

COUNCIL ON FOREIGN RELATIONS

ENHANCING
U.S. LEADERSHIP
AT THE UNITED NATIONS

REPORT OF AN INDEPENDENT TASK FORCE
COSPONSORED BY THE COUNCIL ON FOREIGN RELATIONS
AND FREEDOM HOUSE

DAVID DREIER AND LEE H. HAMILTON,
CO-CHAIRS
LEE FEINSTEIN AND ADRIAN KARATNYCKY,
PROJECT CO-DIRECTORS

Enhancing U.S. Leadership at the United Nations

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Council on Foreign Relations
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Freedom House is a nonpartisan organization that monitors and promotes human rights and democratic change around the world. It was founded in 1941 by Eleanor Roosevelt and Wendell Willkie. Freedom House, as the Council's partner in this Task Force, subscribes to the Council's policy in the issuance of this report.

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FOREWORD

At a time when the United States has turned to the United Nations for support on Iraq, American influence at what President George W. Bush has called the “world’s preeminent multilateral institution” is low.

Earlier this year Freedom House chairman Bill Richardson and I asked two important voices in international diplomacy, Republican congressman David Dreier and former Democratic congressman Lee Hamilton, to address this concern. They and an extraordinary group of Americans, comprising the range of views on the U.S. relationship to the UN, have produced a candid report that realistically assesses how the complex UN organization can work to further key U.S. goals.

The Task Force calls for a new U.S. strategy toward the UN—building a democratic coalition of UN members—to better advance American interests and values with three key goals in mind: building support for democracy and democratic principles throughout the world, advancing human rights, and fighting terrorism.

The Task Force, cosponsored by the Council on Foreign Relations and Freedom House, finds the United States routinely outmatched and outsmarted in the UN by a small but skillful group of repressive regimes. The Task Force—whose members include former senior officials from Democratic and Republican administrations, prominent scholars, and nongovernmental leaders—concludes that, to be more effective, the United States needs to engage the UN in more outreach to create a coalition of like-minded democratic states, now more than 60 percent of the UN.

The Task Force chairmen applaud several important steps the Bush administration has taken to rebuild American influence at the United Nations. The president’s noteworthy speech on September 12, 2002, seeking UN backing to enforce Iraqi disarmament was a positive step, as was the president’s decision to rejoin the United Nations Educational, Scientific, and Cultural Organization

(UNESCO) after a long absence. In addition, following the UN's resolute response to last year's terrorist attacks, the administration paid most of the American UN dues that accrued during the 1990s. The Task Force concludes, however, that the United States is not nearly as effective as it can or should be at the UN. The Task Force takes issue with U.S. practices at the UN that it says undermine Washington's effectiveness, including frequent U.S. reluctance to support international agreements, the practice of withholding or threatening to withhold dues, and long-term gaps in the confirmation of a U.S. permanent representative to the UN.

The report commends a good deal of the UN's essential work but finds that certain UN bodies, including the General Assembly and the Commission on Human Rights, have been inconsistent voices on democracy and human rights. The Task Force calls for the reform of the UN Commission on Human Rights to focus on the world's most egregious and massive violations, many of which now escape investigation and censure. In addition, the report finds that many tyrannies continue to be represented on the commission and, if nothing is done to prevent it, Libya will soon assume its chairmanship.

The Task Force also recommends that rather than debating about definitions of terrorism, the UN should focus on acts that are already accepted in twelve different treaties as terrorist activities. Moreover, the United States should not tolerate a definition that excludes or exculpates such obvious terrorist acts as suicide bombings that target civilians.

The Council frequently issues Task Force reports on issues of crucial importance to U.S. foreign policy. Occasionally, we do so in collaboration with partner organizations. In this case, we are delighted to have partnered with Freedom House, whose staff and officers worked closely with Council counterparts in ensuring a thought-provoking and constructive document.

My deepest appreciation and admiration go to David Dreier and Lee Hamilton for their nonpartisan, careful, and thoughtful work. My thanks also go to Lee Feinstein and Adrian Karatnycky for their expertise in draftsmanship and independence of thought. The Council and Freedom House are also grateful to the Smith

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Richardson Foundation for its generous support of the Task Force's work.

