

TASK FORCE ON THE UNITED NATIONS

The Imperative Aforton

An Update of the Report of the Task Force on American Interests and UN Reform

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The views expressed in this book are those of the authors alone. They do not necessarily reflect views of the United States Institute of Peace.

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First published 2005

Printed in the United States of America

The paper used in this publication meets the minimum requirements of American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials, ANSI Z39.48-1984.

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JOINT STATEMENT OF THE TASK FORCE CO-CHAIRS

Reforming the United Nations: A Progress Report

The American people want an effective United Nations that can fulfill the goals of its Charter in building a safer, freer, and more prosperous world. We were privileged to serve as co-chairs of the bipartisan task force on American interests and the United Nations that was authorized by Congress. This Task Force spanned a very wide range of political and ideological perspectives. After six months of fact-finding and deliberations, the Task Force issued a 126-page consensus report in June 2005. We were not able to agree on everything. But what was most striking was the extent to which we were able to find common ground, including on our most important finding, which was "the firm belief that an effective United Nations is in America's interests."

Given these high hopes, it should not be surprising that there has been disappointment and frustration in the United States with the results of the UN summit meeting in New York in September 2005. The summit's so-called "outcome document" was not the sweeping package of reforms called for in the secretary-general's March 2005 report "In Larger Freedom." It lacked the boldness and vision of the report of the High Level Panel on Threats, Challenges, and Change. And it fell significantly short of the recommendations made by our own Task Force.

A familiar dynamic played out at the United Nations in the deliberations over the outcome document. A number of countries, many of them non-democracies, actively worked together to defeat many of the reform proposals. These spoilers were more successful than their numbers would indicate. Their efforts benefited from a lack of effective cooperation among the democracies in the United Nations; in particular, the absence of genuinely close and active transatlantic cooperation.

Following the UN summit in September, we asked the experts who served on the Task Force to reconvene to take stock of the results of the summit. This report is their assessment of what was achieved, what was not, and what should be done next. Their statements are consistent with the findings of the full Task Force last spring, but they do not necessarily reflect a consensus of the Task Force membership, which was not asked to endorse these individual reports. Like our initial report, this document is written from an American perspective. We did not attempt to speak on behalf of other nations. We believe, however, that reforming the United Nations is not a favor to the United States, but an effort to advance goals that are widely shared by the members of the United Nations, some two-thirds of whom are now electoral democracies. This progress report, like the underlying work of the Task Force, is divided into five sections: human rights and genocide; management reform; weapons of mass destruction proliferation; preventing and ending conflicts; and development and humanitarian assistance. The main findings and recommendations of the progress report are highlighted below.

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Human Rights and Genocide Prevention. The Task Force called on the U.S. government and the United Nations to "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." The General Assembly endorsed this general principle in the outcome document, although it stopped short of adopting the Task Force's full recommendation with respect to "mass killing and massive and sustained human rights violations." The UN statement reads, "Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it." The responsibility to protect recommended by the Task Force also cited the moral responsibilities of the rest of the world. In certain circumstances, a government's abnegation of its responsibilities to its own people is so severe that the responsibility of others to take action cannot be denied. The outcome document embraced this point clearly. Although the outcome document calls for action through the Security Council, its language is not inconsistent with the further finding of our Task Force that the failure of the Security Council to act must not be used as an excuse for the world to stand by as atrocities continue.

Darfur: Embracing the concept of a responsibility to protect does not ensure that the nations of the world and the United Nations will live up to their responsibilities. Turning principle into practice is especially urgent on Darfur. Our Task Force addressed Darfur directly, recommending a series of immediate initiatives by the United States, the United Nations, and others, including establishment of a no-fly zone. Recent attacks on peacekeepers make it clear that African Union troops are incapable of defending themselves, much less the people they were sent to protect. Deference to the pride, real and exaggerated, of the African Union is not an excuse for inaction. International action is still urgently needed.

Human rights. Prompt action must be taken to abolish the discredited Human Rights Commission, replacing it with a new Human Rights Council consisting of member nations that are committed to decency in the treatment of their own people. The president of the UN General Assembly should be prepared to put the matter of the composition of a Human Rights Council to a majority vote in the General Assembly. If the United Nations is not successful in establishing a credible replacement, the United States and the other democracies should strongly consider not participating in the scheduled March 2006 meeting of the Human Rights Commission.

Management Reform. The Task Force made a range of recommendations on management reform, including the addition of a very senior official in the role of chief operating officer (COO) in charge of daily operations. Unfortunately, scant progress has been made on this and related issues. The progress report recommends including management capability as a fundamental criterion in the selection of the next secretary-general. Together with other reform-minded governments, the United States should push for the establishment of the position of COO; this

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person would serve as the single senior official in the UN Secretariat in charge of daily operations, directly assisting the secretary-general in carrying out sound management and oversight. There should also be continued emphasis on creating an independent oversight board.

Catastrophic Terrorism. The Task Force identified the threat of terrorist groups and potentially hostile regimes—both seeking nuclear, biological, and chemical weapons—as the number one security challenge facing the United States today. The September summit made little headway on these issues. Indeed, because of sharp disagreement over the relative priority to be given to nonproliferation and to disarmament, the outcome document failed even to include a section on reducing the threat from weapons of mass destruction (WMD), a result that Kofi Annan called a "disgrace." The summit made some recommendations for combating terrorism but failed to achieve a much-anticipated agreement on a definition of terrorism.

The Task Force report identified the following key priorities. The UN Security Council must assume responsibility for helping resolve today's most acute nuclear proliferation threats, especially that of Iran. The Security Council's Counterterrorism Committee and the committee charged with preventing proliferation (the 1540 Committee) should be used more aggressively to build member state capacity to prevent WMD from falling into the wrong hands. The Security Council should act immediately to extend the mandate of the 1540 Committee, which expires in April 2006, to remove any uncertainty about its future. Finally, without further delay, remaining differences over a definition of terrorism should be resolved and a comprehensive convention on terrorism concluded during the current session of the UN General Assembly.

Preventing and Ending Conflicts. In its June 2005 report, the Task Force identified a number of key areas related to the capacity and effectiveness of the United Nations in preventing and ending conflicts, including improving UN peacekeeping capabilities and enhancing UN postconflict or "peacebuilding" capacities. The outcome document did little to advance this important aspect of UN reform. Looking forward, the progress report calls for further management reforms at the UN Department of Peacekeeping Operations (DPKO)—the lead peacekeeping entity in the United Nations—including giving DPKO increased management autonomy to improve efficiency under the continuing authority of the Security Council. The proposed Peacebuilding Commission should be set up in a manner that augments overall effectiveness rather than becoming yet another layer of bureaucracy. Improving the professionalism of peacekeeping forces must be a top priority; in particular, the prompt adoption of measures to deal decisively with sexual exploitation and abuse by peacekeeping personnel.

Development and Humanitarian Assistance. The Task Force concurred on the importance of addressing the needs of the 40 percent of the world's population that lives in poverty. The Task Force recognized the reinforcing roles of international assistance, trade, and private investment; and the legal, economic, and political reforms necessary to advance and accelerate sustained economic growth. The Task

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Force also recommended increasing the proportion of humanitarian aid allocations for disaster preparedness. The outcome document gave greater weight than in the past to the role of rule of law and private enterprise. This progress report reinforces the importance of good governance and free enterprise in bringing a greater degree of prosperity to the world's poor nations. The report also addresses growing concern about the risks of a flu pandemic and calls for increasing the funding and capacity of the World Health Organization as a global first-alert body.

As others have said, UN reform is a process, not an event. Yet, it is reasonable to judge the United Nations and its members for not seizing the signal opportunity presented by last September's reform summit. Paraphrasing a conclusion of our initial report, it will take concerted leadership by the United States, working with the world's other democracies, to ensure that the opportunities missed in September are not opportunities lost forever.

Newt Gingrich

George Mitchell

Washington, D.C. November 2005

SIDE-BY-SIDE HIGHLIGHTS

Task Force Section/Topics	Task Force Report	Outcome Document*			
Saving Lives, Safeguarding Human Rights, and Ending Genocide					
Human Rights	Most critical task for human rights is the enforcement of norms.	Resolves to strengthen the human rights machinery with the aim of ensuring effective enjoyment by all.			
Responsibility to Protect	The General Assembly (GA) and the Security Council (SC) should affirm the responsibility of every sovereign government to protect its own citizenry and those within its borders from genocide, mass killing, and massive and sustained human rights violations.	States have a responsibility to protect their populations. The international community is also responsible, through Chapters VI and VII of the UN Charter, to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.			
Crisis in Darfur	Multiple recommendations made for actions by the UN to strengthen the UN Mission in Sudan (UNMIS).	No specific mention of the crisis in Darfur in World Summit Outcome Document.			
Office of the High Commissioner of Human Rights (UNHCHR)	Discretionary authority to report directly to the Security Council, to ensure adequate resources and early information analysis for prevention efforts.	Doubling of budget over five years, improved reporting procedures, mainstreaming of human rights throughout UN system, and closer cooperation between UNHCHR and relevant UN bodies.			
Human Rights Commission	Must be abolished.	Not addressed in outcome document.			
Human Rights Council	Creation of the council as a body, ideally composed of democracies, to monitor and enforce human rights.	While enacted, does not offer guidance on how to ensure exemplary human rights records of members. Directs president and GA to conduct negotiations on details of mandate, composition, and so on.			

