

**STATEMENT OF**  
**FORMER SPEAKER OF THE HOUSE NEWT GINGRICH**  
**BEFORE THE**  
**SENATE COMMITTEE ON FOREIGN RELATIONS**  
**THURSDAY, JULY 21, 2005**

Chairman Lugar, Ranking Member Biden, and members of the Committee:

I appreciate the opportunity to testify today, along with Senator Mitchell, on the consensus findings of the task force on U.N. reform, which was mandated and funded by Congress.

I agreed to participate and co-chair this task force on U.N. Reform with my friend Senator Mitchell because I share the belief that a dramatically reformed U.N. can be an effective instrument in the pursuit of a safer, healthier, more prosperous, and freer world – all goals which serve American interests and the interests of our democratic allies.

As the largest stakeholder in the U.N., the American taxpayer has every right to expect an institution that is at once effective, honest and decent. That United Nations – a very different body from the one that stands today in New York – could be a valuable instrument to promote democratic political development, human rights, economic self-sufficiency and the peaceful settlement of differences.

Before I go on, I would like to stress that this report is the product of serious negotiation. We got here because of a firm integrity and commitment to hammering out a consensus document. There are people on the right, including myself, who might have said other things in a different setting. Accordingly, there are people on the left who might have said other things in a different setting. Nevertheless, we were able to come together in a very positive way to provide leadership and put forth a set of recommendations to show how, with the right kinds of reform, the U.N. can become an effective institution.

## **Three Guiding Principles**

However, American efforts to reform the U.N. should always be conditioned on three principles.

First, that telling the truth and standing up for basic principles is more important than winning meaningless votes or conciliating dictators and opponents. It is time to end the appeasement strategy of a soft diplomacy which fails to insist on honesty. Telling the truth is only confrontational to those whose policies cannot stand the light of day.

Second, all reform proposals should emphasize what is right and necessary, not what is easy and acceptable. In any given session the United States may only win a few victories. However in every session the United States should proudly affirm the truth and fight for principles that matter. Ambassadors Moynihan, Kirkpatrick, and Pickering were exemplars of this kind of direct tough minded principled advocacy. The repeal of the infamous "Zionism is Racism" resolution in 1991 was an example of courageously doing what was right rather than doing what was comfortable. The time for appeasing the vicious, the dictatorial, the brutal and the corrupt has to be over.

Third, the members of the U.N. must be made to understand that the United States wants to reform the U.N. and is committed to doing all it can to achieve that reform. However, the problems there are so deep, in order that they might be fixed, we must confront roadblocks put up by dictators and other entrenched interests who will want to defend the status quo and reject reform.

Failure, while not desirable, can be an option for the United Nations. It cannot be one for the United States. There must be effective multilateral instruments for saving lives and defending innocent people, and we should be prepared to explore other avenues for effective action if the U.N. refuses to reform itself. America can never be trapped by the unwillingness of others to do the right thing.

## **Five Themes**

This statement does not address the details of the task force findings, but rather stresses five themes which I personally think that the Congress should keep in mind as it considers the future relationship of the United States with the U.N.

### ***1. An Unacceptable Gap Exists between the Ideals of the U.N. Charter and the Institution That Exists Today***

By any reasonable measure, it is fair to say that there exists an unacceptable gap between the ideals of the U.N. Charter and the institution that exists today.

Today, notwithstanding the Charter's goals, the civilized world is in the fourth year of a new global war against a committed ideological foe bent on using terror. Thousands of innocents have been murdered and maimed in New York, Washington, London, Madrid, Beslan, Bali, Jerusalem, Baghdad, Istanbul and many other cities. The terrorist Ayman Al-Zawahiri is explicit about Al Qaeda's "right to kill four million Americans---two million of them children—and to exile twice as many and wound and cripple hundreds of thousands."

And yet, four years after 9/11, the U.N. General Assembly still has not reached agreement upon something as basic to the war on terror as a comprehensive definition of terrorism.

At the same time, genocide continues unstopped in Darfur ten years after the world vowed that Rwanda would be the last genocide.

Our faith in the U.N.'s fealty to fundamental human rights is once again shaken, not only by the egregious paralysis by the U.N. in the wake of mass killings in the Balkans, Rwanda and Sudan but also by the existence of a 53-member U.N. Human Rights Commission whose process for membership selection has become so distorted that countries with appalling, even monstrous, human rights records — Sudan, Syria, Zimbabwe, Libya, and Cuba, to name a few — have been seated there. This has led to a substantive failure to hold many nations accountable for abysmal human rights records.

Also, an insidious dishonesty can be found in the Oil for Food Scandal, the rapes and sexual abuses by U.N. peacekeepers of the very people they were sent to protect, and the consistent failure to admit failure and assign responsibility within the senior bureaucracy.

Without very substantial reform, there is little reason to believe the U.N. will be able to realize the goals of its Charter in the future. Indeed, the culture of hypocrisy and dishonesty which has surrounded so many U.N. activities makes it very likely that the system will get steadily worse if it is not confronted and substantially reformed. Without fundamental reform, the U.N.'s reputation will only suffer further, reinforcing incentives to bypass the U.N. in favor of other institutions, coalitions, or self help.

## ***2. The United States Has Significant National Interests in an Effective U.N.***

Notwithstanding these and other failures, the United States has a significant national interest in working to reform the U.N. and making it an effective institution.

The United States took the lead after World War II in establishing the U.N. as part of a network of global institutions aimed at making America more secure. It was intended to serve as, in the words of Franklin Delano Roosevelt, a "Good Neighbor," by helping other people achieve safety, health, prosperity, and freedom. It was that generation's belief that a freer and more prosperous world was a better world for America.

Today, a freer and more prosperous world most certainly remains a fundamental interest of the United States. We believe that if it undertakes the sweeping reforms called for in the task force report, the U.N. will be in a much better position to be a Good Neighbor to help all nations achieve a larger freedom.

Three generations of Americans have demonstrated not only a strong preference for sharing the costs, risks, and burdens of global leadership, but also an acute recognition that action in coordination and cooperation with others is often the only way to get the job done.

Perhaps there is no more important illustration of this practical recognition than in the security challenge facing the United States and the rest of the world from our terrorist enemies and the proliferation of weapons of mass destruction (WMD).

The current proliferation trends are alarming. North Korea continues to enhance its nuclear capabilities. Iran is building a uranium enrichment facility that could be used to produce fissile material for nuclear weapons. Pakistan has nuclear weapons and we now know that one of their leading scientists has provided critical equipment and technologies to Iran, North Korea, Libya, and perhaps other countries or terrorist organizations. Even worse, Pakistan's internal stability is constantly in question. If fundamentalist Islamists were able to take control of that country and their nuclear arsenal, the potential threat that would emerge is unimaginable.

As protecting America and preserving freedom are this government's primary missions, I agree with the fundamental conclusion of this task force that countering terrorism and proliferation effectively is significantly enhanced by broad international participation, which can be greatly facilitated by an effective U.N.

In addition, if it works, the U.N. can be an effective cost multiplier that can help achieve humanitarian aims in places where nations might be unacceptable and in ways which enable the United States to have other countries bear more of the burden than they would in a purely ad hoc world.

For all these reasons and despite its record of grievous and real failures, the U.N. is a system worth reforming rather than a system to be abandoned.

### ***3. The U.N. Human Rights Commission Must Be Abolished***

The task force's consensus recommendation to abolish the U.N. Human Rights Commission is of paramount importance.

We are all well aware of the U.N.'s and the international community's failures in Rwanda in 1994 and in Sudan today.

The U.N.'s response to the crisis in Sudan is a shocking example of its current institutional failures. For over two decades the government of Sudan has been an active participant in the genocide of its non-Muslim population. Since 1983, the government in Khartoum has been responsible for the killing of over 2 million Christians and animists and the displacement of 4 million more during the "jihad" it waged in southern Sudan. According to the U.N.'s own calculations, recent violence in the Darfur region has resulted in the killing of at least 70,000 people and the internal displacement of over 1.5 million civilians. Some analysts are estimating, however, that the true death toll could be four or five times higher.

Despite these facts, the U.N. and member states have done virtually nothing to stop it. Indeed, there has been a consistent effort to describe the mass murders dishonestly because an honest account would require measures that many member states want to avoid. Former Secretary of State Powell concluded that genocide has been and continues to be committed in Sudan and that the government bears responsibility.

Failure to deal with genocide around the world and the continued inability to address honestly the situation in Sudan is a problem that has its roots in the internal institutions of the U.N., specifically the Human Rights Commission, which has been corrupted by political games that have allowed some of the world's worst human rights abusers to sit in judgment of others – and to shield themselves from criticism.

The plain and simple facts are that known human rights abusers have served on the U.N. Human Rights Commission, illustrated by the fact that today the Government of Sudan is currently serving its second term on the Commission. In 2003, Libya was elected to chair the Commission by a bloc of African and Middle East nations. Between 1987 and 1988 Iraq was a member in good standing of the Commission at the very time that Chemical Ali was using mustard gas and Sarin nerve agents upon Iraqi Kurds.