Leslie H. Gelb
President
Council on Foreign Relations

ACKNOWLEDGMENTS

The U.S.-UN relationship remains one of the nation's most sensitive foreign policy issues. We are grateful to the Task Force's co-chairmen, David Dreier and Lee Hamilton, for taking on this project and reaching across partisan lines to produce consensus on this issue of vital importance to our nation.

The Task Force was composed of members with a very wide range of views. The diverse membership provided for discussions that were intense, collegial, and constructive. We thank the Task Force members for working productively to develop consensus, for diligently providing thoughtful written responses, and for the time and care they devoted to our collective work.

A number of outside sources gave their time and insight to the Task Force and we are grateful for their important contributions and support. Ambassador James B. Cunningham, Ambassador Jeremy Greenstock, Morton H. Halperin, Ambassador Patrick Kennedy, Ambassador Mokhtar Lamani, Edward Luck, Michael Marek, Brian McKeon, Ambassador Thomas E. McNamara, Edward Mortimer, Ambassador John Richardson, and UN Undersecretary-General Shashi Tharoor generously gave their time and shared their experience and insights with us in interviews. Ambassador Bill Richardson, chairman of Freedom House, and Leslie H. Gelb, president of the Council on Foreign Relations, offered early encouragement and advice in the effort to launch this Task Force. Derek H. Chollet, Anna Clunes, and Victoria Holt provided critical information on specific issue areas. Joshua Muravchik prepared an informative background report on country voting patterns. Our sincere appreciation goes out to all of them.

This report would not have been possible without the dedication and drive of our staffs, particularly Mirna Galic of the Council on Foreign Relations and Amanda Schnetzer of Freedom House. They facilitated the work of the Task Force, took part in meetings and briefings, and were instrumental in the drafting of

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the report. We are also grateful to Patricia Dorff and David Kellogg of the Council on Foreign Relations for their guidance in the publication process.

We also wish to thank the chairmen's respective staffs, particularly Robert Lawrence of Mr. Dreier's office, and Benjamin Rhodes of the Woodrow Wilson Center, for their patience, flexibility, and dedication to this project.

Finally, we wish to thank the Council on Foreign Relations and Freedom House for their joint initiative in launching this Task Force and the Smith Richardson Foundation for its financial support of the Task Force's work.

Lee Feinstein
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EXECUTIVE SUMMARY

Enhanced American leadership at the United Nations is beneficial for U.S. interests and can help strengthen the UN and the international system. For many years, however, the United States has not been nearly as effective at the UN as it can or should be.

With this in mind, the members of the Council on Foreign Relations and Freedom House Independent Task Force recommend strengthening U.S. effectiveness at the United Nations around an agenda focused on better cooperation among the UN's democratic member states, on the promotion of more vigorous human rights initiatives, and on more rigorous counterterrorism efforts. The group believes a precondition for making the UN truly effective is to reduce the leverage of a minority group of repressive regimes, which skillfully blocks many American objectives, particularly in the areas of democracy promotion and advancing fundamental human rights principles.

The UN system has given rise to an array of essential and effective programs in the areas of health, education, refugees, food, and development. Moreover, the Security Council has effectively addressed key threats to peace when its five permanent members have been able to work together. The same, however, has not always been true of the General Assembly and other UN structures where politics has made the institution an inconsistent voice for democracy and human rights. Over the years, this has produced a mixed record on efforts to promote peace and security and to deepen international cooperation on counterterrorism. The UN Commission on Human Rights—where many of the world's most repressive regimes escape criticism and investigation—and such highly publicized conferences as the World Conference Against Racism have been particularly disappointing.

In this context, the members of the Task Force recommend a U.S. policy toward the UN focused on building deeper and more effective cooperation among the democracies. Such an initiative,

the Task Force concludes, can strengthen the UN's credibility, enhance American leadership within the body, and bring greater effectiveness to UN counterterrorism efforts.

