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President Bush's Farewell to the U.N.: A Call for Reform and Action

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President George W. Bush's final address to the United Nations was, in many ways, an encapsulation of America's primary objectives in the U.N. over the past eight years. Several issues were featured prominently in the speech, including:

- An appeal for the organization and the member states to more forcefully confront terrorism;
- A demand for more action by the U.N. and the member states on human rights;
- An exhortation for the President's freedom agenda accompanied by justifications for why representative government bolsters international peace and stability; and
- A call for the organization to implement reforms.

As is typical for these speeches, details were largely absent. The responsibility now falls to the State Department and the U.S. Mission to the U.N. to follow through and see that the U.N. moves forward on the President's agenda.

A Call for Action. President Bush gave his final speech to the U.N. General Assembly at the opening of the body's 63rd session on September 23.¹ The speech served as a final exhortation for the U.N. to take action on a number of issues that the Bush Administration championed: the fight against global terrorism, human rights, bolstering democracy and freedom, and U.N. reform.

The President is right to emphasize these issues. They are important not just to U.S. interests but to help make the U.N. a more effective, accountable vehicle for advancing the principles outlined in its charter: to discourage conflict, reaffirm faith in fun-

damental human rights, promote justice and respect for the obligations arising from treaties and other sources of international law, and promote better standards of life in larger freedom.

Unfortunately, many member states have blunted efforts to advance the principles and priorities advocated by President Bush in his address. In the waning days of the Administration, U.S. officials at the State Department and the U.S. Mission must focus on a few critical tasks to realize progress on the themes of the President's speech:

- **Terrorism.** Terrorism is an affront to international peace and security and human rights. "Like slavery and piracy, terrorism has no place in the modern world," the President noted, "A few nations—regimes like Syria and Iran—continue to sponsor terror, yet their numbers are growing fewer and they're growing more isolated from the world." President Bush acknowledged the steps that have been taken to address terrorism in the U.N., including Security Council resolutions "declaring terror unlawful and requiring all nations to crack down on terrorist financing" and a conference to highlight victims of terror. The President warned, "As the 21st century unfolds, some may be tempted to assume that the threat has receded.

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This would be comforting; it would be wrong. The terrorists believe time is on their side, so they made waiting out civilized nations part of their strategy. We must not allow them to succeed.”

Unfortunately, in praising U.N. efforts on combating terrorism, the President glossed over the near complete ineffectiveness of the U.N. in addressing the issue beyond meetings and rhetoric. In reality, the “few nations” that continue to sponsor terrorism are members in good standing at the U.N. They were in the U.N. chamber listening to his speech. They seek, often successfully, to block efforts to combat terrorism. The U.N. is hamstrung by their membership on the issue of terrorism. A clear case in point is the fact that the U.N. has failed to adopt a definition of terrorism.² How can the organization, even with a number of treaties and committees dedicated to terrorism, be an effective agent to combat terrorism when it will not precisely state what “terrorism” is?

Subsequently, the U.N. should adopt an official definition of terrorism that includes—beyond the actions condemned in existing terrorism treaties, the Geneva Conventions, and Security Council Resolution 1566—any action intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population, government, or international organization.³ This would be the most lasting legacy of the Administration in the realm

of the U.N. response to terrorism and would immediately increase the effectiveness of existing U.N. efforts to confront terrorism.

- **Human rights.** Since the birth of the U.N., protecting and advancing fundamental human rights has been one of the organization’s primary objectives. U.N. treaties and conventions, such as the Universal Declaration on Human Rights, which the General Assembly passed in 1948, form the core of international standards for human rights. Sadly, the U.N.’s record in getting member states to adopt and protect the fundamental human rights identified in that document has been riddled with failure and inaction. Such shortcomings occurred largely because governments hostile to human rights used their influence to blunt efforts in the U.N. to hold them accountable for their actions, particularly in U.N. bodies like the Commission on Human Rights.