Task Force Section/Topics	Task Force Report	Outcome Document			
In Need of Repair: Reforming the United Nations					
Oversight	Creation of an independent internal oversight board.	Requests Secretariat to make a proposal for an independent oversight committee.			
	Member states should provide the Office of Internal Oversight Services (OIOS) with resources and authority to provide oversight to every activity managed by UN personnel.	Promises to significantly strengthen OIOS "as a matter of urgency." OIOS proposal for expansion shall be made in the 2006 OIOS annual report.			
Management	Creation of chief operating officer (COO) position.	Not addressed in outcome document.			
	Creation of an Office of Personnel Ethics to develop and advertise a new standard of ethics within the Secretariat.	Resources included for such an office in the revised budget estimates submitted in November 2005.*			
	UN needs to develop robust policies to protect whistle-blowers.	Secretary-general's bulletin is expected to include new policy in November 2005.*			
	Multiple recommendations regarding human resources and other management policies.	Not addressed in outcome document, although GA has requested specific proposals from the Secretariat to address some of these recommendations.			
Program and Budget	Sunset clauses should be used in all major new mandates, and all mandates dating back five or more years should be reviewed.	Outcome document requests review of mandates five years and older. Expected from Secretariat in early 2006.			
	One-time, large-scale severance program to remove unneeded staff.	Member states agreed to consider proposal for a one- time staff buyout; expected from the secretary-general in February 2006.			
	Consideration of results-based budgeting and priority setting.	Not addressed in outcome document.			
General Assembly Reform	Revised committee structure to improve effectiveness and reflect substantive priorities of the UN.	Not addressed in outcome document.			

 $^{{}^{\}star}\text{Items}$ found in World Summit Outcome Document, except when noted.

Task Force Section/Topics	Task Force Report	Outcome Document			
Deterring Death and Destruction: Catastrophic Terrorism and the Proliferation of Nuclear, Chemical, and Biological Weapons					
Strengthening Verification and Enforcement	Authorization for the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons to use broadened verification methods when existing authorities are insufficient.	IAEA has created a two-year Committee on Safeguards and Verification with a two-year mandate to consider means of strengthening the agency's safeguards system.*			
	Encouraged the SC to play a more assertive role in bringing nations into compliance with WMD obligations.	Permanent Five (P-5) member states remain divided on how to deal with compliance promotion.*			
	Develop special penalties by the SC to be used against future violators.	The lack of automatic penalties for noncompliance and inconsistent enforcement by member states have resulted in mixed progress on this point.*			
Countering Terrorism	Adopt a definition of terrorism.	While no definition was established, the outcome document does offer a strong condemnation of terrorism in all its forms and manifestations.			
	The GA should proceed with development of a comprehensive convention on international terrorism.	An ad hoc committee of the GA's Sixth Committee has produced a draft text; however, the longstanding dispute surrounding the definition of terrorism continues.*			
Building Counterterrorism and Counterproliferation Capacities	Strengthen the Counterterrorism Committee (CTC).	CTC has been fully staffed and is making progress on a backlog of member state reports.*			
	Strengthen the 1540 Committee.	The 1540 Committee has pressed member states to submit required reports on proliferation issues, but its small staff is causing a backlog.*			
Supplementing and Closing Loopholes in the NPT	Impede the spread of uranium enrichment and plutonium reprocessing facilities.	Several steps have been taken, including criteria for recipient nations prior to transfers, an extended moratorium on new transfers, and progress toward ensuring access to market for reactor fuel and fuel-cycle services for states that have forgone national production capacity.*			
	Discourage unjustified use of withdrawal provision.	Not addressed in outcome document.			
	Strengthen legal authorities to interdict WMD shipments.	International Maritime Organization has strengthened legal basis for flag states to board ships under suspicion of carrying WMD.*			

Task Force Section/Topics Task Force Report		Outcome Document			
War and Peace: Preventing and En	War and Peace: Preventing and Ending Conflict				
Peacekeeping	Improve doctrine, planning, and strategic guidance for peacekeeping.	The outcome document makes several efforts to address strategic mission planning, emphasizing cohesion among peacekeeping entities.			
	Increase availability of capable, properly trained, and designated forces for rapid deployment.	Urges further development of proposals for rapidly deployable capacities. Secretariat is presently preparing an elaboration of the strategic reserve concept.			
Information analysis and early warning as a componer identifying conflict trends and anticipating peacekeepii requirements.		Not addressed in outcome document.			
	Improve staffing and funding for peacekeeping operations.	The outcome document provides for 100 reserve officers for rule of law enforcement and additional support for quick impact projects (QIPs).			

^{*}Items found in World Summit Outcome Document, except when noted.

War and Peace: Preventing and Ending Conflict, continued					
	Improve autonomy for DPKO.	Not addressed in outcome document.			
Strengthen enforcement of zero tolerance of sexual expl and abuse by peacekeepers.		Outcome document takes steps toward integrating a gender perspective in missions and suggests more efficient use of OIOS for investigations.			
Conflict Mediation and Increase resources for the Department of Political Affairs (DPA) Peacebuilding and better coordination with DPKO.		Not addressed in outcome document, though the Secretariat will soon submit a proposal for enhancing UN capabilities for mediation and good offices.*			
	Establish a Peacebuilding Commission.	Outcome document establishes the basic framework for an intergovernmental advisory body to advise on and propose strategies for postconflict peacebuilding.			
The Role of Sanctions	More effective integration of sanctions regimes with diplomacy and coercion strategies to avoid unintentional impacts and abuses and to create incentives for change.	Outcome document makes passing reference to improved monitoring of implementation and effects of sanctions.			

Task Force Section/Topics	Task Force Report	Outcome Document			
Helping People and Nations: Development and Humanitarian Assistance					
Reducing Poverty	Independent evaluation of UN humanitarian and development activities.	The Outcome Document suggests several independent evaluations of UN activities.			
	Rationalize and simplify funding for UN humanitarian programs (detailed in report).	Outcome document calls for developing innovative sources for funding (including private sector coordination) but without extensive guiding details.			
	Greater coordination among the World Bank and UN development entities.	Outcome document calls for strengthening the coordination role of the UN with regard to the multilateral investment banks.			
	Better planning among UN entities to address nutrition in humanitarian aid.	Not addressed in outcome document.			
Emergencies and Disasters	Increase allocation of humanitarian aid for disaster preparedness, mitigation, and risk reduction to 20 percent.	Not addressed in outcome document, although passing reference is made to development of a worldwide early warning system.			
	Greater attention to the haphazard funding for response to emergencies, particularly the Central Emergency Response Fund (CERF) of the Office for the Coordination of Humanitarian Affairs (OCHA).	OCHA has moved to improve benchmarking of needs during the course of a disaster; however, the outcome document does not address evaluations of how money is spent.			
	Better coordination among UN agencies on field-level protection, water, and shelter, including development of lead agencies by sector.	Not addressed in outcome document.			

^{*}Items found in World Summit Outcome Document, except when noted.

Saving Lives, Safeguarding Human Rights, and Ending Genocide

The UN General Assembly's response to reform recommendations made in June 2005 by the Task Force on the United Nations is decidedly mixed. The outcome document issued after the UN's September 2005 World Summit addresses many important Task Force recommendations from Saving Lives, Safeguarding Human Rights, and Ending Genocide, in some cases very effectively, in other cases promisingly, and in some only disappointingly. A number of the responses suggest an ongoing inability—perhaps not unwitting—to speak in plain language, as well as concessions to the demands of member states whose records on these matters are not clean.

The following assessment looks at key areas covered in the Task Force report, notes what the 2005 World Summit outcome document did or did not say about those areas, and lays out what the Task Force believes should now be done.

HUMAN RIGHTS REAFFIRMED

The Task Force welcomes the general reaffirmation of a commitment to human rights. This was expressed in the following numbered sections of the 2005 World Summit outcome document:

- 119. We recommit ourselves to actively protecting and promoting all human rights, the rule of law and democracy and recognize that they are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations, and call upon all parts of the United Nations to promote human rights and fundamental freedoms in accordance with their mandates.
- 120. We reaffirm the solemn commitment of our States to fulfill their obligations to promote universal respect for and the observance and protection of all human rights and fundamental freedoms for all in accordance with the Charter, the Universal Declaration of Human Rights and other instruments relating to human rights and international law. The universal nature of these rights and freedoms is beyond question.
- 121. We reaffirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms.
- 122. We emphasize the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status.

123. We resolve further to strengthen the United Nations human rights machinery with the aim of ensuring effective enjoyment by all of all human rights and civil, political, economic, social and cultural rights, including the right to development.

