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United Nations: Urgent Problems That Need Congressional Action

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Abstract: *The United Nations has largely failed to maintain international peace and security, promote self-determination and basic human rights, and protect fundamental freedoms. While the conflicting interests of member states have led to many of these failures, the U.N. system itself is partly to blame. The U.N. and its affiliated organizations are plagued by outdated and redundant missions and mandates, poor management, ineffectual oversight, and a general lack of accountability. In recent years, the U.S. Congress itself has neglected its responsibility to exercise proper oversight. Congress should press for U.N. reform and withhold funding when necessary to encourage reform.*

The United Nations was created to maintain international peace and security, promote self-determination and basic human rights, and protect fundamental freedoms. Regrettably, the past 65 years have yielded more disappointment than success in realizing these high aspirations.

A great deal of the blame for this failure is due to divergent interests among the member states that have prevented the organization from taking decisive, timely action.

However, the U.N. system itself is partly to blame. The U.N. and many of its affiliated organizations are beset by outdated or duplicative missions and mandates, poor management practices, ineffectual oversight, and a general lack of accountability. As former U.N. Deputy Secretary-General Mark Malloch Brown recently stated to *The New York Times*, “There’s a huge

Talking Points

- The U.N. and its affiliated organizations are plagued by outdated and redundant missions and mandates, poor management, ineffectual oversight, and a general lack of accountability.
- Without fundamental reform, the problems hindering the U.N. will likely continue and expand, undermining the U.N.’s ability to support and advance U.S. interests.
- The bulk of the U.N. member states simply do not pay enough to the U.N. for inefficiency, waste, or corruption to trouble them. If the U.S. does not press this issue, no other nation is likely to step forward.
- American Administrations are often interested in pressing for reform, but that long-term agenda is frequently abandoned in favor of more immediate political objectives.
- History indicates that the quickest and most effective way of convincing the U.N. to implement reforms is for Congress to be strongly involved in oversight and, when necessary, to drive the process forward by linking specific reforms to financial incentives.

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redundancy and lack of efficiency” in the U.N. system, and the budget is “utterly opaque, untransparent and completely in shadow.”¹

These problems waste resources and undermine the U.N.’s ability to discharge its responsibilities effectively. The past six decades have seen dozens of initiatives from governments, think tanks, foundations, and panels of experts aimed at reforming the U.N. to make it more effective in meeting its respon-

The combined assessment of the 128 least-assessed countries—two-thirds of the General Assembly—totals less than 1 percent of the U.N.’s regular budget and less than one-third of 1 percent of the peacekeeping budget.

sibilities.² Although these reform efforts have seen rare success, for the most part they have failed due to opposition from the majority of the U.N. member states. Indeed, the U.S. almost always finds itself on the losing side in U.N. debates and votes when it proposes reforms to improve U.N. management, oversight, and accountability.

This happens because the bulk of the U.N. member states simply do not pay enough to the U.N. for inefficiency, waste, or corruption to trouble them. For instance, Sierra Leone is assessed 0.001 percent of the U.N.’s regular budget and 0.0001 percent of the peacekeeping budget. In contrast, the U.S. is assessed 22 percent and 27.1 percent, respectively. Therefore, while Sierra Leone and the dozens of other countries with the same assessments pay less than \$35,000 per year to these budgets, the U.S. pays billions. With this in mind, is it surprising that the U.S. cares about how the U.N. is managed and how the funding is used, while most countries do not?

Yet these are the countries that control most of the votes. The combined assessment of the 128 least-assessed countries—two-thirds of the General Assembly—totals less than 1 percent of the U.N.’s regular budget and less than one-third of 1 percent of the peacekeeping budget, even though that group alone can, according to U.N. rules, pass the budget. These countries, combined with influential voting blocs in the U.N., can and do block U.S. attempts to implement reforms and curtail budgets.³

There is another problem. American administrations are often interested in pressing for reform, but frequently that long-term agenda is abandoned in favor of achieving more immediate political objectives. Pressing for reform ruffles feathers at the U.N. When the U.S. is lobbying for votes on a resolution, the last thing U.S. diplomats want to do is anger a mission by pressing for budgetary cuts or other reforms.

U.N. reform requires a longer perspective. The rare reform successes frequently share one thing in common: congressional involvement backed by the threat of financial withholding.

- After failing to arrest rapid growth in the U.N. budget in the early 1980s, former U.S. Ambassador to the U.N. Jeane Kirkpatrick testified, “The countries which contribute more than 85 percent of the U.N. budget regularly vote against that budget, but are unable to prevent its increases because the countries who pay less than 10 percent of the budget have the votes.”⁴ This led Congress to pass the 1985 Kassebaum–Solomon amendment to the Foreign Relations Authorization Act for fiscal year (FY) 1986 and FY 1987, which withheld 20 percent of U.S. assessed contributions to the U.N. regular budget and specialized agencies until weighted voting on budgetary matters was adopted.

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1. Matthew Saltmarsh, “A Bloated U.N. Bureaucracy Causes Bewilderment,” *The New York Times*, January 5, 2011, at <http://www.nytimes.com/2011/01/06/world/europe/06iht-nations06.html> (January 27, 2011).
 2. See Brett D. Schaefer, “A Progress Report on U.N. Reform,” Heritage Foundation *Backgrounder* No. 1937, May 19, 2006, at www.heritage.org/Research/InternationalOrganizations/bg1937.cfm.
 3. See Brett D. Schaefer, “Who Leads the United Nations?” Heritage Foundation *WebMemo* No. 1054, December 4, 2007, at <http://www.heritage.org/research/reports/2007/12/who-leads-the-united-nations>.
 4. Edward C. Luck, “Reforming the United Nations: Lessons from a History in Progress,” Academic Council on the United Nations System *Occasional Paper* No. 1, 2003, at <http://www.reformwatch.net/fixers/58.pdf> (January 27, 2011).

Weighted voting was not adopted, but the U.N. did agree in 1986 to the consensus-based budgeting process as an informal rule. In effect, this gave each country an informal veto over the budget, which helped greatly to constrain budget growth. Although this arrangement broke down in the mid-2000s, it provides a key insight into U.N. budgetary reform.⁵

- After former U.S. Attorney General Richard Thornburgh, who served as U.N. Under-Secretary-General for Administration and Management in 1992 and 1993, informed Congress of his failed attempts to persuade Secretary-General Boutros Boutros-Ghali to clamp down on mismanagement and waste, Congress decided to withhold U.N. funds until the General Assembly created an inspector general to monitor, audit, and inspect U.N. operations. The Office of Internal Oversight Services (OIOS) was created in 1994 as the U.N.'s primary investigative and auditing unit. Although it lacks true independence and is understaffed, the OIOS has contributed to savings and has exposed instances of mismanagement.
- As a condition for payment of accumulated arrears to the U.N., Congress specified a series of reform benchmarks in the Helms–Biden United Nations Reform Act of 1999. Among other conditions, the legislation required the U.N. to reduce the U.S. assessments for the regular budget and the U.S. peacekeeping budget. The U.N. reduced the U.S. regular budget assessment to 22 percent and reduced America's peacekeeping assessment, albeit not to the 25 percent sought by the U.S.

In addition, fear of congressional action, including financial withholding, helped to spur the U.N. to adopt new rules for U.N. peacekeepers to prevent sexual abuse and criminality and to establish the Volcker commission to investigate the Iraqi Oil-for-

Food program. It also led the U.N. Development Programme to suspend operations in North Korea until new procedures were adopted.

Regrettably, Congress has neglected its oversight role in recent years. U.N. reform legislation has not been seriously considered for years, and only a handful of U.N. oversight hearings have been held in recent years. Meanwhile, U.S. contributions to the U.N. are at an all-time high.

