

WebMemo



Published by The Heritage Foundation

No. 2201
January 12, 2009

Key Questions for Senator Hillary Clinton, Nominee for Secretary of State

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On January 20, the incoming Administration will confront a multitude of international issues. The challenges facing the new secretary of state include intractable regional problems such as Iran, Pakistan, and the status of Taiwan; challenges to U.S. sovereignty posed by multilateral treaties and international organizations; and important national security issues such as NATO expansion and missile defense.

In order to determine where the next secretary of state stands on these crucial issues, the following questions should be put to the nominee during her confirmation hearing:

Question #1: American Sovereignty and International Organizations

What is your view regarding the status within the international system of the independent, sovereign state in general, and the importance of preserving and protecting American sovereignty in particular? Do you ascribe to traditional views of national sovereignty or to the theory of “global governance”?

Answer: There are two competing viewpoints regarding national sovereignty: The traditional view is that the sovereign state has been and should remain the basic operating entity within the international system¹ and that while states participate in international coalitions or organizations (such as the United Nations) in pursuit of goals that transcend their borders, those organizations are restricted to serving the goals of states, not governing them.² The competing view advocates “global governance,” a system in which sovereignty is a passé notion in an

increasingly interconnected world and where international organizations have the same, if not greater, authority to determine the policies of sovereign states. In fact, former Deputy Secretary of State Strobe Talbott once predicted that some day “nationhood as we know it will be obsolete; all states will recognize a single global authority.”³

The United States should continue to act in concert with its allies to pursue ends of an international nature such as multilateral efforts to combat piracy on the high seas, stabilizing Afghanistan with our partners in NATO, maintaining open global markets, and interdicting banned weapons and technology through the Proliferation Security Initiative. The U.S. should not, however, cede to any nation, group of nations, or international organization the authority to bind the U.S. on matters relating to its national interests, including (but not limited to) nuclear arms,⁴ humanitarian intervention,⁵ “climate change,”⁶ interpretation of the U.S. Constitution,⁷ or any other matter that would erode American sovereignty.

Question #2: Pending and Proposed Multilateral Treaties

What are your views regarding several controversial multilateral treaties and efforts by the United Nations

This paper, in its entirety, can be found at:
www.heritage.org/Research/NationalSecurity/wm2201.cfm

Produced by The Margaret Thatcher Center for Freedom

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999
(202) 546-4400 • heritage.org

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that, if supported or ratified by the United States, would erode American sovereignty?

Answer: The “international community,” usually acting through the U.N. system, often seeks to influence U.S. foreign policy and constrain American power by enmeshing the U.S. in multilateral conventions such as the U.N. Convention on the Law of the Sea and the proposed U.N. Arms Trade Treaty. Similarly, international organizations and U.N. treaty committees often seek to impose upon America their collective views on controversial and personal matters such as the care and education of children, the death penalty, abortion rights, gun control, and any number of issues traditionally left to Congress, the President, and the American people.

Efforts by international organizations to shape U.S. domestic policy should be opposed, including attempts to modify U.S. law regarding the rights of women and children,⁸ the criminal justice system,⁹

free speech,¹⁰ and other matters traditionally determined by domestic democratic processes. Moreover, the U.S. must reject attempts by the international community that would limit its options to navigate the high seas and explore the deep seabed,¹¹ as well as its ability to arm resistance movements against tyrannical regimes.

Question #3: Afghanistan and Pakistan

How will you deal with the threat from a resurgent Taliban that is undermining coalition efforts in Afghanistan and destabilizing parts of northwest Pakistan? How will you martial U.S. diplomatic resources and assistance programs to build up Afghan institutions and convince the Pakistani leadership to stiffen its resolve against the Taliban and other violent extremist groups finding refuge within its borders?

Answer: Sending new U.S. troops to Afghanistan is a welcome step that signals continuing U.S.