The General Assembly voted in March 2006 to replace the discredited Commission on Human Rights with a new Human Rights Council to serve as the U.N.’s premier human rights body. Sadly, governments hostile to human rights have undermined the council’s agenda by eliminating scrutiny of states such as Iran and Cuba, constraining the independence of human rights experts, and obtaining passage of a resolution on defamation of religion that condones constraints on freedom of expression. The U.S. has increasingly dis-

1. President Bush, address to the United Nations General Assembly, New York, NY, September 23, 2008, at <http://www.whitehouse.gov/news/releases/2008/09/20080923-5.html> (September 24, 2008).
2. This ambiguity is commonly expressed as “one man’s terrorist is another man’s freedom fighter.” The U.N. General Assembly stated that the “definition of terrorism must distinguish between acts of terrorism and acts in the exercise of the legitimate right to self-determination and defence against foreign occupation.” See “Terrorism Must Be Addressed in Parallel with Poverty, Underdevelopment, Inequality, General Assembly Told, As General Debate Concludes,” Fifty-Sixth General Assembly, GA/9971, November 16, 2001. Security Council Resolution 1566, an anti-terrorism resolution adopted in 2004, “recalls that criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and calls upon all States to prevent such acts and, if not prevented, to ensure that such acts are punished by penalties consistent with their grave nature.” However, the resolution does not itself define terrorism. See Security Council Resolution 1566, October 8, 2004, at <http://daccessdds.un.org/doc/UNDOC/GEN/N04/542/82/PDF/N0454282.pdf> (September 24, 2008)
3. Such a definition was proposed in the U.N. High-Level Panel on Threats, Challenges and Change, A More Secure World: Our Shared Responsibility, 2004, at www.un.org/secureworld/report2.pdf (September 24, 2008).

tanced itself from the council's failings, including refusing to run for a seat.⁴ President Bush called for an immediate review of the council which, based on the General Assembly resolution establishing the council,⁵ is mandatory before 2011. If the council is to live up to its potential, the review must result in the adoption of substantial membership criteria to prevent it being captured by governments that seek to block scrutiny of human rights abuses or groups such as the Organization of the Islamic Conference that support constraints on fundamental rights like freedom of speech and expression through its proposals on the Defamation of Religion.

- *Democracy and the freedom agenda.* A continuing theme throughout the Bush Administration's two terms has been its determination to spread representative government and liberty. It has sought to advance those principles in the U.N. by supporting popular demonstrations for democracy and initiating the U.N. Democracy Fund. The President rightly derided those who say that some peoples do not desire freedom:

From the voting booths of Afghanistan, Iraq, and Liberia, to the Orange Revolution in Ukraine and the Rose Revolution in Georgia, to the Cedar Revolution in Lebanon and the Tulip Revolution in Kyrgyzstan, we have seen people consistently make the courageous decision to demand their liberty. For all the suggestions to the contrary, the truth is that whenever or wherever people are given the choice, they choose freedom.

Unfortunately, the U.S. has been fighting an uphill battle to support freedom in the U.N. Despite a growing number of democracies in the world over

the past 20 years, a majority of the U.N. member states remain neither politically nor economically free, according to *Freedom in the World 2008*⁶ published by Freedom House and the *2008 Index of Economic Freedom*⁷ published by The Heritage Foundation and *The Wall Street Journal*. The U.N. practice of "one nation, one vote" allows the many members with repressive economic and political systems and the worst human rights offenses to vote together to block efforts to promote economic and political freedom. Worse, these repressive governments exert pressure through regional voting blocs and other political groupings—such as the Group of 77 and the Non-Aligned Movement—to dissuade newly democratic countries or other countries that may otherwise be positively disposed to efforts to promote freedom from voting in favor of those efforts in the U.N. For instance, even though members of the U.N. Democracy Caucus comprise over 75 percent of the membership of the Human Rights Council, it has ignored ongoing state-sanctioned human rights abuses in Belarus, Cuba, China, Iran, Uzbekistan, Zimbabwe, and elsewhere while spending an inordinate amount of time criticizing Israel.

To counter the influence of anti-democratic, repressive governments, the State Department and the U.S. Mission should seek to build and strengthen coalitions among economically and politically free nations that share America's values and principles. The U.S. should also use its foreign assistance to encourage political and economic freedom in recipient countries and link disbursement of that aid to support for U.S. initiatives in the U.N.⁸

- *U.N. reform.* The U.N. is charged with many serious responsibilities and tasks. Millions of individ-