Task Force comment: The aspiration to strengthen the "human rights machinery with the aim of ensuring effective enjoyment by all" sets forth an important principle, one that the Task Force report emphasized: *The most critical task for human rights now is not the articulation of new norms but the enforcement of norms.* Member states have openly and horrifically violated the human rights of their own citizens and citizens of other countries. The outcome document would have been stronger had it used the term "enforcement" in this context.

"RESPONSIBILITY TO PROTECT" ADOPTED

The Task Force's most important human rights recommendation was that the Security Council and the General Assembly "affirm a responsibility of every sovereign government to protect its own citizenry and those within its borders from genocide, mass killing, and massive and sustained human rights violations." This principle was adopted in the outcome document, although the language did not include the words "massive and sustained human rights violations." This is none-theless a signal achievement of the summit, worded as follows in the outcome document:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter of the United Nations, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing

in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

Task Force comment: With the adoption of the "responsibility to protect," the ground shifts now to the enforcement of human rights. Having affirmed their responsibility toward their own populations individually and collectively, states will no longer be able to hide behind the false shield of the doctrine of noninterference in their internal affairs in order to ignore, abet, or perpetrate atrocities. The international community as a whole has embraced the spirit of the Task Force's conclusion that "In certain circumstances, a government's abnegation of its responsibilities to its own people is so severe that the collective responsibility of nations to take action cannot be denied." We reaffirm our recommendation that "The Security Council can and should act in such cases," and we restate our belief that "In the event the Security Council fails to act, its failure must not be used as an excuse by concerned members to avoid protective measures." The United States should continue to push for including reference to "massive and sustained human rights violations" as part of the standard in triggering applicability of the responsibility to protect principle.

THE CRISIS IN DARFUR

The Task Force also made specific recommendations with regard to the situation in Darfur. We appreciate the secretary-general's efforts to secure a request from the African Union for assistance from NATO in Darfur. But, as the secretary-general noted in his October report, "The AU Mission in Sudan (AMIS) is mandated to protect civilians under imminent threat, but it is facing a massive funding shortfall to provide the necessary troops. Until this funding gap is met, the current Mission will not be able to perform to its potential." **More work by the United Nations, member states, and other international organizations is urgently required, as the security situation in Darfur continues to deteriorate.** We reiterate that the only solution in Darfur is a government in Khartoum that respects the human rights of all Sudanese people.

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS BUTTRESSED

The outcome document addresses the important recommendation to shore up the Office of the High Commissioner for Human Rights, as follows:

124. We resolve to strengthen the Office of the United Nations High Commissioner for Human Rights, taking note of the High Commissioner's plan of action, to enable it to effectively carry out its mandate to respond to the broad range of human rights challenges facing the international community, particularly in the areas of technical assistance and capacity-building, through the doubling of its regular budget resources over the next five years with a view to progressively setting a balance between regular budget and voluntary contributions to its resources, keeping in mind other priority programmes for developing countries and the recruitment of highly competent staff on a broad geographical basis and with gender balance, under the regular budget, and we support its closer cooperation with all relevant United Nations bodies, including the General Assembly, the Economic and Social Council and the Security Council.

125. We resolve to improve the effectiveness of the human rights treaty bodies, including through more timely reporting, improved and streamlined reporting procedures and technical assistance to States to enhance their reporting capacities and further enhance the implementation of their recommendations.

126. We resolve to integrate the promotion and protection of human rights into national policies and to support the further mainstreaming of human rights throughout the United Nations system, as well as closer cooperation between the Office of the United Nations High Commissioner for Human Rights and all relevant United Nations bodies.

The secretary-general has taken the lead in strengthening the OHCHR, announcing the following in late October:

The United Nations High Commissioner for Human Rights is already taking steps to advance activities in the five areas included in the plan of action submitted to the General Assembly . . . namely: (a) greater country engagement; (b) an enhanced human rights leadership role for the High Commissioner; (c) closer partnerships with civil society and United Nations agencies; (d) more synergy in the relationship between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the various United Nations human rights bodies; and (e) strengthened management and planning for OHCHR As a first step, OHCHR is creating a dedicated centrally placed policy, planning, monitoring and evaluation unit, which, working together with other parts of the Office and drawing on existing expertise, will help to ensure that the strategic vision of OHCHR is translated into concrete priorities and operational plans. The unit will also contribute to the promotion of better linkages between the various programmes within the Office and to the more effective monitoring of impact and results.

The stipulated doubling of the regular budget resources of OHCHR over the next five years . . . is essential to strengthening the Office to enable it to effectively carry out its mandate to respond to the broad range of human rights challenges facing the international community, particularly in the areas of technical assistance and capacity-building. The financial implications will be submitted by early November.

The outcome document also affirmed support for the Special Advisor of the Secretary-General for the Prevention of Genocide (140). In the case of both the large OHCHR office and the tiny SAPG office, a key test of the coming months will be whether resources match the rhetorical commitment.

HUMAN RIGHTS COUNCIL: INCOMPLETE

Another Task Force recommendation that is key to UN reform—the creation of a Human Rights Council—was taken up and adopted at the summit, although with no guidance on how to ensure that members of the council are themselves exemplary in the protection of the human rights of their people, as noted in the following provisions of the outcome document:

- 157. Pursuant to our commitment to further strengthen the United Nations human rights machinery, we resolve to create a Human Rights Council.
- 158. The Council will be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner.
- 159. The Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon. It should also promote effective coordination and the main-streaming of human rights within the United Nations system.
- 160. We request the President of the General Assembly to conduct open, transparent and inclusive negotiations, to be completed as soon as possible during the sixtieth session, with the aim of establishing the mandate, modalities, functions, size, composition, membership, working methods and procedures of the Council.

Task Force comment: It is impossible to predict how long it may be before the Human Rights Council is actually in place or, given the troubled history of human rights at the United Nations, how effective it will be in "monitoring, promoting, and enforcing." Without specification of membership requirements for the council, there is reason to worry that in the end it will be as promiscuous an entity as the one it is meant to replace. We reiterate our commitment to finding ways to ensure that Human Rights Council members uphold the highest standards of human rights in their own countries.

The secretary-general has been outspoken about the reform effort, stating in April 2005, "We have reached the point at which the commission's declining credibility has cast a shadow on the reputation of the United Nations as a whole and where piecemeal reforms will not be enough." The next months will be crucial in creating an effective replacement for a discredited body.

The Task Force recommends that, if necessary to create a truly effective Human Rights Council, the president of the General Assembly put the matter of the composition of the council to a majority vote in the General Assembly. A consensus-based process depends on the goodwill of the member states in upholding their declaratory commitments to human rights, at least to the extent of the creation of a body that can effectively promote human rights. In the absence of that goodwill, there is no ongoing justification for a consensus-based process, and disagreements should be settled by majority vote in the General Assembly.

HUMAN RIGHTS COMMISSION: UNACCEPTABLE

The outcome document makes no mention of a key to reform: abolishing the UN Commission on Human Rights, whose membership currently includes some of the world's worst violators—Cuba, Sudan, China, and Zimbabwe—and has in the not too distant past numbered Syria, Viet Nam, and Saddam Hussein's Iraq among its members.

The Task Force recommends that the United States continue a sustained effort to work with its democratic allies to further underscore the bankruptcy of the Human Rights Commission. The best way to demonstrate the seriousness of the matter to the General Assembly—and thus to increase the prospects for the creation of an effective Human Rights Council—is a united front of democracies making clear that they will not be complicit in perpetuating the morally bankrupt status quo. If necessary, in the context of nonparticipation in Geneva in March 2006 and thereafter, democratic states should create an alternative forum outside the UN system for the promotion of human rights, extending an invitation to nongovernmental organizations concerned with human rights to participate fully in the new forum.

2 In Need of Repair Reforming the United Nations

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The September 2005 World Summit did not result in the hoped-for consensus on a sweeping range of reforms to UN management. The summit's outcome document accepted some of the Task Force's key recommendations in principle but left much of the detailed decision making to the General Assembly. The Secretariat has done better, pushing ahead with implementation of many of the reforms that can be made under the secretary-general's independent authority. However, the secretary-general should move faster to make progress on the review of existing UN mandates, so that member states can begin to cut outdated or unneeded programs from the biennial budget to be adopted in December.

Because of the length and detail of the Task Force recommendations in this area, this short update cannot cover all of them. Instead, the update focuses on key recommendations and those that have seen significant action.

RECOMMENDATIONS ON OVERSIGHT

Perhaps the Task Force's single most important recommendation on internal reform was the call for the creation of an independent oversight board (IOB) that would function in a manner similar to a corporate independent audit committee.

- The IOB would receive the reports of the Office of Internal Oversight Services
 (OIOS), which is the internal oversight body of the United Nations, 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.
- The IOB would set the budget of the OIOS, which would be submitted to the General Assembly budget committee on a separate track outside the regular budget process.