1. Jeremy Rabkin, “The Meaning of Sovereignty: What Our Founding Fathers Could Tell Us About Current Events,” Heritage Foundation *First Principles* No. 10, May 25, 2007, at <http://www.heritage.org/Research/Thought/fp10.cfm>; Michael Chertoff, “The Responsibility to Contain,” *Foreign Affairs*, January/February 2009.
2. George P. Shultz, “An Essential War,” *The Wall Street Journal*, March 29, 2004, p. A-18.
3. Strobe Talbott, “Birth of the Global Nation,” *Time*, July 20, 1992, p. 70.
4. Baker Spring, Steven Groves, and Brett D. Schaefer, “The Top Five Reasons Why Conservatives Should Oppose the U.N. Convention on the Law of the Sea,” Heritage Foundation *WebMemo* No. 1638, September 25, 2007, at <http://www.heritage.org/Research/InternationalOrganizations/wm1638.cfm>; Baker Spring, “Ratifying the Comprehensive Test Ban Treaty: A Bad Idea in 1999, a Worse Idea Today,” Heritage Foundation *WebMemo* No. 1533, June 29, 2007, at <http://www.heritage.org/Research/HomelandDefense/wm1533.cfm>.
5. Steven Groves, “The U.S. Should Reject the U.N. ‘Responsibility to Protect’ Doctrine,” Heritage Foundation *Backgrounder* No. 2130, May 1, 2008, at <http://www.heritage.org/Research/InternationalOrganizations/bg2130.cfm>.
6. Sally McNamara and Ben Lieberman, “The EU’s Climate Change Package: Not a Model to Be Copied,” Heritage Foundation *WebMemo* No. 1800, February 6, 2008, at <http://www.heritage.org/Research/EnergyandEnvironment/wm1800.cfm>; McNamara and Lieberman, “The G-8 Summit: President Bush Must Stand Firm on Global Warming,” Heritage Foundation *WebMemo* No. 1481, June 1, 2007, at <http://www.heritage.org/Research/EnergyandEnvironment/wm1481.cfm>.
7. Lee A. Casey and David B. Rivkin, Jr., “International Law and the Nation-State at the U.N.: A Guide for U.S. Policymakers,” Heritage Foundation *Backgrounder* No. 1961, August 18, 2006, at <http://www.heritage.org/Research/WorldwideFreedom/bg1961.cfm>.
8. Patrick F. Fagan, “How U.N. Conventions On Women’s and Children’s Rights Undermine Family, Religion, and Sovereignty,” Heritage Foundation *Backgrounder* No. 1407, February 5, 2001, at <http://www.heritage.org/Research/InternationalOrganizations/BG1407.cfm>; Jennifer A. Marshall and Grace V. Smith, “Human Rights and Social Issues at the U.N.: A Guide for U.S. Policymakers,” Heritage Foundation *Backgrounder* No. 1965, August 31, 2006, at <http://www.heritage.org/Research/WorldwideFreedom/bg1965.cfm>.
9. Paul Rosenzweig, “The Death Penalty, America, and the World,” Heritage *Commentary*, October 23, 2003, at <http://www.heritage.org/Press/Commentary/ed102303b.cfm>.
10. Steven Groves, “Why the U.S. Should Oppose ‘Defamation of Religions’ Resolutions at the United Nations,” Heritage Foundation *Backgrounder* No. 2206, November 10, 2008, at <http://www.heritage.org/Research/LegalIssues/bg2206.cfm>.
11. Baker Spring, “The United Nations Convention on the Law of the Sea,” Heritage Foundation *Testimony*, May 12, 2004, at <http://www.heritage.org/Research/InternationalOrganizations/tst081104c.cfm>.

commitment to the region. However, Washington must also convince its NATO allies to pull their weight in overcoming the terrorist challenge in Afghanistan, which threatens all civilized nations.¹² The U.S. also needs to be cautious in attempting to engage with Taliban elements. Political reconciliation is indeed necessary to stabilize Afghanistan and Pakistan's tribal border areas. But Washington must avoid making statements that could embolden the Taliban leadership and dishearten the Afghan population, who do not support Taliban policies but are intimidated by their violent tactics. While the idea of peeling off lower-level Taliban who are not ideologically committed to the cause may be worthwhile, the U.S. should not overestimate the willingness of senior Taliban leaders to break ranks with their al-Qaeda allies.¹³

