

Ambassador Nikki R. Haley
US Permanent Representative to the United Nations

June 22, 2018

Dear Ambassador Haley:

We write today in response to [your letter](#) dated June 20, in which you indicated that our organization along with 17 others were partly responsible for the US decision to withdraw from the UN Human Rights Council. This is purportedly because these organizations opposed a US-backed draft resolution to reform the Council that, in our view, could have weakened its ability to take effective and tailored action. In a [joint letter](#) to state delegations, we also noted that the Council had already launched a long-term process to improve its efficiency, with broad, cross-regional participation. A General Assembly resolution might have interrupted this process, setting a dangerous precedent of undermining the Council.

The US decision to withdraw from the Human Rights Council means the United States is turning its back not just on the UN, but on victims of human rights abuses around the world. It deprives them of a forum for defending their rights that is, in some cases, their last hope – including victims of regimes that the United States itself condemns as human rights violators. This shows that the decision is opportunistic and ideological, and does not respond to a genuine interest to redress violations suffered by victims and survivors.

The country's withdrawal from the Council was disturbing but not surprising. Backsliding on respect for human rights is taking place across the globe, with growing nationalism, xenophobia and civil society crackdowns. Now more than ever, States must constructively engage in multilateral human rights mechanisms. Instead, the United States abandoned ship. And this is just the latest in a string of troubling foreign and domestic policy measures aimed at weakening human rights bodies and protections.

In June 2017, President Trump announced the United States would [withdraw from the Paris Agreement](#) to fight climate change in order “to protect America and its citizens.” Thus, the [second-biggest global producer](#) of carbon dioxide emissions after China will renege on its commitments to reduce such emissions and help fund developing countries' efforts to adapt to climate change.



In December 2017, the United States ended its participation in the UN Global Compact for Safe, Orderly and Regular Migration, which has the potential to be an unprecedented intergovernmental tool for rights-based migration policies. In an [official statement](#), you, Ms. Haley, were quoted as saying: “Our decisions on immigration policies must always be made by Americans and Americans alone...The global approach in the New York Declaration is simply not compatible with US sovereignty.”

More recently, in May 2018, the Trump administration withdrew from the Iran nuclear arms control agreement, formally known as the Joint Comprehensive Plan of Action (JCPOA), which had been reached between China, France, Germany, Russia, the United Kingdom, the United States, the European Union and Iran. [President Trump](#) called it a “horrible, one-sided deal” benefiting a “regime of great terror.” His administration reinstated unilateral nuclear sanctions on the Iranian regime and warned that “if the regime continues its nuclear aspirations, it will have bigger problems than it has ever had before.”

In a similarly threatening – and unilateral – vein, the US President said in August 2017 that he [did “not rule out a military option”](#) to address the crisis in Venezuela. “We have troops all over the world in places that are very, very far away. Venezuela is not very far away, and the people are suffering,” Trump stated. Instead of seeking to forge a multilateral response to human rights violations in Venezuela, which would be vastly more legitimate and effective, the US government once again resorted to chest-thumping – reviving the ugly specter of past military interventions in Latin American countries.

In March 2017, in an [unprecedented no-show](#), the United States refused to attend three public hearings before the Inter-American Commission on Human Rights (IACHR) on migration and energy-related measures.

And this year, the US government appointed as CIA director a person [who ran a secret prison in Thailand where detainees were tortured and who helped cover up torture practices by encouraging that evidence be destroyed](#) – sending a bone-chilling message about the United States’ lack of commitment to eradicating torture and other grave rights violations.

Finally, on the domestic front, the US “zero tolerance” policy toward irregular entry into the country has prompted a humanitarian crisis by [separating around 2,000 children](#) from their parents over just six weeks. Some of these children are being held in cage-like holding pens made from chain-link fences, inside detention facilities. The UN High Commissioner for Human Rights decried the border policy as [“unconscionable” and](#)



abusive. An executive order was issued two days ago to suspend the family separation policy, but the administration has indicated that it will now detain all families with children, regardless of whether they are asylum seekers, offering no alternatives to detention and violating its international obligations. At the same time, contact has yet to be reestablished between the 2,000 children and their parents to date.

For Latin America and Argentina in particular, the universal human rights system has been extremely important to defending the rights of our people, both in the past and present. In the case of Argentina, the United Nations played a key role in denouncing the country's dictatorship and its practice of enforced disappearances in the 1970s and 1980s. Today, among many other relevant examples, in the context of a historic legislative debate UN bodies have recommended that the Argentine state legalize abortion to fully and effectively guarantee the rights of women and people with the capacity to gestate.

The UN Human Rights Council is not perfect, but it makes a significant contribution to strengthening human rights standards, providing protection and justice to victims, and promoting accountability for perpetrators. We are committed to the international system, and we will continue to engage constructively with the ongoing efforts in Geneva to strengthen the Human Rights Council. We lament that the United States will not do the same.

With regards,

Gastón Chillier
Executive Director
Centro de Estudios Legales y Sociales