Current U.N. policy is that the human rights records of the 53 countries that sit on the Commission may not be assessed as a prerequisite to serving on the panel, which means there is no mechanism

to protect the Commission from being manipulated by governments that routinely abuse human rights.

In effect, the dictators and the murderers have systematically come to dominate the institution designed to bring them to justice.

This policy completely undermines the integrity and decency of the entire U.N. and should be offensive to free peoples everywhere. Even Secretary-General Annan recognizes that “we have reached a point at which the commission’s declining credibility has cast a shadow on the reputation of the U.N. system as a whole and where perceived reforms will not be enough.”

It is for these reasons that the task force has unanimously called for abolishing the current Human Rights Commission and replacing it with a new Human Rights Council.

The task force recognizes that it would be folly to abolish the Commission only to have it replaced with a new body with a new name but which would suffer from the same inherent flaws; nations that are human rights violators cannot have the responsibility to set the standard for global justice.

Therefore, it was the consensus of the task force that a new Human Rights Council must be established that should be comprised of democracies. Democracy is, by its nature, transparent, accountable, and committed to freedom and liberty. Totalitarian regimes are, in contrast, not. Therefore, what we have said is that only those who have demonstrated their own commitment to human rights and the rule of law should be assigned the responsibility to tell the world truths about governments that rape, torture, and murder their citizens.

#### ***4. Any U.N. Reform Program Supported By the United States Must Insist on a Fundamental Change in the Way the U.N. Treats Israel***

A true test of whether there is meaningful U.N. reform is whether there is a dramatic reform of the way that the U.N. treats Israel.

A U.N. General Assembly partition plan resolution in 1947 made the establishment of Israel possible, but since that time the U.N. has treated Israel as a second class citizen. In many ways the U.N.'s treatment of Israel is a continuing case study of political manipulation, mistreatment, and dishonesty.

As stated in our report, "Israel continues to be denied rights enjoyed by all other member-states, and a level of systematic hostility against it is routinely expressed, organized, and funded within the U.N. system." Ever since Israel's establishment, member states who have been fundamentally opposed to its existence have used the General Assembly forum to isolate and chastise this democratic nation. At the opening session each year these nations challenge the credentials of the Israeli delegation.

More than one quarter of the resolutions condemning a state's human rights violations adopted by the Human Rights Commission over the past forty years have been directed at Israel. Israel is the only nation to have its own agenda item dealing with alleged human rights violations at the Commission in Geneva; all other countries are dealt with in a separate agenda item. This systematic hostility against Israel can also be gleaned from the fact that of the ten emergency special sessions called by the U.N. since its founding, six have been about Israel. In contrast, none has been called to address the genocide in Rwanda, the former Yugoslavia, or the continuing atrocities in Sudan.

The most vivid historical example of Israel's mistreatment by the U.N. goes back to 1975, when the General Assembly passed Resolution 3379 on the anniversary of Kristallnacht. This resolution declared that "Zionism is a form of racism and racial discrimination... [and] is a threat to world peace and security" and was meant to deny Israel's political legitimacy by attacking its moral basis for existence. It was only repealed in December 1991, following tireless efforts by the U.S. government, particularly President Bush, Secretary Baker, and Ambassador Pickering. Its mere existence however, shows how the General Assembly has often become a "theatre" for bashing Israel.

The U.N. continues to provide a theatre for this sort of behavior. Just last week the U.N. sponsored an annual Israel bashing meeting at



the UNESCO headquarters in Paris. The meeting, organized by the Committee on the Exercise of the Inalienable Rights of the Palestinian People, adopted an "Action Plan by Civil Society" calling for a global campaign of boycotts, divestment and sanctions against Israel to "pressure [it] to end the occupation." Israel's plan to disengage from the Gaza Strip was described as "a ploy to legitimize Israel's annexation of wide swathes of territory in the West Bank." This meeting took place despite the fact that the U.N. Secretary General has recently made several statements regarding the fair treatment of Israel as an important component of U.N. reform. Nevertheless, this is one more example of the ongoing mistreatment of Israel and the U.N.'s one sided approach to the Middle East conflict. The U.S. taxpayer should not be subsidizing a one sided anti-Semitic assault on the survival of the only true democracy in the region other than Turkey. A genuine commitment to reform would require abolishing this sort of U.N. machinery whose only purpose is to demonize Israel.

U.N. member states must recognize that the terrorists and the state sponsors of terrorism against the State of Israel are of the same evil nature and pose the same threat to the civilized world as the terrorists who murdered innocent civilians in London, Madrid, New York, and Washington, and who continue their attacks on the innocent in Baghdad. The first U.N. Chapter VII sanctions for terrorist acts were against Libya in 1992. This success has been a model for subsequent responses to the Taliban and al-Qaeda since 9/11. Certain U.N. members have, however, been unwilling to support these actions against nations such as Syria and Iran who support and fund terrorist activities against Israel. These member states have found it easier to promote an anti-Israel stance that makes the U.N.'s response to terrorist attacks against the Israeli people inconsistent and ineffective.

This is why the U.N. must adopt a comprehensive definition of terrorism that is not manipulated by the very members who are themselves supporting terrorism. As the task force recommends, a comprehensive definition of terrorism should not be applied to the actions of uniformed national military forces (which are already bound by the laws of war), but to the actions of individuals or irregular organizations. Many member states have tried to derail this process by insisting that any actions in the context of "wars of national liberation"

and the ejection of “occupying forces” by such individuals and irregular organizations should not be considered terrorism. Such a definition would be unacceptable, as its effect would be to legitimize terrorist attacks against coalition forces in Iraq and Afghanistan as well as against Israel.

We also made clear in this report that the U.N. cannot presume to be the arbiter of international human rights and justice when Israel is discriminated against and excluded from any regional grouping in Geneva and excluded from a permanent regional grouping in New York. Although the U.N. Charter gives every member state the right to be elected a member of the Security Council, Israel’s segregation from a permanent regional grouping has denied them the right to seek a seat. It also means that an Israeli judge can never be elected to the International Court of Justice, nor can Israel even vote on the makeup of this court.

Also, while the task force did not develop any specific recommendations regarding structural reforms of the Security Council, it did state that any reforms measures that are adopted must extend to Israel. There is no legitimate basis for allowing rogue dictatorships such as Syria to sit on the Security Council while denying representation to a fifty year old democracy in the heart of the Middle East.

Accepting Israel as a normal member with full voting and participatory rights should be considered a benchmark test of any U.N. reform program. This would demonstrate that the U.N. is genuinely committed to the equality of rights that are enshrined in its charter.

***5. A U.N. With No Democratic Pre-Conditions for Membership Will Always Have Inherent Limitations That Are Not Subject to Reform***

Because the U.N. has no democratic pre-conditions for membership, we must recognize that there are limits to America’s ability to render the U.N. infrastructure and its decisions compatible with American values and interests through any reform initiative. There are inherent limitations of the U.N. that are not subject to "reform."

The United States of America is a democratic nation-state (as are our principles allies). Our form of government is based on the principle of “government by consent of the governed.” In other words, it is based on the principle of “democratic sovereignty.” This is the principle that a democratic people have the right of self-government \_ the right to rule themselves. And as first set forth in our Declaration of Independence, we have held this to be true not only for the American people, but for all peoples.

In this regard, it is only necessary to note that the first seven words of our Constitution – *We the People of the United States* – accurately reflect our founding belief that governments derive “their just powers from the consent of the governed” and the fact that the sovereign will of the people of the United States was expressed in the Constitution itself and in our ongoing system of government created by it.

By contrast, the first seven words of the U.N. Charter – *We the Peoples of the U.N.* – are only accurate as they apply to its democratic members. The peoples of countries like Cuba, Zimbabwe, Sudan, Iran, and North Korea, to name a few examples, have no say in what their governments do in their name, especially in the U.N. Countries in which criminal gangs and ruthless dictators impose their will without the consent of the people are inherently less defensible and morally less sovereign than countries which have earned the respect of their citizens by deriving their just powers from the consent of their people.

Americans can hardly be surprised then when such member states attempt to block U.N. action that would hold them accountable for violations of human rights or organize through the General Assembly highly publicized meetings such as the 2001 U.N. World Conference against Racism in Durban, where illiberal and un-democratic interests prevailed.

Any international organization in which a majority of its members are not full-fledged democracies, and which provides a platform to divide democracies by facilitating coalitions with un-democratic states in an effort to trump the United States – even democratic states often will sacrifice fundamental interests such as human rights at the U.N. altars of false consensus and regional solidarity -- will likely remain an imperfect

instrument in adjudging and protecting human rights fairly and accurately. It will also remain an imperfect instrument in spreading democracy to the darkest places in the globe and combating terrorism and nuclear proliferation or the major threats to the security interests of the United States (and our democratic allies).

