

THE FUTURE OF THE UNITED NATIONS UNDER  
BAN KI-MOON

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HEARING  
BEFORE THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES

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## THE FUTURE OF THE UNITED NATIONS UNDER BAN KI-MOON

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TUESDAY, FEBRUARY 13, 2007

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:04 a.m. in Room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. The Committee on Foreign Affairs will come to order.

We are here today to talk about the future of the United Nations. To start off, I want to ask you to cast your minds ahead to 2012 and imagine a hearing that looks back on the first term of Office of Secretary-General Ban Ki-Moon. No doubt there will be successes to celebrate. But the United Nations could also fall short of its ideals in many ways, as it certainly does today. Weighing the milestones against the inevitable millstones, which way will the scale step? The answer depends on what we are here to discuss today.

As of now, the pace of U.N. reform remains excruciatingly slow. The Secretariat is hamstrung from the top down by a management structure that is, at best, obsolete. It is stuffed to the rafters with global civil servants, many of them with outdated skills. And the grouping of states still known as the Non-Aligned Movement—and I wonder what they are non-aligned against this time—has far too much sway in blocking reforms, polluting human rights mechanisms, and bashing the democratic state of Israel.

Faced with these frustrating realities, we have two ways to proceed in New York: Write the United Nations off as a lost cause, or ratchet up our diplomacy to bring about much-needed reforms. And the choice is simple. As tempting as some might find it to contemplate, we cannot abandon the United Nations.

The U.N. provides vital support to core United States foreign policy initiatives in Iraq, Iran, Afghanistan, North Korea, Sudan and a dozen other places. It manages response to transnational threats such as AIDS, avian flu, famine and refugee crisis that no nation, not even one as powerful as the United States, can tackle alone.

When we face frustrations in our efforts to transform the U.N., it is tempting to some to reach for a my-way-or-the-highway ultimatum. It is tempting to avoid the messy and tedious, behind-the-scenes work so essential to the U.N.'s efficient operation. It is tempting to threaten to cut off a share of our U.N. dues until the

management in Turtle Bay and each and every one of the 191 other states does exactly what we tell them to do.

But this approach is wrong-headed. It doesn't begin to fix the real problems we face in transforming the United Nations. Instead of playing to the crowd, trashing the U.N. and threatening to shut down its budget, we need to ratchet up a level of diplomacy there.

We need to be strong in our approach to the U.N. but savvy in how we carry out our work.

In the coming weeks and months, our committee will look at ways to enhance the ability of our career diplomats to handle themselves in New York. We will explore new training to give them better skills. We will look at incentives to change the way our best and brightest diplomats view U.N. assignments. Ultimately, we want them to see New York or Geneva as career enhancers, rather than as diplomatic backwaters.

Our committee will also look at actions we can take to encourage the State Department and the White House to be more deeply and more consistently committed to the long-term diplomatic effort to remain in the United Nations.

We will also explore actions that the Congress might take to undercut the strength of the Non-Aligned Movement.

We are delighted to have three very distinguished witnesses here to help frame this critical issue.

Senator George Mitchell, who served our country with extraordinary distinction as the majority leader of the Senate, is one of our Nation's leading experts on U.N. reform. As co-chair of the Gingrich-Mitchell task force on U.N. reform, he helped sketch out the best blueprint for transforming the United Nations that currently exists.

My friend and former congressional colleague, who also served as a distinguished Under Secretary of State, Senator Tim Wirth, directs the U.N. Foundation, the leading NGO supporting a revitalized United Nations and has made the United Nations the core of his professional work.

Ambassador John Bolton has served with great effectiveness and distinction as the most recent Permanent Representative of the United States to the United Nations.

I am convinced that our new Secretary-General, Ban Ki-Moon, with whom I had the pleasure of having dinner Saturday night—it was my seventh lengthy meeting with him—will be an ally of U.S. effort to transform the U.N. His unprompted disclosure of his own personal finances and his unflinching response to the first hints of scandal during his tenure reveal him to be a no-nonsense manager who will demand change.

He also fills Kofi Annan's shoes as a warrior against the U.N.'s sad legacy of anti-Semitism. He has already issued several statements repudiating the Iranian President's pathetic attempt to deny the historic reality of the Holocaust. And he has unequivocally condemned Palestinian suicide bombers who recently murdered innocent Israeli citizens.

These and other indicators that I have observed in my meetings with Ban Ki-Moon, including a breakfast that he had with members of this committee last month, are full of promise. It is my hope to see that that promise is fulfilled. And if in 5 years we do hold

a hearing looking back on Ban Ki-Moon's first term, I hope we will find reason to recommend a second, based on his success in implementing meaningful and lasting reforms.

It is my great pleasure now to turn to my distinguished colleague, Ranking Republican Member Ileana Ros-Lehtinen, for any comments she might want to make.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Chairman; and thank you for holding this hearing.

With significant leadership by the United States, the United Nations was founded on high ideals. The pursuit of international peace and development and the promotion of basic human rights are core historic concerns of the American people.

At its best, the U.N. can play an important role in promoting U.S. interests and international security, but reality hasn't matched the ideals. Over the past six decades, the United Nations has evolved into a sprawling, opaque bureaucracy without parallel.

In recent memory, we have endured a multibillion dollar Oil-for-Food scandal; hundreds of millions of dollars lost to waste, fraud and abuse in peacekeeping procurement; egregious sexual abuse by U.N. peacekeepers in Africa and in Haiti; millions of dollars allegedly embezzled from the World Meteorological Organization; and payments to North Korea's rogue regime for programs that the U.N. Development Program was not allowed to properly monitor.

This week, Chairman Lantos joined me in urging the Government of Cyprus to extradite Benon Sevan, the former head of U.N. Office of Iraq Program, who was indicted last month in New York for allegedly accepting \$160,000 in bribes provided by the Saddam Hussein regime. And the list goes on and on.

The graft and mischief is paid for by the working men and women of the United States. My colleague should bear in mind that the biggest benefactors of the U.N. are and always have been the American taxpayers. According to OMB, the United States paid over \$5.3 billion into the U.N. system in 2005. That is something between a quarter and a third of all U.N. system funding, significantly more than is paid for by any other nation.

We seem to be stuck in the once-in-a-decade cycle of calls for U.N. reform that lead to studies, reports and incremental changes, especially if those changes involve the creation of yet another U.N. entity or bureaucracy. But the changes do not remedy the key systemic flaws, so the cycle begins again.

The U.N.'s basic problems stem not from international politics but from human nature. If we give people the power to spend other people's money with a minimum of oversight and accountability, we should not be surprised that they do not want to give it up. That is exactly what happened with regard to the U.N. regular budget and activities that are funded by assessed dues compelled from member states.

The fact is, you can cobble together the two-thirds majority needed for important U.N. budget votes with a group of countries that, taken together, pay less than 1 percent of the total regular budget. This complete disconnect between contribution levels and management control creates extremely perverse incentives in terms of spending, transparency and accountability.

The tragedy of this situation is borne by those who stand to gain the most from an efficient U.N., the people of the developing world. They are sometimes disserved by their elite diplomats who may be more concerned about protecting cushy U.N. jobs than they are about transforming the U.N. system into an efficient organization that demands measurable results from its employees.

The situation is marginally better with U.N. programs funded by voluntary contributions such as UNICEF and UNDP, whose contributors can choose whether to fund or not fund future activities, but even there the accountability mechanisms are far below what we would expect even from private sector corporations, and grave problems remain. As we discovered in the recent UNDP North Korea scandal, the program's executive board members were not given routine access to audits or even to performance indicators.

Put bluntly, the situation is bad, worse than some of my colleagues may like to admit. I worry that raising alarms about U.S. under funding without also demanding fundamental reforms will only feed a sense of entitlement at Turtle Bay that threatens the long-term viability of the U.N. system.

Against this background, I appreciate the new Secretary-General's outspoken commitment to reform. I believe that he is an honorable public servant who perceives the need for profound changes at the United Nations. In our meetings, the Secretary-General sounded exactly the right notes about the need to remake their bureaucratic culture within the U.N. system. But, as was discovered by his predecessor whose modest reform proposals were stymied by the General Assembly, the Secretary-General simply does not have the power to impose the fundamental management reforms that are needed within that organization.

So I welcome the new Secretary-General's public commitments, and I pledge my support for his genuine reform efforts, but I believe that basic reforms will require more concerted action by major donor countries. I look forward to any suggestions that our witnesses today might like to offer along those lines.

The United Nations system is leaking money and prestige at an alarming rate, but, rather than rushing to plug the holes, countries that enjoy spending our money would rather complain that the U.S. should pay more to help bail out that sinking institution. American taxpayers have a right to demand that their hard-earned dollars do not go to line the pockets of U.N. contractors, to prop up rogue regimes like North Korea, or to pay the salaries of rapists. Until we can credibly provide such basic assurances, we should be careful about asserting that the more than \$5 billion they provide every year is not enough.

Thank you very much, Mr. Chairman; and I especially welcome our former U.S. Ambassador to the U.N., John Bolton, to our committee again. Thank you.

Chairman LANTOS. Thank you, Ms. Ileana Ros-Lehtinen.

The Chair is pleased to recognize for 3 minutes the chairman of the committee that, among others, has responsibility for the United Nations, Mr. Delahunt.

Mr. DELAHUNT. Thank you, Mr. Chairman.

These hearings are useful for both conducting desperately needed oversight of United States policy and for explaining complicated

topics, and the United Nations is certainly complicated. But one reality of the United Nations is not complicated at all; and that reality is, despite the U.N.'s many flaws, it does address issues that we, the United States, would otherwise be called on to do so. That saves us an enormous amount of blood and national treasure.

For example, a GAO report commissioned by myself and Congressman Rohrabacher found that if we replaced the current U.N. peacekeeping mission in Haiti with a United States force, it would cost the American taxpayers eight times as much as the United Nations does the job for. And there is no doubt that we would have been compelled to intervene in the aftermath of the departure of President Aristide from Haiti to avoid bloodshed on a massive, horrific level.

Clearly, the United Nations has its share of dysfunction, but we should recognize that the roots of the problems at the U.N. are the inherent limitations of an organization whose every decision depends on the collective action of sovereign states with their own interests and ambitions. The United Nations can bring states together, but it cannot make decisions for them.

As Richard Holbrooke often says, blaming the U.N. for the world's problems is like blaming Madison Square Garden for a poor New York Knicks outing. We noticed this in our review of the Oil-for-Food Program, where all of the permanent members of the Security Council, including the United States, simply ignored the so-called trade protocols which generated in excess of \$8 billion of illicit revenue for the regime of Saddam Hussein.

There has been a change in attitude, and I welcome that, toward the United Nations by the Bush administration. To quote President Bush—these are his words:

“One thing that my European friends have taught me is that the United Nations is an important body in order to be able to convince parliaments of hard work that needs to be done.”

The reality is that we in Congress should promote the U.N. reform without demonizing the institution or undercutting the American position there. Because again, as President Bush states—and these are his words once more:

“I have come to realize that other countries depend on the United Nations, and I respect that a lot. So there is an area, for example, where I have been taught a lesson by my allies and friends.”

I look forward to hearing from this distinguished panel, Mr. Chairman. I yield back.

Chairman LANTOS. Thank you very much.

Every member who wishes now will have a minute to make an opening statement.

Mr. Berman.

Mr. Payne.

Mr. PAYNE. Let me just commend Mr. Chair for calling this very important hearing, and I think that we have a very distinguished group. I have had the opportunity to work with all of them.

I, for one, feel that the United Nations is a very valuable asset, and I also would like to see the scandals end. However, I, too,

would like to see some oversight in Iraq. Because if you want to see some scandalous spending and waste and abuse, once we do those audits, I think it is going to be shocking to the American people. So there is enough blame to go around.

Chairman LANTOS. Thank you.

Mr. Fortuño.

Mr. Sherman.

Mr. SHERMAN. Thank you.

It is hard to explain to my constituents why we have an equal vote at the U.N. with China, which I guess is right, but we have to pay dozens of times as much dues as China. But our position in the world is so incredibly weak now that now is not the time to change that. Israel ought to be able to join the Europe and others section of the U.N. and have an equal vote, chance with other members to affect the Security Council.

I don't buy into the idea that the U.N. is doing us a tremendous favor every time it does peacekeeping anywhere in the world and otherwise that would be our responsibility. To view it that way is to say that America is the only world policeman and that anytime anybody does anything good in the world, that is a special gift to us. The Knicks may play poorly, but I don't have to buy season tickets.

Yield back.

Chairman LANTOS. Ms. Woolsey.

Mr. DELAHUNT. Just be there for the playoffs.

Ms. WOOLSEY. Thank you, Mr. Chairman; and thank you for this important hearing.

As a U.N. supporter, a real U.N. supporter, even I would not say the United Nations is a perfect organization. But we cannot discount its importance. The promotion of peace over conflict, fairness over injustice, and safety over insecurity are all part of the U.N.'s legacy.

I enjoyed meeting the Secretary-General and am very hopeful for his tenure, and I also have great respect for this panel and the experience you each bring. So I look forward to this hearing.

Thank you.

Chairman LANTOS. Thank you.

We will begin with Senator Mitchell. It is an extraordinary pleasure, Senator Mitchell, to welcome you to the House Foreign Affairs Committee. You have an extraordinarily distinguished public record, much of it focused in the field of international affairs, and we are looking forward to your wisdom.

**STATEMENT OF THE HONORABLE GEORGE MITCHELL,  
FORMER UNITED STATES SENATOR FROM THE STATE OF  
MAINE**

Mr. MITCHELL. Thank you, Mr. Chairman, Congresswoman Ros-Lehtinen and distinguished members of the committee. It is an honor to be with you this morning.

As you know, I served as co-chairman with former Speaker Newt Gingrich of a bipartisan task force on the United Nations which was created by the last Congress. The members of that task force, like its co-chairmen, represented a wide range of views.

It was noteworthy that, even at a challenging time for the U.N., a bipartisan group was able to reach common ground on the subject of U.N. reform and the role of the United Nations in American foreign policy. The principal finding of the task force was, and I quote: "The firm belief that an effective United Nations is in America's interests."

An effective U.N. can serve the interests of the American people well, not because the U.N. is the exclusive international option for the United States, it is not, but because the U.N. can serve as a valuable instrument for promoting democratic political development, human rights, economic self-sufficiency, and the peaceful settlement of disputes.

It can play important roles that coincide with and support American foreign policy interests, goals and values. These include the legitimacy that can be conferred by the decisions of a universal organization; the unique capacity and special expertise to achieve humanitarian aims, which the U.N. has developed over a number of years; and the ability to step in or to mediate conflicts or broker disputes when a state may not be able to do so as effectively.

The United States has looked to the United Nations for such assistance many times, including in recent months and years: The response to the tsunami in 2004; stabilizing and rebuilding Afghanistan; the Security Council resolution on Iran in December. Just last month, in his State of the Union Address, the President noted that the United States and multinational forces in Iraq operate "under a mandate from the United Nations."

