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ASSESSING THE UNITED NATIONS 41ST GENERAL ASSEMBLY

INTRODUCTION

The United Nations General Assembly is now about halfway through its 41st year. The regular session, which convened in early September, ended on December 19. That session is notable, from an American perspective, for how poorly it has treated the U.S. and U.S. interests. It reversed in some respects the pattern of the past couple of years in which United Nations delegates and bureaucrats had seemed increasingly aware that the U.S. public and Congress were disillusioned with the U.N. As such, the U.N. had seemed to begin to deal a bit more evenhandedly with the U.S. and with issues in which Washington has great interest.

In the 41st regular session, however, the U.N. has suffered a relapse. It again passed a steady stream of anti-Western and, in particular, anti-U.S. resolutions. This has triggered widespread dismay among Americans. Senator Paul S. Trible, Jr., the Virginia Republican, who has been a U.S. delegate to the 41st General Assembly, for example, complains that the U.N. "devotes a large part of its energies to attacking the United States." Adds a former U.S. Ambassador to the U.N.: "In many respects, the 41st has been the worst General Assembly yet."

Among the General Assembly's most worrisome actions has been the strong condemnation of the U.S. for its raid on Libya, with not a word about Libyan terrorist attacks prompting the American retaliation. Another was the passage of a set of 51 recommendations promoting the "new world information order"--the blueprint for censorship that undermined the credibility of the U.N. Educational, Scientific, and Cultural Organization (UNESCO). Also, for the first time in U.N.

history, the 41st session passed two resolutions promoting the so-called right to development--a discredited scheme to force the transfer of resources from developed to developing nations.

Equally troubling has been the 41st General Assembly's double standard. Though not citing the Soviet Union for its invasion of Afghanistan or for its well-documented human rights violations, the General Assembly did manage to condemn the U.S. by name for its trade embargo against Nicaragua. Chile was condemned for human rights violations but not one word was said to condemn Cuba, one of the globe's worst human rights violators.

Regarding the Middle East, the U.N. once again condemned Israel as a "non-peaceloving state," the only U.N. member ever to be so called. Meanwhile, the Assembly praised the "constructive statements" of the Palestine Liberation Organization, a group dedicated to destroying Israel.

On budgetary issues, the Assembly ignored the U.S. request for weighted voting procedures, which would bring some measure of accountability and responsibility to the out-of-control U.N. budget. This has been of extreme concern to the U.S. Congress, which in recent years has been asked to appropriate more than \$1 billion annually for U.N. activities, one-quarter of the U.N.'s total budget.

The record of the General Assembly's 41st session is a clear indication that the U.N. has decided to ignore congressional concerns. The message of the 41st General Assembly is that the U.N. is a long way from reform. In effect, the Assembly is telling the U.S. Congress to take the U.N. as it is. Congress and the Reagan Administration apparently once again must make it clear to the U.N. that U.S. participation in the body increasingly becomes conditional on U.N. reform.

CONDEMNING THE U.S. FOR ITS RAID ON LIBYA

On December 4, 1986, the General Assembly passed Resolution 41/38, which condemned the April 15, 1986, U.S. raid on Libya, calling it "a serious threat to peace and security." It also criticized the U.S. for exercising its legitimate right of veto in the Security Council in connection with a similar resolution, then proceeded to accuse the U.S. of engaging in "violation of the Charter of the U.N. and of international law." The resolution even "affirms the right of [Libya] to receive appropriate compensation for the material and human losses inflicted upon it." The resolution requests the U.N. Secretariat to report on the matter at the 42nd General Assembly. The vote on the resolution was 79 for, 28 opposed, 33 abstentions, 18 absences.

The Permanent U.S. Representative to the U.N., Vernon A. Walters, responded to the U.N. resolution by asserting that the U.S. had exercised its inherent right of self-defense recognized in Article 51 of the U.N. Charter. He condemned the U.N. for failing to take into consideration the Libyan attacks against the U.S., notably the bombing in West Berlin on April 5, 1986, which caused death and injury to over 230 people. For the U.N. to pass this resolution, charged Walters, is "to equate the answer to terrorism with terrorism."¹

THE GENERAL ASSEMBLY REJECTS WEIGHTED VOTING

On administrative and budgetary matters, the General Assembly adopted several reform measures. It agreed that the 21-member Committee on Programme and Co-ordination, of which the United States is routinely elected as a member, should decide budgetary questions by consensus. This effectively would give the U.S. veto-power leverage. The main shortcoming of this, however, is that the consensus procedure is not binding; should it break down on any particular issue, which is almost a certainty, the matter then is turned over to the General Assembly.² There, of course, the U.S. has only one vote. In effect, therefore, nothing will have changed. The General Assembly will be able to approve huge U.N. expenditures.