This ongoing reality that the U.N. is a mix of democratic and un-democratic states explains why a primary conclusion of the task force is that the challenges and problems faced by the U.N. can only be addressed through consistent and concerted action by the world's genuine democracies, which is why the task force recommends strengthening the Caucus of Democracies as an operational entity capable of organizing concerted political action to counter gross violations of human rights and to save lives and creating or strengthening alternative channels of influence outside the institution, such as the Community of Democracies.

Additionally, I would personally add that the United States should explicitly affirm the principle of "democratic sovereignty" as a core universal principle in all international and global relations, and as central to the administration of the United Nations. The only institution that possesses democratic legitimacy in today's world is the democratic nation state. Clearly, democratic legitimacy is not possessed by the United Nations, international organizations, and non-governmental organizations (NGOs).<sup>1</sup> All of these institutions have what is often called a "democracy deficit." None of these institutions is accountable or responsible to a democratic electorate, genuine democratic institutions, or the give and take of national democratic politics. These NGOs and institutions taken together do NOT represent something called "global civil society" or "global governance," amorphous concepts that purposely blur the constitutional limits and democratic accountability of actors within the democratic nation-state.

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<sup>1</sup> While NGOs were not a subject addressed in the task force report, the Congress should recognize that NGOs are a growing and unregulated set of special interests and are playing important roles inside the U.N. bodies in which they are accredited, often by procedures highly discriminatory to pro-market, pro-democracy ideals. They are not unaccountable to anyone. Incredibly, NGOs are also beginning to make decisions in the place of sovereign governments. At the recent Review Conference of the Non-Proliferation Treaty, an NGO representative was seated in the place of a certain Central Asian nation. Consequently, rules governing the participation of NGOs in the U.N., their accreditation and transparency for those allowed through the door are a vital requirement for any meaningful U.N. reform.

Clearly, none of these institutions (the U.N., international organizations, or NGOs) has the democratic legitimacy to impose decisions upon a democratic nation-state without the consent of the people of that democratic state.

Therefore, a coalition of genuine democratic nation states led by the United States can explicitly and consistently reject any effort by the General Assembly, in special conferences and meetings, and in any U.N. Organization to adopt rules, treaties and systems which would infringe on American constitutional liberties or democratic institutions; or the constitutional liberties or democratic institutions of other democratic nation-states.

A coalition of genuine democratic nation states led by the United States can explicitly and consistently reject a growing un-democratic international movement that seeks to create a system of rules and “laws” which will circumscribe American liberty and coerce America into taking steps which the people of America would never take. The use of large international meetings (sometimes under U.N. authority) to create new systems of “law” and new “norms” of international behavior, often advanced under the guise of “global governance,” are a direct threat to the American system of Constitutional liberty and must be rejected.

This is not a narrow, or a partisan concern for a few \_ but a constitutional concern for all Americans. U.N. treaties are often vague; open to wide interpretation; and subject to considerable mischief. The Senate could approve well-meaning general principles in a U.N. treaty that are interpreted in ways that the Senate did not intend. For example, the U.S. Senate has ratified the CERD (Convention to Eliminate all Forms of Racial Discrimination) Treaty emanating from the U.N. The U.S. added reservations stating that the “hate speech” provisions in the CERD are subordinate to our free speech rights under the First Amendment.

Nevertheless, some NGOs, international bureaucrats, law professors, and even judges, are arguing that the CERD treaty requires that the U.S. government do all sort of things that have not been approved by Congress, including implementing speech restrictions. In monitoring U.S. compliance with international treaties, U.N. rapporteurs under the guise of U.N. treaty requirements, and in the name of “global

governance,” often advocate the implementation of policies that challenge both the legislative authority of the Congress and the federalist prerogatives of the states under our constitutional system. This is new territory and legal reasoning of this type is being heard in arguments over U.N. treaty after U.N. treaty.

Surely all Americans could agree with the principle that: “If there is a conflict between U.S. Constitutional law and international law derived from the Senate’s decision to ratify a U.N. treaty or convention, U.S. Constitutional law must take precedence in all cases.” No one who believes in the supremacy of the U.S. Constitution can oppose this simple statement.

### **A Coalition of Genuine Democracies Must Work Together to Reform the U.N.**

Effective and deep reform will result if there is a coalition of genuine democracies, the United States chief among them, that want to create a new accountable, transparent, honest and effective U.N.

Because so much of the U.N. behavior and culture would be indefensible if described honestly, there is an overwhelming tendency to use platitudes and misleading terms to camouflage the indefensible. There is no institution on earth with more Orwellian distortion of language than the U.N. The very dishonesty of the language helps sustain the dishonesty and destructiveness of its institutions. A coalition of genuine democracies with representatives willing to speak straightforwardly can do much to reform these institutions by simply telling the truth.

A coalition of genuine democracies can affirm what the task force calls on the U.S. government to affirm, that sovereignty belongs to the people of a country and governments have a responsibility to protect their people. And that if a government fails in its primary responsibility to protect the lives of those living within its jurisdiction from genocide, mass killing, and massive and sustained human rights violations, it forfeits claims to immunity from intervention when such intervention is designed to protect the at-risk population.

Likewise, a coalition of genuine democracies can affirm that when a government's abnegation of its responsibilities to its own people is so severe, the collective responsibility of nations to take action cannot be denied. While the U.N. Security Council can and should act in such cases, in the event it does not, its failure must not be used as an excuse by concerned members, especially genuine democracies, to avoid taking protective measures.

A coalition of genuine democracies can help to reaffirm a fundamental faith in human rights, which is why the task force recommends abolishing the Human Rights Commission and replacing it by a new Human Rights Council ideally composed of democratic states that respect human rights.

A coalition of genuine democracies can move to replace the emphasis on bureaucratic and often corrupt state to state aid programs with a consistent emphasis on the rule of law, private property rights, incentives for private investment in and trade with developing countries, private charities and supporting the growth of a civil society beyond the control of dictators and bureaucracies.

A coalition of genuine democracies can explicitly and consistently reject a growing anti-democratic international movement that seeks to create a system of rules and "laws" which will circumscribe American liberty and coerce America into taking steps which the people of America would never take. The use of large international meetings to create new systems of "law" and new "norms" of international behavior are a direct threat to the American system of Constitutional liberty and must be rejected.

### **Congress Has a Key Role In Ensuring Successful U.N. Reform**

Congress needs to get its act together for U.N. reform to happen. When the Congress of the United States, which has the power of the purse, the power of law, and the power of investigation, takes U.N. reform seriously and sticks to it year after year, it will surely have a significant impact.

I recommend that Congress should have a much more robust presence in New York, have a much more robust interaction with the U.N. Ambassador, once we get one, and have a much more robust requirement of whoever is in charge at State, as someone you can hold accountable regarding what we have done over the past three months and what is planned for the next three months. Congress has every right within our constitutional framework to tell the State Department that you want consultations on a regular basis. You cannot actually issue effective instructions, but you can demand consultations and reports.

This is important because we need to elevate U.N. reform to be a continuing and ongoing part of congressional involvement, both at the authorization and appropriation committee levels and both in the House and Senate. We further need to get more members engaged so that there is a sophisticated understanding of what has to get done, how we are going to get it done, and what we ultimately hold the executive branch accountable for.

Additionally, organizing the democracies so that we can then be in a position to systematically reform the U.N. is a significant undertaking that is going to take real time.

Having members of Congress talk with their counterparts in other countries, getting British parliamentarians, the French parliamentarians, the Germans, the Japanese, to agree that these are values we should be insisting on will be an enormous asset to the United States.

This Congress must play a key role in ensuring a successful reform of the U.N. The task force report presents a starting point. One proposal for the Congress to move forward on U.N. reform is to pass legislation that requires an annual review by the Executive Branch that evaluates the progress of U.N. reform against a set of performance metrics. Since the task force report sets forth a number of reform recommendations, I have attached as an appendix to this statement an example of what such a U.N. reform scorecard with a set of proposed performance measures might look like with respect to the task force's reform recommendations. This list is intended to illustrate the types of performance measures the Congress could adopt; it is by no means intended to be an exhaustive list. There are surely several more inventive measures that this



Congress could design.

Guided by such a set of performance measures, the Congress could hold hearings every June or July to review the U.N. reform progress report prepared by the Executive Branch that identified the progress to date. That report could then become the basis for an annual discussion on U.N. Reform at each summer's meeting of the G8, and then later at each September's meeting of the U.N. General Assembly. Following the annual hearings on U.N. reform, the Congress could adopt amendments to the score card legislation based on progress so that standards for the following year could be set forth. In this manner, Congress could develop a continuous practice of monitoring U.N. reform.

I think the United States should enter into this process of reform for as many days as it takes, with the notion that the most powerful country in the world is going to get up every morning and is going to negotiate at the U.N., organize the democracies, tell the truth, and keep the pressure up until we break through and get the kind of U.N. the people of the world deserve.

I am hopeful and confident that if the Congress moves forward in this spirit and with the level of commitment that will be required to achieve reforms, the United States can once again lead the way in designing a U.N. that will be an effective instrument in building a safer, healthier, more prosperous, and freer world.