The U.S. should also better integrate its strategy toward Afghanistan and Pakistan, focusing more attention on regional diplomacy and building bridges between the two nations.¹⁴ It is essential that Pakistan and Afghanistan work together to combat terrorism, which constitutes an existential threat to both their countries. Washington needs to recalibrate its relationship with Pakistan in a way that draws the country back from the brink of political and financial collapse and convinces the military establishment that Pakistan's national security interests are no longer served by supporting extremists, whether they operate in Afghanistan or India.¹⁵ This should be done through both a calibrated carrot-and-stick policy that targets the mil-

itary's interests and through increased regional diplomacy.

The Obama Administration, however, should avoid falling into the trap of trying to "resolve" Kashmir. Any effort to inject a direct U.S. role in the Indo-Pakistani bilateral peace process risks encouraging both Pakistani adventurism and unrealistic expectations for a settlement in its favor.¹⁶ Moreover, the Indians would be unreceptive to attempts at direct U.S. mediation and would assume that Washington is reverting back to policies that view India only through the South Asia lens, rather than as the emerging global power it has become.

Question #4: A Nuclear Iran

What is your view on how the United States can best take action to halt Iran's nuclear weapons program?

Answer: The U.S. should mobilize an international coalition to significantly boost the diplomatic, economic, domestic political, and potential military costs to Tehran of continuing on its present path toward acquisition of nuclear weapons. This coalition should seek to isolate Iran's radical theocratic regime, weaken it through targeted economic sanctions, explain to the Iranian people why their government's nuclear policies will impose growing economic costs and military risks on them, cooperate to contain and deter Iran's military power, encourage democratic change within Iran, and prepare for the use of military force as a last resort.¹⁷

Unfortunately, the U.N. Security Council is a diplomatic dead end whose actions will likely con-

12. James Phillips and Lisa Curtis, "The War in Afghanistan: More Help Needed," Heritage *Backgrounder* No. 2124, April 17, 2008, at <http://www.heritage.org/Research/NationalSecurity/bg2124.cfm>.
13. Lisa Curtis and Walter Lohman, "Stiffening Pakistan's Resolve Against Terrorism: A Memo to President-elect Obama," Heritage *Special Report* No. 34, December 16, 2008, at <http://www.heritage.org/Research/AsiaandthePacific/sr34.cfm>.
14. Lisa Curtis, "U.S. Strategy Must Address Afghan-Pakistan Tension," Heritage *WebMemo* No. 2087, September 26, 2008, at <http://www.heritage.org/Research/AsiaandthePacific/wm2087.cfm>.
15. Lisa Curtis, "Prime Minister Gilani Visit: Shoring up Democratic Pakistan to Deal with Terrorist Challenge," Heritage *WebMemo* No. 2005, July 28, 2008, at <http://www.heritage.org/Research/AsiaandthePacific/wm2005.cfm>; Lisa Curtis, "U.S.-Pakistan Strategic Relationship," testimony before Committee on Homeland Security and Governmental Affairs, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, United States Senate, June 12, 2008, at <http://www.heritage.org/Research/HomelandSecurity/tst061708a.cfm>.
16. Lisa Curtis, "U.S. South Asia Regional—not Kashmir—Envoy Needed," Heritage *WebMemo* No. 2158, December 5, 2008, at <http://www.heritage.org/Research/AsiaandthePacific/wm2158.cfm>.
17. James Phillips and Peter Brookes, "Yes a Nuclear Iran Is Unacceptable: A Memo to President-elect Obama," Heritage *Foundation Special Report* No. 28, December 3, 2008, at <http://www.heritage.org/Research/Iran/sr28.cfm>.

tinue to be insufficient to stop Iran's drive for nuclear weapons.¹⁸ Past U.S. and European efforts to ratchet up sanctions against Iran in the council have been blocked by Russia and China, which have lucrative trade relationships with, and strategic ties to, Tehran. Britain, Germany, and France have entered a diplomatic dialogue with Tehran to dissuade it from continuing its nuclear program by offering substantial economic and political incentives. But diplomatic carrots alone will not work because for Tehran, attaining a nuclear weapon is the biggest carrot of all.