At the UN summit, member states asked the secretary-general to make a detailed proposal for an independent oversight committee (such as the IOB). The Secretariat is preparing detailed proposals on the creation of an independent oversight advisory committee that would enhance the independence of UN oversight structures and serve as a tool for the General Assembly to better exercise its oversight responsibilities. The secretary-general will submit a proposal to the General Assembly before the end of 2005.

Another key recommendation called for the member states to provide both the resources and the authority to the OIOS to provide appropriate oversight to every activity that is managed by UN personnel, whether that activity is funded by GA assessments or by voluntary contributions. Member states at the UN summit promised to "significantly strengthen, as a matter of urgency" the expertise, capacity, and resources of the OIOS. The OIOS will report on its proposal for expanding its services to UN agencies that request such services in its 2006 annual report to the General Assembly.

MANAGEMENT RECOMMENDATIONS

A key Task Force recommendation on management reform called for the UN Secretariat to have a single, very senior official in the role of chief operating officer (COO). This proposal was not well received by the member states at the summit—there was some speculation that the proposal was an attempt by the United States to put a U.S. national in the position of running the United Nations. The secretary-general is "reflecting on" the recommendation.

The Task Force recommended that 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." The secretary-general has established the Management Performance Board, which has already begun its work.

The Task Force also strongly asserted that a new standard of personnel ethics must be developed and advertised within the United Nations and that an Office of Personnel Ethics should be established within the Secretariat. This recommendation has been largely adopted. Preparations are almost complete for the creation of an ethics office that will be responsible for administering the new financial disclosure and whistle-blower protection policies and for providing advisory and standardsetting capacity within the United Nations. A bulletin establishing the ethics office will be issued by the secretary-general with an effective date of January 1, 2006. The office will report directly to the secretary-general and will include small satellite offices in the major UN offices away from headquarters. Resource requirements are included in the revised budgetary estimates for 2006–07, which were submitted to the General Assembly in November 2005. In addition, the secretary-general has started the development of an "integrity awareness initiative," which is a mandatory system-wide learning program on integrity and professionalism in the workplace. The secretary-general says that progress has been made on developing a code of ethics for the entire UN system. Finally, the secretary-general has approved a new financial disclosure policy that affects "a broad range of officials."

The Task Force argued that the United Nations needs to develop a far more robust policy for protecting whistle-blowers. After extensive internal consultations, the Secretariat has developed a new whistle-blower protection policy, based on best practices from the U.S. Government Accountability Office, Transparency International, and other international sources. The secretary-general's bulletin putting the policy in place was expected in November 2005.

In keeping with the Task Force's call for a new financial disclosure policy, the Secretariat's new Management Committee approved such a policy on October 27, 2005. The secretary-general's bulletin reflecting the new requirements was expected in November. A request for a change to the pertinent staff regulation has been put before the General Assembly; it would require all staff members director level and above to comply, as well as all staff with procurement and other fiduciary responsibilities.

On other issues, the summit's outcome document did not (nor was it expected to) address the detailed human resources and other policies that were the subject of several Task Force recommendations. Instead, the member states asked the secretary-general for recommendations to ensure that the UN budgetary, financial, and human resources policies enable the organization to work efficiently. The secretary-general is now carrying out this assessment.

PROGRAM AND BUDGET RECOMMENDATIONS

The Task Force recommended that the United States should insist on both of the secretary-general's sunset proposals: the 1997 proposal to include sunset clauses in all major new mandates and the proposal in the March 21, 2005, report to review all mandates dating back five years or more. The member states at the 2005 World Summit agreed to the secretary-general's proposal to review all mandates more than five years old. The secretary-general says that the review will be completed early in 2006 and that he will submit recommendations based on that review in the first quarter of 2006. The Secretariat says that because UN mandates number well into the thousands and no one has ever kept track of them, the process of identifying and reviewing them all is a time-consuming and laborious one. The United States has objected that the process is moving too slowly to allow member states to begin shutting down duplicative or unnecessary programs in the next biennial budget, which will be adopted in December 2005. It is not clear why the Secretariat could not submit a preliminary overview in time for consideration in the budget discussions in December.

The Task Force report supported the secretary-general's request for authority and funding to carry out a one-time, large-scale severance program to remove unneeded staff. At the World Summit, the member states agreed to consider a detailed proposal for a one-time staff buyout. The secretary-general will submit a detailed proposal in February 2006. Logically, decisions on severance must follow the mandate review, but the current timeline means that the biennial budget for 2006–07 could not initially take into account the proposed staff cuts and reallocations.

Other recommendations, such as improvements in results-based budgeting and priority setting by the Secretariat, have not received much response, although it is possible that the promised strengthening of the OIOS is intended to enable the Secretariat to improve in these areas.

GENERAL ASSEMBLY REFORM

The Task Force argued that the General Assembly's committee structure should be revised to increase its effectiveness and to reflect the substantive priorities of the United Nations identified in other parts of the Task Force report. The summit largely ignored the whole set of issues associated with the functioning of the General Assembly. However, the new president of the General Assembly, Swedish ambassador Jan Eliasson, is leading a broad reform effort that includes questions about the effectiveness of the body.

RECOMMENDATIONS FOR THE UNITED STATES

Several Task Force recommendations focused on what the United States should do to promote an effective and efficient United Nations. For example, the Task Force made the following recommendations:

- The United States should insist on management capability as a fundamental criterion for the selection of the next secretary-general.
- The U.S. Office of Management and Budget (OMB) should report annually to Congress on all U.S. contributions, both assessed and voluntary, to the United Nations.
- 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 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.

Of these recommendations, only the last seems to have caught the attention of U.S. policymakers. Voluntary funding can be an effective means of ensuring greater responsiveness and transparency on the part of specific programs, but it cannot replace basic funding of the core functions of the institution.

NEXT STEPS

The Secretariat appears to be making significant progress in developing new policies and mechanisms that could improve the functioning of the United Nations. It will be important to monitor the implementation of new policies on ethics, whistle-blowing, financial disclosure, and so on. On matters that must be decided by the member states (e.g., the independent oversight board, restructuring of the General Assembly), progress is considerably slower, but the outcome document did leave room to pursue these matters through diplomacy. Given the political realities of UN reform, the United States may be most effective if it operates largely behind the scenes on certain issues, leaving it to others to take the lead on specific reform measures. However, as the Task Force report stated, American leadership will be indispensable in effecting change. The United States will have to be fully engaged, whatever the diplomatic strategy and tactical handling of specific issues.

Deterring Death and Destruction

Catastrophic Terrorism and the Proliferation of Nuclear, Chemical, and Biological Weapons

The Task Force identified the threat of terrorist groups and potentially hostile regimes—both seeking nuclear, biological, and chemical weapons—as the number one security challenge facing the United States today. Looking primarily to the Security Council and the International Atomic Energy Agency (IAEA), as well as to other UN-related organizations, the Task Force called for the strengthening and further evolution of UN institutions and practices to cope with this threat.

However, little headway was made on these issues at the 2005 World Summit. Indeed, because of sharp disagreement over the relative priority to be given to issues of nonproliferation compared with issues of disarmament, the outcome document failed to include a section on reducing the threat from weapons of mass destruction (WMD), a result that Kofi Annan called a "disgrace." The summit did make several recommendations for combating terrorism but failed to achieve a much-anticipated agreement on a definition of terrorism.

Outside the context of the world summit, some progress has been made since the release of the Task Force report in June 2005 in countering WMD proliferation and terrorism along the lines recommended in the report. Still, most of the Task Force recommendations in that area have yet to be seriously considered by governments, let alone acted upon.

WHERE WE STAND TODAY

Strengthening verification and enforcement. The Task Force made several key recommendations aimed at strengthening the verification and enforcement of nonproliferation obligations, such as the following:

- It called on the Security Council to authorize the IAEA and the Organization for the Prohibition of Chemical Weapons to use more extensive supplementary verification methods when existing verification authorities are not sufficient to resolve particular compliance problems.
- It encouraged the Security Council, and especially its Permanent Five (P-5)
 members, to play a more assertive role in bringing countries such as Iran into
 compliance with their WMD-related obligations.
- It recommended that the Security Council develop a menu of specially targeted
 penalties for possible use in the event of future violations and a system under
 which certain penalties are triggered automatically (e.g., suspension of nuclear
 cooperation with countries found to be in noncompliance with their nuclear
 safeguards agreements).
- It urged the establishment of a committee of the IAEA Board of Governors to review the IAEA's role in monitoring and promoting compliance with nuclear nonproliferation obligations.