While the American public's support for the ideals of the U.N. charter has historically been strong, the institution's credibility has suffered because of the inadequate performance of some U.N. bodies including, among others, the General Assembly and the now-defunct Human Rights Commission. The institution has been challenged to adapt to different dangers and demands than those anticipated at its founding: The problem of weak and fragile states; catastrophic terrorism; the need for effective action to prevent genocide; the promotion of democracy; the enduring poverty and lack of opportunity for the half of the world which subsists on under \$2 a day. There is also a much greater need for accountability, for transparency and for efficiency that is suited to the U.N.'s current mission and the shift from a convener of meetings to a coordinator of action.

Those seeking reforms at the U.N. must keep in mind that it is a body composed of individual nation states. Too often, some member states find it convenient to lay the blame for failures solely on the U.N. in cases where they themselves have blocked or opposed action by the U.N.

That said, far-reaching reforms are necessary for the effective operation of the institution; and that reform is necessary on two levels: First, institutional, without which other goals will be much more difficult to implement. Management systems common throughout the world in public and private institutions have been lacking in U.N. agencies and bodies, including failures and gaps in oversight, in management, in budget, and in personnel systems.

There has been some progress in some of these areas, including an agreement in principle to establish an independent audit advi-

sory committee with system-wide oversight authority and capacity, enhanced financial disclosure requirements for senior U.N. staff and new protections for whistle-blowers. Ban Ki-Moon has led by example by publicly releasing his own financial disclosure forms and acting quickly after reports surfaced about possible irregularities in the United Nations Development Programme in North Korea.

However, U.N. reform is a process, not an event, and there is much, much more that needs to be done. The list of needed reforms is long and certainly includes the proposal to create the independent audit advisory committee which has been agreed but not yet implemented. The Secretary-General has been formally granted some greater degree of management flexibility. But, as a practical matter, it is still difficult to move money within the Secretary's budget from one program to another to address emergencies, and he faces resistance when he tries to use his authority to move people within the Secretariat.

The effort to bring about institutional reform of the U.N. has become a controversial proposition. Some member states have chosen to interpret reform as a power grab by the most prosperous nations, including the United States. Overcoming such resistance will be difficult and will require consistent American leadership and diplomacy.

On an operational level, the U.N. must reform if it is to meet today's challenges and the goals articulated in its own charter. Nowhere is this more necessary than in crafting effective strategies for preventing and halting genocide, mass killing and major human rights abuses and in efforts to prevent and end deadly conflicts. The American people will strongly support a United Nations that is effective in these areas but will not be favorably disposed through an institution that is not. The recent record is uneven. Let me highlight three areas: The principle of humanitarian protection, human rights and peacekeeping.

The congressional task force on the U.N. called on the U.S. Government and the U.N. to—and I quote—“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, with the support of the United States, clearly endorsed this principle in September, 2005. It is important now that the United Nations work to convert these words into a program of action. To that end, Secretary-General Ban has said that his reform program will include an effort to—and I quote—“operationalize the responsibility to protect.” We should strongly support and encourage that effort.

Unfortunately, the Human Rights Council has not been a major improvement over the Human Rights Commission that preceded it. The hope was for the creation of a body, ideally consisting of democracies, committed to upholding and promoting the highest standards in human rights, to replace its tainted and discredited predecessor. Some of the most egregious violators of human rights are not members of the new body, and a majority are members of the Communities of Democracies. But the composition of the Council is far from ideal, and their record to date shows that the democ-

racies serving on the Council have not worked with one another to coordinate positions, allowing other better-organized blocks of states, including non-aligned members, to shape the agenda.

As a consequence, the work of the Council in the first year has largely failed to address the most serious human rights abuses occurring in the world. The Council, for example, has been silent on North Korea, on Burma, on Cuba. Just four country-specific resolutions have passed in special sessions to date. Three condemn Israel and one resolution on Darfur passed in December after intensive effort by the democracies on and off the Council, including the United States, which played a constructive role despite the fact that it is not a member.

That record is, to say the least, not encouraging. With the right effort, however, the United States, working with other democracies, can encourage and move the Council toward more useful outcomes. Ideally, in my view, the United States will run and be elected to serve as a full member of the Council. Whether or not it does so, the administration should appoint a special envoy to the Human Rights Council to ensure that American interests and values are vigorously promoted and protected.

U.N. peacekeeping is now experiencing an unprecedented increase in operations. Unfortunately, however, the U.N. continues to lack the capability to deploy troops for operations authorized by the Security Council when it matters the most.

In light of the current high demand for U.N. peacekeepers and United States support for peacekeeping deployments in Darfur and elsewhere, the time may be right to consider steps to substantially increase the availability of capable designated forces properly trained and equipped for rapid deployment to peace operations on a voluntary basis.

Mr. Chairman, this was covered in great detail in our task force's report. I will not restate it here, but I refer interested members to that report.

With respect to current peacekeeping operations, I personally support the administration's request to enact legislation without further conditions to permit the United States to pay the full amount it is billed by the U.N. for peacekeeping assessments.

Let me conclude, Mr. Chairman, with just a comment on the American role. The challenges and problems faced by the United States cannot be successfully addressed without effective leadership by the United States. That is just plain reality. This will require bipartisanship in our approach to the organization. Divisions between and within the parties will hamper any serious effort to bring about reform, and the executive and legislative branches must be jointly involved and equally committed to the reform effort. I recognize that we value competition and vigorous debate, but, to the extent possible, a unified American position toward the United Nations will be helpful in gaining our objectives and our goals.

Mr. Chairman, I had a lengthier written statement. I ask that it be submitted for the record.

In the interest of time, I conclude my comments now.

Chairman LANTOS. Without objection. Thank you very much, Senator Mitchell, for your very thoughtful and very valuable observations.

[The prepared statement of Mr. Mitchell follows:]

PREPARED STATEMENT OF THE HONORABLE GEORGE MITCHELL, FORMER UNITED STATES SENATOR FROM THE STATE OF MAINE

Chairman Lantos, Congresswoman Ros-Lehtinen, distinguished members of the Committee on Foreign Affairs. It is an honor to testify before you this morning on the subject of the future of the United Nations.

As you know, I served as co-chairman, with former Speaker Newt Gingrich, of a Task Force on the United Nations created by the last Congress. The members of that task force, like its co-chairmen, represented a wide range of perspectives. Our task force reported at a time when disapproval of the United Nations in the United States was at a high point, in the aftermath of division among members of the Security Council over Iraq, and revelations about mismanagement at various bodies in the United Nations.

It was therefore noteworthy that, even at that challenging time, a bipartisan group that represented a wide range of views was able to reach common ground on the subject of UN reform and the role of the United Nations in American foreign policy. During my testimony, I will address issues on which I believe the United Nations has made progress since that time. I also will address issues on which progress at the United Nations is still wanting.

But I begin by recalling the principal finding of the task force report to the last Congress, a shared conviction that I believe to be even more important as a new Secretary General takes office. It is, and I quote from the task force report, "The firm belief that an effective United Nations is in America's interests."

Americans have long hoped and wanted the United Nations to play a major role in pursuit of a better world. As important stakeholders in the institution, Americans are vested in a United Nations that embodies our values and can advance our interests. An effective UN can serve the American people well, not because the United Nations is the exclusive international option for the United States—it is not—but because the UN can serve as a valuable instrument for promoting democratic political development, human rights, economic self sufficiency and the peaceful settlement of disputes.

From the perspective of the U.S. government, the United Nations can play a number of important roles that support American foreign policy interests, goals, and values. These include the legitimacy that can be conferred by the decisions of a universal organization; the unique capacity and special expertise to achieve humanitarian aims, which the UN has developed over a period of years; and the ability to step in or to mediate conflicts or broker disputes when a state may not be able to do so as effectively.

The United States has looked to the United Nations for assistance in many such instances in recent months and years. After the 2004 Indian Ocean tsunami, the UN coordinated international donations and oversaw wide-ranging relief and recovery activities in eleven countries—from providing emergency food and shelter to developing a regional early warning system. Following the U.S. operation in Afghanistan, the UN oversaw the creation of a transitional government, authorized the multinational International Security Assistance Force, and took the lead in coordinating development and reconstruction activities throughout the country. Last December, the Security Council approved a resolution sponsored by the United States and Europe to try to persuade Iran to suspend its nuclear weapons activities.

Even on Iraq, the issue which drove the Security Council to the breaking point in March 2003, the United States sought assistance from the United Nations at critical moments, requesting, in February 2004, assistance in creating an interim government and in planning the first national assembly elections, held in January 2005. Last month in his State of the Union address, the President noted that U.S. and multinational forces in Iraq operate "under a mandate from the United Nations."

While the American public's support for the ideals of the UN Charter has historically been strong, the institution's credibility has suffered over time because of the performance of certain UN bodies, including, at times, the General Assembly, the now defunct Human Rights Commission, and at highly publicized meetings where anti-democratic interests prevailed. In addition, the institution has been challenged to adapt to dramatically different dangers and demands than those anticipated at its founding: the problem of weak and fragile states; catastrophic terrorism; the

need for effective action to prevent genocide; the promotion of democracy; and enduring poverty and lack of opportunity for the half of the world which subsists on under two dollars a day. In some cases, UN bodies and institutions lack authority or effective machinery to deal with these dangers and challenges. There is also a need for much greater accountability, transparency, and efficiency that is suited to the shift in the UN's mission, from convener of meetings to coordinator of action.

Those seeking reforms at the United Nations must keep in mind that the United Nations is a body composed of individual nation states. Regrettably, too often member states have found it convenient to lay the blame for failures solely on the United Nations in cases where they themselves have blocked or opposed action by the United Nations. As Ambassador Bolton testified before this committee while serving as America's permanent representative to the UN mission, "While it is easy to blame the UN as an institution for some of the problems we confront today, we must recognize that ultimately it is member states that must take action, and therefore bear responsibility."

That said, far-reaching reforms are necessary for the effective operation of the institution. Without fundamental reform, the United Nations' reputation will suffer, reinforcing incentives to bypass the UN in favor of other institutions, other coalitions, or self help.

Reform of the United Nations is necessary on two levels. The first is institutional reform, without which other goals of the United Nations will be much more difficult to implement.

In this regard, America's interest in reforming the UN takes place at a time of growing consensus on the need for change within the institution. The new Secretary General, Ban Ki-moon, has made management reform one of his top priorities. Secretary General Ban's appointment also follows the release of a number of reports, from inside and outside the UN, which identifies a range of concerns, and makes recommendations for improvements.

What these reports have established is that management systems common throughout the world in public and private institutions have been lacking in a number of UN agencies and bodies, including gaps in oversight, management, budget, and personnel systems. The task force on which I served identified five areas in which management reforms are necessary. Over the last eighteen months there has been a measure of progress in several of these areas. These include:

- Agreement, in principle, to establish an independent audit advisory committee with system-wide oversight authority and capacity;
- Enhanced financial disclosure requirements for senior UN staff, and new protections for whistleblowers; enactment of a unified code of conduct on sexual abuse and misconduct; and the creation of confidential channels for reporting abuse for all peacekeeping missions;
- Ban Ki-moon has led by example by publicly releasing his own financial disclosure forms. He also acted quickly after reports surfaced about possible irregularities in the UN Development Program in North Korea, and has called for an external audit of UN activities around the globe, beginning with the UNDP program in Pyongyang;
- Secretary General Ban has also taken a number of encouraging steps to support professional development at the UN, including inviting career staff to apply for senior positions normally held for political appointments; and pursuing a plan that would permit and encourage UN officials to move from the Secretariat in New York into the field and back.

UN reform, however, is a process, not an event, and there is much more that needs to be done. The list of needed reforms includes:

- The proposal to create an independent audit advisory committee has been agreed, but not yet implemented;
- The Secretary General has been formally granted a greater degree of management flexibility. As a practical matter, however, it is still difficult for the Secretary General to move money within the Secretariat's budget from one program to another to address emergencies, and he faces resistance when he tries to use his formal authority to move people from one office to another within the Secretariat;
- The General Assembly agreed at the World Summit in September 2005 to review all of its mandates older than five years. This review is under way, but progress has been slow.

- There is resistance to the idea of identifying operational programs that may be more efficiently managed if they were funded entirely by voluntary contributions.

More broadly, the effort to bring about institutional reform of the UN has become a controversial proposition. Some member states have chosen to interpret reform as a power grab by the most prosperous nations, including the United States. Overcoming such resistance will be difficult and will require consistent American leadership and diplomacy.

On an operational level, the United Nations must reform in order to meet today's challenges and the goals articulated in its Charter. Management reform needs to be connected to a clear set of mandates for the organization that corresponds to the world's expectations for the institution. Nowhere is this more necessary than in crafting effective strategies for preventing and halting genocide, mass killing, and major human rights abuses, and in efforts to prevent and end deadly conflicts. The American people will strongly support a United Nations that is more effective in these areas, but will not be favorably disposed to an institution that is not. The record of the past eighteen months is uneven. Let me highlight three areas of special significance: the principle of humanitarian protection, human rights, and peacekeeping.

#### *The Responsibility to Protect*

The congressional task force on the United Nations called on the U.S. government and the UN 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, with the support of the United States, clearly endorsed this principle in September 2005. The adoption of the responsibility to protect is a very significant step in light of past international resistance to any provision that would seem to endorse interference in a state's "sovereign internal affairs." It is important now that the United Nations work to convert these words into a program of action. To that end, Secretary General Ban has said his reform program will include an effort to "operationalize" the responsibility to protect. I strongly support and encourage that effort.

#### *Human Rights*

Unfortunately, the Human Rights Council has not been a major improvement over the Human Rights Commission that preceded it. The hope was for the creation of a body, ideally consisting of democracies, committed to upholding and promoting the highest standards in human rights, to replace its tainted predecessor. New voting procedures were adopted for the Council and, although imperfect, they dissuaded some states from seeking seats on the Council. As a result, some of the most egregious violators of human rights are not members of the new body, and a majority are members of the Community of Democracies. But the composition of the Council is far from ideal, and the record to date shows that the democracies serving on the Council have not worked with one another to coordinate positions, allowing other better-organized blocs of states, including the non-aligned members, to shape the agenda.

As a consequence, the work of the Council in its first year has largely failed to address the most serious human rights abuses occurring in the world. The Council has been silent, for example, on North Korea, Burma, and Cuba. Just four country-specific resolutions have passed to date. The first three condemned Israel. A resolution on Darfur passed in December, after intensive effort by the democracies on and off the Council, including the United States, which played a constructive role despite the fact that it is not a member.

This record is not encouraging. With the right effort, however, the United States working with other democracies can encourage the Council toward more useful outcomes. Concerted leadership by the United States in helping to unify action by the world's democracies is needed to make the Human Rights Council a more effective body. Ideally, the United States will run and be elected to serve as full member of the Council. Whether or not the United States serves as a member, however, the administration should appoint a special envoy to the Human Rights Council to ensure that Washington's interests and values are vigorously promoted.

#### *Peacekeeping*

UN peacekeeping is now experiencing an unprecedented peak in operations, with the number of blue helmets likely to reach 100,000 this year. Only the United States has more troops deployed overseas. Unfortunately, however, the United Nations continues to lack a capability to deploy troops for operations authorized by the Security Council when it matters most. Last summer the deployment of troops to

the expanded peacekeeping operation in southern Lebanon was put in jeopardy because of an initial lack of troops. Today, it is unclear where troops would come from for a proposed peacekeeping force for Darfur.