Therefore, tougher disincentives for Iran's suspected nuclear efforts are needed. When Tehran perceives the costs of a continued nuclear program to be very high, as it did after the overthrow of regimes in Iraq and Afghanistan, it will be more likely to make concessions and freeze its uranium enrichment program. The Obama Administration should press its European allies—particularly Germany, which is Iran's biggest trading partner—to increase economic sanctions outside the U.N. framework.¹⁹ To give diplomacy a chance, the U.S. and its allies must credibly threaten to impose rising costs on Tehran, particularly in ways that endanger the regime's highest priority—its hold on power.

Question #5: The Visa Waiver Program

Please describe your views regarding the Visa Waiver Program's role in America's overall public

diplomacy strategy, including ongoing efforts to strengthen the program. *What opportunities and challenges do you see to its continuance in the next Administration?*

Answer: The Visa Waiver Program (VWP) is a vital public diplomacy tool. Membership communicates to countries that they are trusted by the United States.²⁰ And the VWP allows America to sustain relationships with our historical allies while forging new relationships with countries whose interests align with our security priorities.²¹ In this new Administration, it is vital that the U.S. continues to expand membership well beyond Western Europe, working to add key allies in Central and Eastern Europe and from across the globe, such as our NATO partner Poland and forthcoming NATO partner Croatia.²²

A glaring challenge to the future of the VWP is the current biometric exit mandate.²³ As of June 30, 2009, DHS can no longer add new countries into the VWP until it has implemented a biometric means of tracking travelers as they exit the United States.²⁴ This mandate is unfeasible given the millions of individuals passing through land border exits each year.²⁵ It is vital that DHS and Congress work together to find a solution that will not halt the expansion of the VWP.

Some critics have considered ending VWP for security reasons, but allowing convenient travel for

18. James Phillips, "Iranian President Ahmadinejad's Vexing Visit Exposes U.N. Failures," Heritage Foundation *WebMemo* No. 2074, September 23, 2008, at <http://www.heritage.org/Research/Iran/wm2074.cfm>.
19. Nile Gardiner, Ph.D., "Bush's Transatlantic Tour: The U.S. Must Pressure Europe on Afghanistan and Iran," Heritage Foundation *WebMemo* No. 1952, June 10, 2008, at <http://www.heritage.org/Research/Europe/wm1952.cfm>.
20. Jena Baker McNeill, James Jay Carafano, Ph.D., and James Dean, "Strengthening the Visa Waiver Program: A Memo to President-elect Obama," Heritage Foundation *Special Report* No. 30, December 8, 2008, at <http://www.heritage.org/Research/Immigration/sr30.cfm>.
21. James Jay Carafano, Ph.D., "With a Little Help from Our Friends: Enhancing Security by Expanding the Visa Waiver Program," Heritage Foundation *Executive Memorandum* No. 991, February 3, 2006, at <http://www.heritage.org/Research/HomelandSecurity/em991.cfm>.
22. James Jay Carafano, Ph.D., "A Visa Reform Plan for Congress," Heritage Foundation *Executive Memorandum* No. 1001, May 25, 2006, at <http://www.heritage.org/Research/HomelandSecurity/em1001.cfm>.
23. Press release, "DHS Proposes Biometric Airport and Seaport Exit Procedures," U.S. Department of Homeland Security, April 22, 2008, at http://www.dhs.gov/xnews/releases/pr_1208186058701.shtm (January 2, 2008).
24. Jena Baker McNeill and James Jay Carafano, Ph.D., "Visa Waiver Reform Ready for Next Step," Heritage Foundation *WebMemo* No. 2108, October 21, 2008, at <http://www.heritage.org/Research/HomelandSecurity/wm2108.cfm>.
25. McNeill, Carafano, and Dean, "Strengthening the Visa Waiver Program."