Since June 2005, notable steps have been taken in these areas, although the record is mixed. On the positive side, the IAEA Board established a Committee on Safeguards and Verification with a two-year mandate to consider means of strengthening the

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agency's safeguards system. At its meeting in September 2005, the board voted to find Iran in noncompliance with its safeguards obligations and called on Iran to accept verification methods more intrusive than those required under the IAEA's Additional Protocol. On the negative side, the P-5 remain sharply divided on how to deal with the Iranian nuclear issue, with Russia and China strongly opposing referral to the Security Council (as required by the IAEA statute in cases of noncompliance). In addition, unlike the Task Force recommendation for the Security Council to mandate more intrusive verification under Chapter 7, the IAEA Board's appeal that Iran accept additional measures is only a nonbinding request. Similarly, instead of being required to suspend nuclear cooperation automatically in the event of a formal finding of noncompliance, some IAEA members (such as Russia) believe that in the absence of a Security Council directive, they are free to continue nuclear commerce with Iran even after the IAEA Board's finding.

Countering terrorism. The Task Force made several recommendations designed to bolster antiterrorism agreements and norms. In particular, it urged the General Assembly to move expeditiously to adopt a definition of terrorism along the lines recommended by the secretary-general's High-Level Panel and endorsed by the secretary-general, making clear that acts of violence against civilians or noncombatants are never justified, whatever the political motivation. The Task Force called on the General Assembly, on the basis of that definition, to proceed as soon as possible to conclude a comprehensive convention on international terrorism. The Task Force also encouraged the Security Council's Counterterrorism Committee to "name names"; that is, to publicly list state sponsors of terror as well as countries that fail to make adequate efforts to staunch terrorism emanating from their soil.

Since the release of the Task Force report, UN counterterrorism efforts have been given a boost, including from the summit outcome document's strong condemnation of terrorism "in all its forms and manifestations, committed by whomever, wherever and for whatever purposes." The recently concluded International Convention for the Suppression of Acts of Nuclear Terrorism was opened for signature, and the Security Council adopted Resolution 1624, which condemns the incitement of terrorist acts and calls on states to take appropriate steps to end incitement. An ad hoc committee of the General Assembly's Sixth Committee has produced a consolidated draft text of a comprehensive convention on international terrorism with a view to concluding the convention at the current session of the General Assembly. However, the longstanding dispute over the definition of terrorism persists, with some countries insisting on a definition that would exempt certain acts of violence (e.g., against occupation authorities or on behalf of national liberation movements).

Building counterterrorism and counterproliferation capacities. An important set of Task Force recommendations sought to enhance UN member states' capacities to fight terrorism and proliferation by strengthening the effectiveness of the two principal Security Council committees charged with building those capacities: the Counterterrorism Committee (CTC) and the 1540 Committee, which deals with proliferation. The Task Force urged the CTC to beef up its inadequately staffed

Executive Directorate, remedy the lack of standards to evaluate states' performance, and facilitate the provision of technical assistance to states seeking to improve their counterterrorism capabilities. The Task Force called on the 1540 Committee to move aggressively in encouraging UN members to put in place the laws and control measures required by UN Security Council Resolution 1540 (e.g., criminalization of proscribed activities, physical protection measures, export controls). It also called on the committee to establish standards to measure states' performance and to coordinate assistance programs to help states enhance their counterproliferation capacities.

Since June 2005, the CTC's Executive Directorate has become fully staffed (35 staff members), cleared away much of the backlog in reviewing the reports that UN members are required to submit, developed its capacity to facilitate the provision of technical assistance, and stepped up its counterterrorism cooperation with international and regional organizations. In that period, the 1540 Committee has concentrated on pressing UN members to submit their required reports (more than 120 reports received to date, with close to 70 still delinquent) and on developing its own working methods. However, with very few staff members to evaluate reports, no agreed standards for measuring performance, and little support so far for exerting pressure on countries to get them to fulfill their obligations, the 1540 Committee has hardly begun to realize its potential for strengthening counterproliferation capacities worldwide.

Supplementing and closing loopholes in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The Task Force made several recommendations aimed at shoring up the NPT regime, including the following:

- Sought to close a critical NPT loophole by suggesting means of impeding the spread to additional countries of uranium enrichment and plutonium reprocessing facilities (which the NPT permits as long as such facilities are under IAEA safeguards).
- Encouraged the Security Council to discourage unjustified use of the NPT's withdrawal provision (e.g., by deciding that states that withdraw must forfeit the right to retain nuclear facilities or materials acquired while party to the treaty).
- Called for the strengthening of legal authorities to interdict illicit WMD-related shipments.

Since last June, several steps have been taken to prevent the proliferation of enrichment and reprocessing capabilities. The Nuclear Suppliers Group worked on criteria that a recipient would have to meet before receiving transfers of enrichment or reprocessing technology. At the Gleneagles Summit in July, G-8 leaders extended for a second year a moratorium on new initiatives involving the transfer of enrichment and reprocessing technologies to additional states. The United States took the initiative with other nuclear supplier governments to develop measures to ensure states that forgo their own fuel-cycle capabilities that they would have reliable access to the market to acquire nuclear reactor fuel and related fuel-cycle services.

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On the question of interdicting illicit WMD-related shipments, members of the UN's International Maritime Organization, at a diplomatic conference in October, adopted a protocol to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation that will give flag states a clear legal basis to board ships if they are suspected of carrying WMD or related materials.

WHAT MUST BE DONE NOW

UN institutions provide potentially crucial mechanisms for combating WMD proliferation and terrorism. But the United States and other major powers will only rely on those institutions (rather than working outside them with willing partners) if they show that they can adapt to today's evolving threats. The following are key priorities.

The Security Council must assume responsibility for helping resolve the most pressing proliferation threats, especially that of Iran. The case of Iran is particularly acute and timely in view of pending consideration by the IAEA Board of Governors of the resolution on Iran. Largely because of policy differences between Russia and China on the one hand and the United States, United Kingdom, and France on the other, the Security Council has so far played no role on an issue with major implications for international peace and security. On Iran, as well as on other proliferation and terrorism issues, the P-5 should consult regularly and seek to forge a common strategy that demonstrates to proliferators and terrorists that they have nothing to gain and everything to lose by defying international agreements and norms.

The Security Council's Counterterrorism and 1540 committees should be used more aggressively to build member states' capacities for stopping terrorism and proliferation. The vast potential of these two mechanisms has so far largely gone untapped, as each has been preoccupied with getting organized and reminding countries of their reporting obligations. Now that the CTC is fully staffed, it should pursue a more active substantive agenda, including the "naming and shaming" of state sponsors of terror and those countries that are not making adequate efforts to strengthen their counterterrorism capabilities or stop terrorists from operating within their boundaries. The 1540 Committee does not yet have the resources to do its job. The Security Council should call on the IAEA and the Organization for the Prohibition of Chemical Weapons to assist the committee in carrying out its responsibilities in the nuclear and chemical areas, respectively. To remove uncertainty about the future of the 1540 Committee, the Security Council should act immediately to extend its mandate, which is scheduled to expire in April 2006. The Council, moreover, should encourage both committees to act more assertively in pressing member states to bring their national counterterrorism and counterproliferation systems up to international standards.

Without further delay, the remaining differences over a definition of terrorism should be resolved, and a comprehensive convention on international terrorism should be concluded during the current session of the UN General Assembly. This will require strong leadership by the secretary-general and statesmanship on

the part of nonaligned leaders, especially in the Arab world. The Security Council should also press for prompt and conscientious adherence to its new directive (Resolution 1624) calling on states to take action to end the incitement of terrorism.

Members of the IAEA Board and the Security Council should ensure that the IAEA has the necessary tools to continue and expand the rigorous verification activities that helped it earn the Nobel Peace Prize. The board of governors' newly created Committee on Safeguards and Verification should identify ways to strengthen the agency's mandate, including by authorizing the investigation of weaponization activities and by requiring members to share more information about nuclear transfers and procurement attempts. If Iran is unresponsive to the IAEA's recent appeal that it provide greater access than required by the Additional Protocol, the IAEA Board should request, and the Security Council should grant, the necessary supplementary authority under Chapter 7. In addition, IAEA members should provide the agency with the additional resources needed to support its expanded role in the areas of nuclear security and illicit nuclear trafficking.

4 War and Peace



The two most fundamental objectives of the United Nations are its work to prevent and end international conflicts. The Task Force believes that the United States has a direct national interest to support such efforts, as they coincide with the administration's view that "failed states matter" and that poverty, political instability, and the absence of effective and accountable government abroad can create serious threats to U.S. interests at home. In the June 2005 report of the Task Force on American Interests and UN Reform, the members identified three key areas related to the capacity and effectiveness of the United Nations to prevent and end conflicts: (1) UN peace operations; (2) the UN role in conflict mediation and postconflict peacebuilding; and (3) the role of international sanctions in addressing issues of conflict. The outcome document of the 2005 World Summit took several first steps with regard to these issues. However, much remains to be done to improve the effectiveness of the United Nations in preventing and ending conflicts.

PEACEKEEPING

Despite important progress of the United Nations in recent years in implementing improvements to the contemporary challenges of peace operations, the Task Force identified several key areas for enhancement, including the following:

- Improved doctrine, planning, and strategic guidance for mission deployment.
- Rapid deployment abilities.
- Improved information analysis and early warning.
- Enhanced headquarters staffing and funding for peacekeeping operations.
- Increased professionalism to address the crimes of sexual exploitation and abuse by civilian and military UN peacekeepers.