In his State of the Union Address, President Bush proposed the establishment of a voluntary reserve of civilians that could be deployed to peacekeeping and other operations. I encourage the administration to develop and promote this proposal. In light of the current high demand for UN peacekeepers, and U.S. support for peacekeeping deployments in Darfur and elsewhere, the time may be right to consider steps to increase substantially the availability of capable, designated forces, properly trained and equipped for rapid deployment to peace operations on a voluntary basis. The President's concept for a voluntary civilian reserve may provide a model. Troops could be earmarked by countries to be available for rapid deployment to operations authorized by the Security Council, subject to the national decisions of each country. Forces could be trained to UN standards and exercise with one another.

With respect to current peacekeeping operations, I support the administration's request to enact legislation without further conditions to permit the United States to pay the full amount it is billed by the United Nations for peacekeeping assessments. The existing cap that limits U.S. payments to 25 percent of the total peacekeeping bill is a remnant of another era, and the significant and growing debt to UN peacekeeping that accrues as a result undercuts U.S. efforts in the push for reform. Lifting the cap would also support Ban Ki-moon, who last month asked the administration and Congress to resolve the issue.

In the past, the United States used withholding to change the structure of UN dues. It was a money-only issue. There has been, ever since, an unresolved debate as to whether and, if so, how much withholding dues actually helped in that effort. The number and complexity of the structural and policy reforms now needed are different and more complex, so the negative consequences to the United States of withholding payments to bring about these reforms would outweigh any benefits.

#### *Leadership*

Concerted leadership by the United States in helping unify action by the world's democracies is needed to make the United Nations more effective in meeting the challenges of today's world. Implementing true reform will require a 365-day-a-year effort to win key arguments and to organize a broad coalition of democracies who agree that the future of international institutions depends on adopting reforms that implement the highest standards of honesty, accountability, and transparency.

Today democracies and countries moving toward democracy make up an increasing share of the 192 UN member states. However, democracies are not organized to cooperate effectively at the United Nations. It is a particular problem when Europe and the United States do not work closely together. Transatlantic frictions and division create opportunities for those opposed to change to thwart progress at the United Nations. The opposite is also true. When Europe and the United States work together, they can achieve significant progress, as they did in successfully overcoming opposition to a Security Council resolution on Iran last fall and winter.

The challenges and problems faced by the United Nations cannot be successfully addressed without leadership by the United States. This will also require bipartisanship in our approach to the organization. Divisions between and within the parties will hamper any serious U.S. effort to bring about reform. The executive and legislative branches must be jointly involved and equally committed to reform efforts. To the extent possible, there should be a unified American position toward the United Nations.

Chairman LANTOS. Senator Wirth.

#### **STATEMENT OF THE HONORABLE TIM WIRTH, FORMER UNITED STATES SENATOR FROM THE STATE OF COLORADO**

Mr. WIRTH. Thank you very much, Mr. Chairman. It is a delight to be here and to be back with so many old friends in a very familiar room.

If I might, Mr. Chairman, I have a full statement which I would hope to have included in the record.

Chairman LANTOS. Without objection.

Mr. WIRTH. I would like to associate myself with the remarks of Senator Mitchell; and, rather than repeating those and knowing that you, Mr. Chairman, like short hearings, let me just informally

go to the challenge that you gave to all of us: Think about what would be the measures of success for this Secretary-General in 5 years. And let me, if I might, list 10. I have just been sitting here listening to this and thinking about it.

First of all, redoing and strengthening the relationship with the United States. As Senator Mitchell said in his closing comments, this is indispensable for the United Nations. The United Nations is so valuable for the United States. Strengthening this relationship—I think Secretary-General Ban is off to a very good start: His sessions at the White House, his meetings with the Congress and that very good humor which stands him in very good stead in this extremely complicated job. I think this is one relationship which he understands—and you know, he was our choice. After all, we pushed very hard for him to be in office, and I think that he is delivering on his promises.

The second test will be modernizing the U.N. There has been much discussion about this this morning, and there will be more. That certainly started right as well with Secretary-General Ban and his financial disclosure, much applauded and a very important thing to do, strengthening the audit operations, the independent oversight services. The mandate review process has got to be launched again, and I think it is about to be—I think in March it will be. The new Secretary-General has been very much supportive of that.

And, finally, reforms within the peacekeeping operation, I think that he has got it just right, and the fact that we have got to make sure that the people running peacekeeping not only have the responsibility for peacekeeping but have the authority in areas of budget, in areas of personnel, and areas of procurement which, if you look at the organizational chart, they do not have this authority today, and to carry this out we are asking more and more and more of the U.N. This is another essential part of the reform process.

Third, that Ban maintain the position and strengthen the position raised by both you and the ranking member of settling the issues in the Middle East. The U.N. is an important player in all of this.

The Secretary-General was here last week in a meeting called by this administration, the Quartet working on this issue, and again an important beginning and demonstrating that he—I believe has his priorities right.

Fourth, strengthening the nonproliferation regime. Secretary Annan warned us that we were sleepwalking toward disaster, his terminology. There is much to be done to strengthen the nonproliferation regime. Your legislation related to a fuel bank proposal is certainly a step in the right direction, one of a number that have to be passed and incorporated, it seems to me.

Fifth, operationalizing the duty to protect, which the new Secretary-General has spoken about. No place is that clearer and more important than in Darfur, where there is much rhetoric about the duty to protect. But the ability to actually operationalize what we mean and move beyond the resistance of a few mad political people, you know, is going to be a major political challenge for the U.N. and one that I believe he can lead well.

Sixth, redefining the role of energy and climate at the U.N. There is probably no single more complicated diplomatic challenge than the one of understanding that we are going to be living in a carbon-constrained environment. The key issue is, how do we allocate the right to pollute? How much do the developed countries get? How much do China, India, Brazil and so on get? That is going to be an extremely difficult negotiation. It is going to demand the best kind of diplomacy; and that will be I think a measure of Ban's 5 years.

Eighth, joining the U.N.'s human rights machinery. Senator Mitchell spoke very eloquently about that. It is very important. I believe that the United States should re-engage once again. At least we can begin by having a full representative who spends full time working on the Human Rights Council. If we are not going to rejoin the new Council ourselves, at least we must put a high-ranking person to work on the Council.

Ninth, granting full rights for Israel. We made a good beginning under Secretary-General Annan and Israel joining the Western European and Other Group. That has to happen in Geneva, and there are other rights and responsibilities that the Government of Israel certainly deserves and should be granted.

Finally, Mr. Chairman, an issue which you have been very eloquent on as well, the budget issue of making sure the United States pays on time and pays our full obligations to the U.N. Under the current budget as submitted, it looks like we are headed toward a deficit of something in the neighborhood of \$750 million this year alone. Add to that the long-term structural deficit from peacekeeping and we are probably well over \$1 billion. You know, this is not a position for a nation to be in when we are asking the U.N. to undertake so many responsibilities. The U.N. is undertaking so many areas not only in peacekeeping but in terms of the public health, in terms of feeding, in terms of refugee programs. We are asking the U.N. to do all kinds of things. It is a bargain for us, and we ought to pay on time in full.

Those are the 10 points that I think ought to be included in his measure of success, Mr. Chairman. I am sure you will be keeping those in mind; and I know that in 5 years you will have Mr. Ban Ki-Moon in your back room saying, "Where are we now, Mr. Secretary-General?"

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Wirth follows:]

PREPARED STATEMENT OF THE HONORABLE TIM WIRTH, FORMER UNITED STATES  
SENATOR FROM THE STATE OF COLORADO

A GOLDEN OPPORTUNITY: THE U.S.-UN RELATIONSHIP

Thank you, Mr. Chairman and greetings to the members of the Committee. It is a privilege to be with you today and to participate on this panel with such distinguished colleagues. Senator Mitchell's leadership of our country and around the world is well known and he is respected here and internationally for not only the content, but also the tenor of his wisdom. I also want to take this opportunity to thank Ambassador Bolton for his recently completed service as Permanent Representative of the United States to the United Nations. He was a tireless and plainspoken representative of the Administration, and few U.S. Ambassadors have been as knowledgeable about the intricacies of the UN or worked as hard as Ambassador Bolton.

Today's hearing comes at a time of great challenge and opportunity for the world.

In the United States and around the globe, there is a pervasive sense that the world is stuck. On the economic front, trade talks and the fight to eradicate poverty are stuck. On the security front, the international community has not forged the will necessary to give meaning to the recently agreed “responsibility to protect,” and, therefore, genocide continues to unfold in Darfur. The search for peace in the Middle East is stuck, and the situation in Iraq is central to this condition. Global non-proliferation efforts are stuck. And efforts to address perhaps the greatest long-term challenge, global climate change, are similarly bogged down.

Overall, it seems fair to observe that there is little sense of common purpose around the world. In fact, the reality is that misunderstandings among countries and cultures appear to be growing.

But within these challenges and complexities lie great opportunities for the United States—this Administration and this Congress—to find common ground and to forge common cause with the international community. Especially by working with and helping to lead the United Nations, our nation has the opportunity to lead the world in addressing forthrightly, fairly and without fear the great global challenges of the 21st century.

Let me begin, Mr. Chairman, by noting that the planets are lining up for something of a “multilateral moment.” Every day, it is more and more apparent that the great global challenges of the 21st century—from terrorism and proliferation to climate change and poverty—require international cooperation. Even if one wanted to pay all the bills or take all the risks, these cross-cutting global issues demonstrate that no single government and no single sector is capable of solving these challenges alone. There must be a global partnership—public and private, North and South. New global partnerships can help to clear the path to a more peaceful, prosperous and just world in the 21st century.

The rationale for global partnerships and working through the United Nations is three-fold: burdensharing, effectiveness and reputation.

*Burdensharing:* It is far cheaper for the United States and other nations to share the costs and burdens of international security than it is to go it alone. Most U.S. taxpayer dollars spent through the United Nations and other major multilateral institutions are leveraged three-fold or more. So when the U.S. puts 25 cents towards a UN project, the rest of the world generally adds in 75 cents. For example, when Representatives Rohrbacher and Delahunt asked the Government Accountability Office to do a cost comparison of U.S.- and UN-led peacekeeping, the GAO found that UN peacekeeping was at least eight times less expensive than fielding American forces. So using UN peacekeeping costs eight times less—and keeps American soldiers out of harms way. Similar multipliers are found in refugee assistance, global health, food assistance and disaster relief. Cooperation with the UN is a bargain.

*Effective Problem-Solving:* The efficacy of international cooperation is a second rationale: the challenges faced by the United States and the world today simply cannot be addressed solely by the United States or any other nation.

- We can’t fully succeed in combating terrorism without a global effort.
- The global effort to eliminate poverty and reach the Millennium Development Goals will never be successful without broad public and private efforts or without effective global norms and institutions.
- The urgency of climate change demands a global effort of unprecedented diplomacy and economic cooperation. It doesn’t matter if carbon is emitted in Denver or Delhi; we all bake together and we are all going to have to solve it together and we have lost a decade.
- The instruments for managing nuclear proliferation need to be renewed and strengthened. Our neglect of decades of cooperative work has helped to speed the erosion of global cooperation and trust. We need to reverse course and return to broad and trusting cooperation.

*Public Diplomacy:* Third, at a time when every measure shows that global opinion of the U.S. has been flagging, getting our relationship right with the UN would contribute substantially to the improved status of the United States worldwide. A recent poll by the BBC across 25 countries found that nearly one person in two (49%) feels the U.S. is playing a mainly negative role in the world. The UN is the world’s stage, and our priorities and actions at the UN—whether we pay our dues or listen carefully to the views of others—have real consequence. Fulfilling our financial commitments to the UN and making every effort to play a constructive role there will go a long way toward alleviating any misunderstandings about the U.S. as an example of compassion and tolerance, justice and freedom, peace and cooperation.

On January 1, Ban Ki-moon became Secretary-General of the UN. A product of the South Korean success story and inspired in part by President Kennedy, Mr. Ban

brings a fresh perspective to the UN. Selected with the support of the United States and with the unanimous endorsement of the membership of the UN, the new Secretary-General has identified the right priorities for the first leg of his tenure:

- restoring a spirit of cooperation among the UN member states,
- encouraging peace in the Middle East,
- curtailing proliferation of weapons of mass destruction in places like North Korea and Iran,
- stopping the genocide in Darfur,
- breaking the logjam surrounding UN reform efforts, and
- engaging the UN more aggressively in the issues of energy and climate.

The new Secretary-General has also clearly signaled his understanding of the importance of a strong, productive relationship between the UN and its largest financial contributor, the United States. His first steps have been impressive and sophisticated.

- his early and productive engagement with President Bush, senior Administration officials and the leadership of Congress and this Committee;
- his appointment last week of an American to the post of Under-Secretary-General for Political Affairs, the position once held by the great American Ralph Bunche;
- his fast and forthright response to the U.S. request for investigation of certain activities in North Korea;
- his precedent-setting move to make his financial disclosure statement public; and
- his commitment to acting swiftly and decisively on UN reorganization and reform, including the strong management controls and practices that have been a priority agenda item for the United States.

These initiatives can be solidified by the quick confirmation and arrival of Ambassador Khalilzad as the U.S. Permanent Representative at the UN.

Finally, Mr. Chairman, this Congress is starting anew and with many new Members bringing a fresh perspective to international affairs. In this regard, I note your gracious reception of the new Secretary-General here in Washington last month and efforts to introduce him to policy, business and civic leaders in the Capitol.

With this background, it is fair to ask what we all need to do to help reach the promise of a strengthened global partnership between the United States and the United Nations. Americans know the UN can do better. But extensive public opinion polling over the last fifty years shows that the vast majority of Americans

- Value the UN,
- They want to share our burdens,
- They want a stronger and more effective UN,
- And they want the U.S. and the UN to cooperate together in solving the world's problems.

While this relationship has had its ups and downs, and while the UN often doesn't tell its story very well and is a juicy target for political attack, again most Americans are supportive and hopeful about the UN, with good cause:

- The list of UN accomplishments is long, and the record that I have attached to my testimony is strong, mostly little understood, but reflective of what the U.S. and the UN have done together.
- The vast majority of the UN's dedicated workforce (some 63,450 people worldwide in the UN system, less than the United States' Department of Education or the workforce of the Coca Cola Company) are working around the world to help feed, shelter, educate, and immunize people in abject need. A few may have parking tickets, but most aren't even in places with street lights or parking meters.
- The UN's peacekeeping missions (which have grown to include some 100,000 troops) now bring a collective armed force—second in size only to the U.S.—to some of the most conflict ridden places in the world, places where we have a stake, but don't want to go. The cost of all 18 of these critical, life-saving missions is less than the transportation budget for the State of Virginia—and the cost to the United States is only one quarter of that.
- In some 60 countries, UN staff are helping nations develop democratic systems of governance, from the elections in Iraq, to building an impressive and

lasting governing coalition in Afghanistan, stabilizing fragile conditions in many West African countries, and holding steady the Haitian challenge right off our shores. We want them to succeed, and they are accepted by and have more legitimacy to work with nascent governments than the United States or any other government could muster alone.

As I said before, the UN is not always good at telling its own story. And of course it isn't perfect—no bureaucracy is. But the UN is not the caricature—the dysfunctional, bloated or corrupt institution—that its most shrill opponents depict. Even the complex Oil-for-Food issue was distorted and blown out of proportion. The truth is that the UN's record of accomplishment dwarfs—yes, dwarfs—its blemishes. And the truth is that key international affairs objectives of the United States have been advanced through the UN.