That is why I am very pleased that the committee decided to hold a briefing on U.N. reform. History indicates that the quickest and most effective way of convincing the U.N. to implement reforms is for Congress to be strongly involved in its oversight role and, when necessary, to drive the process forward through financial incentives.

U.S. Contributions to the U.N. at an All-Time High

The United States is facing a budgetary crisis. In the coming months and years, Congress and the Administration will grapple with tough decisions on where and how much to reduce spending. Although U.S. contributions to the U.N. system are not a large part of the budget, there is no reason to exclude those contributions from the overall effort to identify areas where taxpayer dollars could be better spent. Indeed, U.N. budgets have grown even faster than the U.S. budget over the past decade.

America's recent contributions to the U.N. dwarf those from 10 years ago. According to the Office of Management and Budget, total U.S. contributions to the U.N. system exceeded \$6.347 billion in FY 2009, compared to just \$3.183 billion in FY 2001.⁶ Increases have occurred throughout the U.N. system.

U.N. Regular Budget. The U.N. regular budget has more than doubled from \$2.49 billion for the 2000–2001 biennium to \$5.16 billion under the 2010–2011 budget approved by the General

5. The U.N. began violating this policy in 2006, culminating in passage of the U.N.'s 2008–2009 biennial regular budget over the “no” vote of the U.S. Brett D. Schaefer, “Congress Should Withhold Funding for Spendthrift U.N.,” Heritage Foundation WebMemo No. 1786, January 29, 2008, at <http://www.heritage.org/research/reports/2008/01/congress-should-withhold-funding-for-spendthrift-un>.

6. Brett D. Schaefer, “A Short United Nations To-Do List for the New Congress,” Heritage Foundation WebMemo No. 3064, November 18, 2010, at <http://www.heritage.org/research/reports/2010/11/a-short-united-nations-to-do-list-for-the-new-congress>.

Assembly on December 23, 2009.⁷ This level of growth is extraordinary. The U.N. regular budget has increased even faster than the U.S. budget over that period. Already, the U.N. Secretary-General is projecting an increase in the 2012–2013 biennial budget of more than \$300 million. The U.S. is assessed 22 percent of the U.N. regular budget. The Administration's budget for FY 2011 requested \$516.3 million for the U.N. regular budget.

U.N. Peacekeeping Budget. The U.N. peacekeeping budget increased more than fourfold from \$1.7 billion in 2000–2001⁸ to \$7.2 billion in 2010–2011.⁹ However, this does not include the possibility of new or expanded missions, such as the proposed expansion of the mission in Cote d'Ivoire or U.N. support of the African Union mission in Somalia. The U.S. is assessed more than 27 percent of the U.N. peacekeeping budget. In dollar terms, the State Department's Contributions to International Peacekeeping Activities account was \$2.12 billion for FY 2010.

Other U.N. Assessed Contributions. The State Department's Contributions to International Organizations account includes contributions to the U.N. regular budget, the U.N. Capital Master Plan,

the Rwandan and Yugoslavian tribunals, 11 other U.N. organizations, and a number of international organizations not affiliated with the U.N.¹⁰ This account totaled \$880.5 million in 2000 and \$1.68 billion in 2010.¹¹ Excluding contributions to the U.N. regular budget, U.S. contributions to organizations that it categorized as part of the U.N. system were estimated at \$375 million in FY 2000¹² and \$645.5 million in FY 2010.¹³

Voluntary Contributions. The U.S. also provides voluntary contributions to a host of U.N. programs, funds, bodies, and other entities and supplementary support for activities also funded through the assessed budgets. It is difficult to obtain a definitive figure on these contributions because they fluctuate and can originate from parts of the U.S. government other than the State Department, such as the U.S. Agency for International Development and the Department of Agriculture.¹⁴ The State Department account for these contributions (International Organizations and Programs) was \$394 million for FY 2010.¹⁵ However, the Congressional Research Service estimated that the U.S. provided "\$2.2 billion in voluntary contributions to U.N.-affiliated organizations and programs" in 2001.¹⁶ Last fall, the President's National Commis-

7. Brett D. Schaefer, "Time to Rein in the U.N.'s Budget," Heritage Foundation *Backgrounder* No. 2368, February 3, 2010, at <http://www.heritage.org/research/reports/2010/02/time-to-rein-in-the-uns-budget>.
8. *Ibid.*
9. U.N. Department of Public Information, "General Assembly Adopts Peacekeeping Budget of \$7.2 Billion for Financial Year 1 July 2010 to 30 June 2011," June 24, 2010, at <http://www.un.org/News/Press/docs/2010/ga10955.doc.htm> (January 27, 2011).
10. The U.S. assessment for these organizations differs. For instance, in 2010, the U.S. assessment is 3.18 percent of the International Maritime Organization budget, 5.92 percent of the Universal Postal Union budget, and 7.34 percent of the International Telecommunication Union budget. However, most of the organizations base their assessments on the U.N. assessment and charge the U.S. between 20 percent and 25 percent of their assessed budgets. See Marjorie Ann Browne and Kennon H. Nakamura, "United Nations System Funding: Congressional Issues," Congressional Research Service *Report for Congress*, March 8, 2010, at http://assets.opencrs.com/rpts/RL33611_20100308.pdf (January 27, 2011).
11. U.S. Department of State, *Congressional Budget Justification Fiscal Year 2009*, p. 12, at <http://www.state.gov/documents/organization/100326.pdf> (January 27, 2011), and *Congressional Budget Justification Fiscal Year 2011*, Vol. 1, *Department of State Operations*, pp. 14 and 542, at <http://www.state.gov/documents/organization/136355.pdf> (January 27, 2011).
12. U.S. Office of Management and Budget, *Budget of the United States Government, Fiscal Year 2000: Appendix, Department of State* (Washington, D.C.: U.S. Government Printing Office, 1999), p. 710, at <http://www.gpoaccess.gov/usbudget/fy00/pdf/sta.pdf> (January 27, 2011).
13. U.S. Department of State, *Congressional Budget Justification Fiscal Year 2011*, p. 542.
14. Brett D. Schaefer, "U.S. Funding of the United Nations Reaches All-Time High," Heritage Foundation *WebMemo* No. 2981, August 13, 2010, at <http://www.heritage.org/research/reports/2010/08/us-funding-of-the-united-nations-reaches-all-time-high>.
15. U.S. Department of State, *Congressional Budget Justification Fiscal Year 2011*, Vol. 2, *Foreign Operations*, p. 131, at <http://www.state.gov/documents/organization/137936.pdf> (January 27, 2011).

sion on Fiscal Responsibility and Reform noted that the U.S. gives the U.N. system “more than \$3.5 billion in ‘voluntary’ funds each year.”¹⁷

The U.N. regular budget has more than doubled from \$2.49 billion for the 2000–2001 biennium to \$5.16 billion under the 2010–2011 budget.

When the U.S. and other governments are being forced to tighten their belts, it is reasonable to expect the U.N. and its affiliated organizations to similarly scrutinize their activities to determine how to trim their budgets to emphasize priorities. The rapid expansion of U.N. budgets over the past decade has been combined with minimal attempts at prioritization. Congress should not be shy in suggesting budgetary cuts.

Fighting for Budgetary Restraint in Turtle Bay

From the late 1980s through the 1990s, the U.S. insisted on a “zero growth” policy for the U.N. regular budget. An agreement reached in the 1980s (spurred by the Kassebaum–Solomon amendment) required the U.N. regular budget to be adopted through consensus. This gave the U.S. and other countries a “veto” over the budget. By insisting on the zero growth policy, the U.S. was, for the most part, able to hold the U.N. regular budget stable, excluding adjustments for currency fluctuations and, later, for inflation.