Contrary to expectations, the end of the Cold War's East-West divide has not ushered in a new period of more effective international cooperation. Indeed, several serious obstacles remain, and the United States is frequently outmaneuvered and outmatched at the UN. First, the UN's regional group structure often benefits repressive regimes because democratic governments tend to be concentrated in only a handful of groups. Second, the nonaligned movement (NAM)—created during the Cold War as a counterweight to the Eastern and Western blocs—remains an obstacle to effective action within the UN. Its 115 members cooperate on substantive and procedural votes, binding the organization's many democratic nations to the objectives and blocking tactics of its remaining tyrannies. A third factor is the need for more effective coordination and cooperation between the United States and the European Union (EU).

The Task Force also identifies several obstacles to U.S. effectiveness at the UN. These include frequent U.S. reluctance to support international agreements without adequate explanation of U.S. objections; the U.S. practice of withholding or threatening to withhold treaty-obligated dues; and long gaps in the confirmation of a U.S. permanent representative to the UN. Understaffing in the political section of the U.S. UN Mission and the related fact that the United States rarely has engaged in the extensive outreach and lobbying practiced by other delegations are additional problems.

To address these factors, the Task Force makes a series of specific recommendations for enhancing American leadership.

The Task Force recommends that the president and the secretary of state enunciate a comprehensive U.S. view of the UN and the parameters for effective multilateral cooperation. In addition, the Task Force urges the United States to practice the vigorous outreach and lobbying for which American democracy is famous. To counter impressions that the United States is interested only in its own agenda, the Task Force calls on the United States to

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support worthy initiatives of its allies and other friendly nations. The Task Force further calls on the administration to address understaffing at the political section of the U.S. Mission to the United Nations and enhance the prestige and rewards within the Foreign Service for serving in a UN posting. Moreover, the Task Force concludes that enhanced U.S. effectiveness at the UN requires avoiding long gaps between appointments of the U.S. ambassador to the UN.

Finally, the Task Force recommends a series of specific initiatives in the areas of democracy, human rights, and counterterrorism.

Democracy

The report calls on the United States to work with other democracies to institutionalize a “democracy caucus” at the UN as a forum for building cooperation on issues of human rights and democracy. Such a caucus could ensure that democracies operating in regional blocs work together to advance common objectives and promote the candidacies of countries that follow the best practices on issues of democracy and human rights. Members of the democracy caucus would also endeavor to block the election of undemocratic states to UN bodies that focus on democratic development.

The report also recommends that the United States work to establish the right to multiparty democracy as a core right within the International Covenant on Civil and Political Rights.

Lastly, the Task Force urges enhanced support for the efforts of the United Nations Development Programme (UNDP) to strengthen legislatures, electoral systems, and other dimensions of democratic governance. It also recommends strengthening the UN Electoral Assistance Division.

Human Rights

The Task Force calls for coordination by the democracies on significant human rights resolutions and on elections to key rights-monitoring bodies. It recommends that the United States work to move the United Nations away from broadly declarative statements on human rights to practical implementation of existing standards. The Task Force calls for comprehensive reform of the UN

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Human Rights Commission and the office of the UN High Commissioner for Human Rights to ensure that they focus on the world's most egregious and massive rights violations, many of which now regularly escape investigation and censure. The Task Force also calls on the United States to work with the UN's democracies to ease pressure on UN-accredited nongovernmental organizations (NGOs), which are routinely under review and attack by an array of repressive regimes.

Counterterrorism

The Task Force calls on the United States to vigorously and publicly support the work of the UN's Counter-Terrorism Committee (CTC) and recommends that the United States evaluate the need for an independent body to carry out the CTC's functions over the long term. It recommends that the United States seek broad endorsement of counterterrorism principles and benchmarks through regional and international bodies such as the G-8, the Organization for Economic Cooperation and Development (OECD), the Association of Southeast Asian Nations (ASEAN), the African Union, and the Organization of American States (OAS). It also recommends that resources be allocated for building up the capacity of the UN's poorer states to implement the counterterrorism measures mandated by UN Security Council Resolution 1373. The report concludes that, given the politicization of the debate at the UN on a definition of terrorism, the United States should focus on building consensus around acts that are generally accepted as terrorist activities rather than awaiting the elaboration of a precise, internationally accepted definition of terrorism.