All of this background, Mr. Chairman, may help to illuminate the importance of the next steps that the U.S. can and must take. Together, the Administration and the Congress have an opportunity to strengthen—rapidly and effectively—the UN as an institution and the important U.S.-UN relationship. Everyone will benefit.

I think the agenda for action has at least 10 points that deserve attention:

1. *Rebuild Trust.* Above all else, Mr. Chairman, I would argue that the new Secretary-General has it right—that the central challenge is one of rebuilding a spirit of partnership and trust at the United Nations. None of the opportunities related to UN reforms and international cooperation are going to happen unless we can collectively create an environment of trust. This must be the top priority. I am happy to sense a potential change in tenor on the part of American political leaders towards this essential institution.
2. *Reform.* Second, is the reform agenda. The United States Institute of Peace (or Gingrich-Mitchell) report has underscored the importance of the UN and the importance of change and reform so that the UN has the appropriate systems and structures in place to handle the demands of the 21st century. Secretary-General Kofi Annan and the U.S. government were determined to enact a substantial number of management reforms at the UN last year and some significant progress was made.
  - Additional resources were provided for UN oversight;
  - The General Assembly passed plans to improve UN financial tracking and information technology systems;
  - New ethics and financial disclosure regulations were established;
  - A Central Emergency Response Fund, Peacebuilding Commission, and Democracy Fund were created;
  - The old Human Rights Commission was abolished and replaced by a new Human Rights Council—which for the first time requires nations to run UN-wide to get admission onto a UN human rights body; and
  - Finally and largely unnoticed in the press, the United Nations has been pressing ahead with a plan to streamline and consolidate UN field operations in five pilot countries and is hopeful that this so-called “ONE UN” approach to delivering services will save hundreds of millions of dollars and improve outcomes in the field—where UN services count most.

Unfortunately, some of the more structural reform efforts, especially changes in the budget and personnel systems, were stalled last year. Member States were close to agreeing on an overall framework for mandate review to proceed, until a few governments (including the United States) expressed reservations. These significant reform issues need to be taken up again and are a priority for the new Secretary-General and key Member States. None of these changes will occur without persistent, diplomatic leadership from the United States.
3. *Security Council.* Hovering behind many of the reform and budget efforts is the awkward issue of Security Council reform. The U.S. push for reforms last year excluded this major issue from the overall UN reform umbrella. Therefore, the push for reform was often perceived by many members of the UN as an effort to curtail the General Assembly without concomitantly addressing issues related to the Security Council. These concerns were exacerbated by the imposition of the budget cap, which was similarly perceived as an effort by a smaller group of donor countries to condition UN funding on a specific agenda. This approach was not successful, and the U.S. garnered only limited buy-in from much of the rest of the world, even though it was broadly recognized—including among the G-77—that the UN needed improved personnel, managerial, and oversight systems.

I'm hopeful that the presence of a new U.S. Ambassador to the UN, a new Secretary-General with fresh staff, the experienced leadership of Deputy Secretary-Designate Negroponte, and a renewed multilateral approach to American foreign policy will enable the U.S. to take another and broader cut at UN reform. Even if the P-5 cannot agree on modes for Security Council reform this year, we ought to at least recognize that this central reform needs further, serious exploration. If we could do this, I expect we'd find a much deeper well of support for management reform among the G-77.

4. *Funding*: It's time for the U.S. to pay its bills to the UN on time and in full. You will remember, Mr. Chairman, the funding crisis of the late 1990s, during which the U.S. was more than one billion dollars in arrears at the UN. Through the work of this committee, the Helms-Biden compromise, and the personal financial contributions of Ted Turner that crisis was averted and the U.S. returned to a modicum of stability in its financial relationship with the UN.

Unfortunately, we are already heading back down this familiar deficit path. Our estimate is that the U.S. now has about \$770 million in structural arrearages at the UN, and the recent budget submission by the Administration would make the situation even worse. This year's proposed budget short-changes three key UN accounts. In the International Organizations and Programs (IO&P) account, the budget envisions reductions, including a dramatic 30% cut for the UN Development Program. In the Contributions to International Peacekeeping (CIPA) account, the budget leaves the United States with a \$500 million shortfall for its commitments. And in the Contributions to International Organizations (CIO) account, the budget leaves the U.S. \$130 million too short—meaning that the State Department will have to determine which U.S. treaty obligations will go unmet among 44 treaty-based international organizations, whether that means short-changing the UN, or WHO or another organization. These deficits would be especially damaging now, just after the U.S. completed a very complicated budget negotiation at the UN, in which the U.S. had to work very hard to maintain the current level of assessment.

Part of this arrears issue is the U.S. debt at the UN arising from the gap between the U.S. assessed levels for UN peacekeeping operations (27% until January 2007, when the U.S. assessment rate was reduced to 26%) and an outdated, congressionally-mandated 25% cap on peacekeeping expenditures. The U.S. negotiated the higher ceiling and has voted for every peacekeeping mission. Yet in effect, the U.S. is saying that while it votes yes, it won't pay. This is not sustainable; this is not good budgeting; and this is not good diplomacy.

5. *Peacekeeping*: Beyond funding, the U.S. should support the structures of UN peacekeeping with whatever logistical support we can provide. UN peacekeeping has tripled in size to record levels because of Security Council requests in recent years; 2007 finds the Department of Peacekeeping Operations (DPKO) over-stretched, under-staffed and in need of new mechanisms to facilitate flexibility and deployments for missions like the joint AU-UN one to Darfur. The U.S. does not generally provide troops for UN peacekeeping forces but can and should help to enhance DPKO operations—whether that is in helping to streamline managerial structures in New York or providing advice on intelligence or doctrine development.
6. *Israel and the UN*: It is a most opportune time to get right Israel's relationships at the United Nations. The new Secretary-General has signaled his appreciation for this fact, which was also a priority for Secretary-General Annan. The adoption of the U.S.-led holocaust resolution and the second annual holocaust observance at the UN were positive steps. But more can be done. I would encourage the Administration to push as a matter of diplomatic priority for the full, permanent, and world-wide inclusion of Israel in the Western European and Others (WEOG) regional group at the United Nations. The problematic nature of Israel's relationship at the UN is a festering sore that inhibits a full and constructive U.S. approach to the UN.
7. *Climate Change*: The rapid emergence of the climate issue will require much greater attention from the United States. In 1992, the U.S. Senate ratified the basic climate treaty (The Framework Convention on Climate Change) and led the negotiations for the first steps toward implementation (The Kyoto Protocol—1997). Little has happened in the last 10 years, while the scientific evidence has solidified, global carbon markets have grown,

and an increasing number of global U.S. companies are asking for decisions and long-term predictability for a carbon-constrained economy. As the home of the Climate Convention, the Intergovernmental Panel on Climate Change, and a number of diverse agency actions and norm-setting requirements, the UN will be a major factor in the needed international negotiations, and the climate issue has been identified as an important priority by the new Secretary-General. The U.S. should support and help to lead these important efforts.

8. *Darfur and the Responsibility to Protect*: Darfur will haunt the international community as Rwanda has for the last decade, especially if no resolution is reached on the organizational efforts necessary to implement the concept of "The Responsibility to Protect." While much has been written about the need, implementation steps have been elusive and will require careful diplomacy and close cooperation between the U.S. and the UN—and I commend the U.S. Presidential Special Envoy to Sudan, Andrew Natsios's recent efforts in this area.
9. *Reengaging on Key International Treaties*: The United States also has much to gain—substantively and diplomatically—by reengaging in key treaties and other cooperative international efforts. Ratifying the long-delayed Law of the Sea Treaty and the Convention on the Elimination of All Forms of Discrimination against Women would be very positively received around the world. Similarly, your prospective legislation, Mr. Chairman, to support the creation of an international nuclear fuel bank could provide a significant boost to the world's flagging non-proliferation regimes—which is another major opportunity for global partnership. In this regard, Mr. Chairman, our sister organization in the Turner philanthropic network, the Nuclear Threat Initiative, led by the distinguished former Senator Sam Nunn, is a global leader and has a whole series of recommendations for enhancing cooperative efforts on non-proliferation.
10. *Human Rights*: For three years, steps have been taken to reform the human rights machinery in the UN. Unfortunately, the U.S. chose not to participate in the new Human Rights Council, making it less likely that the new organization can become the effective voice needed in the international community. Congress can help by reviewing this decision and urging the Administration to run for the new Council this year.

Of course there are other initiatives to pursue to strengthen the U.S.-UN relationship. For example, agreement on the finance package to rehabilitate the aging UN plant is close to completion. A new privately financed Visitor Center can be one of a number of measures designed to encourage the UN's relationship with its host, New York City. And this Committee can encourage the State Department to review the financial package available to Foreign Service Officers working in New York City, so that the highest quality officers continue to be attracted to the important UN assignments. I also applaud the Administration's efforts to harness the talent and idealism of the American people by continuing to do its utmost to help Americans get jobs at the UN. The more Americans get jobs at the UN, the better the UN's understanding of the United States, and vice versa.

*Conclusion:*

Mr. Chairman, the global challenges that lie ahead are daunting—but those same challenges present us with a golden opportunity to improve and strengthen the UN and reorient American foreign policy for the better.

Let's seize this moment. The allies of the United States and, indeed, the world are looking to you and the Administration for leadership. It is imperative for the U.S., the world's leader, to engage to meet these global challenges. Let's show our support for the United Nations and other international institutions by paying our dues on time and in full. Let's lend legitimacy to multilateral institutions by supporting and abiding by their rules and procedures. In Iraq, North Korea, Iran and Darfur, the UN system is advancing U.S. interests. Let's give the UN and other multilateral institutions the resources they need to do their work effectively. Immediate legislative action to remove the peacekeeping cap will send a signal that our new strategy embraces international collaboration and alliances.

The principles of the United Nations and the multilateral system are the principles of equality, democracy, and law. They are the principles of the United States. For more than sixty years, they and the multilateral system have provided the mechanisms through which the world's leaders have contemplated, discussed and solved global problems.

Let's use our influence, Mr. Chairman, from the Congress and the President on down, to revitalize and support the UN and our other multilateral institutions. History demands nothing less of us.

#### APPENDIX 1—ILLUSTRATIONS OF THE VALUE OF THE UNITED NATIONS

*Maintaining Peace.* A 2005 RAND study compared the effectiveness of sixteen U.S. and UN-led peace missions and found the UN to be almost twice as effective. In seven out of eight missions, UN peacekeeping got to the end goals of peace and stability; the U.S.-led missions succeeded in only four of eight missions. RAND attributed the UN's greater success to its deeper experience at peace making and nation building and to the fact that the UN left a softer footprint than U.S.-deployed missions. The U.S. and the world have, of course, implicitly recognized this by voting for dramatic expansions for UN peacekeeping in the past few years—virtually tripling the number of UN forces deployed around the world and opening missions in key places like Lebanon and Haiti.

*The World's 9-1-1 Service.* The same sort of success can be seen in UN-led humanitarian efforts. After the Indian Ocean Tsunami of 2004, the UN and its agencies built 200 health care centers, rebuilt 25,000 permanent shelters, fed 2 million people, provided safe drinking water to 1.5 million people, and vaccinated 2.5 million children for measles. After the earthquake that struck the Pakistan-India border, UN relief agencies, such as OCHA, the World Food Program, the World Health Organization, the UN Children's Fund (UNICEF), and the UN Refugee Agency worked through the winter to provide food, health, shelter, and education for millions of displaced persons. And in the Darfur region, the UN is helping more than 2.5 million war-affected persons, despite government restrictions and the direct targeting of humanitarian workers. As a result, there has been a two-thirds reduction of deaths among internally displaced persons. The World Food Program, for example, is feeding between 2.3 and 2.8 million people every day and has cut malnutrition rates in half.

In fact, 30 million people in 50 countries today depend on UN relief agencies for their survival.

*Combating Disease.* In health programs, the UN coordinates a number of programs to combat diseases like AIDS, avian flu, polio, measles, and malaria. To tout just a few: the UN has recently expanded access to anti-retroviral AIDS therapy ten-fold in Sub-Saharan Africa; an FAO program eliminated human cases of avian flu in Vietnam last year, though Vietnam was previously one of the world's hardest hit nations; a UN-led partnership reduced the number of reported polio cases from 350,000 to less than 2,000—a drop of more than 99 percent; a UN-led program has helped cut measles deaths worldwide by sixty percent, saving the lives of seven and a half million children between 1999 and 2005; and the UN and its agencies are providing tools and programs to prevent the death of the 500,000 women worldwide during pregnancy or childbirth.

*Monitoring and Reigning in WMD.* In the key area of non-proliferation, the United Nations system serves as the world's principal platform for stemming and tracking the proliferation of chemical, biological, and nuclear weapons. A key agency in this, of course, is the International Atomic Energy Agency, which was established at the United States' recommendation in 1957. Since the 1990s, the IAEA has undertaken inspections and investigations of suspected violators of the Nuclear Non-Proliferation Treaty; it currently inspects nuclear facilities in over 140 nations. In 2003, IAEA verification efforts unmasked Libya's hidden nuclear weapons program. Libya has since renounced this program. The IAEA also assists member states in securing radioactive sources that might otherwise end up in the hands of terrorists and detecting and interdicting against illegal trafficking of materials. As a result, over 100 radioactive sources have been identified and secured.

*Sanctioning Rogue States.* In the Security Council, the UN is working to impose sanctions regimes to reign in countries like Iran, North Korea, and Sudan that are operating outside international legal norms. There is evidence that such sanctions work. UN sanctions are widely credited with bringing an end to Libya's WMD program. Following North Korea's nuclear test in October, the Security Council imposed a series of economic and commercial sanctions. North Korea subsequently agreed to return to six-party diplomatic talks. On December 23, 2006, the Security Council unanimously approved a resolution with sanctions intended to freeze Iran's nuclear program. The resolution bans the import and export of materials and technology that could be used to enrich or process uranium or construct ballistic missiles. The Security Council has also frozen the assets of 22 Iranian officials and institutions and imposed targeted sanctions on Sudanese individuals.

*Advocating for the World's Environment.* In the environment, negotiations conducted through the United Nations' Montreal Protocol motivated the world's governments to restrict the release of ozone-depleting chemicals. As a result, there has been a measurable shrinking in the size of the ozone hole over the earth. The recently released Intergovernmental Panel on Climate Change brought together 2,500 scientists from 130 nations, including the U.S., to draw attention to and increase pressure for action on global warming.

*Promoting Global Development.* The United Nations established and has been promoting the Millennium Development Goals, eight markers aimed at eradicating extreme poverty and hunger, achieving universal education, promoting gender equality, reducing child mortality, combating disease, and ensuring environmental sustainability by 2015. The United Nations' seminal Human Development Report moved the world's governments to take into account factors like the quality of life and political freedoms in determining what promotes or inhibits economic growth and development.

*Promoting Democratic Norms.* The United Nations is the world's leading agency for promoting representative democracy. More than half of the world's nations have relied on the UN for support in holding and monitoring elections, including Iraq, Afghanistan, Liberia and Congo. The United Nations has also just created a Democracy Fund and is disbursing money to 125 projects in support of civil society and democracy around the globe.