However, America’s desire to involve the U.N. in Iraq and Afghanistan and to fund them through the U.N. regular budget, rather than through the peace-keeping budget in which the U.S. assessment is higher, set the stage for undermining this constraint on the regular budget. These proposed U.N. missions were expensive, and the other member states insisted that they be funded through an increase in

the overall U.N. regular budget rather than by forcing politically difficult fights over which programs should be cut to finance the new missions.

In the end, the U.S. acquiesced to an increased budget. Abandoning the zero growth budget policy opened the floodgates. The U.N. regular budget has more than doubled in the past 10 years. It is past time to rein in this budget.

The first step in this process is to reestablish the zero growth policy and identify the baseline for zero growth. Congress could use the dollar level of the first year of the 2010–2011 U.N. biennial budget or another amount. Once established, Congress should instruct the Administration to use its “voice and vote” to oppose any increase in the U.N. regular budget above the baseline. This freeze would, through inflation, gradually reduce the size of the budget.

However, it would also leave intact the current funding structure of the regular budget, which funds a number of activities that it should not fund. Specifically, the U.N. regular budget is broken down into 36 budget lines (or fascicles).¹⁸ When examining the U.N. regular budget, it is quickly apparent that most fascicles fund activities that should be independently supported by the member states. For instance, the U.N. regular budget for 2010–2011 provides more than \$500 million for the Economic Commission for Africa, the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean, and the Economic and Social Commission for Western Asia. Each of these commissions claims to contribute to the economic development by promoting cooperation and integration. This may be a fine goal, but how is it unique and additive to the efforts of the World Trade Organization, the International Monetary Fund, the World Bank Group, the regional development banks, the European Union, the African Union, ASEAN, and the other dozen or so U.N.

16. Vita Bite, “UN System Funding: Congressional Issues,” Congressional Research Service *Issue Brief for Congress*, updated September 10, 2003, at <http://fpc.state.gov/documents/organization/24669.pdf> (January 27, 2011).

17. National Commission on Fiscal Responsibility and Reform, “Co-Chairs’ Proposal,” November 10, 2010, at http://www.fiscalcommission.gov/sites/fiscalcommission.gov/files/documents/Illustrative_List_11.10.2010.pdf (January 27, 2011).

18. U.N. General Assembly, Fifth Committee, “Proposed Programme Budget for the Biennium 2010–2011 of the Secretary-General,” A/64/6, §§ 1–36, at <http://www.un.org/en/ga/fifth/64/ppb1011sg.shtml> (January 27, 2011).

organizations that also try to promote economic development and cooperation? This is an open question at best.

There may be a demand for the activities of the economic commissions, but it is hard to determine because they receive funding primarily through the assessed U.N. regular budget, which means that the U.S. pays 22 percent (\$110 million in 2010–2011) of the economic commissions' budgets. The U.S. should demand that the economic commissions be spun out of the regular budget and forced to support themselves through voluntary contributions as do other U.N. organizations. If they provide a valued service, they will attract support. If not, they will adapt or wither.

Some fascicles actually provide funding to largely autonomous U.N. organizations that receive independent funding. In many cases, the amount of funding that they receive from the U.N. regular budget is a small fraction of their overall budget. For instance:

- The U.N. Environment Program (UNEP) received \$14.3 million from the 2010–2011 U.N. regular budget, but is projected to receive more than \$420 million in voluntary extrabudgetary funding.
- The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in the Near East was provided \$48.6 million from the 2010–2011 U.N. regular budget, but was projected to receive more than \$2 billion in voluntary extrabudgetary funding.

The U.N. Agency for Human Settlements (HABITAT), the United Nations Office on Drugs and Crime (UNODC), the Office of the United Nations High Commissioner for Refugees (UNHCR), and the Office for the Coordination of Humanitarian Affairs (OCHA) were projected to receive less than 10 percent of their funding from the U.N. regular budget.

These organizations may do good and valuable work, but funding them through the U.N. regular budget is unnecessary. Moreover, the amounts are

minimal compared to their other sources of funding. The U.S. should try to focus the U.N. regular budget on supporting the direct activities of the main bodies of the U.N.—the Security Council, General Assembly, International Court of Justice, and the Secretariat—and have indirect activities,

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such as commissions, be funded independently. Such an effort could reduce the U.N. regular budget by 20 percent to 30 percent. The U.S. would then have the option of keeping its proportional share of these funds or providing them voluntarily to the same or other U.N. organizations.

Fascicles supporting activities directly related to the operation of the main U.N. bodies deserve to be included in the regular budget. However, even there, opportunities for saving millions of dollars remain unimplemented. For instance, the U.N. spends enormous amounts on translation, editing, printing, and publishing documents. Secretary-General Kofi Annan proposed relocating or outsourcing these activities to lower-cost locales in 2006.¹⁹ Little has been done to follow through on this recommendation. Similarly, the U.N. conference budget is enormous. Opportunities for telecommuting and other cost-cutting should be investigated.

Reinstate the Mandate Review and Insist on Sunsetting U.N. Mandates.

Moreover, there is a general unwillingness on the part of the member states to prioritize U.N. regular budget expenditures to accommodate new concerns. The General Assembly passed the 2005 Outcome Document, which instructed the Secretary-General to provide “analysis and recommendations, including on the opportunities for programmatic shifts that could be considered for early General Assembly consideration.”²⁰ The Secretary-General

19. U.N. Secretary-General, “Investing in the United Nations: For a Stronger Organization Worldwide,” A/60/692, March 7, 2006, at <http://www.un.org/reform/investinginun/investing-in-un.shtml> (January 27, 2011).

created a Mandate Registry²¹ to provide, for the first time, a comprehensive list of the more than 9,000 individual mandates of the General Assembly, Security Council, and Economic and Social Council. However, he did not identify specific mandates for elimination or recommend programs or activities to be sunset or eliminated.

While halting and weak, this process was immensely revealing of the need for the review and illustrated the difficulties involved in trying to eliminate outdated or irrelevant mandates. For example:

- **Mandates dating back decades remain active.** For instance, according to the registry, there is an active, recurrent mandate adopted in 1946 regarding “the possible transfer of certain functions, activities and assets of the League of Nations.” A 1956 resolution, renewed within the past five years, calls on the U.N. to assist a committee examining the “effects of atomic radiation.”²² This mandate became largely redundant in 1957 with the creation of the International Atomic Energy Agency (IAEA), but it remains in effect.
- **Lack of implementation.** Opposition by a number of member states has stalled the mandate review, and the mandate registry has not been updated since 2006. Only a very small number of mandates have been eliminated.²³ The most recent report from the co-chairmen of the mandate review was issued in August 2008. It concluded that only 155 (56 percent) of the 279 mandates in the Humanitarian cluster were

“current and relevant” and that only 18 (35 percent) of the 52 mandates in the African Development cluster were current and relevant.²⁴ There is no evidence that the outdated or irrelevant mandates have been terminated or altered to improve their relevance. In a sad twist, the General Assembly and the Secretariat have instead quietly killed the mandate review process because it provided a basis and methodology for eliminating mandates.

Lack of progress on reviewing U.N. mandates greatly inhibits the U.N.’s ability to allocate funds according to priorities and eliminate unnecessary tasks, personnel, and functions that drain and divert resources. To restore fiscal restraint in the U.N. regular budget, Congress should:

- **Restore the U.S. policy of zero growth for the U.N. regular budget.** The U.S. zero growth policy for the U.N. budget helped to constrain growth in the late 1980s and 1990s. Congress should endorse a zero nominal growth policy and establish a baseline for the U.N. regular budget as the dollar cap on which the U.S. will pay its assessed contributions to the U.N. regular budget for future years. Congress should instruct the Administration to use its “voice and vote” to oppose any increase in overall resources and staff for the U.N. regular budget.
- **Hold hearings on the U.N. regular budget and insist that the Administration seek to end the practice of funding non-core activities through that budget.** Focusing the U.N. regular

20. U.N. General Assembly, “2005 World Summit Outcome,” A/RES/60/1, para. 163(b), October 24, 2005, at <http://www.un.org/ga/president/62/issues/resolutions/a-60-692.pdf> (January 27, 2011).

