment to reform it was naïve and misguided. American participation has done little to halt the Council's relentless demonization of Israel. With the COI backed by a 24-nation majority on the Council, it is evident to any clear-eyed observer that attempting to reform the Council from within is wishful thinking at best and dangerous at worst. The United States should not legitimize this sweeping, open-ended probe of Israel's conduct by remaining on the Council.

The COI is just the latest example of why the United States should never have rejoined the UNHRC in the first place. Remaining on the Council does not just legitimize vilification against Israel; it damages America's international moral standing by allowing countries like Russia and China—which are actively perpetrating crimes against humanity and genocide at this very moment—to serve in international human rights bodies. Furthermore, it downplays atrocities perpetrated by Cuba, Venezuela, Libya, and Eritrea by suggesting their leaders can provide human rights leadership on the Council. At this United States faces an ascendant illiberal order and responds to the unprovoked attack on Ukraine by Russia – a UNHRC member - our nation cannot afford to lend credibility to these serial human rights violators by remaining on the Council.

We hope you will agree that the United States should withdraw from the UNHRC and condemn this outrageous probe against Israel. We stand ready to assist you in addressing the Council's systemic bias against Israel.

Thank you for your consideration and attention to this important national security issue.

Sincerely,



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James Lankford  
United States Senator



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Ted Cruz  
United States Senator



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Tom Cotton  
United States Senator



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Bill Hagerty  
United States Senator