*Allowing for International Commerce and Travel.* The United Nations system includes several smaller organizations that are maintaining rules and protocols for the international delivery of mail, civil aviation, shipping, and weather tracking and reporting. Without these UN agencies, U.S. citizens could not mail a package to Kinshasa, get on a cruise ship to Greece, or fly to Europe without the threat of collision or uncertain landing rights.

*Extending Diplomacy in the Middle East and Afghanistan.* Finally, in Iraq and Afghanistan today, the United Nations is providing key diplomatic platforms where the United States' reach has been limited. In Iraq in 2005, the UN registered 15 million voters for three successful elections, coordinated over 7,000 candidates in 300 political parties, and organized 150,000 election workers. More than this, though, the UN has helped bridge political divides within the country. In 2003, a UN special envoy helped to broker the peaceful transition of power from U.S.-led forces to the Iraqi government. And last year, the UN's Special Representative in Iraq helped end a political impasse between Sunnis and Shi'ites that was preventing the formation of a unity government. In Afghanistan, too, the UN and its agencies—notably UNDP—have taken the lead in holding democratic elections and raising over \$13 billion in international aid.

#### APPENDIX 2—UN SUCCESS STORIES FROM 2006

##### *Maintaining the ceasefire in Lebanon.*

After the ceasefire was accepted in mid-August 2006, the United Nations quickly increased the number of peacekeepers in southern Lebanon, allowing the Israeli army to pull back and Lebanese army to deploy to the border for the first time in decades. No serious breach of the ceasefire has occurred since; the UN discovered dozens of arms caches while monitoring for arms shipments.

##### *Bringing a warlord to justice and inspiring democracy in Liberia.*

In 2006 the United Nations helped bring to justice Liberian warlord Charles Taylor, who helped ignite a civil war that killed almost 150,000 people. The UN subsequently assisted in holding free elections and inaugurating Africa's first democratically elected female president, Ellen Johnson-Sirleaf.

##### *Aiding millions displaced by conflict in Darfur.*

Despite attacks on humanitarian aid workers, the World Food Program fed over 6.1 million people this year in southern Sudan, Darfur and eastern Chad, and the UN provided water, shelter, health care, and other necessities, thereby reducing deaths among the internally displaced by two-thirds.

##### *Educating women in Afghanistan.*

The Joint Partnership on Adult Functional Literacy, an endeavor of the Government of Afghanistan and UN agencies, launched a literacy program this year, which reached an estimated 160,000 Afghans, mostly women.

##### *Responding to nuclear threats in North Korea and Iran.*

The Security Council took action this year against Iran and North Korea. Following North Korea's nuclear test on October 9, 2006, the Security Council imposed

a series of economic and commercial sanctions. North Korea subsequently agreed to return to six-party talks. On December 23, 2006, the Security Council unanimously approved sanctions intended to freeze Iran's nuclear program.

*Supporting local democracy initiatives around the world.*

The UN Democracy Fund distributed grants to its first 125 recipients last year, including a program in Afghanistan to create voter ID cards and three programs in Iraq, including one to create an independent nationwide news agency.

*Working to eradicate polio through vaccination campaigns.*

Due to a UN-led effort, polio was officially eliminated in Egypt and Niger in 2006, reducing the number of nations with active polio cases to four. Since 1988, the number of polio cases reported each year has declined more than 99%

*Protecting World Heritage Sites for future generations.*

UNESCO added 28 new World Heritage Sites last year, including the Mapelo Flora and Fauna Sanctuary in Colombia. World Heritage Sites are places around the world that have been internationally recognized for their outstanding value as natural and cultural treasures. These new sites will now be a focal point for sustainable tourism and development and will support local job creation.

*Guarding against Avian Flu.*

The UN is working globally to contain avian flu. As a result of the work of the Food and Agricultural Organization, Vietnam went from being especially hard hit to having no recorded human cases. In 2006, the World Health Organization also continued to help develop national preparedness plans to contain a possible pandemic outbreak.

Chairman LANTOS. Thank you very much, Senator Wirth. We will consider these as Wirth's 10 commandments.

We are delighted to call on Ambassador Bolton.

**STATEMENT OF THE HONORABLE JOHN BOLTON, FORMER UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS**

Ambassador BOLTON. Thank you very much, Chairman Lantos.

Let me say, since this is my first opportunity to testify before the committee under its new leadership, congratulations to you, Mr. Chairman and Representative Ros-Lehtinen.

The United States strongly supported Ban Ki-Moon's candidacy for Secretary-General. Many of us knew him during the Bush 41 administration when he served in Washington. He faces a very, very difficult task on a variety of fronts.

I want to confine my comments here to the reform effort that he will be undertaking in New York and leave aside comments on the rest of the U.N. system. We have just gone through a 2-year period of very intense-efforted reform, but, unfortunately, even the concept of reform has meant many different things to many different governments; and, as a result, the effort has been diffuse, often at cross purposes with itself, and largely unsuccessful.

I take reform at the U.N. to mean making it more effective, more efficient, more responsive, and more transparent, not only in its governance structures but in the Secretariat and its far-flung field operations. This view is I think shared by many people who have looked carefully at the U.N. system.

And I want to recall for members what Paul Volcker said after he looked at the Oil-for-Food scandal. Here is a man who spent much of his distinguished career in public service. He looked at the Oil-for-Food scandal and concluded that there were—and I quote—"deep-seated systematic problems in U.N. administration," and he said the importance of maintaining high ethical standards has been

lost. He was asked in a hearing on the Senate side in 2005 if he thought there was a culture of corruption at the U.N.; and he said, no, I don't think there is a culture of corruption, although there is corruption. I think there is a culture of inaction. That is a telling phrase: A culture of inaction; and I think many people looking at the system saw the need to respond to try and change that culture.

In the fall of 2005 Secretary Rice, speaking before the General Assembly, called for a revolution in U.N. affairs. Not often a U.S. Secretary of State calls for a revolution.

Secretary-General Kofi Annan himself last year said that the U.N. needed—and I quote—“a radical overhaul of the entire Secretariat,” and a thorough strategic refit.

Now Mr. Chairman, we haven't had a revolution. We haven't had a radical overhaul. We haven't had a strategic refit. After almost 2 years of effort, progress has been minimal.

The Fifth Committee, the budget and management committee of the General Assembly, shredded Secretary Annan's own reforms by a vote of 108–50, the rest not voting or abstaining; and, interestingly, the 50 countries that voted to support the Secretary-General contributed close to 90 percent of the assessed contribution of the U.N. The 108 countries that voted against the Secretary-General's own reforms, 108 countries, contribute 10 percent.

On the mandate review, which was one of the central accomplishments of the September, 2005, Summit, we found that over the years the General Assembly and the Security Council had given the Secretariat 9,000 mandates, 9,000 mandates. Any organization with 9,000 priorities fundamentally has no priorities; and yet, after a year of hard work, no mandates have been abolished, no mandates have been consolidated, no mandates have been refined. The mandate review process is essentially finished.

Those accomplishments that have been undertaken have been spotty. The ethics office is a plus. It is long overdue.

And, frankly, as the other witnesses said this morning, Secretary-General Ban Ki-Moon, by voluntarily and honorably making his own financial disclosure reforms public, did more for that than any of the actions over the prior 10 years.

Whistleblower regulations have been put in place, but the U.N. staff union, which I met with during my tenure, a first, I might say, for U.N. permanent representatives, believes that the regulations designed to protect average U.N. employees are not sufficient and will not induce them to come forward with complaints about misconduct.

Even the reforms in audit procedures and safeguards, which, as Senator Mitchell correctly pointed out, have not been implemented, are a far cry from what Paul Volcker asked for. He wanted real independent external auditing authority, and even the recommendation that was made was simply for an advisory committee.

The Office of Internal Oversight Services remains weak and ineffective and not independent. It is nothing close to what we consider to be an effective Inspector General system. I remember well almost exactly 15 years ago now when Under Secretary-General Dick Thornburgh first recommended it, and we still don't have it.

The Human Rights Council, created to replace the discredited Human Rights Commission, has already turned in a performance if possible worse than its predecessor. The United States voted against the creation of the Human Rights Council because it was fundamentally defective, and its actions since then have proven that to be correct. Even the *New York Times*, as I said at the time of the votes, described it as a once-promising reform proposal that has been so watered down that it has becoming an ugly sham, offering cover to an unacceptable status quo.

What conclusions emerge from all of this? I think the only sensible conclusion, based not just on my own experience in the past 2 years but based on years of reform effort, is that incremental or marginal efforts at reform can't succeed. We need more sweeping reforms.

Ban Ki-Moon has proposed a few, even in just his first 6 weeks in office. For example, reform at the Department of Peacekeeping Operations where the United States has critical equities, and he has already run into substantial opposition.

All of this shows I think we have to come to a much more fundamental decision, and while much that we have talked about this morning is important, this is the one key point. We have to move from a system of assessed contributions in much of the U.N. system to a system of voluntary contributions.

I will just recall for you testimony that was given before this committee about 2 years ago by Catherine Bertini, the American who for 10 years did an outstanding job as the Executive Director of the World Food Programme and then served for 2 years in New York as Under Secretary-General for management of the central U.N.

Cathy Bertini said, and I quote:

“Voluntary funding creates an entirely different atmosphere at the World Food Programme than at the U.N. The World Food Programme, every staff member knows that we have to be as efficient, accountable, transparent and results-oriented as possible. If we are not, donor governments can take their funding elsewhere in a very competitive world among U.N. agencies, NGOs and bilateral governments.”

That is a very important insight by somebody with extensive experience in U.N. management, and that is what we need in the U.N. system as a whole, moving away from assessed contributions, moving toward voluntary contributions. That will allow U.N. members to judge the effectiveness of the various parts of the U.N. system and demand results. Non responsive programs and funds can be defunded, effective agencies and personnel can be rewarded and augmented, and, most importantly, the crippling mentality of entitlement that pervades the main U.N. organization will be stripped away.

Now some would argue that voluntary funding would lead to uncertainty in the income flows of the U.N. system. I would have to say, frankly, that is not necessarily a negative. But the fact is that the agencies that are funded primarily through voluntary contributions—UNICEF, the World Food Programme, High Commissioner for Refugees—are fully able to cope with whatever uncertainty

there is; and we are now going to have a test case of the responsiveness of the voluntary agencies, those that have been named in the so-called Cash for Kim scandal, to see how they respond, and I hope they respond effectively.

Other opponents of voluntary funding say this will create a U.N. a la carte approach where only some programs will be funded. I consider this a plus as well. Why shouldn't member governments pay for what they want and get what they pay for?

Some would argue that voluntary funding puts too much power in the hands of major contributors such as Japan and the United States. I think that would be a good thing, too. I think the record of the five major defunding exercises, four in the U.N. and one in the Organization for the Prohibition of Chemical Weapons, has shown the benefit of using our financial resources to get the kinds of reforms we need. I think that even talking about moving to a system of voluntary contributions away from the assessment system will go a long way toward changing that culture of inaction in New York.

Thank you very much, Mr. Chairman. I look forward to answering the committee's questions.

[The prepared statement of Mr. Bolton follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN BOLTON, FORMER UNITED STATES  
PERMANENT REPRESENTATIVE TO THE UNITED NATIONS

Chairman Lantos and members of the Committee. I wish to thank you for the invitation to appear before you today to address "The Future of the United Nations Under Ban Ki-Moon." Since this is my first appearance before the Committee under its new leadership, I want to congratulate both Chairman Lantos and Representative Ros-Lehtinen for assuming their new positions.

The United States strongly supported Ban Ki-moon's candidacy to become Secretary General, based on his record over the years, including the fact that he was well known to many of us from his service at the Republic of Korea's Embassy here in Washington during President George H.W. Bush's Administration. During that period many of us worked with him, especially on the ROK's efforts to become a member of the United Nations, which it achieved, along with the DPRK, in September, 1991.

He faces an unquestionably difficult task, on many substantive policy fronts, but I will focus here today, as the Committee has requested, on the perennial subject of UN reform. Over the past two years, and especially since the September, 2005 Summit, there has been a substantial effort at reforming the United Nations. Unfortunately, even the concept of reform has meant many different things to different governments, and, as a result, the effort has been diffuse, often at cross-purposes with itself, and largely unsuccessful. The UN, of course, is a complex system, with many specialized agencies, so for today's purposes, I will concentrate on the main UN Organization in New York, although much of what we discuss will have implications for the system as a whole.

I take "reform" at the UN to mean making it more effective, more efficient, more responsive and more transparent, both in its governance structures, its Secretariat, and its far-flung field operations. There is serious room for improvement in all of these areas. Unfortunately, the UN has still not recovered from the negative impacts of the Oil for Food scandal, widespread procurement fraud, sexual exploitation and abuse by UN peacekeepers, in large measure because necessary reforms have not been adopted.

The view that enormous reform is needed is obviously not mine alone. When Former Federal Reserve Chairman Paul Volcker, who chaired the Independent Inquiry Committee ("IIC") investigating the Oil for Food Scandal, testified before the Senate Foreign Relations Committee in 2005, he described his findings and recommendation in stark terms. He referred to "deep-seated systemic problems in UN administration" and "the importance of maintaining high ethical standards has been lost." These observations have not changed. Asked during the SFRC hearing if there was a "culture of corruption" at the UN, Volcker said there was not, although there was corruption, but he said he was most concerned by the "culture of inaction" he

found. That telling phrase—“culture of inaction”—unfortunately describes much not only about the lack of success in the reform effort, but about the UN organization as a whole.

The response must be as substantial as the problem. In September, 2005, addressing the general Assembly, Secretary of State Rice called for a “revolution” of reform, an apt description of what was then—and still is—needed. In presenting his report to the General Assembly on March 7, 2006, on UN procedures and systems, as required by the September Summit, former Secretary General Kofi Annan called for “a radical overhaul of the entire Secretariat,” and a “thorough strategic refit,” as foreshadowed in his earlier report “In Larger Freedom.” So strongly did we all feel about the need for reform that a unanimous General Assembly, with the full support of Secretary General Annan, in December, 2005, imposed a six-month commitment cap on the Secretariat’s spending power, in a concerted effort to move reform along.

Unfortunately, today, after almost two years of effort, there is precious little to show. On key aspects of management reform, progress has been minimal. The Fifth Committee of the General Assembly shredded Secretary General Annan’s systems reforms by a vote of 108–50–3. Almost all of the world’s industrial democracies voted to support Annan’s proposals, but we were defeated by an over-two-to-one majority. A similar vote was held shortly thereafter in the General Assembly plenary, leaving the Secretary General’s proposals, which we thought in most cases were only first steps, for dead. Significantly, the fifty countries supporting reform in the Fifth Committee contribute approximately 90 percent of the assessed contributions to the UN, whereas the over-100 opponents together contribute only 10 percent.

On the mandate review, also ordered by the September, 2005 Summit, the Secretariat identified some 9,000 separate and distinct mandates that had been created for the Secretariat over the years, and a working group established by the general assembly set out to review them, looking for obsolete mandates to be terminated, redundant mandates to be consolidated, and inefficient or ineffective mandates to be reformed or eliminated. Faced with intense opposition by the Group of Seventy-Seven (“G-77”) and the Non-Aligned Movement (“NAM”), the process stalled out. As of today, no mandates have been eliminated, no mandates have been consolidated, and no mandates have been reformed. Intense opposition from the G-77 came in part from our efforts to eliminate such deadwood as the Division of Palestinian Rights, two General Assembly committees on Palestine that serve no discernable purpose other than harassment of Israel and its friends, and to look seriously at the continuing utility of UNRWA (“UN Relief and Works Agency for Palestinian Refugees”) in its current configuration. Thus, in all but formal interment, the mandate review effort is dead.