21. As the U.N. noted, “Mandates are not easily defined or quantifiable; a concrete legal definition of a mandate does not exist. Guided by the Summit Outcome Document and subsequent discussions, and in order to facilitate the current mandate review exercise, we have, however, identified an agreed upon...working definition: a mandate is a request or a direction for action by the UN Secretariat or other implementing entity, that derives from a resolution of the General Assembly or one of the other relevant organs.” United Nations, Mandate Registry, “Frequently Asked Questions,” at <http://webapps01.un.org/mandatereview/displayFAQ.do;jsessionid=2064543609EFB82F18FD1B010743695F> (January 27, 2011).

22. United Nations, Mandate Registry, at <http://webapps01.un.org/mandatereview/searchStart.do> (February 1, 2011).

23. The latest progress in actually eliminating mandates is from 2006: “To date, out of the 399 non-renewed mandates older than five years to be examined, only 69 have been agreed by all Member States to be completed and put aside.” Irene Martinetti, “Sluggish Progress on UN Mandate Review,” Center for UN Reform Education *UN Reform Watch* No. 18, August 16, 2006, at <http://www.centerforunreform.org/node/62> (January 27, 2011).

24. U.N. General Assembly, “Mandate Review: Co-Chairs’ Report,” August 8, 2008, p. 3, at <http://www.un.org/ga/president/62/letters/cochairsmandatereview080808.pdf> (January 27, 2011).

budget on supporting the activities of the main U.N. bodies could reduce the U.N. regular budget by 20 percent to 30 percent. Seeking cost savings through outsourcing, telecommuting, and other measures proposed in previous U.N. reports should also be explored.

- **Establish a stronger relationship between U.N. budget decisions and financial contributions.** The divorce between obligations and decision making is perhaps the greatest cause of the decades-long intransigence on U.N. reform. If the U.N. is to be a more effective, efficient, and accountable body, budgetary decision making must be linked to financial responsibilities. One way is for the U.N. to adopt a system of voting on budgetary matters that gives major donors a greater say in budgetary decisions.²⁵ If that is not possible, at least the financial burden should be spread across the U.N. membership more evenly by adjusting the scale of assessments.
- **Insist that the U.N. revitalize the mandate review.** A robust review of U.N. mandates accompanied by U.S. demands that outdated, irrelevant, or duplicative mandates be eliminated could save tens, even hundreds, of millions of dollars. To support this, Congress should seek to have the U.N. adopt sunset clauses for all mandates so that they that would automatically terminate after the biennium unless they have been certified as relevant by the review.
- **Keep the U.S. account current.** The U.N. has retained funds owed to American taxpayers

from the Tax Equalization Fund and possibly from other accounts.²⁶ These funds involve hundreds of millions of dollars. Congress should pass legislation instructing the Administration to seek reimbursement of all the amounts appropriated by Congress for various purposes to the U.N. or its affiliated agencies that were not expended at the end of each calendar or fiscal year as appropriate or that are otherwise owed to the U.S.

Increasing U.N. Oversight and Accountability

Oversight and accountability at the U.N. have historically been weak. The U.N. did not have anything even resembling an inspector general until 1994, when the Office of Internal Oversight Services was created after U.S. demands for such an office. Earlier this decade, three major scandals—the corruption in the Iraqi Oil-for-Food program, sexual abuse committed by U.N. peacekeepers, and corruption and mismanagement in U.N. procurement—spurred calls for stronger oversight and accountability.²⁷ The scandals provoked a series of U.N. reports and resolutions identifying the problems and proposing solutions. Regrettably, these efforts largely have been weak or temporary.

The Ethics Office and Whistleblower Protections. The General Assembly instructed the Secretary-General in 2005 “to scrupulously apply the existing standards of conduct and develop a system-wide code of ethics for all United Nations personnel [and] submit details on an ethics office with inde-

25. For more details, see Brett D. Schaefer, “The U.S. Should Push for Adjustment in UN Dues,” Heritage Foundation WebMemo No. 2735, December 15, 2009, at <http://www.heritage.org/research/reports/2009/12/the-us-should-push-for-adjustment-in-un-dues>.

26. Brett D. Schaefer, “The U.N. Should Pay What It Owes the U.S. from Its Tax Equalization Fund,” Heritage Foundation WebMemo No. 3052, November 8, 2010, at <http://www.heritage.org/research/reports/2010/11/the-un-should-pay-what-its-owes-the-us-from-its-tax-equalization-fund>.

27. For information on these issues, see Independent Inquiry Committee, “Documents,” Web site, at <http://www.iic-offp.org/documents.htm> (January 27, 2011); U.S. Government Accountability Office, *United Nations: Lessons Learned from Oil for Food Program Indicate the Need to Strengthen UN Internal Controls and Oversight Activities*, GAO–06–330, April 2006, at <http://www.gao.gov/new.items/d06330.pdf> (January 27, 2011); U.S. Government Accountability Office, *United Nations: Procurement Internal Controls Are Weak*, GAO–06–577, April 2006, at <http://www.gao.gov/new.items/d06577.pdf> (January 27, 2011); and hearing, *United Nations Organization Mission in the Democratic Republic of Congo: A Case for Peacekeeping Reform*, Subcommittee on Africa, Global Human Rights and International Operations, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., March 1, 2005, at http://commdocs.house.gov/committees/intlrel/hfa99590.000/hfa99590_of.htm (January 27, 2011).

pendent status.”²⁸ The Secretary-General adopted a whistleblower protection policy in 2005, and the General Assembly approved resources for a new Ethics Office charged with enforcing that policy. Regrettably, the authority of the Ethics Office was quickly crippled in a dispute with the U.N. Development Programme. When the UNDP fired a whistleblower in March 2007, the Ethics Office investigated and concluded that the firing was retaliatory. The UNDP rejected the conclusions of the Ethics Office and rejected its authority over the UNDP. Secretary-General Ban Ki-moon sided with the UNDP against his own Ethics Office and released a bulletin allowing each “separately administered organ or programme” to establish its own Ethics Office equivalent and its own ethics standards and procedures.²⁹ As the Government Accountability Project observed:

[W]histleblower policies at the U.N. Secretariat, UNDP, WFP, U.N. Children’s Fund (UNICEF) and U.N. Population Fund (UNFPA), [are] inconsistent, weakened by arbitrary loopholes and, on the whole, less comprehensive than the original U.N. policy established in 2005. These policies should be rewritten to, at a minimum, meet the standards set out in the original U.N. policy.³⁰

Financial Disclosure. U.N. financial disclosure requirements on U.N. staff above a certain level were adopted in 2006.³¹ Most U.N. employees subject to disclosure requirements submit their forms, and summaries are posted online.³² However, public disclosure of financial interests is entirely voluntary. In most cases, covered U.N. employees submit the following statement: “In accordance with General Assembly Resolution A/RES/60/238, I have

chosen to maintain the confidentiality of the information disclosed by me in order to comply with the Financial Disclosure Programme.” Even those choosing to disclose some information typically provide only the broadest details, such as stating that they own a home or have a checking account.

A recent report by the U.N. Joint Inspection Unit concluded that U.N. auditors are underqualified, underresourced, and lack institutional support.

The weak nature of the financial disclosure policy is troubling. As the Secretary-General notes, disclosure “demonstrates that U.N. staff members understand the importance of the general public and U.N. Member States being assured that, in the discharge of their official duties and responsibilities, staff members will not be influenced by any consideration associated with his/her private interests.”³³ The unwillingness of the Secretary-General to require even a minimum level of public financial disclosure for high-level U.N. officials undermines accountability and, considering U.N. privileges and immunities, inhibits the ability of national authorities to investigate alleged crimes and wrongdoing.