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†The individual has endorsed the report as an Additional Signatory after completion.

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TASK FORCE REPORT

INTRODUCTION

Enhancing U.S. leadership at the United Nations is important for U.S. interests and for strengthening the UN and the international system.

President Bush has described the United Nations as the “world’s preeminent multilateral institution,” and indeed, over the years, the UN system has given rise to an array of essential and effective programs, including the United Nations Development Programme (UNDP), the United Nations Children’s Fund (UNICEF), the World Food Organization (WHO), the World Health Organization, and the UN High Commissioner for Refugees (UNHCR). In the years since the Cold War, when the five permanent members have been able to work together, the Security Council has effectively addressed key threats to peace and security.

While some UN bodies have worked well, the same has not always been true for the General Assembly and other UN structures. Here politicization has made the institution an inconsistent voice for democratic values and human rights principles and has produced a mixed record on efforts to promote peace and security and deepen international cooperation on counterterrorism.

The areas in which the UN has not lived up to its promise are the very areas in which the United States can play a positive role. The priorities of democracy promotion, human rights protection, and counterterrorism garner broad nonpartisan support among America’s political leaders and the public. At the same time, the saliency and primacy of democracy, human rights, and counterterrorism efforts are shared by a growing proportion of UN member states, a majority of which are now electoral democracies. Moreover, after September 11, 2001, the UN Security Council and the General Assem-

bly took important action to condemn terrorism and to work toward its interdiction and prevention.

In the past, much of the debate over the U.S. role in the United Nations has been an argument between those who are fundamentally opposed to U.S. participation in the institution and those who defend that participation without reservations. It is important to break that mold and for Americans to ask candidly and realistically how this complex organization can work for the furtherance of key U.S. goals.

In this context, we recommend that the United States adopt a policy toward the UN that focuses on expanding cooperation with member states that respect the principles of human rights and democracy. Such an initiative can strengthen the work and credibility of the United Nations while enhancing America's leadership and reputation within the body. Such cooperation among democracies can, in our view, also bring greater effectiveness to UN counterterrorism efforts.

Core Issues

Democracy, human rights, and counterterrorism are integrally related to the founding principles of the United Nations. The ideals of human rights and democratic values are reflected in the preamble to the UN Charter, which speaks of "faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small." Mass terrorism with a global reach is clearly one of today's main threats to the maintenance of international peace and security, the UN's foremost mission.

Human rights, democracy, and counterterrorism are, therefore, not only at the core of the UN's founding mission, they are central to the two objectives that have central importance in the UN system: peace and security, and economic and social development.

Many egregious human rights violations and humanitarian catastrophes around the world are the consequence of war and the collapse of security. Failed states are a natural home for terrorist organizations. And there is convincing empirical evidence of

the proposition that established democracies do not wage war against one another. Moreover, sustainable and equitable economic development for the poorest nations is dependent on the emergence of the rule of law and on open and transparent governance that derives from democratic accountability. There is growing understanding in the policy community that economic development is best achieved when citizens freely criticize government policy, the press investigates and reports on economic transactions, civic groups work openly to address issues of corruption and inequity, and the rotation of power acts as an antidote to the cronyism and corruption that are so corrosive of economic growth and competition.

Regrettably, UN action on democracy, human rights protection, and counterterrorism has often stalled in the face of politicization of the debate and obstructionist tactics by an effective minority of antidemocratic states. This, in turn, has eroded confidence in the United Nations and contributed to skepticism about the institution and its effectiveness, overshadowing the institution's many unique strengths and essential activities.

NEW OPPORTUNITIES AND NEW CHALLENGES FOR U.S. LEADERSHIP AT THE UNITED NATIONS

The end of the Cold War, the emergence of new democracies, global integration, reconfigured alliances, and emerging security threats are all exerting significant influence on the work of the United Nations.

The end of the Cold War helped revive what had been a deadlocked international system and created new possibilities for international cooperation, especially within the Security Council. New and reconfigured bilateral and multilateral alliances and patterns of cooperation have emerged, and global integration has deepened as a result of more open international trade and technological innovations.

