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**“ISRAEL, THE PALESTINIANS, AND THE UNITED NATIONS:
CHALLENGES FOR THE NEW ADMINISTRATION”**

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Mr. Chairman, I thank the committee for giving its attention to reforming the United Nations and ensuring the fair treatment of Israel at the UN. My testimony will draw from personal experience serving for two years as a senior advisor to the US Ambassador, and as Assistant Secretary of State for International Organizations.

I believe that by working in mutually supportive roles the Congress and the Trump Administration have an excellent opportunity to foster a more accountable and transparent UN to advance American interests. But the US-UN relationship will never be fully successful so long as one of our closest allies is singled out unfairly at the UN.

Israel has faced an almost robotic hostility across the UN system for decades. Since Israel is an important American ally, we have traditionally shielded both Israel and the UN itself from some of the UN's worst impulses. The Obama Administration broke from this tradition at critical times, which weakened our alliance with Israel.

Last year was particularly disappointing for some of the UN's principal political bodies. It began in March when the Human Rights Council passed a resolution to create a blacklist database of Israeli companies operating in the West Bank, East Jerusalem, and the Golan Heights. In November, UNESCO passed a resolution declaring that Israel has no connection to the Temple Mount and the Western Wall and believes the site is sacred only to Muslims. And in late December, the UN Security Council passed Resolution 2334, which condemned Israeli settlements. By the end of 2016, the UN General Assembly adopted over 20 resolutions against Israel and four against all other countries combined.

The Obama Administration bears some of the responsibility for this because it either created a permissive environment at the UN for such bad behavior or abetted it through its abstention on 2334. This resolution would not have gone forward if the United States did not want it to go forward. I concluded from experience at the UN that this kind of back foot diplomacy is bad for America's interests, leaves our allies at the mercy of the UN, and undermines the UN itself. At the end of the day if America doesn't hold the UN to the ideals of its charter, almost no nation will.

I want to share my recommendations on how to work effectively with the United Nations and also highlight some positive reforms. Taken together they can advance the interests of the United States as well as Israel because our interests so often overlap at the UN.

I believe, as a first principle, that the US needs to maintain diplomatic flexibility, working with the UN when it advances our interests and promotes the cause of peace—and looking elsewhere when success is unlikely and would lead to failures in multilateralism. This requires making prudential judgments on a case by case basis.

The UN Security Council can often advance our national security interests because it is a force multiplier. It facilitates participation by allies by giving them legal and political cover, and it can help diplomatically isolate our opponents. But we can never allow it to hold U.S. security concerns hostage. Nor should we encourage or allow the Council to opine or vote on matters between Israel and the Palestinians. The Council remains the worst forum in the world to facilitate peace in the Middle East. Instead, the US should shift action away from the Security Council and toward negotiations between Israel and the Palestinian Authority.

In addition to preserving the ability of the Council to act when needed to address threats to peace and security, we should pay careful attention to proposals for Security Council expansion. There are still significant substantive disagreements in the General Assembly on the terms of any expansion. Regional politics preventing agreement on the issue are unlikely to be resolved anytime soon. This inaction benefits the United States because adding more permanent members to the Council will make it harder to reach consensus on any issue and increase gridlock.

The United States should also make clear that any expansion will have to be small to avoid undermining the ability of the Council to act and that new permanent members should not have the veto. With respect to potential new permanent members, the U.S. has endorsed both Japan and India. The U.S. might also want to say that any additional candidates for permanent membership will be considered on the basis of specific criteria (rather than on any notions of regional distribution) and principles should include commitments to the rule of law and human rights, a demonstrated commitment to abide by international obligations, and willingness to shoulder responsibility for international peace and security, including through UN contributions and peacekeeping. In particular, any permanent members (including existing members) should be prepared to pay a substantial share of the UN peacekeeping budget.

As part of signaling its intention to adopt a different approach than the Obama Administration, the US should put serious diplomatic support behind, and ask the Europeans to support, Israel's candidacy for a 2018 non-permanent Security Council seat.

With regard to the UN Human Rights Council, formal participation by the US in this body legitimizes it without sufficient benefit to the cause of advancing human rights. A top item on the Bush Administration's reform list when I served at the UN was abolishing the discredited Human Rights Commission. This body spent most of its time criticizing the United States and Israel. Ambassador Bolton fought for the necessary reforms (especially criteria for membership), but pressure within the UN system to reach multilateral consensus caused our proposals to get watered down repeatedly. This only perpetuated the status quo and the US was right to vote against the resolution that created the Human Rights Council. Our dissent was joined by only three other countries—and Israel was one of them.

At the time we were attacked for standing in the way and mocked during the vote for being so isolated. But time has vindicated our decision. The Council has behaved entirely as we predicted it would: it remains biased against Israel, includes repressive governments among its membership, and fails to condemn many of the world's worst human rights abusers. In fact, the Council has passed 67 resolutions against Israel since it was formed in 2006, compared to 61 against the rest of the world.

I therefore favor withdrawing from the Human Rights Council until it adopts the necessary reforms to be a body worthy of its name. Any decision should be taken in consultation with close allies including the Israelis, who would face an even more hostile body without the U.S. But I think we should show thought leadership and call on the UN General Assembly to adopt stronger criteria for membership; take credible action on pressing human rights issues, and show even-handedness on Israel.

According to press accounts, the Trump Administration is considering a data-driven effort to better align our interests and financial support for the UN and other international organizations. This effort has the promising potential to reinforce congressional demands for more transparency and accountability, sends the message that taxpayer dollars will be spent wisely, and encourages other governments to increase their contributions to the UN. These are all important concepts. The UN certainly needs a more equitable allocation of operating costs. It is not healthy for the US or for the UN to be so dependent on one donor.

In closing, President Truman saw the United Nations as part of “a chain of defense to protect this beloved country of ours.” In 1952, he said that if we keep working at it, the UN will become what it was intended to be. Almost 70 years later, people are understandably questioning whether the UN will ever live up to the intentions of its founding nations.

But I know from experience that international organizations can concretely advance American interests when used rightly, when multilateralism is understood as a means to an end—and not an end in itself. While the U.S. government should preserve diplomatic flexibility by working outside the UN when necessary, U.S. leadership at the UN can generate support for security, open markets, humanitarian relief, and the rule of law.

The Trump Administration today faces a climate in New York that is even more hostile to Israel, in part at the invitation of President Obama, who broke from tradition and did not shield Israel in the Security Council or fora such as UNESCO, which elected to give membership to the Palestinian Territories. The US should maintain a clear policy of refusing to pay dues to any institution that accepts Palestinian membership.

As Kim Holmes from the Heritage Foundation has said, “Multilateralism in liberty’s best interests will always face uphill battles.” Smart multilateralism requires standing firmly on principle, knowing when and when not to rely on the UN, and knowing the strengths and weaknesses of the UN funds and programs. By applying a policy of selective and pragmatic engagement we make success much more likely, both for the United States and for the United Nations.