Consensus is very important. According to Walters, consensus is "fundamental, indeed absolutely essential, for the long term viability of the U.N."³ If decisions on budgetary matters will not be made by consensus, says Walters, we will "find ourselves back where we started, in a situation unacceptable to all of us." Whether the U.N. will be able to discipline itself on its budget is very much in doubt. The revised 1986-1987 budget, for example, is 4.5 percent or \$61 million larger than the budget level approved at the 40th General Assembly. Michael Michalski, U.S. Representative to the Fifth Committee, which has responsibility for budgetary matters, noted that "the cost of running the organization continues to increase at an unacceptable rate."⁴

1. Press Release, USUN 29-(86), April 15, 1986.

2. U.N. Department of Public Information memorandum to Non-Governmental Organizations, January 2, 1987.

3. Press Release USUN 186-(86), December 19, 1986.

4. Press Release USUN 1982-(86)

PROMOTING THE NEW WORLD INFORMATION ORDER

Resolutions 41/68A and 41/68B passed on December 3, 1986, the first by a vote of 148 for, four abstentions, only the U.S. against; the second by a vote of 143 for, seven abstentions, only the U.S. and Britain against. Both resolutions endorsed the "new world information and communication order" (known as NWICO), promoted by UNESCO. It noted that the "rights and freedoms [of the press] may in no case be exercised contrary to the purposes and principles of the United Nations." This strongly implies that the U.N. could curtail such freedoms if its "purposes" (according to a meaning determined by the General Assembly) were not fulfilled. The NWICO is defined, moreover, as an evolving and continuous process in accordance with the relevant UNESCO resolutions.

GENERAL ASSEMBLY TREATMENT OF ISRAEL

Once again General Assembly resolutions on the Middle East seemed no more than exercises in propaganda. One of the resolutions, 41/63, addressed Israeli Practices in the Occupied Territories. Ambassador Hugh Montgomery, Alternate U.S. Representative, described the resolution as "one-sided and polemical, which can only inflame an already embittered situation and widen rather than narrow the differences between the parties."⁵

In the same resolution there were new, unsubstantiated charges of ill-treatment and torture of Arab children. This prompted Montgomery to object vigorously. He also objected to the expenses imposed by the special committee investigating Israeli practices, "especially at a time of budgetary priorities requiring the most carefully thought-out setting of priorities to ensure that scarce resources are not wasted on pointless exercises" such as that committee.

In another resolution, 41/162, the General Assembly condemned Israel once again as a "non-peaceloving member state," a practice started by the Assembly in 1982. Israel is in fact the only U.N. member thus singled out. And since U.N. membership is restricted to "peace-loving" states, this language would make it easy for U.N. members to expel Israel at some future date.

5. Press Release USUN 163-(86).

CONDEMNING THE U.S. EMBARGO AGAINST NICARAGUA

On December 3, 1986, the General Assembly passed Resolution 41/164, condemning the U.S. for imposing a trade embargo against Nicaragua, stating that the U.S. "has a duty immediately to cease and to refrain from" its action. The vote was 88 for, with only Israel joining the U.S. in opposing the Resolution; 44 states abstained. Ambassador Walters declared that the resolution "represents the worst tendencies in the U.N."⁶ In the first place, it is hypocritical: for Nicaragua itself maintains a trade embargo as an instrument of its current political policy, as do co-sponsors of that resolution, Algeria and Democratic Yemen. The resolution also reflects a double standard, as trade embargoes are common throughout the world yet the U.S. is singled out for criticism.

What is worse, the Second Committee where this resolution was debated denied the U.S. the right to be heard. The U.S. also was denied the right to table a series of resolutions. In response, U.S. representative Chester Norris walked out of the Committee room.

THE GENERAL ASSEMBLY ATTACKS FREE ENTERPRISE

The 41st General Assembly passed a significant number of resolutions endorsing redistributionist economic schemes and attacking free enterprise. A Yugoslav-sponsored resolution, for example, adopted on November 28, 1986, condemns the net transfer of resources from developing to developed countries. The vote was 125 for the resolution, 10 against, and 10 abstaining.

The General Assembly also passed a "declaration on the right to development," which, according to the U.N., requires sustained action to promote more rapid development of developing countries. It specifically requires action, for example, to "increase concessional assistance to developing countries." As Ukrainian representative Gennadi Lebakin told the Third Committee, which deals with human rights issues, "the right to development" is a right of "peoples" as against neocolonialist states.⁸ The resolution declaring that such a right exists passed on December 4, 1986, by a vote of 133 for to one against--the United States--and 9 abstentions.