Procurement Task Force (PTF). When the extent of U.N. fraud and mismanagement in the Iraqi Oil-for-Food program became clear, the U.S. was able to convince the U.N. to create the Procurement Task Force to investigate and pursue allegations of fraud and mismanagement. The PTF began work in January 2006 and over the next three years uncovered fraud, waste, and mismanagement in U.N. procurement and other activities involving

28. U.N. General Assembly, “2005 World Summit Outcome,” A/RES/60/1, para. 161(d).

29. U.N. Secretariat, “United Nations System-Wide Application of Ethics: Separately Administered Organs and Programmes,” ST/SGB/2007/11, November 30, 2007, at <http://www.unops.org/SiteCollectionDocuments/Ethics%20documents/SGB-2007-11%20EN.pdf> (January 27, 2011).

30. Government Accountability Project, “United Nations,” at <http://www.whistleblower.org/program-areas/international-reform/united-nations> (January 27, 2011).

31. U.N. Secretariat, “Financial Disclosure and Declaration of Interest Statements,” ST/SGB/2006/6, April 10, 2006, at <http://www.usun-ny.us/untai/resolution/SYG%20bulletin%20ST-SGB-2006-6%20-%20Financial%20Disclosure.pdf> (January 27, 2011).

32. U.N. Secretary-General, “Voluntary Public Disclosure of Financial Disclosure and Declaration of Interest Statements,” 2009, at http://www.un.org/sg/PublicDisclosure_2009.shtml (January 27, 2011).

33. *Ibid.*

contracts valued at more than \$630 million. The evidence unearthed by the PTF led to misconduct findings against 17 U.N. officials and the conviction of a senior U.N. procurement official. Regrettably, the PTF did its job too well. As punishment for pursuing cases against Singaporean and Russian nationals, those countries led a successful effort to eliminate the PTF in December 2008.³⁴

Across the board, U.N. oversight and auditing capabilities suffer from insufficient resources, political pressure, and a lack of institutional support. Indeed, a recent report by the U.N. Joint Inspection Unit concluded that U.N. auditors are underqualified, underresourced, and lack institutional support.³⁵ Although the U.N. has a few other oversight bodies (the Joint Inspection Unit, the Independent Audit Advisory Committee, and the Board of Auditors), the day-to-day tasks of oversight and investigations fall to the OIOS. As detailed in a leaked internal report to Secretary-General Ban Ki-Moon from Under-Secretary-General Inga-Britt Ahlenius, who was in charge of the OIOS until last summer, the OIOS is subject to political pressure that undermines its independence. Among the harsh assessments relayed by Ahlenius:

There is no transparency, there is lack of accountability. Rather than supporting the internal oversight which is the sign of strong leadership and good governance, you have strived to control it which is to undermine its position. I do not see any signs of reform in the Organization.

I regret to say that the [U.N.] Secretariat now is in a process of decay. It is not only falling apart into silos—the secretariat is drifting, to use the words of one of my senior colleagues. It is drifting into irrelevance....

Your actions are not only deplorable, but seriously reprehensible. No U.N. Secretary-General before you has questioned the authority delegated to the [undersecretary-general of OIOS] to appoint the staff in OIOS. Your action is without precedent and in my opinion seriously embarrassing for yourself.³⁶

The absence of a truly independent U.N. inspector general is a serious problem as is the ad hoc and weak nature of U.N. transparency and accountability. It underscores the U.N.'s irresponsibility in refusing to extend the mandate of the independent Procurement Task Force, which was taking great strides in uncovering mismanagement, fraud, and corruption in U.N. procurement. Since the PTF's demise, its investigations have fallen to the OIOS to pursue, but those investigations into mismanagement, fraud, and corruption have not been actively pursued.³⁷

The U.N. needs more transparency, accountability and independent oversight, and the U.S. should insist on them. To address these problems, Congress should:

- **Demand that the U.N. adopt a rule mandating that U.N. officials publicly disclose in some detail their financial disclosure reports and permitting law enforcement authorities access**

34. Brett D. Schaefer, "The Demise of the U.N. Procurement Task Force Threatens Oversight at the U.N.," Heritage Foundation *WebMemo* No. 2272, February 5, 2009, at <http://www.heritage.org/Research/Reports/2009/02/The-Demise-of-the-UN-Procurement-Task-Force-Threatens-Oversight-at-the-UN>.

35. See U.N. Joint Inspection Unit, "The Audit Function in the United Nations System," JIU/REP/2010/5, 2010, at http://www.unjiu.org/data/reports/2010/JIU_REP_2010_05%20Final.pdf (January 27, 2011). See also George Russell, "UN Auditors Are Under-Qualified, Overstretched, Say Inspectors," Fox News, January 14, 2011, at <http://www.foxnews.com/world/2011/01/14/auditors-qualified-stretched-say-inspectors/> (January 27, 2011).

36. Colum Lynch, "Blistering Insider Memo Describes UN Chief's Actions as 'Seriously Reprehensible,'" *Foreign Policy*, July 19, 2010, at http://turtlebay.foreignpolicy.com/posts/2010/07/19/blistering_insider_memo_describes_un_chief_s_actions_as_seriously_reprehensible (January 28, 2011).

37. "The acting chief of the U.N. division that investigates wrongdoing in the world body is currently under investigation himself for allegedly retaliating against two whistle-blowers." Associated Press, "U.N. Investigations Chief Under Investigation," *USA Today*, January 19, 2011, at http://www.usatoday.com/news/world/2011-01-19-united-nations-probe_N.htm (January 28, 2011).

to the full financial disclosure information upon formal request. The policy was adopted to increase transparency and accountability, but the implementation has only served to continue past opacity.

- **Enhance U.N. ethics standards and whistleblower protections.** Congress and the Administration should solicit advice from experts on whistleblower and ethics standards on how to improve U.N. rules, regulations, and practices and apply them across the U.N. system.
- **Demand independent funding for the OIOS and clear authority for the Under-Secretary-General to hire and fire staff.** The Ahlenius report revealed that she felt that the independence and integrity of the OIOS were under assault by the Secretariat. The duties of an inspector general require independence, and the OIOS needs to be insulated from political interference in the conduct of its duties. As observed by the U.S. Government Accountability Office, “U.N. funding arrangements constrain OIOS’s ability to operate independently as mandated by the General Assembly and required by international auditing standards that OIOS has adopted.”³⁸ This continues to be a problem that Congress should seek to address. As a standard procedure, OIOS reports should also be made publicly available on its Web site.

U.N. Peacekeeping

One of the United Nations’ primary responsibilities is to help to maintain international peace and security. U.N. peacekeeping debacles in the 1990s led to a necessary reevaluation of U.N. peacekeep-

ing. However, as troubling situations have arisen in recent years, many of them in Africa, the Security Council has found itself under pressure to respond and “do something” even though it may violate the central lesson learned in the 1990s that “the United Nations does not wage war.”

At the end of November 2010, U.N. peacekeeping had more than 123,000 personnel involved in U.N. peacekeeping, political, or peace-building operations, including international and local civilian personnel and U.N. volunteers. The U.N. is currently overseeing the deployment of more uniformed personnel than any single nation except the United States has deployed outside of its borders. As a result, U.N. peacekeeping is now being conducted with unprecedented pace, scope, and ambition. Increasing demands have revealed ongoing, serious flaws.