I also remain hopeful that the U.N. will adopt and undertake all of the necessary reform measures that will satisfy the United States and our democratic allies without the need to resort to any type of limitation on the appropriation of U.S. taxpayer funds to U.N. activities. And while I hope it will not be necessary to use any such limitations in the U.S. relationship with the U.N., I think it is inevitable that limitations will be enforced by the Congress if the necessary reforms of the U.N. are not implemented in a timely way.

### **The U.S. Government Can Rise to the Occasion and Reform the U.N.**

During the Second World War, the American system responded magnificently to defend freedom.

During the Cold War, the Congress and the Executive Branch sustained collective security for 44 years with amazing stability despite the stresses of Vietnam and other difficulties.

Now, faced with a very complex world in which people are starving to death, being killed viciously, being tortured, brutalized and mutilated by truly evil people, there is a new need for sustained consistent American leadership at the U.N. if that organization is to become an effective instrument in protecting the safety of the American people and the dignity of peoples worldwide.

The threat of terrorists with weapons of mass murder and weapons of mass destruction makes this a pressing need of national security (indeed of our national survival) and the security of our democratic allies. The ongoing genocide in Darfur and the need to address humanitarian crises makes reforming the U.N. a pressing need to save lives.

Just as the United States took the lead after World War II in forging the consensus that led to the creation of the U.N. sixty years ago, we believe the United States, in its own interests and in the interests of international security and prosperity, can and must help lead the U.N. toward greater relevance and effectiveness in this new era. Without change, the U.N. will remain an uncertain instrument, both for the governments that comprise it and for those who look to it for salvation.

With a President and a Congress united in their desire to advance our national interests, a reformed U.N. can be fashioned to more effectively meet the goals of its Charter and the new challenges that it confronts.

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## **AN EXAMPLE OF A U.N. REFORM SCORECARD**

Implementing policy effectively is ultimately as important as making the right policy. The American people have every right to expect results from our efforts to reform the U.N., not excuses.

One proposal by which the Congress can meet the rightful expectations of the American people is to pass legislation that requires an annual review by the Executive Branch that evaluates the progress of U.N. reform against a set of performance measures. Guided by such a set of performance measures, the Congress could hold hearings every June or July to review the U.N. reform progress report prepared by the Executive Branch that identified the progress to date. That report could then become the basis for an annual discussion on U.N. Reform at each summer's meeting of the G8, and then later at each September's meeting of the U.N. General Assembly. Following the annual hearings on U.N. reform, the Congress could adopt amendments to the score card legislation based on progress so that standards for the following year could be set forth. In this manner, Congress could develop a continuous practice of monitoring U.N. reform.

Unless the Congress and the Executive Branch plan back from the desired future, it will be impossible to distinguish between activity and progress toward U.N. reform. In Washington far too much time is spent on today's headline and today's press conference and not nearly enough time is spent preparing for tomorrow's achievement.

While the task force report sets forth a number of reform recommendations, it does not provide a set of performance measures. Defining the right set of performance measures that will be evaluated annually in a public report will be critical to directing the energies of the Congress and the Executive Branch to achieve U.N. reform.

Listed below by number are the task force recommendations, followed by a proposed set of performance measures listed by letter in italics. The list of performance measures is intended to illustrate some types of performance measures the Congress could adopt; it is by no means intended to be an exhaustive list. There are surely several more inventive measures that this Congress could design for the task force recommendations, in addition to performance measures for other reform requirements that the Congress may adopt. The consensus recommendations of the task force should be considered as a minimum set of U.N. reform requirements to which the Congress is likely to add.

**Task Force Recommendations and Proposed Performance Measures**

***Saving Lives, Safeguarding Human Rights, Ending Genocide***

**I. Darfur, Sudan**

- 1. Assemble a U.S. coordinated package of assistance for the African Union (AU) deployment in Darfur.**
  - a. Has an assistance package been defined by the Executive Branch?*
  - b. Has the U.S. share of the assistance package been appropriated and authorized by the Congress?*
  - c. Have U.S. NATO allies committed to making proportional contributions to such an assistance package?*
  - d. Have U.N. Security Council members committed to making proportional contributions to such an assistance package?*
  - e. Is the total funding amount adequate to meet the need and the objectives set forth by the Executive Branch?*
  - f. Are administrative costs exceeding 15% of the appropriated funding?*
  
- 2. The U.S. government should make clear that the responsibility for the genocide in Darfur rests with the government in Khartoum.**
  - a. Has a demarche been issued by the State Department?*
  - b. Has this message been given by the U.S. Mission to the U.N., either via the General Assembly or the Security Council?*
  - c. Has the Executive Branch made this clear in public pronouncements?*
  
- 3. The United States should welcome the role of the African Union in Darfur and assist in its development as an effective regional organization that can play a growing role in dealing with crises on the African continent.**
  - a. Has the Department of State made this clear in public pronouncements?*
  - b. Is the Department of Defense providing training and assistance to the African Union?*
  
- 4. The United States should make every effort to enhance AU capabilities in two main areas: (a) ensuring that it is adequate to the task of providing security in Darfur and protecting civilians, and (b) building on AU capabilities going forward**
  - a. Has funding for a Darfur assistance package been appropriated and authorized by the Congress?*
  - b. Has the Department of Defense established a permanent training and assistance program for the African Union?*
  - c. Is there a periodic performance review to ensure training and assistance is enhancing long-term African Union capabilities?*

- 5. At the U.N. Security Council, the United States should pursue a mandate for the AU-led force that provides for the protection of civilians and authorizes the deployment of a sufficiently large military force to achieve that end.**
  - a. Has the U.S. introduced such a mandate in the Security Council?*
  - b. Has the U.S. demanded a Security Council vote for this mandate?*
  - c. Has the Security Council approved the mandate?*
  
- 6. The United States should assist in establishment of a “no-fly” zone over Darfur.**
  - a. Has the Executive Branch adopted a no-fly zone policy?*
  - b. Is the U.S. Air Force participating in the enforcement of a no-fly zone?*
  - c. Are U.S. NATO allies participating in the enforcement of a no-fly zone?*
  - d. Has the Sudanese air force been destroyed?*
  - e. Have portions of the Sudanese air force, namely helicopters, been destroyed?*
  
- 7. The United States should assist in increasing the number of troops in the AU mission.**
  - a. Has the Congress authorized funding to assist AU countries in providing a larger number of troops?*
  - b. Have the number of troops in the AU mission increased in the last year?*
  
- 8. The U.S. government should embrace the short-term strategic goal in Darfur of ending the ability of the militias to control the countryside so that security is adequate for civilians to return from refugee and IDP (internally displaced persons) camps to their villages and resume everyday life.**
  - a. How many civilians have returned home from refugee and IDP camps?*
  
- 9. Perpetrators must be held accountable for war crimes and crimes against humanity.**
  - a. How many individuals have been prosecuted for war crimes and/or crimes against humanity out of the total number of individuals who have been indicted for war crimes and/or crimes against humanity?*
  - b. What is the conviction rate?*
  - c. What is the number of ongoing investigations of war crimes and crimes against humanity?*
  
- 10. Press neighboring governments to cooperate with efforts to stop the killing in Darfur and not to interfere with international efforts under threat of sanction.**
  - a. Has the Department of State made this clear in public pronouncements?*

**11. Encourage the pursuit of a general peace agreement in Western Sudan/Darfur.**

- a. Has the Department of State made this a priority, as evidenced by the amount of diplomatic activity to achieve this end and the frequency of public pronouncements on this subject by the State Department?*

**12. Support and encourage democratic reform in Sudan**

**II. Human Rights**

**1. The United Nations and member-states should agree that the most pressing human rights task today is the monitoring, promotion and enforcement of human rights and, in particular, the stopping of genocide and mass killing.**

- a. Has the U.N. Security Council adopted a resolution to this effect?*

**2. The U.N. Human Rights Commission should be abolished.**

- a. Has the U.N. undertaken all that is required to abolish the U.N. Human Rights Commission?*

**3. A Human Rights Council ideally composed of democracies and dedicated to monitoring, promoting, and enforcing human rights should be created. The council should coordinate its work with the Democracy Caucus and the U.N. U.N. Democracy Fund.**

- a. Has a Human Rights Council been created?*  
*b. Is there is democratic pre-condition for membership?*  
*c. Are there safeguards to prevent a country that violates human rights from becoming a member of the Human Rights Council?*  
*d. How many countries on the Human Rights Council are generally considered human rights violators or are under investigation for violating human rights?*  
*e. If there are un-democratic members of the Human Rights Council, do the democracies substantially outnumber the un-democratic members?*

**4. The U.S. Permanent Mission to the United Nations should include an official of ambassador rank whose responsibility will be to promote the efficacy of the Democracy Caucus within the United Nations and to promote the extension of democratic rights more broadly among member-states.**

- a. Has the U.S. established this position with this portfolio?*

**5. The U.S. Government should support authority for the High Commissioner for Human Rights to appoint an advisory council to exchange information,**