Some argue that substantial reforms have taken place, but the record is spotty. The UN’s new ethics office is desirable but long overdue. Frankly, the most important advance for ethics at the UN in recent times was Secretary General Ban’s personal and honorable decision to make his own financial disclosures public at the very start of his tenure, thus lifting a cloud that had hovered over the SG’s office in recent years.

Other recent changes also appear to have limited utility. New whistle-blower protection regulations, for example, have been criticized by the UN staff union for failing to protect the very people they are designed to encourage to come forward with problems they have encountered. The staff union ordered an extensive study of the regulations by Sir Geoffrey Robertson, an international human rights lawyer, which describes the inadequacies of the UN’s procedures concerning the processing of conduct and performance charges against UN personnel.

Changes in UN audit procedures and safeguards are a far cry from what Chairman Volcker’s IIC recommended. For example, instead of truly effective and independent internal and external audit mechanisms, little has been changed internally, and only an external audit advisory committee has been established, with no real authority. The risk of substantial procurement fraud thus continues, as ongoing investigations and indictments by the U.S. Attorney for the Southern District of New York and others continue to remind us of the scope of the problem.

The UN’s Office of Internal Oversight Services (“OIOS”) remains a frail imitation of a real “Inspector General,” with true independence and clout within the Secretariat. It is now almost exactly fifteen years since then-Under Secretary General Dick Thornburgh proposed a real IG for the UN, and it is still not a reality.

The new Peace Building Commission (“PBC”), now over a year old, has barely gotten itself organized, and has little to show for its work. In the meantime, in the Department of Peace Keeping Operations (“DPKO”), UN peacekeeping operations have continued to grow, increasing the strain on management and staff there, and

increasing the likelihood of catastrophic failure due to inadequate oversight and problem-solving capability.

The new UN Human Rights Council (“HRC”), replacing the discredited Human Rights Commission is no better than its predecessor, serving largely as a vehicle for anti-Israel resolutions rather than an unbiased source of pressure on the world’s worst human rights abusers. The United States correctly decided last year not to seek election to the new HRC, and we should follow that path, and not seek election this year either. If anything, we should move to defund the HRC to express our displeasure. I know that the United States vote against the resolution was controversial with many Members of the Committee, but even strong Administration critics supported our position, and, if I may say so modestly, even patted my ego, such as the Sunday, February 26, in the *New York Times*, entitled “The Shame of the United Nations,” which said: “When it comes to reforming the disgraceful United Nations Human Rights Commission, America’s Ambassador, John Bolton, is right; Secretary General Kofi Annan is wrong; and leading international human rights groups have unwisely put their preference for multilateral consensus ahead of their duty to fight for the strongest possible human rights protection. A once-promising reform proposal has been so watered down that it has become an ugly sham, offering cover to an unacceptable status quo. It should be renegotiated or rejected.” Many editorials since the HRC has actually come into operation echo these words.

What conclusions emerge? I think that the only sensible conclusion, based not just on the last two years, but on efforts on UN reform that in my own case go back to 1989, the start of the Bush 41 Administration, is that we need a fundamentally new approach. Efforts at incremental or marginal reforms are simply insufficient to keep ahead of the problems we encounter. Failure to reform leaves us with fewer choices in our foreign policy, because the UN is not seen as effective or capable of handling challenges we might otherwise wish to assign it. Secretary General Ban Ki-moon has already proposed some modest management reforms, particularly to deal with the overload facing the critically important DPKO, where large equities are at stake for the United States. Nonetheless, in just over a month in office, he has already run into enormous resistance from the G-77. This does not bode well for the future, although I believe the United States should continue to support and encourage the Secretary General to make the necessary hard decisions now, early in his tenure, before the tidal-force inertia of Turtle Bay overcomes him.

Accordingly, I believe that our only real chance for sustained and lasting reform is to move the UN system away from a system of assessed contributions toward a system of voluntary contributions. I recall for you testimony I gave before this Committee just over a year ago on that subject:

I also note, as this Committee has observed, that there are differences in performance based on the way different entities were funded. UN agencies are primarily funded through assessed contributions, while funds and programs are typically funded through voluntary contributions. Catherine Bertini, former UN Secretary General for Management, and former head of the World Food Program (WFP), noted that “Voluntary funding creates an entirely different atmosphere at WFP than at the UN. At WFP, every staff member knows that we have to be as efficient, accountable, transparent and results-oriented as is possible. If we are not, donor governments can take their funding elsewhere in a very competitive world among UN agencies, NGOs, and bilateral governments.”

We will now have a case study at WFP, UNICEF and the UN Development Program in what the *Wall Street Journal* has called the emerging “cash for Kim” scandal, to see if these voluntarily funded programs can respond quickly. Will they follow the UN’s “circle the wagons” mentality when the Oil for Food scandal broke, or will they, as Secretary General Ban indicated, open themselves to truly independent external audits so that the full story can emerge?

A system of voluntary contributions will allow UN members to judge the effectiveness of the various parts of the UN system, and demand results. Non-responsive programs and funds can be defunded, effective agencies and personnel can be rewarded and augmented, and, most importantly, the crippling mentality of “entitlement” that pervades the main UN organization will be stripped away.

Some argue that voluntary funding will lead to uncertainty in the income flows to the UN system. I would have to say, based on the performance we have seen, some measure of uncertainty would be a good thing, not a negative. Those agencies that currently rely on voluntary funding have certainly adapted to the uncertainty, and there is no inherent reason why other units of the UN system could not adapt as well. In some cases, a “replenishment” mechanism, similar to that used for the international financial institutions, might be appropriate, so that UN member governments could agree for a period of, say, three years, what their respective funding

levels would be. The key is that whatever amounts are pledged would be voluntary, and if performance has been inadequate or other priorities have arisen, adjustments could be voluntarily made at the next replenishment negotiation.

Other opponents of voluntary funding argue that such an approach would create a "UN a la carte," with member governments only funding programs they deem desirable. I consider this a plus as well. Why shouldn't member governments pay for what they want, and get what they pay for?

Finally, some argue that voluntary funding puts too much power in the hands of the United States and a few other major contributors such as Japan, recalling instances of withholding or threatened withholding of America's assessed contributions and the attendant ill-will allegedly caused thereby. I think the historical record is to the contrary. Each of the key examples of American withholding has had visible and positive effects on international organizations subjected to them. The massive Congressional withholdings of the mid-1980's and the mid-1990's resulted in substantial changes in the UN system, and smaller statutory withholdings have signaled powerful U.S. opposition to certain selected programs. Ronald Reagan's decision to withdraw from UNESCO, and the consequent elimination of America's twenty-five percent assessment enormously changed that organization. The threat by the Bush 41 Administration in 1989 and 1990 to defund any UN agency that admitted the PLO as a member state unquestionably stopped the PLO campaign in its tracks, and prevented its exploitation of specialized agencies like the World Health Organization for political purposes. Most recently, the prospect of massive defunding of the Organization for the Prohibition of Chemical Weapons (the "OPCW," established by the Chemical Weapons Convention), helped in our campaign to replace the ineffective Director General and replace him with sound leadership. These all demonstrate the power of our financial contribution to international organizations, which we should not hesitate to use.

I have no illusion that moving from assessed to voluntary contributions will be an enormously difficult struggle, requiring a real change in the culture in New York. But only a change of this magnitude can replace the "culture of inaction" with a culture fully deserving our support.

Thank you, Mr. Chairman, and I would be happy to try to answer any questions the Committee may have.

Chairman LANTOS. Thank you very much, Ambassador Bolton.

Before turning to my colleague to begin the questioning, may I ask Senator Wirth and Senator Mitchell to comment on the voluntary funding proposal? Senator Mitchell.

Mr. MITCHELL. Mr. Chairman, our task force devoted several paragraphs to the subject. We noted favorably the performance of several of the agencies that operate under voluntary contribution, and we suggested that further operational activities of the U.N. should consider that as well.

However, the task force did not advocate and I do not personally favor a complete shift entirely from mandatory assessment to voluntary. The Ambassador made a notable statement, countries should pay for what they want and get what they paid for.

The most significant aspect of our report was the least noticed. It dealt with internal reform. One of the major actors or advocates was a member of our task force, Rod Hills, I think known to many members, a truly distinguished attorney with a long record of public service. He said at one of our hearings, internal reform is like plumbing. It is unglamorous but essential.

There isn't any country that is going to voluntarily pay for the plumbing at the U.N. There is a certain core level of activity that any institution needs to continue its operation, and they badly need that type of reform. So I do favor an effort to move toward voluntary contributions for operational actions where it can be demonstrated that they are effective. The Ambassador has cited some. We cited several in our report. I do not favor a total transformation

of the organization from mandatory assessment to entirely voluntary.

Chairman LANTOS. Thank you, Senator Mitchell.

Did you add ratio or voluntary as opposed to mandatory funding?

Mr. MITCHELL. No, we did not attempt to do so, nor would I attempt to do so personally. I think it must be done on a case-by-case basis with careful analysis.

Chairman LANTOS. Thank you very much.

Senator Wirth.

Mr. WIRTH. I would agree with Senator Mitchell's comments. The idea of going to a flat policy of voluntary funding is one that sounds good if you say it fast enough. But if you come back and look carefully at what that would mean—for example, we are asking the United Nations to undertake some very, very aggressive actions related to the so-called plumbing, related to auditing, related to the management of the institution, related to personnel moves. This is the backbone of the institution, and I think all of the comments here have reflected that. So the institution has to have that certainty, has to have the capability of managing around that certainty and around that backbone.

On top of that, there are a lot of U.N. voluntary programs, and let's remind ourselves most of the big U.N. programs are voluntary: The World Food Programme, UNICEF, UNDP, I believe the refugee program. These are voluntary programs, and they are some of the most popular programs, and they have a lot of political appeal.

There are others, you know, that demand that every country be involved, like the World Health Organization. It is imperative that every country become engaged, for example, and subscribe to the standards of the World Health Organization, be involved in the public health, information collecting. We know from, say, the example of bird flu and others these are diseases that whip around the world at high speed; and it demands a single capability.

So looking at this in a selected basis is a wise thing to do, but we should not do it as a flat policy across the board—and the administration, by the way, has not supported doing it as a flat policy. Cathy Bertini is right. Running a World Food Programme on a voluntary basis makes it very accountable. There are other parts of the U.N. where it does not work.

Chairman LANTOS. Ambassador Bolton, would you care to comment on your colleagues' observations?

Ambassador BOLTON. Thank you.

I think where the two senators agreed was there are certain core functions that need to be funded by assessed contributions. I would say it is the core functions that are the ones most in need of reform, and that would be precisely those that would be most responsive if they thought that core funding was in jeopardy.

If you look at the Secretariat in New York, I think there are large chunks of it where the work could be outsourced, where it could be done in substantially different ways that would produce real cost savings and make a more efficient organization.

So I am not saying that you necessarily have to go 100 percent immediately to voluntary funding, but I think the more that you talk about it the more the advantages become clear. Because then

the various parts of the U.N. system would realize they have to compete for scarce resources, and they would have to demonstrate performance. I think that would be all to the good.

Chairman LANTOS. Thank you very much.

Ms. Ileana Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman; and I thank the panelists for their testimony this morning.

Following on the chairman's question regarding funding and assessment, how seriously do you view the lack of correlation between the member states' contribution levels and their management control?

In the mid-1980s, as you recall, a Democrat-controlled Congress enacted the Kassebaum-Solomon Amendment, which is a statutory withholding requirement intended to remedy the problems resulting from that very situation; and this withholding was resolved primarily by a commitment to the U.N. budgeting by consensus. Has this commitment held over time and how well has it protected our U.S. interests?

Related to that and piggybacking on the chairman's question, do you believe that the new Secretary-General will have the ability to push through significant budget reform and management reform without the concerted backing of the major donor states? And will that require, as the Ambassador pointed out, the credible threat of withholdings in order for it to be successful?

Then my last question is, when we had the allegations of management irregularities in the UNDP North Korea program, the Secretary-General called for an urgent system-wide external audit of all U.N. programs. It is my understanding that that initial commitment has now been scaled back. How extensive do you think that audit effort will be and how important do you think it is to the integrity of the U.N. system for it to take place fully?

Thank you, Mr. Chairman.

Chairman LANTOS. Senator Mitchell.

Mr. MITCHELL. First, on withholding, I do not favor withholding. Our task force participated and listened to a lengthy debate on whether or not the withholding to which you referred, Congresswoman Ros-Lehtinen, in fact was effective or not; and we concluded we were not going to try to make a judicial decision on what did or didn't occur. Different people had different ideas on what was effective. We would simply look to the future.

I personally believe, like any responsible citizens, the United States should pay its bills on time and in full; and I think that there are serious negative consequences that can flow from withholding.

Secondly, even if one accepts the premise that the withholding the last time was effective, that was a money-only issue. It is quite a different matter when you say you have a whole series of reforms, specific policy and operational activities which you are going to try to enforce through the mechanism of withholding. It is not simply a money issue. So my own personal view—and I respect the many who hold a contrary view—is that it is not an effective policy.

Secondly, I don't think the Secretary-General is going to be able to accomplish any reform without the concerted backing of the United States and other countries involved, particularly the large

donor countries. I do not believe the mechanism should be withholding, but I do think it requires our strong support.

As has been noted by Ambassador Bolton and others, the Secretary-General was appointed with the strong support of the United States. He is in a tough position. There has already been some criticism of him, I think premature. He has been there 1 month in a 5-year term; and I think it is important for our Government and for our country that we offer the support and encouragement that we can and that we take a strong and assertive position with respect to reform.

Chairman LANTOS. Some think, Senator, that it is never too soon to criticize a public official.

Ms. ROS-LEHTINEN. Well, Ambassador Bolton found that to be true.

Mr. MITCHELL. That is true, Mr. Chairman. But I reflected on my own life and I thought how difficult and how unfair it would have been to me if, after the first month of my 6-year Senate term, the voters of Maine had made a judgment on my performance. I thought it helpful that I had the full term—

Chairman LANTOS. I absolutely agree.

Mr. MITCHELL [continuing]. And my performance, and at least we ought to give him a little bit longer.

If I can just make one digression of that. One of the criticisms of him has been his personnel appointments. I don't know everybody who he has appointed, but I know quite well two of his major appointments: Lynn Pascoe, who is an outstanding public official, the current U.S. Ambassador to Indonesia, who I think will do a very good job; and John Holmes, who is currently the British Ambassador to France, who I met personally and worked with in my experience in Northern Ireland, and he is an outstanding person as well. So, at least in my limited knowledge, he has made two very good appointments.

On the last point, Congresswoman Ros-Lehtinen, I think that first there ought to be full external audits, period. They shouldn't have to do them on a case-by-case basis, and it is warranted in this instance. The allegations raised are serious, they should be dealt with seriously, and a full external audit is a way to do it.

Ms. ROS-LEHTINEN. Thank, you sir.