Substantial Mismanagement, Fraud, and Corruption in Procurement. Audits and investigations over the past few years have revealed substantial mismanagement, fraud, and corruption in procurement for U.N. peacekeeping. An OIOS audit of \$1 billion in U.N. peacekeeping procurement contracts over a six-year period found that at least \$265 million was subject to waste, fraud, or abuse.³⁹ According to a 2007 OIOS report, an examination of \$1.4 billion of peacekeeping contracts turned up “significant” corruption schemes that tainted \$619 million (over 40 percent) of the contracts.⁴⁰ An audit of the U.N. mission in Sudan revealed tens of millions of dollars lost to mismanagement and waste and exposed substantial indications of fraud and corruption.⁴¹ Moreover, the OIOS revealed in 2008 that it was investigating approximately 250 instances of wrongdoing ranging from sexual abuse by

38. Government Accountability Office, *United Nations: Funding Arrangements Impede Independence of Internal Auditors*, GAO-06-575, April 2006, at <http://www.gao.gov/new.items/d06575.pdf> (January 28, 2011).

39. Press release, “Peacekeeping Procurement Audit Found Mismanagement, Risk of Financial Loss, Security Council Told in Briefing by Chief of Staff,” U.N. Security Council, February 22, 2006, at <http://www.un.org/News/Press/docs/2006/sc8645.doc.htm> (January 28, 2011).

40. The task force looked at only seven of the 18 U.N. peacekeeping missions that were operational during the investigation. U.N. Office of Internal Oversight Services, “Report of the Office of Internal Oversight Services on the Activities of the Procurement Task Force for the 18-Month Period Ended 30 June 2007,” A/62/272, October 5, 2007, at http://www.eyeontheun.org/assets/attachments/documents/5522_report_OIOS_activities_procurement_task_force_30_june_2007.doc (January 28, 2011), and George Russell, “Report Details Progress in Battle Against Corruption at UN Office,” Fox News, October 11, 2007, at <http://www.foxnews.com/story/0,2933,301255,00.html> (January 28, 2011).

peacekeepers to financial irregularities. According to Ahlenius, “We can say that we found mismanagement and fraud and corruption to an extent we didn’t really expect.”⁴²

Sexual Exploitation and Abuse. Incidents of sexual exploitation and abuse by U.N. peacekeepers and civilian personnel are widespread and often go unpunished. There have been numerous reports of U.N. personnel committing serious crimes and sexual misconduct, from rape to the forced prostitution of women and young girls. U.N. personnel have also been accused of sexual exploitation and abuse in Bosnia, Burundi, Cambodia, Congo, the Democratic Republic of Congo, Guinea, Haiti, Kosovo, Liberia, Sierra Leone, and Sudan.⁴³ The U.S. and other member states successfully pressured the U.N. to adopt stricter requirements for peacekeeping troops and their contributing countries. Contact and discipline teams are now present in most U.N. peacekeeping missions, and troops are now required to undergo briefing and training on behavior and conduct.⁴⁴ However, these crimes continue,⁴⁵ and the U.N. reported that allegations of sexual exploitation and abuse by U.N. civilian and uniformed personnel totaled 106 in 2009 and 83 in 2010.⁴⁶

The U.S. should support U.N. peacekeeping operations when they further America’s national interests. Legitimate questions must be asked as to whether the U.N. should be engaging in the current

An examination of \$1.4 billion of peacekeeping contracts turned up “significant” corruption schemes that tainted \$619 million (over 40 percent) of the contracts.

number of missions and whether these situations are best addressed through the U.N. or through regional, multilateral, or ad hoc efforts.

U.N. peacekeeping operations can be useful and successful if employed with an awareness of their limitations and weaknesses. This awareness is crucial because the demand for U.N. peacekeeping shows little indication of declining in the foreseeable future. This requires the U.S. to press for substantial changes to address serious problems with U.N. peacekeeping. Without fundamental reform, serious problems will likely continue and expand, undermining the U.N.’s credibility and ability to accomplish the key mission of helping to maintain international peace and security. To address this, Congress should:

- **Evaluate long-running U.N. peacekeeping missions.** The U.S. should re-evaluate all U.N. operations that date back to the early 1990s or earlier—some date back to the 1940s—to determine whether each U.N. mission is contributing to resolving the situation or retarding that pro-

41. Colum Lynch, “Audit of UN’s Sudan Mission Finds Tens of Millions in Waste,” *The Washington Post*, February 10, 2008, p. A16, at <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/09/AR2008020902427.html> (January 28, 2011).

42. Louis Charbonneau, “UN Probes Allegations of Corruption, Fraud,” Reuters, January 10, 2008.

43. See Kate Holt and Sarah Hughes, “UN Staff Accused of Raping Children in Sudan,” *The Telegraph*, January 4, 2007, at <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/03/wsudan03.xml> (January 28, 2011); Kate Holt and Sarah Hughes, “Sex and the UN: When Peacemakers Become Predators,” *The Independent*, January 11, 2005, at <http://www.independent.co.uk/news/world/africa/sex-and-the-un-when-peacemakers-become-predators-486170.html> (January 28, 2011); and Colum Lynch, “UN Faces More Accusations of Sexual Misconduct,” *The Washington Post*, March 13, 2005, p. A22, at <http://www.washingtonpost.com/wp-dyn/articles/A30286-2005Mar12.html> (January 28, 2011).

44. U.N. Contact and Discipline Unit, “About CDU: Conduct and Discipline Teams,” at <http://cdu.unlb.org/AboutCDU/ConductandDisciplineTeams.aspx> (January 28, 2011).

45. Corinna Csáky, “No One to Turn to: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers,” Save the Children, 2008, at http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/27_05_08_savethechildren.pdf (January 28, 2011). See also BBC News, “Peacekeepers ‘Abusing Children,’” May 27, 2008, at http://news.bbc.co.uk/2/hi/in_depth/7420798.stm (January 28, 2011), and UN News Center, “UN Team Looking into Alleged Sexual Misconduct by Blue Helmets in DR Congo,” July 24, 2009, at <http://www.un.org/apps/news/story.asp?NewsID=31574> (January 28, 2011).

46. U.N. Contact and Discipline Unit, “Statistics Allegations for All Categories of Personnel per Year (Sexual Exploitation and Abuse),” updated January 14, 2011, at <http://cdu.unlb.org/Statistics/AllegationsbyCategoryofPersonnelSexualExploitationandAbuse/AllegationsforAllCategoriesofPersonnelPerYearSexualExploitationandAbuse.aspx> (January 28, 2011).

cess. If an operation is not demonstrably facilitating resolution of the situation, the U.N. should emulate the U.N. Peacekeeping Force in Cyprus (UNFICYP) model in which Greece and Cyprus pay for over 40 percent of the mission's cost. Stakeholders wishing to continue U.N. peacekeeping operations that have not resolved the conflicts despite being in place for decades should be asked to assume the financial burden of the continued operation. These missions are generally small and among the least costly, but such a re-evaluation would help to reduce the enormous peacekeeping budget and send a welcome message of accountability and assessment that too often has been lacking in the rubber-stamp process of reauthorizing peacekeeping operations. Together, five of the older U.N. missions (MINURSO, UNFICYP, UNDOF, UNMOGIP, and UNTSO) cost nearly \$243 million. If the U.S. could shift these missions to voluntary funding, the U.S. could save more than \$54 million per year and perhaps focus the most affected parties on resolving these outstanding disputes.

- **Build up peacekeeping capabilities around the world, particularly in Africa.** The U.N. has no standing armed forces and is entirely dependent on member states to donate troops and other personnel to fulfill peace operation mandates. This is appropriate. Nations should maintain control of their armed forces and refuse to support the establishment of armed forces outside of direct national oversight and responsibility. However, the current arrangement results in an ad hoc system plagued by delays and other shortfalls. Congress should support increasing peacekeeping resources under its Global Peace Operations Initiative, which has significantly bolstered the capacity and capabilities of regional troops, particularly in Africa, to serve as peacekeepers for the U.N., the African Union, or other coalitions.
- **Enforce standards of conduct for civilian and military personnel participating in U.N. peace operations.** If the U.N. is to end sexual exploitation, abuse, and other misconduct by peacekeepers, it must do more than adopt a U.N. code of conduct, issue manuals, and send abus-

ers home. The abusers and their governments must face real consequences to create incentives for effective enforcement. Member states must commit to investigate, try, and punish their personnel in cases of misconduct. U.N. investigatory units need to be independent, quick to deploy, and possess ample capabilities and authority to investigate situations, including full cooperation by mission personnel and access to witnesses, records, and sites where crimes occurred so that trials can have sufficient evidence to proceed. Equally important, the U.N. needs to be stricter in holding member countries to these standards. States that fail to fulfill their commitments to discipline their troops should be barred from providing troops for peace operations.