6. Press Release USUN 1981-(86).

7. GA/EF/2273, November 21, 1986.

8. Press Release GA/SHC/2801, November 20, 1986.

Another resolution, sponsored principally by Cuba, deals with the progressive development of the principles and norms of international law relating to the New International Economic Order (NIEO), endorsing a study on the subject by the U.N. Secretariat (A/41/536). The study consists of a compilation of "Views and Comments" submitted by the Byelorussian Soviet Socialist Republic, Cuba, Rwanda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, and Great Britain. Essentially disregarding the views of Great Britain, the U.N. resolution states the "need for the codification and progressive development of the principles and norms of international law relating to the new international economic order." The new international economic order, however, is a term that applies to a discredited, redistributionist economic scheme.⁹ To the extent that the U.N. endorses and seeks to implement this scheme, it can only harm the economic progress of developing nations.

Finally, on December 8, 1986, the Assembly passed a resolution on Products Harmful to Health and Environment, by a vote of 146 to one--the United States--and one abstention. The U.S. vigorously opposed this resolution because it endorses the preparation of a list involving commercial data that discriminates against manufacturers in the Western industrialized countries. At the same time, the list protects manufacturers in socialist and developing countries who do not make information freely available about manufacturers and regulatory actions. Argues Chester Norris, Special Adviser to the U.S. for the 41st Assembly, the resolution involves adopting "highly specious and misleading information" about Western companies, "particularly the discriminatory commercial data produced by the Center for Transnational Corporations," which unfairly harms those companies.¹⁰

Commenting on the 41st General Assembly's record on economic regulation, a State Department officer notes cautiously that, while he sees "no permanent shift in attitudes or voting patterns," he feels that "if anything the U.S. has lost ground" this past year. As for the Soviet Union, which enthusiastically supported the resolutions that the U.S. opposed, the official notes: "Given the staying power of the Soviet delegation and supporting staff working on U.N. issues, I suspect they will in the long run benefit the most."

9. Roger A. Brooks, "The U.N.'s Economic Credo: The Way the World Doesn't Work," Heritage Foundation Background No. 384, October 3, 1984.

10. See Press Release USUN 183-(86), December 8, 1986.

PROMOTING A DOUBLE STANDARD ON HUMAN RIGHTS

The U.N. continued its campaign against Chile, ignoring the report of the Special Rapporteur on Chile. While this report noted Chile's steps to alleviate and curtail human rights abuses, the General Assembly's resolution mentioned none of them. Nor did the resolution acknowledge the attempt by Chilean terrorists to murder Chilean President Augusto Pinochet or that these terrorists received \$10 million worth of arms from Cuba. Alternate U.S. Representative Patricia Byrne charged that the resolution "relies on rhetoric, not reality."

Resolution 41/158 on the Question of Human Rights and Fundamental Freedoms in Afghanistan adopted on December 4, 1986, by a vote of 89 to 24, with 36 abstentions, did express "concern and anxiety at the continuing presence of foreign forces" in Afghanistan. But the wording of this resolution was curiously vague. The resolution failed to name the Soviet Union as the "foreign force" invading Afghanistan. And at no time in preceding years, in fact, has the USSR been named by the U.N. as the invader of Afghanistan. The U.N. resolution is so ambiguously worded, in fact, that it allows Gennadi Lebakin of the Ukrainian Socialist Republic to claim that the "foreign forces" in Afghanistan are really only "armed groups of mercenary bandits and terrorists."¹¹ While the U.N. never dares criticize the Soviet Union by name, it has no hesitation in denouncing the U.S.

In an unprecedented move, the U.S. introduced a draft resolution in the Third Committee of the Assembly condemning human rights violations in Cuba (A/C.3/41/L.93). Ambassador Walters told the Committee that what is going on in Cuba is "one of the worst cases of massive violations of human rights in the world, yet it has received little scrutiny in general and almost none from this organization."¹²

Cuba retaliated by introducing its own resolution condemning violations of the human rights of Indians and blacks in the U.S. (A/C.3/41/L.98/Rev.1). The resolution states that the U.N. is "dismayed by persistent confirmed information on the practice of racism and racial discrimination in the U.S." against Indians. The Cuban resolution demanded that the U.S. government "put an end to the racist activities carried out by racist groups and organizations and by the police forces against the black population," demanding that a report be prepared by the U.N. on the issue of human rights and fundamental freedoms in the U.S.

11. Press Release GA/SHC/2801, November 20, 1986.

12. Press Release USUN 169-(86).

Rather than risk the passage of the resolution introduced by Cuba, the U.S. voted for an Indian resolution not to consider either the American or the Cuba-introduced resolution. In effect, this allowed the continued silence of the U.N. on the human rights violations taking place in Cuba.

There is no reason why the U.S. should have feared a U.N. investigation of human rights in the U.S. Such an investigation, if honest, would confirm that the U.S. is the world's most free multiracial society. If the U.N. report were not honest and fair, then it would have been clear to Congress and all Americans how biased and anti-American the U.N. is.