foreign visitors into the U.S. is not inherently a security risk. Congress should not allow the VWP to be terminated on this premise.²⁶ The reality is that the overstay rate from the VWP is incredibly low.²⁷ Furthermore, security measures such as the Electronic System for Travel Authorization and other VWP membership requirements ensure that our nation knows more about foreign travelers prior to their entry on U.S. soil.²⁸ Coupled with a feasible exit requirement, these security measures will ensure the future success of the VWP and the security of Americans.²⁹

Question #6: China and Taiwan

While you are secretary of state, will the Administration reaffirm that Taiwan's status remains unsettled and that the U.S. therefore does not accept the sovereign right of any third country to use force of any kind against Taiwan?

Answer: While current U.S. relations with China make it impossible to declare that Taiwan is a state, nothing can justify the assertion that Taiwan is *not* a state. Under the 1933 Montevideo Convention, Taiwan possesses all the attributes of a state, and under any interpretation the U.S. tacitly accepts that Taiwan functions in the international community as a sovereign state. All treaties in force between the U.S. and Taiwan prior to January 1, 1979, remain in force, and the U.S. continues to conduct defense and security affairs, including arms sales, with Taiwan as an entity wholly autonomous from the People's Republic of China.³⁰

The U.S. must reaffirm that Taiwan's future rests on the assent of the Taiwanese people. While cur-

rent U.S. diplomatic formulas include assertions that the Taiwan issue is a matter for "the Chinese people on both sides of the Taiwan Strait" to resolve, the context of such positions must be clarified. As President Ronald Reagan pledged, the U.S. "will not . . . prejudice the free choice of, or put pressure on, the people of Taiwan" about their future. As a reflection of America's democratic values, the U.S. must give preferential weight to the people of Taiwan in determining their own future.³¹

Question #7: Missile Defense

The NATO Alliance recently recognized in its Bucharest communiqué "the substantial contribution to the protection of Allies from long-range ballistic missiles to be provided by the planned deployment of European-based United States missile defence assets." *Will you stand with our NATO allies and reaffirm the importance of missile defense?*

Answer: At NATO's April 2008 Bucharest Summit, NATO leaders endorsed U.S. plans to install 10 long-range, ground-based missile defense interceptors in Poland and a mid-course radar in the Czech Republic—the "third site."³² At NATO's December 2008 foreign ministerial summit in Brussels, all 26 members of the alliance re-endorsed the third site deployment. These endorsements represent a major success both for American diplomacy and transatlantic security.³³ If the United States abandons its Central and Eastern European allies as well as its obligations to NATO, it will not only make itself vulnerable to rogue nations and non-state actors seeking ballistic missile capabilities, but it will also reduce America's influence within the transatlantic alliance.

26. *Ibid.*

27. *Ibid.*

28. Jena Baker McNeill, "Electronic Travel Authorization: Important for Safer and More Secure Overseas Travel," Heritage Foundation *WebMemo* No. 1964, June 19, 2008, at <http://www.heritage.org/Research/HomelandSecurity/wm1964.cfm>.

29. McNeill, Carafano, and Dean, "Strengthening the Visa Waiver Program."

30. John J. Tkacik, Jr., "Taiwan's 'Unsettled' International Status: Preserving U.S. Options in the Pacific," Heritage Foundation *Backgrounder* No. 2146, June 19, 2008, at <http://www.heritage.org/Research/AsiaandthePacific/bg2146.cfm>.

31. John J. Tkacik, Jr., "America's Stake in Taiwan," Heritage Foundation *Backgrounder* No. 1996, January 11, 2007, at <http://www.heritage.org/Research/AsiaandthePacific/bg1996.cfm>.