**develop best practices, promote human rights, and publicize offenses.**

*a. Has the Security Council adopted a resolution to provide this authority?*

**6. The U.S. Government should support the work of national and regional courts, as well as tribunals authorized by the Security Council, as well as truth and reconciliation commissions, in identifying those responsible for mass atrocities and prosecuting, and punishing them as appropriate.**

*a. Has the Executive Branch provided the necessary policy guidance to make this a priority?*

### **III. Responsibility to Protect Your Own Citizens**

**1. The U.S. government should affirm that every sovereign government has a “responsibility to protect” its citizens and those within its jurisdiction from genocide, mass killing, and massive and sustained human rights violations.**

*a. Has the Department of State articulated this policy in public pronouncements?*

*b. Has the U.S. Mission to the U.N. communicated this formally in the General Assembly and the Security Council?*

**2. The United States should endorse and call on the U.N. Security Council and General Assembly to affirm a responsibility of every sovereign government to protect its own citizens and those within its borders from genocide, mass killing, and massive and sustained human rights violations.**

*a. Has the U.S. Congress passed a resolution supporting this?*

*b. Has the Executive Branch affirmed this responsibility in its public pronouncements?*

*c. Has the U.S. Mission to the U.N. communicated this formally in the General Assembly and the Security Council?*

*d. Has the Security Council approved such a resolution?*

*e. Has the General Assembly approved such a resolution?*

**3. Future presidents should affirm the “Not on my watch” pledge, articulated by President Bush in a notation on a document describing the horror of the Rwanda genocide.**

*a. Has the U.S. President affirmed the pledge publicly or in policy documents such as National Security Strategy or Presidential Decision Papers?*

**4. The urgent task required of all United Nation member-states, which the United States should lead, is to determine available capabilities and**

**coordinate them so they can be brought rapidly to the fore in a crisis.**

- a. Has the Executive Branch assigned this responsibility?*
- b. Has the Executive Branch department responsible for this coordination prepared the document that defines and articulates available capabilities to support a crisis?*

- 5. The United States should be prepared to lead the Security Council in finding the most effective action across the full range of legal, economic, political, and military tools.**
- 6. The United States should take the lead in assisting the United Nations and other institutions in identifying potential assets and creating or improving mechanisms for coordination.**
- 7. The United States must insist that in cases in which the Security Council is unable to take effective action in response to massive human rights abuses and/or genocide, regional organizations and member-states may act where their action is demonstrably for humanitarian purposes.**
- 8. Support inclusion of language in all Chapter VII Security Council resolutions calling on member-states, regional organizations, and any other parties to voluntarily assess the relevant capabilities they can contribute to enforcement of the resolutions.**
  - a. Do Chapter VII Security Council resolutions contain this language?*
- 9. Undertake a review of assistance programs to assess what bilateral action the United States can take that will enhance the capabilities of regional and other international organizations to prevent or halt genocide, mass killings, and massive and sustained human rights violations.**
  - a. Has the Executive Branch undertaken such a review and issued a public report on its findings?*
- 10. The U.S. government should reiterate that punishing offenders is no substitute for timely intervention to prevent their crimes and protect their potential victims.**
  - a. Has the Department of State made this clear in public pronouncements?*
  - b. Has this been formally communicated in the U.N. in the General Assembly and/or the Security Council by the U.S. Mission to the U.N.?*

#### **IV. Rapid Reaction Capability**

- 1. The United Nations must create a rapid reaction capability among U.N. member states that can identify and act on threats before they fully**



**develop. The Task Force, however, opposes the establishment of a standing U.N. military force.**

- a. Has a plan for a rapid reaction capability been developed?*
- b. Has the plan been implemented?*
- c. Are member states providing promised material support, i.e. troops, strategic airlift, etc., to make a rapid reaction capability viable?*

**2. The United States should support the principle that those nations closest to a crisis have a special regional responsibility to do what they can to ameliorate the crisis.**

- a. Has the State Department made this clear in public pronouncements?*
- b. Has this been formally communicated in the General Assembly and/or the Security Council?*

**3. The United States should also provide assistance aimed at the development of regional capacity in advance of a crisis.**

- a. Is the Department of Defense expanding the advice and training missions to likely crises regions?*

**4. Support discretionary authority of the High Commissioner for Human Rights (HCHR) and the Special Advisor for the Prevention of Genocide (SAPG) to report directly to the Security Council.**

- a. Has the U.S. Mission to the U.N. formally communicated this support in the General Assembly and/or Security Council?*
- b. Has a U.N. resolution or rule been adopted to provide this authority?*

**5. Ensure that the office of the HCHR and SAPG have adequate resources to rapidly investigate at the first indication of trouble.**

- a. Has a U.S. government official been assigned this responsibility?*
- b. Are annual increases to their funding levels adequate?*

**6. Support linkage of early information on potential genocide, mass killing, and massive and sustained human rights violations situations to early preventive action.**

- a. Have appropriate “tripwires” been defined?*
- b. Have the “tripwires” been approved by the Security Council?*

## ***In Need of Repair: Reforming the United Nations***

### **I. General Recommendations**

**1. The United Nations, most importantly, needs to create an Independent Oversight Board (IOB) that would function in a manner similar to a corporate**

independent audit committee. The IOB would receive Office of Internal Oversight (OIOS) reports and, in consultation with the Board of Auditors and Secretariat management, would have the authority to fix the budget and approve and direct the assignments of the OIOS and of the Board of External Auditors just as an independent audit committee in the United States has such authority with respect to both the internal and external auditor. The OIOS budget must be set by an Independent Oversight Board and submitted to the General Assembly budget committee in a separate track outside the regular budget.

- a. Has the U.N. created an IOB?*
- 2. The United Nations must provide both the resources and the authority to OIOS to provide appropriate oversight to every activity that is managed by U.N. personnel whether or not that activity is funded by the assessments of the General Assembly or by voluntary contributions.**
  - a. Is there adequate funding for OIOS?*
  - b. Are annual funding raises adequate?*
  - c. Does the OIOS have the authority to investigate as necessary?*
- 3. Oversight reports must be accessible to member-states under guidelines that facilitate transparency and meet, at a minimum, the freedom of information flow between U.S. investigative agencies and the Congress.**
- 4. The U.N. Secretariat needs to have a single, very senior official in charge of daily operations and filling the role of chief operating officer (COO).**
  - a. Has a position been created or assigned this authority and responsibility?*
  - b. Has a qualified individual been hired for this position?*
- 5. The United States should insist on management capability as a fundamental criterion for the selection of the next U.N. secretary-general.**
  - a. Has this been formally communicated by the U.S. Mission to the U.N. in the General Assembly or the Security Council?*
- 6. The United Nations needs to develop a far more robust policy for whistleblower protection and information disclosure.**
  - a. Do U.N. standards meet U.S. standards?*

## **II. Budget and Programming**

- 1. The “5.6 Rule,” which requires the Secretariat to identify low-priority activities in the budget proposal, should be enforced and bolstered by an additional requirement that managers identify the lowest priority activities equivalent to 15 percent of their budget request or face an across-the-**

**board reduction of that amount. The identification of 15 percent of the budget as low priority should not necessarily be interpreted as a list for elimination, but as information on what programs could be reduced in favor of higher priority mandates.**

- a. Is the "5.6 Rule" being followed?*
- b. Is the list of low-priority budget items available to member nations?*
- c. Has the 15% requirement and consequence been formally adopted?*

**2. The Secretariat's leadership must demand that managers define and attempt to achieve specific outcomes. Future budgets should be tied to whether those results are achieved. The OIOS should be tasked with a larger monitoring/evaluation role to evaluate the degree to which programs are achieving their targeted results.**

- a. Are managers required to provide annual goals?*
- b. Are these goals measurable and related to effectiveness of the program?*
- c. Are managers required to provide periodic updates on the status of achieving those goals?*

**3. The United States should support the secretary-general's plan, described in his March 21 report, to establish a Management Performance Board "to ensure that senior officials are held accountable for their actions and the results their units achieve."**

- a. Has this been formally communicated by the U.S. Mission to the U.N. in the General Assembly or the Security Council?*
- b. Has it been implemented?*

**4. The United States should insist upon both of the secretary-general's sunseting proposals: the 1997 proposal to include sunset clauses for all major new mandates, and the proposal in the March 21 report this year to review all mandates dating back five years or more. Every mandate and program should have a sunset clause to ensure that it is regularly evaluated and continues to perform a necessary function. The sunset clauses should assume that programs will be shut down unless the General Assembly's budget committee confirms by consensus that they should continue based on a publicly available analysis identifying the program's purpose, budget, and ongoing relevance.**

- a. Has this been formally communicated by the U.S. Mission to the U.N. in the General Assembly or the Security Council?*
- b. What percentage of mandates over five years old have not been reviewed?*
- c. What percentage of new mandates does not include a sunset clause?*
- d. What percentage of total mandates include a sunset clause?*
- e. How many programs have been ended?*