Chairman LANTOS. Before calling on Senator Wirth, may I just add one other appointment which I think deserves great praise, and that is the former Swedish Foreign Minister Jan Eliasson to be in charge of dealing with the Sudan issue, a perfect appointment.

Senator Wirth.

Mr. WIRTH. Thank you.

Just very briefly on the three questions.

One, we have to remember behind all of these funding issues there are some very significant structural problems at the U.N. You have a Security Council that is really out of whack with the power structure of the world today; and, coming along with that, you have five Permanent Representatives left over from the experience 60 years ago and you have a world that in many ways looks very different, both in terms of the power, say, of India, Brazil, South Africa and the major contributions of Japan and Germany

to the U.N. These unfairnesses are perceived inequities, are very annoying and a real problem.

How to solve those? We don't really know how to solve those, but I don't think we will begin to do so until we recognize that these have to be looked at and we are willing to take the lead to begin to try to have these discussions once more.

Second, I happen to disagree with withholding. We are currently, for example, unilaterally withholding on peacekeeping by ourselves. We dropped our assessment on peacekeeping from 31 percent down to 27 percent, but the Congress has put a lid of 25 percent on peacekeeping despite the fact that the U.S. votes for all of these peacekeeping expeditions. So we say we are going to support all these, but, by the way, we are not going to put our money where our votes are, in support of these peacekeeping efforts.

Now this is a withholding that we do in the United States which is providing a greater and greater budget hole for the U.N. and making the U.N. less and less capable of carrying this peacekeeping out. Here is an example of a unilateral withholding that it seems to me is extremely dysfunctional and legislation that has been offered here to get rid of that 25 percent cap, it seems to me, would be very beneficial and for the interests of the United States of America.

Finally, on UNDP, which you brought up, I thought it was interesting that the minute that was brought up, Ban Ki-Moon was all over it. He jumped on it right away. This isn't a U.N. that we might remember from the past in sort of saying, well, we will deny it or it is not really happening or we don't believe it or whatever it may be. I thought it was very heartening the way that he jumped on that immediately. And, as Senator Mitchell says, Ban has said that we ought to have a much strengthened audit capability, with no question about the fact that we should.

Chairman LANTOS. Ambassador Bolton.

Ambassador BOLTON. Mr. Chairman, let me just take two of the withholdings and describe what I think they did. The first—and I think most notable—President Reagan's decision to withdraw from UNESCO, an organization that was utterly out of control—had the dramatic effect of completely eliminating our 25 percent assessment, which is what it was at the time, and put the organization through such enormous changes that the current President Bush had decided it was sufficient for the United States to reenter. I don't think there is any doubt, I mean, I have not heard anybody argue that UNESCO would have changed if the United States had not taken the dramatic step that President Reagan took. Now that goes even beyond defunding, but it certainly shows what happens when America's assessed contribution disappears.

Second, and one that I was personally involved in dealing with is the World Health Organization, in 1989 when the PLO was making an effort, as it often does in the U.N. system, to create facts on the ground in the Middle East by having itself admitted as a member government to the various specialized agencies of the U.N. system. The WHO charter, like almost all of the rest of them, requires a precondition for membership that the states be admitted and the PLO through this effort was trying to say it was actually a state.

You will recall, before the end of the Reagan administration, it changed its name card as an observer at the U.N. from Palestinian Liberation Organization to Palestine, as though that would make it seem more like a country. So, in the World Health Organization, it was trying to gain full membership. And in early 1989, it was certainly clear to me that they were going to succeed and that the reaction in Congress would have been extraordinarily negative for the WHO and for the rest of the U.N. system since the U.N. is a very precedent organization, if the PLO had been admitted in the World Health Organization, it would have swept through the rest of the system.

So Secretary Baker at the time issued a statement that said he would recommend to the President to defund any international organization that changed the status of the PLO. Now that was a statement by the Secretary. I think anybody who knew how Jim Baker operated knew he had cleared that statement with the President. We took that statement to Geneva, and that was the end of the PLO's membership effort in the World Health Organization and elsewhere.

I am morally certain, Mr. Chairman, that had we not made that threat to defund, the PLO would have been admitted. I could go on with other examples as well. The fact is the threat or the action of withholding can have important effects. But what I am really proposing by this broader subject of shifting to voluntary contributions is to make it clear that performance matters. Unless you are prepared to argue that the assessed contributions are a form of taxation, it seems to me entirely legitimate to say that we are—that we should be in a position to judge performance and to make our allocations among not just the system of international organizations but bilateral steps, other organizations, the Organization of American States for example, where we think money can be spent more effectively.

I think that is just good financial management from the American point of view. And I think it would have a profoundly positive impact on the United Nations if we could break that entitlement mentality.

Chairman LANTOS. Thank you, very much.

Ms. ROS-LEHTINEN. Thank you Mr. Chairman.

Chairman LANTOS. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman.

Senator Mitchell, your task force concluded that the conference on disarmament has outlived its usefulness and should be disbanded. Can you—since I share the conclusion but I am wondering if you—since you will do it better than I could—elaborate on some of the factors that led you to that conclusion? And also, I would be curious whether your proposal for the Security Council to set up ad hoc bodies of manageable size should take on discrete, narrowly defined tasks, for instance an ad hoc body to negotiate the Fissile Material Cutoff Treaty, for example, would have the support of other key member states, and that is one question.

And I am interested in Ambassador Bolton's reaction to that as well.

And the second one is, could all of you touch on—you have touched on it, but develop a little more—the arguments sort of for

and against the U.S. trying to get on the Human Rights Council, notwithstanding its glaring defects.

Mr. MITCHELL. Right. Let me take the latter question first, Representative Berman.

The United States rightly has long been—and been viewed internationally—as the leader in human rights. It is essential to our national identity and is a major aspect of our system of beliefs and values.

We should be taking a leading role on that issue. It is part of what we are, and it is part of our appeal to people all around the world.

Now, the argument against running is that we might not win, and we would be worse off than if we didn't run. Probably every one of you before you decided to seek your current position faced that argument in some form or another. Everybody who seeks an elected position runs that risk. That is a valid concern. It is a valid argument. I think it is outweighed by the significance both of the issue and of the importance of American leadership on that issue.

And so, I believe it is worth the risk and that we ought to be deeply engaged. There is really not much—if any disagreement—in this country that the process that has been taking place at the U.N., the prior entity and the current entity, is deeply flawed, unsuccessful. And it is an issue central to us. So I think we should be actively involved. That is the essence of the argument.

On the first question, Representative Berman, I really couldn't do any better than simply to defer to the report. It was not—I confess to you it was not the central issue that we wrestled with. There was very little internal debate on whether or not we should do this within the commission. In other words, it was fairly non-controversial—I am speaking from recollection. I think it was unanimous on the commission and not the subject of great internal debate, and therefore I would prefer simply to refer you and others to the report itself for the comments made there.

Ambassador BOLTON. Well, on the CD, I agreed with the Gingrich—I should say the Mitchell-Gingrich commission on that.

Mr. MITCHELL. Gingrich-Mitchell.

Ambassador BOLTON. Whatever the Senator prefers.

Mr. BERMAN. Until November, then it changed to Mitchell.

Chairman LANTOS. Sounds like a Presidential ticket.

Mr. MITCHELL. If I can just tell a story, Mr. Chairman, on the day that I was elected Senate majority leader, the then Speaker of the House very politely but firmly informed me that while the position of Senate majority leader is not established in the Constitution or in any law—that is, it is a mere custom and tradition—the position of Speaker is established in both the Constitution and law.

I got the point.

And it is the Gingrich-Mitchell commission.

Mr. BOLTON. I will take that as gospel then. I think it was right. I think the CD is a waste of time and money. Now, on the question of the Human Rights Council, I mean, I think the position that the United States took in voting against the resolution creating this new body was a principled decision and a correct decision. It didn't reflect substantial reform over the previous body. And I think that means it is a structural matter, that its performance will not be

any better than the previous body. Certainly, the record we have to date indicates that.

Senator Mitchell is unquestionably correct that human rights is and has been and should be one of the United States' highest priorities. But the issue is whether you can advance that priority in a body that is fundamentally not willing to pursue the correct course. I think the proper way to proceed is for the United States not to run for election and in fact to defund the Human Rights Council because I don't think it is fixable.

Mr. BERMAN. That is, say, assessed contribution, or is that part of the overall dues?

Ambassador BOLTON. It is part of the assessed contribution, so I would withhold on a pro rata basis.

Mr. WIRTH. I believed at the time and I do now that the U.S. should not only be part of this but, if it ran, would win. If the U.S. puts its shoulders behind wanting to do that, of course, we would win. We should be engaged, as Senator Mitchell pointed out. What happens with this new council is, one can't say it is fundamentally flawed and isn't going to work with the new procedures. It is just being set up; the rules of how it is going to operate are just being set up. We are sitting on the outside while others are making all the rules. This is going to be a long-standing council over a long-term period of time. The U.S. ought to be engaged. We ought to be helping write those rules and be right on the top of that. It is extremely important for us to do so and we, of course, would win.

Now if we have decided, which I guess we have now, again not to run for the council this time, at least we ought to appoint a very high-ranking U.S. official. I remember when Ambassador Schifter was the very loud, strong advocate voice on behalf of human rights as a special representative of the Secretary of State to the human rights machinery of the U.N. Now, it is that sort of an individual we need—representing what we believe and helping to influence and helping to catalyze a lot of the positive forces on the new Human Rights Council, of which there are many.

But, again, U.S. leadership is needed. When the U.S. speaks up and the U.S. has an effective voice and a good strong diplomatic voice, it makes a tremendous amount of difference, so I would say, absolutely, we should be engaged much more deeply than we are now.

Chairman LANTOS. Mr. Royce of California.

Mr. ROYCE. Thank you, Mr. Chairman.

Ambassador Bolton, there is news this morning about a deal that had been struck with North Korea, and you made some critical comments I think last night on this subject. And I wondered if you could comment for this committee the first part of this agreement, of this aid package, is 50,000 tons of fuel oil, which as I understand it would require congressional approval. And that would be my first question to you.

Ambassador BOLTON. Well, I was very disturbed about this deal. I don't think it is entirely clear the President himself has fully signed off on it. And I would hope there is still an opportunity to take a look at it. But there are two basic problems I think with it. The first is that it contradicts the fundamental premises that the President has been operating his foreign policy on for the last 6

years in dealing with the proliferation of weapons of mass destruction. You know, in 2001, Secretary Powell made the comment early in the new administration that he was prepared to continue the discussions with North Korea pretty much along the same lines as the Clinton administration had been doing and President Bush quite properly rejecting that. And I remember Secretary Powell saying, I leaned a little too far forward on my skis on that one. And yet what this deal does is essentially repeat what was out there for discussion in 2001. I think it allows the North Koreans to gain substantial economic benefits with a minimal commitment on their part not even dealing with the full threat of their nuclear weapons program.

And I think the second aspect is that it sends a terrible signal to other would-be proliferators and as an indication of weakness on the administration's part precisely when we need to be looking—I should stop saying “we”—when the administration needs to look strong on Iran and in Iraq.

So I am very hopeful that, for a variety of reasons, there is a chance to rethink this because, otherwise, I think we are set on a course that will be very dangerous for ourselves and very dangerous for close allies like South Korea and Japan, and that enhances the risk of proliferation that the North Koreans are fully capable of doing around the world.

Mr. ROYCE. I appreciate that. Let me ask you another question. Much has been said about the genocide in Darfur. I was in Darfur and interviewed survivors of an attack. This conflict, I think, highlights the profound shortcomings of the United Nations, and I suspect we might be further down the road of acting decisively. If it were not for the restrictions we allowed the Security Council to impose upon us. And I think that, you know, this arrangement we in the United Nations, we are sort of guaranteed the lowest common denominator approach to genocide. And I would ask you, Ambassador Bolton, for your comment on the U.N.'s role with respect to the genocide going on in Darfur.

Ambassador BOLTON. Well, I have to say, Congressman, in a range of a lot of frustrations during my time at the U.N., dealing with the Security Council on Darfur was quite likely the most frustrating, where you had a number of governments—China in particular—whose principal object in our debates over Darfur was to protect the Khartoum Government.

And that allowed the Khartoum Government to throw up objection after objection to an objective that the African Union had endorsed, that the broad U.N. membership favored, which was to transfer the peacekeeping operation from the African Union to the U.N.

Not to be critical of the African Union's involvement, but they were not equipped for the kind of geography and lack of infrastructure that exists in the three Darfur provinces, and I think all agreed; Secretary-General Annan himself proposed we need a more mobile force, one that was better able to respond quickly. We thought we could do that through a U.N. peacekeeping force. The African Union concurred. But the government in Khartoum dug in its heels, said that this U.N. peacekeeping operation was a neo-imperialist plot by NATO to colonize the Sudan. And they were basi-

cally allowed to get away with it because of obstructions that were thrown up in the Security Council.

Now I might say, even after the council adopted resolution 1706, which was intended to push toward the transfer of authority of the Darfur operation to the U.N. and the government in Khartoum continued to resist, many member governments—not just China—but many member governments said: “Well, I guess it is out of our hands if Khartoum won’t go along with it. We have to scale back from 1706. We have to scale down our expectations. We have to lower what we think we are going to do to protect the innocent civilians in Darfur.”

And despite, I think, President Bush’s extensive efforts before and since to try and change that, we are really stuck at the moment after a year of effort, the Darfur situation has not been transferred to effective U.N. control. And I am afraid that the government in Khartoum, by dint of its persistence and the support it has from other member governments in the U.N., may well succeed in keeping the U.N. out.

Mr. ROYCE. China is arming Khartoum in the same way China armed the Hutu militia during the Rwanda genocide 11 years ago, and so this precedent is really disturbing to me. Thank you.

Chairman LANTOS. Senator Mitchell.

Mr. MITCHELL. First, Mr. Chairman, and Congressman, I would find it truly extraordinary—really incredible—if the United States had a representative participate in these discussions, negotiate an agreement, agree to the agreement, praise the agreement, and now the President doesn’t support it. That would be truly remarkable, especially on a matter of such significance, so I assume that since our representative—the President’s representative—participated in, agreed to, and praised this agreement that it is the agreement of the Government, including the President.

And while it is obviously imperfect—it fails to address serious issues that will have to be dealt with down the road—it does represent significant progress in the two important areas of closing down the nuclear reactor and readmission of the inspectors, and permits engagement on the further issues.

My only regret is that we didn’t agree to this 6 years ago when we had the opportunity to do so because we might not then have had the number of nuclear weapons and the nuclear test that occurred.

Mr. ROYCE. They might have broken the agreement, Senator, like they did during those ensuing the 6 years, like they broke the preceding agreement during the Clinton administration, the 1994 Framework Agreement. That is the problem.

Mr. MITCHELL. Yes, I agree. But I never thought I would find myself in the position of defending the Bush administration from the criticism of the Ambassador.

I do so here.

Chairman LANTOS. Wonderful things happen in this committee, Senator Mitchell.

Mr. MITCHELL. If I could just make one final comment on Darfur, because the task force that the Speaker and I led was created, really, at the insistence of Congressman Wolf, who was powerfully and emotionally motivated in the best sense by the issue of Darfur. The

very first meeting we had with Frank Wolf, he pulled out the video that he carries with him and showed it to us. And it had a real impact on us, so we devoted a lot of attention to that.