CONCLUSION

The 41st General Assembly demonstrated that the worst characteristics of the U.N. once again are dominant. The General Assembly advanced the double standard by which the U.S. is condemned by name for its trade embargo against Nicaragua while the Soviet Union has never been so condemned for invading Afghanistan. The U.S. is also vigorously condemned by name for its raid against Libya, while that country's responsibility for terrorist attacks is not even mentioned. The U.N.'s is a double standard that brands Israel, Chile, and South Africa as pariahs, but praises the terrorist Palestine Liberation Organization and African National Congress.

The 41st General Assembly also passed a host of resolutions undermining free enterprise and Western multinational corporations, promoting the so-called new international economic order and the "right to development." This advances the Soviet agenda as well, for it undermines the Western principles of rights by adopting that terminology to redistributionist schemes, and also by placing the blame for underdevelopment on the Western developed countries. The U.N. even endorsed the "new world information and communications order"--the UNESCO-promoted attack on press freedom.

And concerning a matter of great importance to the U.S. Congress; the General Assembly refused to take the steps needed to bring the U.N. budget under control. Specifically, the U.N. ignored the terms of the Kassebaum amendment (Section 143, P.L. 99-93), enacted by the U.S. Congress in 1985, which calls for weighted voting at the U.N. on budgetary measures. Refusal to adopt weighted voting assures funding of the U.N. political agenda, whether or not the U.S. agrees. It also assures that it will cost the American taxpayer more than \$1 billion this year. What can the U.S. do to temper the General Assembly's spendthrift and anti-American actions? Among the actions available to the U.S. are:

**** Continuing to "defund" U.N. programs that are contrary to the spirit of the Charter. For example, Section 114 of P.L. 98-164 (known as the Kemp-Moynihan amendment), enacted by Congress in 1983, denies U.S. contributions to the U.N. that go to support the PLO and the South West Africa People's Organization (SWAPO). Section 151 of P.L. 99-93 (known as the Sundquist amendment), enacted by Congress in 1985, calls for a reduction in U.S. contributions to the U.N. by the amount of salaries being returned to respective governments by U.N. Secretariat employees. This applies, in particular, to Soviet bloc employees.**

**** Applying Section 116 of P.L. 98-164 (known as the Kasten Amendment), enacted by Congress in 1983, which urges the Administration to take into consideration a country's U.N. voting record before giving that country U.S. economic or military assistance. For example, countries that vote with the U.S. in the General Assembly less than 14 percent of the time (approximately the Soviet Union's record in 1985) should be denied U.S. assistance altogether. This would deny U.S. aid to Zimbabwe, Mali, Mozambique, Madagascar, Ghana, Guinea, Burkina Faso, Ethiopia, Tanzania, Guinea-Bissau, Cape Verde, Seychelles, Benin, Congo, Comoros, Guyana, Tunisia, Oman, Yemen, Lebanon, Cyprus, the Maldives, Afghanistan, Yugoslavia, Algeria.**

**** Continuing to introduce resolutions in the Third Committee of the General Assembly condemning such human rights violators as Cuba. The U.S. should not withdraw its resolutions simply because Cuba or other countries will condemn the U.S. The U.S. has nothing to fear from a U.N. investigation.**

**** Walking out of U.N. discussions where the U.S. is not given a proper chance to register its opinion in accordance with U.N. rules.**

**** Considering dramatically reducing its level of participation in General Assembly voting as a protest to the double standard prevalent in that forum. The U.S. could even boycott General Assembly votes altogether.**

**** Enforcing rigorously the provisions of the Kassebaum-Solomon Amendment, enacted by Congress in 1985. This Amendment states that "no payment may be made for an assessed contribution to the United Nations or its specialized agencies in excess of 20 percent of the total annual budget of the United Nations or its specialized agencies (respectively) for the U.S. fiscal year 1987 and following years" unless the U.N. grants voting rights on matters of budgetary consequence that are "proportionate to the contribution of each such member state to the budget of the U.N. and its specialized agencies." That is to say, the U.S. should not pay more than 20 percent of the U.N. assessed budget.**

If these actions by the U.S. fail to prompt U.N. reforms, the U.S. must be candid with the United Nations. American officials must advise the U.N. that U.S. patience with the organization is nearing its limit. Wrote Senator Tribble after serving as delegate to the General Assembly: "The patience and goodwill of the American people are exhausted. They are increasingly unwilling to underwrite one-fourth of the cost of an organization that seems to defy accountability even as it devotes a large part of its energies to attacking the United States....It is clear that the disappointment, anger and dismay expressed about the United Nations are not misplaced."¹³

When the 41st General Assembly convened, there were hopes that the U.N. was about to begin the long-overdue process of fundamental reform. These hopes were unfulfilled.

Juliana Geran Pilon, Ph.D.
Senior Policy Analyst

13. The New York Times, December 15, 1986.