Doctrine, planning, and strategic guidance. The Task Force believes that the Department of Peacekeeping Operations (DPKO) 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.

The Task Force recommended that the United Nations develop a multidimensional peacekeeping strategy that integrates the security dimension with economic and political development requirements, and that incorporates strategic mission plans preceding deployment. In point 92 of the outcome document, the General Assembly placed emphasis on recent improvements, including integrated missions in complex situations, and stressed the need to "mount operations with adequate capacity to counter hostilities and fulfill effectively their mandates." As noted in the June 2005 Task Force report, the Integrated Mission Task Force structure has not proven highly successful for interdepartmental planning and decision making.

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However, the secretary-general has noted that DPKO is now developing an operational policy and guidance management system aimed at coordinating the departmental approach to policy development and standing guidance both at headquarters and in field operations.

The Task Force also recommended that the lead-nation principle be used for rule-of-law measures, including police, judiciary, and penal systems, as well as for military training, equipping, deployment, and support. The outcome document did not address the lead-nation principle. The secretary-general has noted, and the Task Force recognizes, that issues such as the lead-nation principle and "robust" peacekeeping forces are sensitive issues for member states. Point 93 of the outcome document does support efforts by the European Union, African Union, and other regional entities to develop capacities for rapid deployment, and for standby and bridging arrangements. Such support is imperative—the Task Force notes the effects of poor planning and limited strategic guidance caused by an insufficient mandate for the UN Mission in the Sudan (UNMIS), in which the African Union peace-keeping mission is encountering great difficulty. Without strong doctrine, planning, and strategic guidance, peacekeeping missions will be unable to fulfill the international community's "responsibility to protect" affirmed in points 138–140 in the outcome document.

Rapid deployment. While the Task Force does not endorse a standing UN military force, it does believe that member states should increase the availability of capable, designated forces, properly trained and equipped, for rapid deployment to peace operations on a voluntary basis. Specifically, the Task Force recommended enhanced Secretariat capacity to coordinate increases in member state contributions to the Stand-By Arrangements system, noting that while roughly 80 member states participate in the Stand-By Arrangements, few have the capacity for rapid deployment. The Task Force also suggested that DPKO should prepare plans for helping member states augment their capabilities. Point 92 of the outcome document "urge[s] further development of proposals for enhanced rapidly deployable capacities to reinforce peacekeeping operations in crises." True progress on this front would involve significant implications for DPKO resources, but the outcome document does not address such a reality. However, the secretary-general has acknowledged the importance of rapid deployment to the credibility and efficiency of peacekeeping operations, and the Secretariat is presently working on a detailed elaboration of the Strategic Reserve concept.

Information analysis and early warning. The Task Force agreed with the recommendation made in the UN Brahimi report that member states should create a single, co-located team committed to tracking and identifying conflict trends and anticipating requirements for peacekeeping or peacebuilding. The Task Force also suggested that DPKO and member states should generate and ensure that peacekeeping missions have resources for information gathering to ensure operational success. Neither the outcome document nor the secretary-general has responded to this suggestion.

Headquarters staffing and funding for peacekeeping operations. The Task Force itemized three main recommendations for improved staffing and funding for peacekeeping operations: (1) the creation of a senior police force management unit; (2) assessed funding for first-year, quick-impact projects (QIPs); and (3) adoption of two-year budgeting for the support of peacekeeping missions.

In point 92, the outcome document "endorse[d] the creation of an initial operating capability for a standing police capacity," which would initially provide up to 100 reserve officers who would be prepared to focus, on short notice, on rule-of-law enforcement, reform, and restructuring. The outcome document supports QIPs in point 34, which would provide immediate and lasting efforts to address identified needs of people in areas of peace operations. The Secretariat has noted that member states have agreed to provide resources from assessed contributions for QIP activities under first-year peacekeeping mission budgets. Finally, the outcome document does not address the issue of two-year budgeting for support of peacekeeping. The Secretariat notes that two-year budgeting would not necessarily translate into greater mission stability in all cases, as it has the potential to remove some of the flexibility offered by the present system. The Secretariat does suggest that further examination of two-year budgeting is warranted.

Organization of the Department of Peacekeeping Operations. The Task Force believes that DPKO effectiveness would be enhanced if the department acted as a more independent program. The outcome document does not specifically address DPKO; however, the Secretariat has noted its interest in reviewing the budget, finances, and human resources (rules, regulations, and policies) to make departments such as DPKO more effective. Still, the Secretariat also warns that it must balance this interest with the need for accountability, oversight, and internal controls to ensure responsiveness to mandates and accountability to member states.

Sexual exploitation. The Task Force recommendations noted that the United Nations must quickly implement a policy of zero tolerance of sexual exploitation and abuse by peacekeepers. Specific recommendations included uniform standards for civilian and military participants in peace operations, increased deployment of women peacekeepers, improved training programs relating to sexual exploitation and abuse, accountability for senior managers, effective data collection, victim assistance, increased staff supervision, and organized recreational activities for peacekeepers. The outcome document "underscores the important recommendations made by the secretary-general's advisor on sexual exploitation" and urges the rapid implementation of applicable General Assembly resolutions in point 96. In points 116 and 166, the outcome document underlines the importance of "integrating a gender perspective and of women having the opportunity for equal participation and full involvement in all efforts to maintain and promote peace and security." The secretary-general went a step further by welcoming the Task Force recommendation for increased investigative capacity, noting that DPKO is working with the Office for Internal Oversight Services (OIOS) to develop procedures for cooperation on investigations and on increased capacity to respond to the high number of allegations, as

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stated in point 164, "as a matter of urgency." The Secretariat suggests that progress has been made—over the past 20 months, 221 investigations have been completed, resulting in the firing of 10 civilian and 88 military personnel. However, a *New York Times* (10/19/05) article by Warren Hoge suggests that, as of September, only 10 of 17 peacekeeping missions had full-time gender advisory positions. This was a key recommendation made by the secretary-general's advisor on UN sexual exploitation issues, Prince Zeid Ra'ad Al-Hussein. As noted by Prince Al-Hussein and the Task Force, member states have a responsibility to hold their peacekeepers to uniform standards of professionalism, but there is little systematic effort by contributing nations to hold their military and civilian personnel accountable for aberrant or unacceptable behavior. The Task Force reemphasizes member state responsibility in this regard.

CONFLICT MEDIATION AND PEACEBUILDING

The UN role and capacity in conflict mediation and peacebuilding. The Task Force placed emphasis on two major areas of UN reform regarding the organization's capacity for conflict mediation and peacebuilding. First, it recommended increased resources for the Department of Political Affairs (DPA), following an independent study that provides a strategy for enhancing DPA capacity and coordination with DPKO. A key finding of the Task Force was that many entities in the UN system that have the ability to work in conflict resolution and peacebuilding are underresourced and understaffed to meet the critical need of these activities in preventing and ending conflicts. The member states make no formal suggestions in the outcome document regarding increases in funding for either the DPA or DPKO, although emphasis is placed on "the importance of a coherent and integrated approach to the prevention of armed conflicts and the settlement of disputes" in point 75 and on "support[ing] the secretary-general's efforts to strengthen his capacity in this area" in point 76. The Secretariat continues to echo statements such as those made in the High-Level Panel report and the secretary-general's own report "In Larger Freedom" claiming that the DPA would benefit from increased resources for mediation and better coordination with DPKO. The Secretariat will soon submit a proposal for enhancing capacities for mediation and good offices to the General Assembly, and the Task Force looks forward to reviewing these recommendations.

The outcome document establishes a Peacebuilding Commission, a recommendation also made by the Task Force. The main purpose of this intergovernmental advisory body, as stated in point 98, will be to "bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for postconflict peacebuilding and recovery." It will be supported by voluntary contributions made by member states through an additional entity established by the outcome document: the Peacebuilding Fund. The outcome document places emphasis on the ability of the Peacebuilding Commission to serve a coordinating role in the area of conflict mediation and peacebuilding using existing UN entities. The Secretariat has already taken steps to set up a peacebuilding support office and expects formal design and terms for the Peacebuilding Fund to be underway by November 2005.

The outcome document responds to the Task Force recommendation to increase funding for the Office of the United Nations High Commissioner for Human Rights, committing in point 124 to "the doubling of its regular budget resources over the next five years with a view to progressively setting a balance between regular budget and voluntary contributions to its resources" and in point 126 to emphasize "closer cooperation between the Office of the United Nations High Commissioner for Human Rights and all relevant United Nations bodies." Although the member states make no commitment regarding the important Task Force recommendation to increase funding for the UN Electoral Assistance Division, their commitment to increased funding and emphasis on improved coordination for UNHCHR comes as welcome news.

The Task Force recommended that the U.S. government encourage member governments with expertise in peacebuilding, particularly in the rule of law, to play lead-nation roles in peace operations. The outcome document lends credence to this recommendation through its support in point 134(e) for "establishing a rule of law assistance unit within the Secretariat... to promote the rule of law, including through technical assistance and capacity-building."