32. Sally McNamara, "NATO Backs Washington's Missile Defense Plans: A Victory for U.S. Diplomacy," Heritage Foundation *WebMemo* No. 1884, April 4, 2008, at <http://www.heritage.org/Research/Europe/wm1884.cfm>.

33. Sally McNamara, "Abandoning Third-Site Missile Defenses Would Threaten Transatlantic Security," Heritage Foundation *WebMemo* No. 2173, December 12, 2008, at <http://www.heritage.org/Research/Europe/wm2173.cfm>.

The threat of ballistic missile attack has grown exponentially, with 27 nations now possessing such capabilities, nearly double that of 15 years ago.³⁴ It is incumbent upon the United States to consider these growing threats seriously by taking steps to protect itself, its forward-deployed troops, and its friends and allies. As a purely defensive capability, U.S. missile defense plans for Europe will also act as a deterrent to bad actors from acquiring ballistic missiles and weapons of mass destruction in the first place.

It is further incumbent upon the United States to stand by its existing commitments to Warsaw and Prague, as well as to the NATO alliance as a whole. Mr. Obama should begin his presidency by reaffirming the Bucharest communiqué, as well as his vow to rebuild a strong NATO.

Question #8: NATO Expansion

*Do you support President-elect Barack Obama's statement that "Ukraine and Georgia...have declared their readiness to advance a NATO Membership Action Plan.... They should receive our help and encouragement as they continue to develop ties to Atlantic and European institutions"?*³⁵

Answer: Although both internal and external events have taken place with regard to these two countries—the dissolution of Ukraine's parliament and a short, brutal war between Russia and Georgia—it remains more important than ever that NATO's door remains open to these two fragile democracies and allies of the United States.³⁶ The United States should vehemently oppose Russian intimidation of its neighbors and should not give in to Moscow's threats. Russian President Dmitry Medvedev's threat, made less than one day after Mr. Obama's election victory, to deploy an Iskander mis-

sile system between Poland and Lithuania in response to U.S. plans for the third-site system is evidence enough that Russian intimidation of its neighbors is alive and well. In April, former President Vladimir Putin even threatened to aim nuclear missiles at Ukraine if it sought NATO membership. Such attempts at intimidation are unacceptable and cannot be tolerated by the United States.

NATO enlargement is a story of success. As a pillar of the international security system, NATO remains indispensable, and its enlargement needs to continue. NATO enlargement has spread security far beyond its 12 founding members and is a concrete example of the alliance's enduring contribution to global stability. The case for NATO's open door policy should continue to be made, and the message that the alliance, a vital part of the transatlantic security architecture, is open for business should be stated loud and clear.³⁷

Question #9: Public Diplomacy

How do you intend to improve the effectiveness of the United States's public diplomacy and strategic communication, and would you support the creation of a new government agency to take the lead on these issues?

Answer: The current state of American public diplomacy and strategic communication is unacceptable. Since the tragic events of September 11, 2001, government and nongovernmental organizations have issued more than 30 reports about the many shortcomings of the State Department's public diplomacy efforts, including a lack of leadership, personnel, the engagement of public diplomacy officers, and insufficient training. Additionally, there is no integrated national strategy or doctrine for foreign outreach or interagency coordination on strategic communication.³⁸ The inability for the State

34. Sally McNamara et al., "Missile Defense: Debunking Arguments Against the Third Site in Eastern Europe," Heritage Foundation *WebMemo* No. 1694, November 6, 2007, at <http://www.heritage.org/Research/Europe/wm1694.cfm>.

35. "Obama Statement on NATO Summit in Romania," March 3, 2008, at http://obama.senate.gov/press/080303-obama_statement_128/ (December 2, 2008).

36. See Sally McNamara, "Europe's Catalogue of Failures in Georgia," Heritage Foundation *WebMemo* No. 2033, August 21, 2008, at <http://www.heritage.org/Research/Europe/wm2033.cfm>.