First, let me say—make clear—that I do not believe we can or should agree to an approach that gives the Government of Sudan veto power over any actions that can occur. I think, as a matter of principle, that is simply an unacceptable position. And we must be prepared to proceed in a manner that has not occurred despite the horrific actions that have occurred in Darfur. I have to say candidly, I don't think the reason we haven't done much is because the U.N. is stopping us from doing it.

I don't think any of the countries who could play a larger role have done what they could. And I hope that there will now be a greater sense of urgency about getting something done, whether it is a U.N. force, whether it is an African Union force or whether it is a hybrid force or whatever; that there will finally be the kind of action that I think people universally demand and expect to respond to what has occurred in Darfur.

Chairman LANTOS. Thank you.

Senator Wirth.

Mr. WIRTH. Very briefly, I would remind us, in North Korea, it was U.N. sanctions that certainly helped to bring the North Koreans back to the table at this point on the positive side.

Second, in reading the accounts of this, I was reminded of Secretary Baker's stories of going to Syria, in which Jim Baker said, "I went to Syria 15 times, and you know, I was getting nowhere, getting nowhere, and finally, we had a breakthrough on the 16th visit." It seems to me you have to keep trying, and you have to keep working on various things. Our previous strategy doesn't seem to be doing much good, and I guess we have opened the door, and that would appear to be a positive step.

Related to Darfur, as Senator Mitchell said, not giving veto power to the government in Khartoum goes right to the question of the duty to protect and goes right to what the responsibilities of other nations are, you know, to the genocide going on within a sovereign nation. And we haven't figured that problem out. We don't know what the answer to that is.

I think to say that that is a part of the profound shortcoming of the U.N. is to say it is our own shortcoming. You know, we are the ones who have not been able, with the Chinese and with the other members of the Security Council and others, to really figure out, when does veto power exist, and when does the sovereign responsibility of a country stop allowing other nations to come in? There is nothing stopping us, you know, from independently going into Darfur. We could certainly do that. We have chosen not to do so, but there is nothing stopping us or others from doing it. We have all been delinquent on the subject. I certainly don't think it is a profound shortcoming of the U.N. that has caused this problem or exacerbated the problem.

Mr. ROYCE. Let's keep in mind, we are the ones driving the argument that it is genocide. And it is China and others in the U.N. that are blocking that argument. So more moral equivalency I don't think is the way to approach this. The United States frankly could take unilateral action. We could have a no-fly zone. But I think we

all recognize that we have got a problem in the United Nations on this issue.

Chairman LANTOS. Gentleman's time has expired.

Mr. Payne of New Jersey.

Mr. PAYNE. Thank you very much. Really appreciate all your testimony. And having been the Democrat for the past two sessions that House Members have serve as the delegate to the United Nations, I really appreciate the outstanding work done by the U.N. in general and commend Secretary-General Kofi Annan for taking an organization which was even in rough, worse shape and shaping it up into at least a manageable organization. I served with Amo Houghton in the 2005 session and with Congressman Royce in the 2007, 2006.

Let me, having said that, I believe that much more certainly should be done. As you mentioned, Congressman Wolf talked about Darfur, talked about the North-South Agreement, which he did so much to do. And I think that the energy that we put into the comprehensive peace agreement between the north and the south as opposed to what we are doing in Darfur is just, it dwarfs in Darfur what we did to solve the North-South Agreement.

And I agree, you know, we didn't ask Milosevic if we could go into Yugoslavia. Even President Bush did not ask Aidid if he could go into Somalia. And I don't understand this new philosophy where we have to get approval from a murderer, Al Bashir, to allow us to go in.

We went into Somalia a couple of weeks ago and bombed some places because we heard there was an alleged al-Qaeda person there. And we have seen 450,000 people killed in Darfur. And we say we can't go in. We should have a no-fly zone. We should put some drones up. We should take out some Sudan army vehicles from Miami by pushing the buttons that we could do. And I bet you that Al Bashir would sit back and allow not even a hybrid but a U.N. group to go in and makes absolutely no sense that we sit around and allow a dictator, murderer, brutal person who kills women and children and has his Janjaweed rape people. And we sit back and say there is nothing we can do. It is a disgrace. Let me—my time is almost up, I guess. I didn't get a chance to ask a question. I know all of you agree.

I would also say that I believe that we are on the right track also in North Korea. I think Secretary Powell was right when he got ahead of the administration. But if we continued the discussions, the bilateral discussions in addition to the six party discussions, I think we would have done this agreement long before now.

Let me just ask one question. We are behind in our U.N. dues. The peacekeeping—we are going to be about \$130 million behind, I guess, let's see we are 27 percent that we pay, supposedly we reduced it to 22 percent. We pushed for Ban Ki-Moon to be the new Secretary-General. We are going to be about, oh, let's see, we are going to be about \$350 million, I guess, behind in dues in 2008 when he comes in for peacekeeping. So on one hand, we are very supportive of him, but because we have put a cap on the amount of money that we will pay in the peacekeeping, we are really not going to be very supportive of, in my opinion, and hopefully, we could break that cap.

My question is, do you support the current limit or should it be increased? And finally, on the human rights group, there had been changes made in the agreement, you know, states outside of their jurisdiction can vote for these members, and with the fact that there will be 14 new members coming up in the 2008 Human Rights Council, don't you think it would make a lot of sense for us to run and to try to win and then, from inside, try to change and lobby within that Human Rights Council to have some significant changes rather than to sit on the outside? I will just ask any of the three of you if you have any quick comment. Thank you.

Chairman LANTOS. Senator Wirth.

Mr. WIRTH. Thank you, Mr. Chairman.

If I might very briefly, Congressman Payne, on the subject of the budget, we have over time negotiated our share of peacekeeping from 31 percent down to 27 percent down to 26 percent. Congress has put a cap of 25 percent. So there is a delta there that is unpaid.

There are also other broader problems. And you can see them emerging in this year's budget. The State Department estimated in its initial budget submission that our cost, our share, our 26 per share, would be approximately \$1.8 billion for this year. So we have growing peacekeeping requirements at the U.N. that we had all voted for, and the State Department estimating we would need \$1.8 billion to cover our share of those costs. Only \$1.1 billion is in the budget. There is an expected \$200 million supplemental, so that means there will be \$1.3 million in an account that probably needs \$1.8 million. So at least at this point, it looks like we are going to have a half-a-billion dollar shortfall in the peacekeeping account alone.

In addition, there will probably be in our mandatory accounts or our dues accounts another \$130 million shortfall. So we are going into this year with something in the neighborhood of \$650 million to \$700 million shortfall with the U.N. just at a time when we are asking the U.N., as we have all said, to undertake a number of extremely important missions.

Now how is this going to get resolved? Well, it is going to be—a lot of that is going to come right back to this committee and right back on the appropriations process to sort out those priorities. Certainly, the State Department has been supportive of this much more significant level of funding and to pay our full share of the peacekeeping.

Chairman LANTOS. If, Senator Mitchell, you want to say, please go ahead.

Mr. MITCHELL. I will be very brief, Mr. Chairman. Congressman Payne, on Darfur, we had a 5-page section of our report, pages 35 to 39, which embodied many of the recommendations that you yourself, public advocated here and elsewhere.

Secondly, on the funding and caps, I believe the Bush administration deserves credit for being the first in several years to have the United States paid in full on its arrears, and I believe the administration also favors lifting the cap. And in both respects, I believe the Bush administration deserves credit for the former action and should be supported in its latter request.

On human rights, I have stated my view, Congressman Payne. I believe we should be very actively involved because it goes to the essence of what we are and what we stand for.

Chairman LANTOS. Ambassador Bolton.

Ambassador BOLTON. Thank you.

I think, Congressman Payne, on the Darfur issue, you have laid out very eloquently what happens when you try to run your entire policy through the Security Council and why going outside of the Security Council is frequently the only alternative if you want to be effective.

On the budget point, I think that the real issue here is, given that there are now 18 peacekeeping operations in the field with over 80,000 deployed military personnel, the U.N. system is overloaded. And I think this is not a budgetary point. This is a problem where we face a real debacle in one of these operations with a lot of people getting killed because the oversight and effectiveness of the operation is watered down.

I put a lot of that responsibility, a lot of blame for that, on the Security Council—not the Secretary—at the Security Council. And I include the United States in that because the Security Council does not operate effectively to try and resolve the underlying disputes that gave rise to the peacekeeping operations in the first place. I can't tell you the number of meetings I sat through following my instructions from Washington, rolling over a peacekeeping mandate for another 6 months, because we hadn't paid enough attention to it to know how to try to answer it.

We made a particular effort on the Ethiopia-Eritrea border dispute. I want to say Jendayi Frazer worked very hard on that. I participated in that. We couldn't get it done. And so that peacekeeping operation continues ineffectively, unable to resolve a dispute the two parties themselves agreed to almost 10 years ago now.

I think that is an example, and I could give you plenty of others, where we shouldn't rely on the Secretariat. The Security Council has to bear down on the parties and say, let's wrap this up. We don't do enough of that. And that is one reason why we face this difficulty.

Chairman LANTOS. I want to thank all three of our distinguished witnesses for a remarkably valuable session. We have four votes on the floor now, followed by this historic debate on Iraq policy. I want to thank all three of you gentlemen on behalf of all of my colleagues. This hearing is adjourned.

[Whereupon, at 11:40 a.m., the committee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

WRITTEN RESPONSES FROM THE HONORABLE TIM WIRTH, FORMER UNITED STATES SENATOR FROM THE STATE OF COLORADO, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE LYNN C. WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

*Question:*

*Recently, I and others introduced H.R. 508, the Bring the Troops Home and Iraq Sovereignty Restoration Act, which, when enacted, will have our troops and contractors out of Iraq and the area six months after enacted.*

*During that six months, we will escalate the training of the Iraq security forces while ensuring that the troops and contractors leave safely. For the next two years, we commit to working with the international community (if asked by the Iraqi people) to assist with stabilization, reconciliation, and reconstruction. Additionally, the bill provides health benefits for all of the returning troops—including veterans of the Iraqi occupation and all other veterans. The bill would repeal the Iraq war powers, prohibit the establishment of permanent bases in Iraq, and return the oils rights to the Iraqi people.*

*Can you see a role for the U.N. in stabilization, reconciliation, and reconstruction? In what situation would the U.N. become more involved in Iraq? Who else should be participating in such an effort?*

*Response:*

As you may know, Secretary-General Ban has said that Iraq is the world's problem and that the international community should work together to solve it—and, indeed, the UN is already at work in Iraq.

The UN and its relief agencies are currently addressing the third largest refugee crisis in the world there, helping to register, feed, and house the growing number of refugees and internal displaced persons in and around Iraq. At the request U.S. and Iraq, the UN has organized the International Compact for Iraq to increase aid to Iraq and commit Iraq to a series of political, social, security, and economic reforms over the next five years. In addition, the UN is providing key offices and assistance in bridging political divisions inside Iraq. In April 2006, for example, the Secretary-General's Special Representative in Iraq led negotiations with anti-American Shi'ite leaders, ending a month-long struggle that had kept Iraq from forming a government of national unity.

In short, the UN has already played a key role in stabilizing Iraq and attempting to reconcile its internal strife.

At the same time, the UN's ability to engage in robust stabilization and reconstruction efforts is currently constrained by the precarious security environment in Iraq. Should this situation improve, I would fully expect UN Member States to call for more expansive UN engagement there, much as the UN has helped in solidifying democratic processes and garnering international aid in Afghanistan.

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WRITTEN RESPONSES FROM THE HONORABLE JOHN BOLTON, FORMER UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE LYNN C. WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

*Question:*

*Recently, I and others introduced H.R. 508, the Bring the Troops Home and Iraq Sovereignty Restoration Act, which, when enacted, will have our troops and contractors out of Iraq and the area six months after enacted.*

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*Can you see a role for the U.N. in stabilization, reconciliation, and reconstruction? In what situation would the U.N. become more involved in Iraq? Who else should be participating in such an effort?*

*Response:*

The UN should be involved in Iraq, and the Bush Administration has consistently pushed for a larger roll. It has been the UN, at least under Secretary General Annan, that resisted, citing security considerations, despite the fact that many NGO's and others are present throughout Iraq.

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman. I want to welcome our three witnesses today, the Honorable Timothy Wirth, the Honorable George Mitchell, and the Honorable John Bolton.

Today as we discuss the future of the United Nations and our peacekeeping efforts abroad, I find it encouraging that just this morning Assistant Secretary of State Christopher Hill made a breakthrough in negotiations with North Korea. This not only emphasizes the importance of negotiations with such nations, but also provides us with hope for success in other areas around the world.

Today we will have the opportunity to learn in depth about plans for the future of the United Nations under its new Secretary-General, Ban Ki-Moon. Thus far, his plans appear to be well-worthy of United States support—he has promised to take a more active role in assisting U.S. efforts in Iraq and Afghanistan, he held a fairly successful donors conference in Paris on behalf of Lebanon, and he has attempted to negotiate with Sudan for the deployment of UN peacekeepers to the region of Darfur.

In addition, despite the United Nations' high rate of success, he has already begun addressing the issue of its much-needed reform. Parts of his agenda include restructuring the offices and functions of various UN departments and agencies to streamline the work of the UN and increase its efficiency. I look forward to hearing from our witnesses in more depth about the details of and their expectations for reform in the future of the United Nations.

Last week this Committee heard from Secretary Condoleezza Rice regarding the President's recent budget request for Foreign Operations in FY 2008. Throughout our analysis of this part of the budget proposal, it has become clear to me and to others on this Committee that United Nations peacekeeping efforts have been severely shortchanged.

Although the budget request is only slightly lower than the actual FY 2006 budget, it is drastically lower than the amount we have promised the United Nations by treaty. It badly undercuts our precedent of Contributions to International Peacekeeping Activities (CIPA), accounts which fund U.S. dues for the United Nations regular budget and for United Nations peacekeeping missions. I find this of serious concern.

I endorse the sentiments of Chairman Lantos in this regard. The United Nations furthers the core values and interests of the U.S., and it is imperative that the Administration does not reduce the deficit by under-paying for our national security in this fragile area.

With the United States \$400 million short of the obligations to the peacekeeping account, it is absurd that the Administration is budgeting for hundreds of millions

of dollars less than we need to fund critical U.N. peacekeeping operations. As Chairman Lantos noted, for the first time since the historic Helms-Biden agreement to pay off old U.S. debt the United Nations, we will once again be in arrears. America must not shirk its pledged responsibilities. The Bush Administration must step up, fulfill our promises to these fragile nations and fund these initiatives.

Furthermore, it is ironic that the President chooses to make budget cuts in this part of our foreign assistance despite UN peacekeeping missions having proven to be much less costly and more successful than invasive U.S.-led missions. Secretary Rice herself noted in a House Appropriations hearing in 2005 that UN peacekeeping is "much more cost effective than using American forces." Yet, despite an enormous deficit and an ever-sinking international reputation, this Administration feels it is the wiser policy to withhold funding for more cost-effective missions and to refrain from honoring treaty obligations.

I strongly disagree with this decision, and hope that our witnesses today will be better give us a more extensive understanding of United Nations peacekeeping efforts, the costs that they require, and our treaty obligations to the multinational organization.

Thank you, Mr. Chairman, and I yield back the remainder of my time.