Congress needs to consider carefully any U.N. requests for additional funding for a system in which procurement problems have wasted millions of dollars and sexual abuse by peacekeepers is still unacceptably high and often goes unpunished. Indeed, the decision by the Administration and Congress to pay U.S. arrears to U.N. peacekeeping without demanding reforms sent entirely the wrong message and removed a powerful leverage point for encouraging reform. Without fundamental reform, these problems will likely continue and expand, undermining the U.N.'s credibility and ability to maintain international peace and security.

The U.N. Human Rights Council

The U.N. Human Rights Council was created in 2006 to replace the U.N. Commission on Human Rights, which had failed to hold governments to account for violating basic human rights and fundamental freedoms. During negotiations to establish the council, many basic reforms and membership standards were proposed to ensure that the council would not simply repeat the commission's failures, but few reforms received sufficient support in the General Assembly.⁴⁷ As a result, the Human Rights Council has performed no better—and in some ways worse—than the commission it replaced.

Anticipating this outcome, the Bush Administration decided not to seek a seat on the council in 2006. Based on the council's subsequent disap-

pointing record, the U.S. again declined to seek a seat in 2007 and 2008. The Bush Administration also withheld a portion of the U.S. contribution to the U.N. regular budget equivalent to the part that would be allocated to the council and distanced itself from the council's proceedings except in instances of "deep national interest."⁴⁸

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The Obama Administration disagreed with the Bush Administration policy. It sought and won a seat on the council in 2009. Although the U.S. has been able to usher some positive resolutions through the council, such as the establishment of a U.N. Special Rapporteur on Freedom of Assembly and Association, and to support resolutions addressing some human rights situations, the more fundamental problems of the Human Rights Council remain:

- **Bias against Israel.** Since 2006, the council has adopted 67 country-specific resolutions, of which 32 focused on Israel.⁴⁹ U.S. membership on the council has not stopped this bias. In 2010, over U.S. objections, the council adopted eight resolutions condemning Israel or its

actions.⁵⁰ In addition, the council has held 12 special sessions since 2006 that focused on country situations with half of the sessions focused on condemning Israel. The most recent of these special sessions was held in 2009—after the U.S. became a member—to discuss the U.N. Human Rights Council Fact Finding Mission on the Gaza Conflict (the Goldstone Report), which the Obama Administration has criticized as "deeply flawed" and biased against Israel.⁵¹

- **Unwillingness to confront numerous serious human rights violations.** Since the U.S. was elected to a seat, the council has passed resolutions addressing human rights situations in Cambodia, Honduras, Somalia, and Sudan. However, these actions are either low-hanging fruit or ground already traveled by the council in previous resolutions. Despite U.S. membership, the council continues to ignore human rights violations by many serious perpetrators, including Algeria, China, Cuba, Egypt, Iran, Libya, Pakistan, Saudi Arabia, Venezuela, and Zimbabwe. In fact, in the 2010 election, seven countries with dubious human rights records (Libya, Angola, Malaysia, Thailand, Uganda, Mauritania, and Qatar) were elected to the council even though they have been criticized by human rights groups for violating the rights of their citizens.⁵² All of these countries

47. For a more detailed account, see Brett D. Schaefer, "The United Nations Human Rights Council: Repeating Past Mistakes," Heritage Foundation Lecture No. 964, September 19, 2006, at <http://www.heritage.org/Research/Lecture/The-United-Nations-Human-Rights-Council-Repeating-Past-Mistakes> (January 28, 2011).

48. Sean McCormack, "Daily Press Briefing," U.S. Department of State, June 6, 2008, at <http://2001-2009.state.gov/r/pa/prs/dpb/2008/jun/105716.htm> (January 28, 2011), and Zalmay Khalilzad, statement on the Durban II Conference and the Human Rights Council to the Conference of Presidents of Major Jewish Organizations, April 8, 2008, at <http://www.eyeontheun.org/assets/attachments/documents/6581.doc> (January 28, 2011). For a summary of Bush Administration policy regarding the council, see Luisa Blanchfield, "The United Nations Human Rights Council: Issues for Congress," Congressional Research Service Report for Congress, June 1, 2009, pp. 11–12, at <http://www.fas.org/sgp/crs/row/RL33608.pdf> (January 28, 2011).

49. Eye on the UN, Human Rights Actions, at <http://www.eyeontheun.org/browse.asp> (January 28, 2011).

50. U.N. Human Rights Council, Resolutions A/HRC/RES/13/5, A/HRC/RES/13/6, A/HRC/RES/13/7, A/HRC/RES/13/8, A/HRC/RES/13/9, A/HRC/RES/14/1, A/HRC/RES/15/1, and A/HRC/RES/15/6.

51. "We continue to believe that the Report of the UN Fact-Finding Mission on the Gaza Conflict, widely known as the Goldstone Report, is deeply flawed. We have previously noted shortcomings that include its unbalanced focus on Israel, the negative inferences it draws about Israel's intentions and actions, its failure to deal adequately with the asymmetrical nature of the Gaza conflict, and its failure to assign appropriate responsibility to Hamas for deliberately targeting civilians and basing itself and its operations in heavily civilian-populated urban areas." Alejandro Wolff, statement on a U.N. General Assembly resolution on the U.N. Fact-Finding Mission on the Gaza Conflict, U.S. Mission to the United Nations, February 26, 2010, at <http://usun.state.gov/briefing/statements/2010/137331.htm> (January 28, 2011).

received overwhelming support from the U.N. membership in the May 13 election. Even Libya received support from 155 of 192 U.N. member states.

- **Support for efforts that undermine human rights and fundamental freedoms.** For instance, the Human Rights Council has repeatedly adopted resolutions recognizing and promoting bans on the “defamation of religions.”⁵³ The proponents of these resolutions seek to ban all criticism of religion, regardless of context or setting, and the text of the resolutions endorses restrictions on the fundamental rights to freedom of religion and expression.

In short, the HRC’s performance with the U.S. as a member has been virtually indistinguishable from its previous performance without the U.S. as a member. However, one significant aspect has changed: Now the council can claim added legitimacy for its decisions and resolutions—many of which the U.S. does not support—because the U.S. supports the institution and is a member.

The council’s performance is unlikely to improve without drastic reforms to improve its membership, such as barring states with grave human rights violations from membership and requiring competitive elections. The best opportunity to implement such reforms will be at the U.N. General Assembly’s mandatory five-year review of “the status of the Council,” which is required by the resolution that created the council. The review must be conducted in 2011. To provide backing to U.S. efforts to reform the Human Rights Council, Congress should:

- **Withhold U.S. funding to the Human Rights Council until serious membership criteria are adopted.**⁵⁴ Without serious and strict membership standards, the council will continue to disappoint.⁵⁵
- **Withhold a portion of U.S. funding to the U.N. regular budget until the General Assembly ends the practice of funding the council and other U.N. human rights activities through the U.N. regular budget.** Many of these activities are worthy of support, but this practice shields bodies such as the Human Rights Council from congressional action. Discrete U.N. bodies should have independent funding to enable member states to express their support or dissatisfaction directly.