5. **The United States should insist that the United Nations publish annually a list of all subsidiary bodies and their functions, budgets, and staff. Their budgets should be subject to the same sunset provisions that apply to other U.N. programs and activities. The United Nations should also publish budget information in a manner that lays out multi-year expenditures by program and identifies the source of funds as assessed or voluntary (including the source country) and includes in-kind contributions.**
  - a. *Has this been formally communicated by the U.S. Mission to the U.N. in the General Assembly or the Security Council?*
  - b. *Is an annual list of subsidiary bodies, functions, budgets, and staffs available?*
  - c. *What percentage of them is subject to a five year review?*
  - d. *Is multi-year budget information available?*
  - e. *Are in-kind and voluntary contributions reported and identified by source in multi-year budgets?*
  
6. **The U.S. Office of Management and Budget (OMB) should annually report to Congress on all U.S. contributions, both assessed and voluntary, to the United Nations.**
  - a. *Is the report conducted and available in the public domain?*
  
7. **The United States should work with a representative group of member-states to explore ways of giving larger contributors a greater say in votes on budgetary matters without disenfranchising smaller contributors. The consensus-based budget process has proved effective at reining in increases in the U.N. budget but not at setting priorities or cutting many obsolete items.**
  - a. *Have meetings discussing this occurred in the last year?*
  - b. *What changes have been enacted?*
  - c. *Do the major donors have weighted voting?*
  
8. **The Department of Peacekeeping Operations (DPKO) should become a more independent program with distinct rules and regulations appropriate for its operational responsibility for comprehensive peacekeeping missions. Its responsibilities must include coordination with broader reconstruction and development activities of the United Nations.**
  - a. *Is coordination between the DPKO and broader reconstruction and development activities of the United Nations actually occurring?*
  - b. *What changes have been adopted?*
  - c. *Is DPKO more independent?*
  - d. *Has it adopted stronger codes of ethics and conduct?*

**III. Personnel**

- 1. The United States should insist on the secretary-general's call in his March 21 report for a one-time severance program to remove unwanted, or unneeded, staff, and should monitor that program closely to ensure it is designed to remove the staff who ought to be removed.**
  - a. Has this been formally communicated by the U.S. Mission to the U.N. in the General Assembly or the Security Council?*
  - b. What percentage of staff is being given severance?*
  - c. Has the severance been conducted through the existing budget?*
  
- 2. The United Nations should not offer permanent contracts to any new employees. The identification of redundant staff, along with other relevant recommendations in this report, should apply fully to the U.N.'s nearly 5,000 contractors and consultants.**
  - a. What percentage of contracts is permanent?*
  
- 3. The U.N.'s hiring practice must reflect the emphasis on competence laid out in the Charter, with geographical considerations taken into account only after the competence test is met.**
  - a. What percentage of personnel has been hired based on a competency test?*
  - b. Has there actually been a change in geographical representation?*
  
- 4. The United States should insist that the United Nations install a more empowered and disciplined Human Resources Department that employs all the techniques of modern personnel policies.**
  - a. Has such a system been adopted?*
  
- 5. The United States should support granting U.N. managers the authority to assign employees where they can be best used and amending job placement policies to permit promotional opportunities.**
  - a. Has the General Assembly granted the Secretary General this authority?*
  
- 6. The United Nations should more systematically take advantage of secondments of personnel from member-states on a pro bono basis for specified periods or tasks.**
  - a. In the last year, how many personnel were on a pro bono basis for specified periods or tasks?*
  - b. Is this number increasing, decreasing, or holding constant?*
  
- 7. The General Assembly must fully implement its new requirement that candidates for positions on the U.N. Administrative Tribunal must**

**possess appropriate qualifications before being approved.**

- a. What percentage of personnel on the U.N. Administrative Tribunal has appropriate qualifications?*

**8. In criminal cases involving U.N. personnel, immunity should be waived unless the Legal Adviser to the secretary-general determines that justice is unlikely to be served in the country at issue. The Legal Adviser's report should be made available to the proposed Independent Oversight Board to ensure accountability to an independent body. Efforts must be made to find an appropriate jurisdiction elsewhere.**

- a. What percentage of criminal cases involving the U.N. is immunity not waived?*
- b. For each of the above cases, is the Legal Advisor's report available to the Independent Oversight Board or member states if IOB is not yet in place?*
- c. What was the number of cases where another jurisdiction was used?*

**9. Legal fees for accused staff should only be reimbursed if the accused staff is cleared by appropriate legal processes.**

- a. What number of accused staff had legal fees reimbursed?*
- b. How many of those were found guilty?*

**10. A new standard of personnel ethics must be developed and advertised within the United Nations. Disclosure forms must be mandatory at the P-5 level and above. Failure to disclose must be sanctioned, and sanctions clearly laid out. An Office of Personnel Ethics should be established within the Secretariat but accountable to the IOB to serve as a repository for disclosure documents. These documents must be made available to member-states upon request.**

- a. Has the Office of Personnel Ethics been established?*
- b. Are disclosure documents mandatory, verifiable, and available on request to member states?*

**11. The United Nations must meet the highest standards of information disclosure. The United States should carefully monitor the Secretariat's current efforts to develop a comprehensive information disclosure policy.**

- a. Do the U.N. information disclosure rules meet U.S. standards?*

**12. If the United Nations is again called upon to administer a large scale sanctions regime, it should set up an effective and separate management structure, with serious audit capacity, to do so.**

**13. The United States should work with other member-states to identify which of the operational programs now receiving funds from the assessed budget should be funded entirely by voluntary contributions.**

- a. Has an entity been identified to conduct this study?*
- b. How many programs have been shifted to voluntary funding?*

**14. The General Assembly's committee structure should be revised to increase its effectiveness and to reflect the substantive priorities of the United Nations, as identified in other parts of the Task Force report. Bearing in mind the recommendations of this report, the United States should review the mandates and performance of the committees with a view to identifying areas of duplication between the committees and other bodies, programs and mandates in the U.N. system.**

- a. Has an entity been identified to conduct this study?*
- b. Is the number of committees smaller or larger?*
- c. How many committees have been eliminated?*

## ***Deterring Death and Destruction: Catastrophic Terrorism and Proliferation of Nuclear, Chemical, and Biological Weapons***

### **I. U.N. Security Council**

**1. P-5 members should consult regularly on proliferation and terrorism issues. Frequent substantive contacts will not guarantee unanimity, but they could promote greater convergence in perceptions of the threat and facilitate more constructive engagement when difficult issues are brought before the Council.**

- a. Are P-5 members regularly meeting?*

**2. The Council as a whole should also meet regularly on proliferation and terrorism issues. It should receive closed-door briefings three or four times a year by the Directors General of the IAEA and OPCW, the chairs of the CTC and 1540 Committee, and other senior officials from relevant U.N. organizations.**

- a. Is the Council meeting on proliferation and terrorism issues?*
- b. Is the Council receiving quarterly briefings from IAEA and OPCW, the chairs of the CTC and 1540 Committee, and other relevant U.N. organizations?*

**3. The United States and other Security Council members should urge the 1540 Committee to move aggressively in encouraging U.N. members to put in place the laws and control measures required by U.N. Security Council Resolution 1540.**

- a. Has the U.S. Mission made this clear to the 1540 Committee and in public pronouncements?*
- 4. The United States should press within the Council for improving the effectiveness of the U.N.SCR 1373's Counterterrorism Committee.**
- a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council?*
- 5. The United States should promote the "naming of names" that is, the United States should push the Security Council to have the 1373 Committee publicly list state sponsors of terrorism.**
- a. Has this been formally communicated by the U.S. Mission in the Security Council?*
- b. Has the 1373 Committee publicly listed state sponsors of terrorism?*
- 6. The United States should take the lead in the Council to rationalize the work of the three Security Council committees responsible for terrorism and proliferation under three separate resolutions (1267, 1373, and 1540).**
- a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council?*
- b. Has the Security Council rationalized the work of these committees to the satisfaction of the State Department?*
- c. Are there still overlaps and areas of missed responsibility for these committees?*
- 7. The United States should also take the lead in the Council on steps to strengthen international verification such as it is in the nonproliferation fields. If the IAEA or OPCW Technical Secretariat, respectively, is unable with existing authorities to resolve whether a particular country is in compliance, the Council will meet immediately with a view to providing authorization, under Chapter VII, to utilize much more extensive, supplementary verification methods (e.g., comparable to those authorized for use in Iraq by U.N. Security Council Resolution 1441).**
- 8. The Council should also strengthen the U.N. secretary-general's existing authority to initiate field investigations of alleged violations of the Geneva Protocol or the Biological Weapons Convention by making it mandatory for states to grant prompt access and provide full cooperation.**
- 9. To carry out the more robust supplementary verification activities in the nuclear and chemical fields that may be authorized by the Security Council, the IAEA and OPCW should be prepared to make available on short notice inspectors who are specially trained in more rigorous**



**verification methods. In the biological weapons area, where no comparable verification organization exists, the Council should establish and train a roster of specialists who would be available immediately in the event that the Council or secretary-general (under his authority to initiate CW or BW investigations) activated them.**

