Gay McDougall, Biden’s Radical, Anti-Israel Nominee for CERD, Faces June 24 Vote

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Gay McDougall, President Joe Biden’s nominee for the United Nations Committee on the Elimination of Racial Discrimination (CERD), faces a June 24 election despite concerns about her radical views on race and Israel.

McDougall was nominated to serve on CERD for four-year terms by Presidents Bill Clinton and Barack Obama. Both Presidents George W. Bush and President Donald Trump declined to renew her nomination when it expired.

When the UN held its infamous World Conference Against Racism (WCAR) in Durban, South Africa, in 2001, which became a hotbed of antisemitic rhetoric and extreme anti-Israel bias, McDougall defended the conference against critics.

At the time, then-Democrat congressman Tom Lantos, a Holocaust survivor, [singled out](https://dl.tufts.edu/pdfviewer/r207v073p/tx31qt958) McDougall for being reluctant to criticize the antisemitic atmosphere that pervaded the non-governmental organization (NGO) forum at the conference.

McDougall [responded](https://web.archive.org/web/20100617164854/https:/fletcher.tufts.edu/forum/archives/pdfs/26-2pdfs/mcdougall.pdf) to Lantos by accusing him of measuring the success of the Durban racism conference only by “whether it was sufficiently supportive of Israel’s policies in the West Bank and the Gaza Strip,” which was irrelevant to the fact (witnessed at the time by this reporter, in person, in Durban) that the conference was explicitly antisemitic. In one instance, anti-Israel activists broke up a meeting on antisemitism that had nothing to do with the Middle East.

In 2019, McDougall [used](https://cihrs.org/apartheid-imposed-by-israel-must-be-condemned-by-international-community/?lang=en) her position as a member of CERD to criticize Israel harshly, accusing it — falsely — of “wiping away the fundamental rights of large parts of the population.” She is considered a key supporter of the effort by Palestinians to have Israel declared an “apartheid” state by CERD, despite the committee’s lack of jurisdiction over complaints brought by the “State of Palestine,” which U.S. policy does not recognize in international forums.

McDougall has also advocated for international condemnation of the United States as racist. In 2004, she [wrote](https://prospect.org/special-report/shame-house/) that the U.S. was guilty of “resistance” to applying international human rights norms to racial discrimination at home, claiming “that hypocrisy lurks at the core of our moral identity as a nation, undermining our claims to global leadership.” In 2010, she [urged](https://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10035&LangID=E) international criticism of an Arizona’s state law that attempted to enforce existing federal immigration laws.

(That law was [struck down](https://www.breitbart.com/) by the Supreme Court, but only on the grounds that immigration is a federal power. The Court upheld the supposedly “racist” part of the law allowing authorities to ask people to prove legal residence.)

In 2017, McDougall [applauded](https://twitter.com/GayMcdougall/status/901086746779242498) CERD for criticizing the U.S. over its supposed failure to reject white supremacy. Last year, McDougall [pressured](https://lawprofessors.typepad.com/human_rights/2020/06/the-un-makes-unprecedented-response-to-george-floyds-murder.html) the United Nations to condemn the U.S. over the murder of George Floyd, urging the world to criticize the U.S. over “systematic racism” and the supposed “repression of protests,” as riots raged around the nation.

The Biden administration has nominated McDougall to CERD, and her [election](https://www.ohchr.org/EN/HRBodies/CERD/Pages/Elections29.aspx) would take place on June 24.