THE ROLE OF SANCTIONS

Sanctions must be a part of an overall strategy. The Task Force reemphasizes its contention that successful sanctions regimes must integrate diplomacy and coercion in an informed and effective manner. They must be carefully targeted to avoid unintentional impacts, punish perpetrators of abuses and illegality, and create incentives for change. The Secretariat must establish more effective monitoring mechanisms, guidelines, and reporting procedures for member states; more effective auditing procedures to oversee sanctions administration; and improved consideration of the humanitarian impact of sanctions. A senior Secretariat official should be designated to address sanctions suggestions with the support of a strong team of technical experts and diplomats. In point 108, the outcome document calls on the secretary-general and the Security Council to improve monitoring of the "implementation and effects of sanctions," but it does not offer specific policies for such monitoring.

WHAT Now?

As one Task Force co-chair remarked recently, "It will take concerted leadership by the United States, working with the world's other democracies, to ensure that last month's missed opportunity does not become a lost opportunity." While several opportunities were missed for broader UN reform, progress has been made toward improving the effectiveness of the United Nations in preventing and ending conflicts. However, in many cases, the outcome document establishes only the first steps toward improving conflict prevention, mediation, peacekeeping, and peacebuilding. The following points must be considered for successful implementation of these first steps.

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The Task Force recommendations emphasize targeted reforms to the planning and coordination of DPKO activities with other peacekeeping and peacebuilding entities within the UN system. The outcome document instead creates additional bureaucratic layers for coordination of peacekeeping activities, namely the Peacebuilding Commission. Although the Peacebuilding Commission is a welcome sign that the United Nations is prepared to address inefficiencies in coordination among UN entities regarding peacekeeping, the Task Force warns that without proper guidance from the Secretariat, the General Assembly, and member nations in implementing such efforts, there is a great risk of creating additional inefficiency in the UN's peacekeeping activities. The Secretariat should focus heavily on DPKO as the lead peacekeeping entity in the United Nations and should give DPKO increased autonomy. Improving DPKO and thoroughly addressing planning procedures, doctrine, and strategy implementation are critical for the ability of the United Nations and member states to fulfill the responsibility to protect.

Regarding rapid deployment capacity-building, the Task Force looks forward to reviewing a detailed elaboration by the Secretariat of the Strategic Reserve concept in the coming months. Rapid deployment is clearly an issue that requires coordinated member state commitment and contribution.

The Task Force again emphasizes the importance of information analysis and early warning abilities as a means of monitoring and improving the efficiency of peace-keeping missions.

The Task Force sees progress on a standing police capacity and movement on QIPs as important first steps in addressing the security gap often found between peacekeeping and postconflict stability efforts as nations seek to rebuild government structures and the United Nations works to gain the confidence of the civilian population in the immediate postconflict environment. However, discussion should continue on the potential for two-year budgeting to improve the stability and efficiency of peacekeeping missions. The Task Force looks forward to reporting on the further study of this issue by the Secretariat.

On the issue of improved professionalism among UN peacekeeping missions, the Secretariat must follow through on increasing investigative capacity into allegations of sexual exploitation by peacekeepers. Every effort must be made by the Secretariat to improve training on professionalism in the field and address the culture of disinterest often encountered among peacekeeping personnel in the field regarding efforts to prevent sexual abuse. Contributing member states have a responsibility to make certain that proven abusers are tried and that victims receive prompt justice.

Regarding improvements in the use of sanctions regimes, the Task Force reiterates that most debates in the Security Council do not pay adequate attention to how sanctions affect targeted parties or how they contribute to the overall strategy to promote change. The Security Council, Secretariat, and member states must more effectively coordinate sanctions analysis, implementation, and enforcement.



Development and Humanitarian Assistance

Much of the attention of the 191 member nations of the United Nations was concentrated during the summer and fall of 2005 on crafting the language of the 2005 World Summit Outcome Document, finalized September 13–16, which largely addressed the challenges of poorer countries. In fact, the first half of the document was largely devoted to economic development and assistance issues. While related to UN reforms, many of these issues relate to a much broader context, both organizationally and substantively, across a span of bilateral and multilateral entities.

UN REFORMS THAT HAVE BEEN PURSUED

One of the least controversial but most important changes in the UN architecture would be the proposed new Peacebuilding Commission, which could play a valuable role in bringing greater coherence across the specialized agencies in matching donor resources to more effective postcrisis recovery plans that overlap with humanitarian assistance and development. The U.S. Department of State has participated in efforts to establish this commission.

Under the broad rubric of assistance to poorer countries, the highlight of discussions during the summer and fall was the Millennium Development Goals (MDGs), which have been researched and promoted by the United Nations and which are intimately associated in the public's view with the role of the United Nations. Although the MDGs are the goals of individual governments, the specialized UN agencies are increasingly adopting them as long-term targets, thus creating for the first time a single, coherent mission statement for each of the specialized agencies.

On the other hand, recommitment to the MDGs represented no commitment or target that had not already been established in prior agreements, conventions, and treaties. Nor does the recommitment specify a level of detail about feasible, achievable targets that UN agencies can expect to reach, either annually or in the medium term. Indeed, recent literature observes that some of the MDGs will never be achieved for certain parts of the world, given their trendlines. Thus, the MDGs came under debate during the fall 2005 reform discussions by civil society groups that questioned the value of objectives that can't be managed toward and that may not be achieved at all. Others criticized the value of MDG targets for countries where current data (for example, on maternal mortality or the prevalence of malaria) are uncertain by 50 percent to 90 percent.

The U.S. Mission to the United Nations questioned the utility of citing the MDGs in debates about UN reform, given that UN agencies cannot be held responsible for their fulfillment any more than host governments or donors can. In the end, the objections were withdrawn and the outcome document resolved to "achieve the internationally agreed development goals and objectives, including the Millennium Development Goals," which would require "increased development assistance."

Spurred by new rounds of promises and projections by the G-8 at the Gleneagles Summit in July 2005, the outcome document observed that the Organisation for Economic Cooperation and Development (OECD) estimates that levels of assistance

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are expected to increase to an additional \$50 billion a year by 2015, closing on the target of 0.7 percent of the gross national product (GNP) of donor nations.

The Task Force report of June 2005 called for more attention to innovative funding mechanisms; the outcome document calls for "developing innovative sources of financing," citing the International Finance Facility for Immunization as an example. Consistent with the Task Force recommendations, the outcome document calls for private sector investments to be a necessary part of the solution to poverty.

The Task Force called for greater coordination between the World Bank and the UN development group, and encouraged the United Nations to better identify and negotiate its comparative advantage, given the World Bank's premier expertise in most technical and financial areas. The outcome document addresses better coordination as well but from a subtly different perspective, calling for the United Nations to have a strengthened role to coordinate the multilateral investment banks.

The outcome document draws attention to the importance of remittances, as recommended by the Task Force. The document promotes measures "to reduce the cost of transferring migrant remittances to developing countries" but pays little attention to other ways that developed countries have channeled technology, human resources, and funding support to developing countries.

EMERGENCIES

There has been considerable discussion on how to improve the effectiveness of relief for disasters and complex emergencies, although not along the lines proposed by the Task Force. The repercussions of the December 2004 tsunami in southeast Asia included unprecedented attention to the role of the UN emergency coordinator, who heads the Office for the Coordination of Humanitarian Affairs (OCHA), in encouraging governments to follow through on pledges—in effect, serving as the marshal who monitors aid flows.

The Task Force recommended increasing the proportion of humanitarian aid allocations for disaster preparedness, mitigation, and risk reduction to 20 percent, which might be too low, given the lessons of the 2005 earthquake in Pakistan. However, despite increasing attention to disaster reduction as a policy, there is no apparent effort to shift funding in this direction. The lessons learned during the tsunami about the benefits of all-hazard, global early warning have been disregarded by most of the UN system and diplomats. The outcome document calls for a worldwide early warning system, but only as an ad hoc idea, unlinked to the greater needs for prevention and mitigation.

The Task Force called attention to the relatively neglected problem of internally displaced persons (IDPs), and these were highlighted in the outcome document. It recognized the Brookings Institution's "Guiding Principles on Internal Displacement" as "an important international framework for the protection of internally displaced persons."

New arrangements orchestrated among the specialized agencies in the summer and fall of 2005 posited responsibility for the tracking, care, and protection of IDPs, particularly when they are in camps, to the United Nations High Commissioner for Refugees. This is a significant change, dramatically expanding UNHCR's scope of concern and work with large implications for UNHCR's budget needs. The arrangement may prove to be a constructive step in closing the gap in aid to IDPs.