*a. Has a roster of biological specialists been established?*

**10. The U.S. should support a Council instruction to U.N.MOVIC and the IAEA to document and archive information on the investigation of Iraqi WMD programs begun in 1991, with a mandate to complete the task within six months.**

*a. Has such a Council instruction been issued?*

*b. Have member-states received legal advice on the Convention for the Suppression of Acts of Nuclear Terrorism?*

**11. On the critical subject of the nuclear fuel cycle and the Nuclear Non-Proliferation Treaty, the United States should continue to promote the Bush administration's initiative to prevent the acquisition of uranium enrichment and plutonium reprocessing facilities by additional countries.**

*a. Has this been vigorously promoted by the Department of State?*

**12. The United States should encourage the Council to strengthen legal authorities to interdict illicit WMD-related shipments and disrupt illicit WMD-related networks.**

*a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council?*

**13. The United States should urge Council action to discourage and impede unjustified use of the NPT's withdrawal provision, which allows a party to leave the treaty after 90 days if it asserts that remaining in the treaty would jeopardize its supreme interests.**

**Note:** *This may be applicable only when a nation attempts to withdraw from the NPT.*

*a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council?*

*b. Has the Security Council taken action to discourage this behavior?*

**14. The Council should develop a menu of penalties that would be available for future Council consideration in individual cases of violations.**

*a. Has the Security Council developed a menu of such penalties?*

## II. U.N. General Assembly

1. **The General Assembly should move expeditiously to adopt a definition of terrorism along the lines recommended by the High-Level Panel and endorsed by the secretary-general. On the basis of that definition, the Assembly should proceed as soon as possible to conclude a comprehensive convention on terrorism. The definition of terrorism should cover the actions of individuals or irregular organizations, rather than armies since the latter are bound by the rules of war and need not be covered by additional language prohibiting terrorism. Although international consensus on the basis of the formulation contained in the High-Level Panel would be a major step forward, the definition of terrorism should ideally also cover acts of violence against noncombatant military units—for example, those deployed to a given country as part of a U.N.-authorized peacekeeping force or those present on foreign soil only to provide training or receive logistics support.**
  - a. *Has the General Assembly adopted a comprehensive definition of terrorism acceptable to the United States?*
  
2. **The Terrorism Prevention Branch of the U.N. Office on Drugs and Crime (U.N.ODC) should be encouraged to intensify its efforts to promote wide adherence to the international conventions on terrorism, especially the new Convention for the Suppression of Acts of Nuclear Terrorism, and to provide member-states legal advice on domestic implementing legislation necessary to make those conventions effective.**
  - a. *Have member-states received legal advice on the Convention for the Suppression of Acts of Nuclear Terrorism?*

## III. International Atomic Energy Agency

1. **The United States should continue pressing for establishment of a committee of the IAEA Board to review the Agency's role in monitoring and promoting compliance with nuclear nonproliferation obligations.**
  - a. *Has a committee of the IAEA Board actually been established?*
  - b. *Have the results of the review been published?*
  
2. **The IAEA and its Board should strongly promote universal ratification and rigorous enforcement of the Additional Protocol. Nuclear Suppliers Group members can assist in this effort by adopting a guideline that makes adherence to the Additional Protocol by recipient states a condition for nuclear cooperation.**
  - a. *Has the IAEA and its board issued a statement on universal ratification and enforcement of the Additional Protocol?*
  - b. *Has such a guideline been established by the Nuclear Suppliers Group?*

3. **IAEA Board members should urge that the Agency's relatively new function of investigating nuclear trafficking networks be expanded.**
  - a. *Has the IAEA Board issued a statement on expanding its role in investigating nuclear trafficking networks?*
  
4. **The United States and other Board members must strongly encourage the IAEA to assign higher priority to nuclear security.**
  - a. *Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council, the General Assembly, or directly to the IAEA?*
  - b. *Have any other board members taken similar action?*
  
5. **The IAEA and its Board should examine means of assuring countries that renounce the right to possess their own enrichment and reprocessing capabilities that they will have reliable access to nuclear reactor fuel supplies.**
  - a. *Has the IAEA undertaken such a study?*
  - b. *Has the IAEA communicated the results to member states?*

#### **IV. Organization for the Prohibition of Chemical Weapons (OPCW)**

1. **The missions of OPCW and its Technical Secretariat should be adjusted to deal more heavily with the nonstate actor chemical weapons threat.**
  - a. *Have the missions been so adjusted?*
  
2. **OPCW should become a partner of the 1540 Committee to help it implement U.N. Security Council Resolution 1540's requirements in the chemical area as in the case of the IAEA for nuclear issues, including taking the lead in assisting in establishing international standards for legislation criminalizing CW-related activities by nonstate actors. It should assist the Committee in the area of physical protection, assessing the adequacy of security and accountancy measures at declared chemical weapons storage depots and developing international standards for protecting chemical industry plants against theft or sabotage. With respect to the reports countries are called upon to submit under 1540, the OPCW would assist in evaluating performance, suggesting improvements, and coordinating assistance efforts.**
  - a. *Has the OPCW provided assistance in evaluating 1540 mandated reports?*
  - b. *Has the OPCW made suggestions and coordinated assistance to member states based on its evaluation of 1540 reports?*
  
3. **The United States and other CWC parties should request OPCW's**

**Technical Secretariat to examine the potential for state and nonstate actors to use new technologies, such as micro-reactors and novel chemical agents, for CW purposes and make recommendations on whether and how the CWC regime can be modified to keep up with the evolving CW proliferation threat.**

- a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council, the General Assembly, directly to the OPCW, or directly to the OPCW's Technical Secretariat?*
- b. Have other CWC parties taken similar action?*
- c. Has the OPCW's Technical Secretariat undertaken such a study?*
- d. Has the OPCW's Technical Secretariat made recommendations based on the study?*
- e. Have those recommendations been acted on?*

## **V. World Health Organization (WHO)**

- 1. While the WHO should strengthen its existing public health capabilities that are also relevant to reducing the biowarfare threat, consideration should urgently be given to establishing a new U.N. organization responsible for dealing with biological weapons issues.**
  - a. Has a study on establishing a new U.N. organization for dealing with biological weapons been completed?*
  - b. Has the WHO increased existing public health capabilities that are relevant to biowarfare?*
- 2. WHO should undertake a major upgrading of its global disease surveillance and response network. The United States should be prepared to take the lead in persuading other donor governments to commit the additional resources required. Informal arrangements should be worked out so that, in the event of a suspicious disease outbreak that seemed to be the result of intentional BW use, WHO could immediately notify the new U.N. biological warfare organization and the U.N. secretary-general, who would be in a position to dispatch biowarfare experts to assist WHO in its investigation.**
  - a. Has WHO upgraded its global disease surveillance and response network?*
- 3. The new U.N. organization responsible for countering the biowarfare threat would work with the 1540 Committee and relevant international health organizations, including WHO, to develop common international biosecurity standards, both with respect to ensuring that only bona fide scientists have access to dangerous pathogens and ensuring that facilities engaged in legitimate research with dangerous pathogens have adequate physical security measures in place.**

- a. *Have common international biosecurity standards been established?*
- b. *Do only bona fide scientists have access to dangerous pathogens?*
- c. *Do dangerous pathogens have adequate physical security measures?*

**4. The new biowarfare organization should also work with the WHO and other international scientific organizations to develop international guidelines or standards for reviewing, approving, and monitoring dual-use bioscientific research projects, particularly in the area of genetic engineering, that could produce results that could be applied by states or terrorist groups to offensive BW purposes.**

- a. *Do international guidelines exist for reviewing, approving, and monitoring dual-use bioscientific research projects?*

## **VI. Conference on Disarmament (CD)**

**1. The CD has outlived its usefulness and should be disbanded. Instead of having a single multilateral negotiating body take its place, the Security Council should, as the need arises, set up ad hoc bodies of manageable size to take on discrete, narrowly defined tasks, such as negotiating a treaty banning further production of fissile materials or developing common international standards for biosecurity.**

## ***War and Peace: Preventing and Ending Conflicts***

### **I. U.N. Peacekeeping: Doctrine, Planning, and Strategic Guidance**

**1. The Department of Peacekeeping Operations should develop doctrine that recognizes the need for capable forces in the new security environments in which peacekeepers are mandated by the Security Council to operate, and the United States should press for member state acceptance of these new realities and their resource implications.**

- a. *Has the Department of Peacekeeping Operations developed the doctrine?*
- b. *Has the Department of Defense provided advice in the development of this doctrine?*

**2. More broadly, the United Nations should develop doctrine and strategy for multidimensional peace operations that thoroughly integrate the security dimension with economic and political development requirements. Prior to deployments, a strategic assessment of the crisis situation should be made to determine the full range of measures necessary to effectively address the causes of the crisis. Strategic mission plans should precede deployments, and should be drafted by senior-level mission strategy groups brought together prior to missions.**