Other U.N. Organizations

The dozens of independent and semi-autonomous organizations and bodies in the U.N. system receive billions of U.S. taxpayer dollars each year. No organization is without problems, but few are without any positive elements. Too often, however, the U.S. fails to ensure that the benefits of these organizations meet their costs.

Congress should assess the merits of each organization and the extent to which it supports U.S. interests. This process should inform every authorization and appropriations decision. Congress may decide that some of them provide vital services that serve U.S. interests and those of other nations. Some of the more technical U.N. organizations perform low-key, but useful tasks. Other U.N. organizations

52. See Antoine Blua, “Rights Groups Dismayed over Libya’s Election to UN Human Rights Council,” Radio Free Europe/Radio Liberty, May 13, 2010, at <http://www.rferl.org/articleprintview/2041110.html> (January 28, 2011), and Edith M. Lederer, “UN Elects Rights Violators to Human Rights Council,” ABC News, May 13, 2010, at <http://abcnews.go.com/US/wireStory?id=10637202> (January 28, 2011). For detailed accounts of the human rights records of these individual countries, see U.S. Department of State, *2009 Country Reports on Human Rights Practices*, March 11, 2010, at <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm> (January 28, 2011).

53. Steven Groves, “Why the U.S. Should Oppose ‘Defamation of Religions’ Resolutions at the United Nations,” Heritage Foundation *Backgrounder* No. 2206, November 10, 2008, at <http://www.heritage.org/research/reports/2008/11/why-the-us-should-oppose-defamation-of-religions-resolutions-at-the-united-nations>.

54. The legislation is largely symbolic because the U.S. cannot directly withhold money from the Human Rights Council, only an equivalent amount from its contribution to the U.N. regular budget. Yet its passage signals to other countries that Congress, not just the Administration, is displeased with the “defunded” activities.

55. For suggestions on membership criteria, see Brett D. Schaefer, “Elections for U.N. Human Rights Council Underscore the Need for Reform,” Heritage Foundation *Backgrounder* No. 2417, June 2, 2010, at <http://www.heritage.org/research/reports/2010/06/elections-for-un-human-rights-council-underscore-the-need-for-reform>.

provide little benefit to justify U.S. contributions. For instance, few, if any, U.S. interests were harmed by the U.S. absence from UNESCO for two decades. Few, if any, core U.S. interests have been significantly advanced since the U.S. returned to UNESCO in 2003. The dubious merits of UNESCO membership cost U.S. taxpayers \$81 million in 2010.

Voluntarily funded organizations are generally more responsive to the concerns of the member states because they know that a member state could choose to reduce or suspend funding if it ignores the concerns raised by that country.

Congress should also keep in mind that voluntarily funded organizations are generally more responsive to the concerns of the member states because they know that a member state could choose to reduce or suspend funding if it ignores the concerns raised by that country. Organizations funded through assessed budgets are generally less responsive and, with the U.S. State Department concurring, insist that the U.S. is under a legal obligation to pay them regardless of U.S. concerns. Although Congress has ignored this argument repeatedly in the past, it carries weight. Shifting activities funded currently through assessed budgets to voluntary funding would make it easier for Congress to support the programs that it wishes and withhold funding for those it does not. Having U.N. organizations compete for funding would also contribute to efficiency and effectiveness and improve responsiveness to member state requests. With this in mind, Congress should:

- **Seek to shift funding for U.N. activities and organizations from assessed budgets to voluntary contributions.** History has shown that

reforming U.N. organizations and reducing budgets is extremely difficult through diplomatic efforts alone. Financial leverage through legislative withholding can provide the stick necessary for progress in some instances. However, this is a blunt instrument, and Congress cannot legislate every change necessary for every U.N. organization or body. Withholding can also create difficulty for the U.S. in meeting other objectives. As Ambassador John Bolton has argued, moving more U.N. organizations and activities toward voluntary funding would resolve a number of problems and enhance America's ability to fund those U.N. organizations or activities it deems worthwhile and to defund those it does not.⁵⁶

- **Insist that all U.N. organizations permit the U.S. unfettered access to all audits, internal documents, and other relevant information.** There is a troubling lack of transparency in many U.N.-affiliated organizations that impedes U.S. oversight. For instance, even though the U.S. is a major and often the largest financier of these organizations and generally sits on their executive boards, organizations such as UNDP and the World Food Program refuse to allow the U.S. full access to their internal documents.⁵⁷ This opacity impedes proper governance and oversight of the organization.
- **Reduce U.S. voluntary funding to the U.N. system.** The co-chairs of the President's National Commission on Fiscal Responsibility and Reform suggested reducing U.S. voluntary contributions to the U.N. system by 10 percent (about \$350 million) per year.⁵⁸ Congress should heed this recommendation. The amount the U.S. provides in voluntary contributions is entirely at the discretion of the U.S. However, since these funds are voluntary, why not cut

56. John R. Bolton, "The Key to Changing the United Nations System," American Enterprise Institute *Outlook* No. 2, October 2010, at <http://www.aei.org/outlook/101000> (January 28, 2011).

57. See Brett D. Schaefer and Steven Groves, "Congress Should Withhold Funds from the U.N. Development Program," Heritage Foundation *WebMemo* No. 1783, January 26, 2008, at <http://www.heritage.org/Research/Reports/2008/01/Congress-Should-Withhold-Funds-from-the-UN-Development-Program>, and George Russell, "World Food Program's 'Sunshine Policy' Falls Short, UN Oversight Panel Says," Fox News, November 11, 2010, at <http://www.foxnews.com/world/2010/11/11/world-food-programs-sunshine-policy-falls-short-oversight-panel-says/> (January 28, 2011).

58. National Commission on Fiscal Responsibility and Reform, "Co-Chairs' Proposal."

them by 25 percent or 50 percent? However, Congress should cut discriminately, rather than across the board. Organizations with management or policy problems should have their funds cut. Effective, transparent, and cooperative organizations should be rewarded.

Conclusion

Reams of reports on U.N. reform over the past decade⁵⁹ have resulted in too little action to streamline the U.N. bureaucracy, reduce expenditures, or improve oversight, transparency, and accountability. U.N. reforms endorsed by the General Assembly in the 2005 Outcome Document have lain moribund or been poorly designed, implemented, or enforced. In some cases, reforms have been reversed. Specifically, oversight and accountability have been undermined. Transparency and ethics reforms have been adopted, but fecklessly and with little enforcement. Efforts to streamline U.N. mandates have been abandoned. The Human Rights Council is no better than the commission it replaced. Peacekeeping remains troubled by misconduct and mismanagement.

The failure to reform the U.N. has resulted in a system that remains bureaucratic, costly, cumbersome, lacking in oversight, and often incapable of fulfilling the responsibilities placed upon it. These failings sully the reputation of the U.N. and call into question proposals to give the U.N. more authority

or a more central role in addressing international problems. Without fundamental reform, the problems hindering the U.N. will likely continue and expand, undermining the U.N.'s ability to support and advance U.S. interests.

Involvement by Congress in pressing for U.N. reform is entirely appropriate. The power of the purse places clear responsibility on Congress to ensure that U.S. taxpayer dollars are used prudently. History shows that paying U.S. assessments and providing voluntary funds without demanding specific changes removes a powerful leverage point for encouraging reform.

The reality is that few countries are interested in making sure that the U.N. has adequate oversight and accountability, uses its resources efficiently, and prunes activities that are outdated, duplicative, or irrelevant. Most pay the U.N. a pittance and, therefore, have nothing at stake. If the U.S. does not press this issue, no other nation is likely to step forward.

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59. Brett D. Schaefer, "Enough Reports: More Action Needed on U.N. Reform," Heritage Foundation *Backgrounder* No. 1988, December 8, 2006, at <http://www.heritage.org/research/reports/2006/12/enough-reports-more-action-needed-on-un-reform>.