4. Brett D. Schaefer, "The U.S. Is Right to Shun the U.N. Human Rights Council," Heritage Foundation *WebMemo* No. 1910, May 2, 2008, at <http://www.heritage.org/Research/InternationalOrganizations/wm1910.cfm>.
5. "Human Rights Council," General Assembly Resolution A/RES/60/251, April 3, 2006, at http://www2.ohchr.org/english/bodies/hrcouncil/docs/A.RES.60.251_En.pdf (September 24, 2008).
6. Freedom House, *Freedom in the World 2008: The Annual Survey of Political Rights and Civil Liberties*, at <http://www.freedomhouse.org/template.cfm?page=395> (September 24, 2008).
7. Kim R. Holmes, Edwin J. Feulner, and Mary Anastasia O'Grady, *2008 Index of Economic Freedom* (Washington, D.C.: The Heritage Foundation and Dow Jones & Company, Inc., 2008), at <http://www.heritage.org/index>.
8. See Brett D. Schaefer and Anthony B. Kim, "How Do U.S. Foreign Aid Recipients Vote at the U.N.? Against the U.S.," Heritage Foundation *Backgrounder* No. 2171, August 18, 2008 at <http://www.heritage.org/Research/InternationalOrganizations/bg2171.cfm>.

uals around the world rely on the U.N. for protection and other assistance, but at times the U.N. has proven unreliable or even detrimental in discharging these duties. As the President noted,

In the 21st century, the world needs a confident and effective United Nations. This unique institution should build on its successes and improve its performance. Where there is inefficiency and corruption, it must be corrected. Where there are bloated bureaucracies, they must be streamlined. Where members fail to uphold their obligations, there must be strong action.

President Bush is too generous. As evidenced by the well-publicized scandals involving the Iraq Oil-for-Food program, abuses by U.N. peacekeepers, recent revelations of corruption in U.N. procurement, and the U.N. Development Programme (UNDP) violating its own rules and regulations in North Korea, the U.N. all too often has proven vulnerable to corruption and fraud, unaccountable in its activities, lacking in transparency and oversight, and duplicative and inefficient in its allocation of resources. The U.N. General Assembly agreed in the 2005 Outcome Document to adopt a number of reforms to address these problems. Despite voluminous reports on reform and additional proposals by former Secretary General Kofi Annan and current Secretary General Ban Ki-moon, the U.N. General Assembly has failed to implement or enforce a number of overdue reforms to improve oversight, accountability, transparency, efficiency, and effectiveness such as a review of U.N. mandates, enhancing oversight, and outsourcing to reduce costs.⁹

While the reforms outlined in the 2005 Outcome Document are hardly sufficient, they represent a starting point—one with the backing of all U.N. member states. The U.S. should continue its efforts to implement these reforms and to work

with nations that are committed to improving the effectiveness and efficiency of the U.N. through reformed management, human resources, budgetary, and oversight practices. If the U.S.—with its one vote out of 192 U.N. member states—is to be effective, the Administration must work with Congress to use financial leverage to press for these changes. Pressure from the U.S. Congress has been effective in the past and would further increase the pressure for reform.¹⁰

Overwhelming Need for Fundamental Reform.

In his final speech to the General Assembly, President Bush stated that the U.N. and other multilateral organizations “are needed more urgently than ever.” He was partly right. The U.S. and the world would greatly benefit from an effective U.N. focused on promoting its founding principles. Unfortunately, that U.N. does not exist.

The U.N. is too often opaque, unaccountable, inefficient, and vulnerable to fraud and corruption. It is slow to act, when it can act at all. It is paralyzed by ideological wrangling that prevents it from even agreeing on a definition of terrorism or acknowledging massive human rights violations when they occur.

The President’s speech was a call for the U.N. and the member states to take the steps necessary to make the U.N. relevant and effective. The need for fundamental reform is overwhelming. The difficulties in accomplishing that reform, in the face of widespread opposition among the membership, are even more overwhelming. In its waning days, the Bush Administration and the U.S. Congress should work together to achieve a few key initiatives to realize the reforms outlined in the President’s speech.

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9. Brett D. Schaefer, “Enough Reports: More Action Needed on U.N. Reform,” Heritage Foundation *Backgrounder* No. 1988, December 8, 2006, at http://www.heritage.org/Research/InternationalOrganizations/bg1988.cfm#_ftn4; “Who Leads the United Nations?” Heritage Foundation *Lecture* No. 1054, December 4, 2007, at <http://www.heritage.org/Research/InternationalOrganizations/hl1054.cfm>.
10. Brett D. Schaefer, “A Progress Report on U.N. Reform,” Heritage Foundation *Backgrounder* No. 1937, May 19, 2006, at <http://www.heritage.org/Research/InternationalOrganizations/bg1937.cfm>.