**Note:** This may only be applicable as future peacekeeping operations evolve.

- a. *Has the U.N. developed a multi-dimensional strategy for peace operations?*
- b. *Does a strategic mission plan exist for each peacekeeping operation?*
- c. *Was this plan drafted by senior-level mission strategy groups prior to executing the peacekeeping mission?*

## **II. Sexual Exploitation and Abuse**

- 1. The United Nations must quickly implement a policy of zero tolerance of sexual exploitation and abuse by peacekeepers. The United States should strongly support implementation of reform measures designed to ensure uniform standards for all civilian and military participants in peace operations; training programs relating to sexual exploitation and abuse; increased deployment of women in peacekeeping operations; deployment of established (rather than “patched together”) units to peacekeeping operations; accountability of senior managers; effective data collection and management; victim’s assistance; staffing increases to enhance supervision; and organized recreational activities for peacekeepers.**
  - a. *Is there a policy of zero tolerance of sexual exploitation?*
  - b. *Are there training programs for U.N. civilians and military?*
  - c. *Are established units deploying to support U.N. operations?*
  - d. *Is there a victim’s assistance program?*
  - e. *Is data being collected?*
  - f. *Are recreational activities being provided for peacekeepers?*
  
- 2. While these measures have recently been endorsed by member-states, the United States should urge generous budgetary support for these initiatives, and should also press for independent investigative capacity.**
  - a. *Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council or General Assembly?*
  - b. *Is there an independent investigative capacity?*
  
- 3. The United States should seek to ensure effective programs of assistance for victims who make substantial claims, even when neither the victim nor the United Nations is able to obtain redress from the perpetrator of the abuse.**
  - a. *Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council or General Assembly?*
  
- 4. States that prove unwilling or unable to ensure discipline among their troops should not be permitted to provide troops to peacekeeping missions.**
  - a. *Has a U.N. resolution or rule change implementing this policy been adopted?*

### **III. Rapid Deployment**

- 1. While the Task Force does not endorse a standing U.N. military force, member states must increase substantially the availability of capable, designated forces, properly trained and equipped, for rapid deployment to peace operations on a voluntary basis. The Secretariat should enhance its capacity to coordinate increases in member state contributions to the Stand-by Arrangements system.**
- 2. The United States should sustain and strengthen its support for regional peacekeeping capacity building, such as the Global Peace Operations Initiative.**
- 3. The Department of Defense should prepare policy options for U.S. support of capacity enhancements and for U.S. engagement in peace operations consistent with U.S. national interests.**
  - a. Has the DOD prepared policy options to support capacity enhancements and for U.S. engagement in peace operations?*

### **IV. The U.N. Role and Capacity in Conflict Mediation and Peacebuilding**

- 1. To enhance support for U.N. efforts at conflict mediation and negotiation, the United States should support an increase in resources for the Department of Political Affairs (DPA), following an independent study providing a strategy for enhancing DPA capacity and improving coordination with DPKO.**
  - a. Has an independent study of the DPA and DPKO been conducted?*
  - b. Have the results been provided to the member-states?*
  - c. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council or General Assembly?*
- 2. To enhance support for postconflict peacebuilding activities, the United States should support the creation of a Peacebuilding Commission, a Peacebuilding Support Office, and a voluntary peacebuilding support fund.**
  - a. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council or General Assembly?*
  - b. Has a Peacebuilding Commission been created?*
  - c. Has a Peacebuilding Support Office been created?*
  - d. Has a voluntary peacebuilding support fund been established?*

- 3. The United States should also encourage member governments with expertise in peacebuilding activities, such as those related to rule of law, to play lead nation roles on these issues in particular peace operations.**
  - a. Has the U.S. Congress passed a resolution communicating this?*
  - b. Has this been formally communicated by the U.S. Mission to the U.N. in the Security Council, General Assembly, or directly to relevant members?*
  
- 4. The Task Force supports an increase in funding for the peace operation-related activities of the Office of the High Commissioner for Human Rights and the U.N.'s Electoral Assistance Division.**
  - a. Has funding increased for the peace keeping activities of the Office of the High Commissioner for Human Rights and the U.N.'s Electoral Assistance Division?*

#### **V. U.S. Capacity in Civilian Postconflict Stabilization Activities**

- 1. To enhance U.S. ability to support postconflict reconstruction and to coordinate its efforts with the United Nations and other governments, the United States should strengthen the new State Department Office of the Coordinator for Reconstruction and Stabilization, and Congress should provide it with resources necessary (and requested by the administration) to play its coordination role.**

#### **VI. Sanctions**

- 1. Sanctions must be part of an overall strategy that integrates diplomacy and coercion in an informed and effective manner, and must be carefully targeted to avoid unintentional impacts, punish perpetrators of abuses and illegality, and create incentives for change. Member-states and the Secretariat must develop dedicated capacities for sanctions analysis, implementation and enforcement.**
  - a. Does the U.S. have dedicated capacities for sanctions analysis, implementation, and enforcement?*
  - b. Do other member states?*
  - c. Does the Secretariat have a dedicated capability for sanctions analysis, implementation, and enforcement?*

### ***Helping People and Nations: Development and Humanitarian Assistance***

#### **I. General Recommendations**

- 1. The U.S. Department of State should be the policy leader for development and humanitarian assistance issues, especially with respect to coordinating U.S. Government support to multilateral organizations.**



- 2. Enhance the predictability and coherence of U.S. support of U.N. assistance.**
- 3. Place greater emphasis on external evaluation of U.N. development and humanitarian programs.**

## **II. Reducing Poverty**

- 1. Push the United Nations to balance the interest in poverty reduction with an interest in governance and economic growth.**
- 2. The U.S. Department of State's new office for the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) should establish a collaborative relationship with the U.N. Peacebuilding Commission, if such a new body is created as part of U.N. reform.**  
**Note:** This action requires that a U.N. Peacebuilding Commission be established.
- 3. Reorient the mission and activities of the Economic and Social Council (ECOSOC), giving it a clearly focused mission.**
- 4. ECOSOC should eliminate the practice of secret voting by members, and the Department for Economic and Social Affairs should be streamlined.**
  - a. Does ECOSOC continue secret votes?
  - b. Are the Department for Economic and Social Affairs more streamlined than before?

## **III. Containing Disease**

- 1. Strengthen the U.N. relationship with the World Bank.**
  - a. Are regular meetings taking place between World Bank and U.N. representatives?*
  - b. Are the World Bank and U.N. publishing coordinated documents, plans, and policies?*
- 2. Connect the U.N. Development Group (U.N.DG) with the equivalent executive bodies dealing with humanitarian and peacekeeping operations.**
  - a. Are the representatives from the U.N. Development Group (U.N.DG) and equivalent humanitarian and peacekeeping executive bodies meeting regularly?*
  - b. Are the U.N.DG and equivalent humanitarian and peacekeeping executive bodies publishing coordinated documents, plans, and policies?*

- 3. Empower resident coordinators with regard to sector-wide strategies and budgets.**
  - a. Are resident coordinators producing and publishing sector-wide strategies?*
  - b. Are resident coordinators actually exercising day-to-day influence over their budgets?*
  
- 4. Apply new business models for delivering assistance, including greater partnership between U.N. agencies and the private sector.**
  
- 5. Rationalize and simplify the funding of U.N. Programs.**
  
- 6. The Consolidated Appeals Process (CAPS) model—which greatly improves transparency and improves the ability of member governments to donate to priority programs—should be replicated beyond its current application in humanitarian relief to other domains of U.N. assistance, such as child survival, peace-building, rule of law, postcrisis recovery (including demobilization and reintegration of soldiers), and disaster risk mitigation.**
  - a. Has the CAPS model been applied to child survival?*
  - b. Has the CAPS model been applied to peace-building?*
  - c. Has the CAPS model been applied to rule of law?*
  - d. Has the CAPS model been applied to postcrises recovery?*
  - e. Has the CAPS model been applied to disaster risk mitigation?*
  
- 7. Allow leading U.N. officials and resident coordinators to appoint the personnel they wish, but hold them accountable for the mission and results.**
  
- 8. U.N. field offices should be encouraged to continue moving toward common services.**
  
- 9. Establish third-party and independent mechanisms for auditing as well as for monitoring and evaluation.**
  
- 10. Strengthen the lead coordinating role of WHO in combating infectious diseases.**
  
- 11. WHO should operate in all areas of the world. Taiwan, for instance, is excluded from WHO membership due to the opposition of China. This deprives the organization of valuable resources and significantly impedes the fight against the SARS epidemic and other infectious diseases.**

**Taiwan should have the closest possible association with WHO.**

*a. Is WHO operating in Taiwan?*

**12. Strengthen and mandate U.N.ICEF to regain the lead it once had, ten years ago, in the global efforts for child survival and against hunger and nutritional deficiency diseases.**

#### **IV. Alleviating Disaster**

**13. Re-engineer the relief architecture of the U.N..**

**14. Require that 15–20 percent of disaster funding be spent toward risk reduction and mitigation.**

*a. What is the actual percentage of disaster funding being spent on risk reduction and mitigation?*