The Task Force called for greater attention to the haphazard funding for response to emergencies. On this broad topic, the weight of attention in fall 2005 was on the proposition of increasing funding for the Central Emergency Response Fund (CERF), an unrestricted fund established in 1993 with the creation of OCHA. The proposal that has been put forth by the secretary-general, with support from European donors, is for a CERF of \$500 million. This option is supported by other donors as well as NGOs but was deemed inadequate by the Task Force because it left unaddressed how the funds would be deployed. The funds would be controlled by OCHA, which is nonoperational and which would have to, in all cases, relay these funds to other agencies. The coherence and efficiency of the operation of the specialized UN agencies would not be improved through changes in the CERF and, in fact, could be further diminished. Furthermore, OCHA does not have the technical competence (nor has it sought to develop that competence) to properly allocate funds among the competing claims by specialized agencies working in different sectors. OCHA has less competence in this area than, for instance, U.S. Agency for International Development (USAID) disaster experts. Thus, the goal of channeling funds to priority areas in emergencies is best met by the U.S. government directly funding specialized agencies or NGOs, rather than relying on a vaguely managed CERF mechanism.

OCHA has moved to improve benchmarking—establishing more consistent use of quantitative measures that can be applied in real time to determine the course of a disaster and the impact of aid. In contrast, the Task Force called for better evaluation of how money has been spent and what is achieved by the specialized agencies.

REFORM OPPORTUNITIES NOT ADDRESSED

The Task Force argued that creating the conditions for long-term systematic improvement in the design, management, and implementation of UN-managed aid programs requires commitment to a culture of independent evaluation, reflection, and transparency. The solution must transcend any one specialized agency and allow more evaluations that cut across UN agencies, at times challenging the assumptions of how work and mandates have been assigned within the United Nations. It can be said that the outcome document moved in the opposite direction—directing attention away from the performance of its agencies and meaningful management benchmarks toward global ideals that apply more to the member governments.

The Task Force called for greater championing of nutrition programs in development and humanitarian aid by bringing the many nutrition offices together into a more robust operational nutrition program, possibly within the United Nations P

Children's Fund (UNICEF). There is no evidence that this recommendation was given any attention in the United Nations or in any of the discussions among UN member states.

The Task Force advised that the respective roles of the various federal agencies in their work with and funding of UN programs be given greater coherence. The Task Force recommended that, at a minimum, the Department of State should be responsible for keeping track of all the funding arrangements and levels of transfers and commitments between various branches of the U.S. government and the UN system. There is no evidence of any progress on this front. The Task Force suggested that the natural strength of the Department of State lies in setting long-range targets and monitoring the gamut of programs, while the relative strength of USAID is in the more detailed technical, operational, and grant/contract-design aspects of humanitarian and development programs.

The Task Force called attention to the gap in efforts among the operational agencies working on water supply needs, particularly in emergencies. Whereas water supply is the most persistent gap leading to loss of life in emergencies, no UN agency takes more than occasional responsibility for finding solutions. The Task Force suggested several long-term reform measures, primarily the consolidation of emergency agencies and offices. Other, less drastic system remedies are possible, but there is no indication that any of them were contemplated as part of UN reform.

With respect to emergencies, UN agencies and NGOs have formed working groups ("clusters") for several sectors of concern, such as field-level protection, water, and shelter. The premise behind these discussions is that the solution to confusion, competition, and redundancy among UN agencies will be found through a process of debate that results in a lead agency for each sector. One of the shortcomings of this assumption is that some agencies (such as UNHCR) are less than directly operational, and UNICEF has a tradition of acting as a coordinator or funder through international NGOs (for reasons that have been hard to explain).

THE SPECIAL CASE OF DISEASE THREATS

Since the publication of the Task Force report in June 2005, the U.S. government has launched an initiative to fund programs to control malaria, and the President's Emergency Plan for AIDS Relief (PEPFAR) initiative for HIV/AIDS control was promoted at both Gleneagles and in New York. While the United States proposed increasing funding for disease control (reinforced in early November with President Bush's proposed \$7 billion additional funding to address avian flu), the roles of the United Nations or UN-affiliated entities such as the Global Fund for HIV/TB and Malaria remain unspecified.

RAMIFICATIONS OF THE AVIAN FLU HAZARD

Concurrent with the attention to UN reform during mid- and late 2005 has been attention to the risk of the cross-border spread of contagious diseases, in particular influenza. Influenza is a class of viral infections that vary significantly from year to

year and can mutate rapidly and spread from animal hosts to humans. The 1918 strain of influenza spread around the world in one year and killed more people than both world wars.

The Task Force called for a strengthened role for the World Health Organization (WHO) in two areas: early surveillance of diseases that can spread internationally and the authority to control such spreads.

These issues have evolved along parallel paths. The main path of UN reform has not addressed the issues related to a flu pandemic. A second path has been through the World Health Assembly, in which U.S. and other government representatives meet each year to agree on health regulations and guidelines. Through these intergovernmental agreements, the 2005 World Health regulations, in concert with the summer Global Health Assembly report, assigned greater authority to WHO as a leader to contain the cross-border spread of diseases, in particular new influenza viruses. A third path has been through the action of the United States and other governments in funding programs in response to the prospect of an avian flu pandemic.

Every specialized UN agency (e.g., Food and Agriculture Organization (FAO), United Nations Development Program) has responded in its own way, proposing its own field capacities for fighting avian flu. The responses by donor agencies such as USAID to fund UN agencies such as FAO may be inducing systemic change by creating new structures. Changes may also be occurring in how surveil-lance systems operate across borders, with nations like China accepting a quantum leap in the authority of agencies like WHO.

The Task Force called for a more coherent, UN-wide recognition that the World Health Organization operates in a broader system of emergency response and that WHO's authority in the control of pandemics should be dramatically increased, including a significantly larger staff and its own system of laboratory resources.

MEMBERS OF THE TASK FORCE ON THE UNITED NATIONS

The members of the Task Force are a diverse and bipartisan group of distinguished Americans from a variety of professions and backgrounds. They include former diplomats, policymakers, business executives, and military leaders. It is co-chaired by Newt Gingrich, former Speaker of the House of Representatives, and George Mitchell, former majority leader of the Senate.

Newt Gingrich, Former Speaker of the House of Representatives (Co-Chair) CEO, Gingrich Group

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Thomas R. Pickering, Ambassador (Ret.)

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Senior Fellow, Asian Studies Center, Heritage Foundation

R. James Woolsey

Vice President, Global Strategic Security, Booz Allen Hamilton

Senior Advisers

Charles G. Boyd, Gen. U.S. Air Force (Ret.)

President and CEO, Business Executives for National Security

J. Robinson West

Chairman, PFC Energy

Chairman of the Board of Directors, U.S. Institute of Peace

TASK GROUP MEMBERS AND EXPERTS

As directed by the Congress, the Institute has organized the Task Force with the support and participation of leading public policy organizations, including the American Enterprise Institute, the Brookings Institution, the Center for Strategic and International Studies (CSIS), the Council on Foreign Relations, the Heritage Foundation, and the Hoover Institution. Each of these institutions is providing a number of experts to support the members of the Task Force. Below is a list of experts listed by Task Force working groups.

Group One: Preventing and Ending Conflicts and Building Stable Societies

Members

- Wesley K. Clark (Wesley K. Clark & Associates)
- Malcolm Wallop (Asian Studies Center)

Experts

- Eric Schwartz, Coordinator (Council on Foreign Relations)
- Frederick Barton (CSIS)
- Bathsheba Crocker (CSIS)
- Michael McFaul (Hoover Institution)
- William Nash (Council on Foreign Relations)

Group Two:

Preventing and Responding to Genocide and Gross Human Rights Violations

Member

• Anne-Marie Slaughter (Princeton University)

Senior Advisor

• J. Robinson West (PFC Energy)

Experts

- Tod Lindberg, Coordinator (Hoover Institution)
- Ivo Daalder (Brookings Institution)
- Lee Feinstein (Council on Foreign Relations)
- Joseph Loconte (Heritage Foundation)

Group Three:

Preventing Catastrophic Terrorism and the Proliferation of Weapons of Mass Destruction

Member

• Thomas R. Pickering (The Boeing Company)

Senior Advisor

• Charles G. Boyd (Business Executives for National Security)

Experts

- Robert Einhorn, Coordinator (CSIS)
- Michael O'Hanlon (Brookings Institution)
- James Phillips (Heritage)

Group Four:

Ensuring the Effectiveness, Integrity, Transparency, and Accountability of the UN System

Members

- Edwin J. Feulner (Heritage Foundation)
- Roderick M. Hills (Hills and Stern)

Experts

- Ann Florini, Coordinator (Brookings Institution)
- Nile Gardiner (Heritage Foundation)
- Branka Jikich (CSIS)
- James Lindsay (Council on Foreign Relations)
- Brett Schaefer (Heritage Foundation)

Group Five:

Fostering Economic Development and Reducing Poverty

Members

- Donald McHenry (Georgetown University)
- A. Michael Spence (Oak Hills Capital Partners)

Experts

- Patrick Cronin, Coordinator (CSIS)
- Kenneth Anderson (Hoover Institution)
- Steve Hansch (Georgetown University)