37. See Sally McNamara, "Principles and Proposals for NATO Reform," Heritage Foundation *Backgrounder* No. 2220, December 11, 2008, at <http://www.heritage.org/Research/Europe/bg2220.cfm>.

38. Tony Blankley, Helle C. Dale, and Oliver Horn, "Reforming U.S. Public Diplomacy," Heritage Foundation *Backgrounder* No. 2211, November 20, 2008, at http://www.heritage.org/Research/PublicDiplomacy/upload/bg_2211.pdf.

Department to modernize its communications tactics is a serious flaw.

In order for these shortcomings to be remedied, the U.S. should establish the U.S. Agency for Strategic Communications. As described in the Strategic Communications Act (S. 3546), proposed by Senator Sam Brownback (R-KS), the U.S. Agency for Strategic Communications would comprehensively transform, rather than merely restructure, the nation's strategic communications framework.³⁹ The bill's principal priority would be to centralize the government's strategic communications—including information, educational, and cultural activities—in a new agency.⁴⁰

Under the guidance of the director of strategic communications, who would report directly to the President, the agency would craft and implement an interagency strategic communications strategy, oversee U.S. broadcasting (such as Radio Free Europe), and administer grants to nonprofit organizations engaged in useful information operation activities.⁴¹ The director would also ensure interagency coordination of strategic communications, including coordinating the Pentagon's regional information activities with the rest of the U.S. government.

Question #10: Durban II and the U.N. Human Rights Council

In its first few months, the Obama Administration will decide whether to change existing U.S. policy to attend the Durban Review Conference (Durban II) and fully participate in the United Nations Human Rights Council by seeking a seat in the upcoming May election. *Would you recommend that the President continue current policy or reverse it?*

Answer: There is no doubt that multilateral cooperation through international organizations can be tremendously useful. However, there are also many instances where the efforts to address prob-

lems through these bodies can be counterproductive. Such is the case with Durban II and the Human Rights Council.

The U.N. Human Rights Council, which replaced the discredited Commission on Human Rights in 2006, has been a grave disappointment. While a strong proponent of replacing the commission, the U.S. voted against the resolution creating the council, fearing that the council lacked the safeguards necessary to improve it over the commission. In its short history, the council has proven worse than the old commission. It has been captured by states well known for human rights violations, including Algeria, Angola, Azerbaijan, Cameroon, China, Cuba, Egypt, Pakistan, Qatar, Russia, Saudi Arabia, and Tunisia. These states have used their influence to disproportionately focus the council's criticism on Israel while ignoring rampant human rights abuses in nations like China and Zimbabwe. They have also supported resolutions calling for constraints on freedom of speech and expression to avoid "defamation of religion."⁴²

There remains a slim hope that the council could right itself through a mandatory General Assembly review by 2011. The U.S. should seek to address the council's flaws in that review but eschew any formal association (such as seeking a seat on the council) until that organization's flaws are addressed. Joining it prior to the implementation of these reforms will only give the council the underserved legitimacy of U.S. membership.

Durban II is a follow up conference to the U.N. World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa in 2001—a conference that devolved into a platform for anti-Israel and anti-America rhetoric. The Bush Administration has steadfastly refused to attend preparatory meetings on Durban II and has voted against U.N. resolutions

39. *Ibid.*

40. Strategic Communications Act of 2008, S. 3546, 110th Cong., 2nd Sess., § 5(e)(1).

41. Blankley, Dale, and Horn, "Reforming U.S. Public Diplomacy."

42. 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>.

supporting and funding the conference.⁴³ Both Canada and Israel have announced that they will not attend Durban II since all available information indicates the event will likely be a repeat of the 2001 disaster. The Obama Administration should follow that example and boycott Durban II.

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43. Schaefer, "Durban II: The Administration Moves in the Right Direction," Heritage Foundation WebMemo No. 1896, April 17, 2008, at <http://www.heritage.org/Research/InternationalOrganizations/wm1896.cfm>