The last quarter century has seen an unprecedented expansion of democracy around the world and growing international pub-

lic support for the values of democracy and human rights. Today, 121 of the 191 governments represented at the United Nations are electoral democracies (over 60 percent). Of these, 85 countries are considered liberal democracies that respect basic political rights and civil liberties.¹

The expansion of democratic governance is increasingly felt at the regional level. There is growing emphasis on democratic processes and human rights standards in the work of the OAS, the Commonwealth, the Council of Europe, and the Organization for Security and Cooperation in Europe (OSCE). A recent example of this trend is the birth in July 2002 of the African Union, whose founding document pledges respect for democracy, human rights, and the rule of law. While the membership of the African Union includes governments run by tyrants and autocrats, the organization's declared aim of linking political and economic reform emphasizes the growing impact of democratic values and human rights ideals.

The saliency and primacy of democracy and human rights are also understood by a growing proportion of the international community. In June 2000, more than 100 nations attended the Warsaw Conference of the Community of Democracies, where nations endorsed a broad set of principles for democratic behavior in the Warsaw Declaration.² At that meeting, UN Secretary-General Kofi Annan said, "When the United Nations can truly call itself a community of democracies, the charter's noble ideals of protecting human rights and promoting 'social progress in larger freedoms' will have been brought much closer."³ Under this secretary-general the United Nations has addressed issues of democratization and human rights in a more determined fashion. For example, two publications, the annual *Human Development Report* and the *Arab Development Report*, both produced by the UNDP, focus on the links between economic progress, human development, and polit-

¹ Adrian Karatnycky, editor, *Freedom in the World: The Annual Survey of Political Rights and Civil Liberties, 2001-2002* (New York: Freedom House, 2002), pp. 736-37.

² See Appendix A.

³ "Toward a Community of Democracies," Ministerial Pamphlet, Warsaw, Poland, June 2000, p. 19.

ical freedom.⁴ Kofi Annan has also been forthright in the responsibilities of sovereignty, declaring in his 2001 Nobel lecture, “The sovereignty of states must no longer be used as a shield for gross violations of human rights.”⁵

Finally, following September 11, 2001, the United Nations took significant steps toward building an international consensus on counterterrorism in the form of several precedent-setting Security Council and General Assembly resolutions. Importantly, most member states judged these resolutions as fundamental to their security and vital national interests, not as a favor to Washington. The Bush administration praised these measures and the decisive and unified manner in which the UN took them. Along with Congress, the administration publicly acknowledged the importance of the United Nations in the antiterror campaign and took action to pay most of Washington’s outstanding arrears dating back to the mid-1990s. President Bush said he hoped the release of funds would “enhance the close bond between the United States and the United Nations.”

All these factors represent opportunities for the United States to reinforce its leadership and enhance its reputation at the UN.

Structural Challenges to Progress at the United Nations

At the same time, serious challenges to progress remain.

Many had expected that the end to the East-West divide would usher in a new period of more effective international cooperation. Broad-based action around the Persian Gulf crisis in 1990 also suggested that the United Nations might be entering a period of closer international collaboration and coordination. While the world has become more democratic and open in recent decades and a wide array of authoritarian regimes has fallen, coordination and intensive cooperation among repressive regimes

⁴ See *Human Development Report 2002: Defending Democracy in a Fragmented World*, accessed at www.undp.org/hdr2002/complete.pdf; and *Arab Human Development Report 2002*, accessed at www.undp.org/rbas/ahdr/CompleteEnglish.pdf.

⁵ See the Nobel lecture given by the 2001 Nobel Prize laureate Kofi Annan, Oslo, December 10, 2001, accessed at www.nobel.se/peace/laureates/2001/annan-lecture.html.

at the UN remains effective, often blocking action on behalf of human rights and democracy. There has also been no similar attempt at sustained coordinated efforts among the existing and new democracies.

Although conceived during the Cold War, the nonaligned movement (NAM) remains an influential source of solidarity and cooperation for 115 UN member states. However, these states have fundamental differences with respect to democratic practice and respect for human rights. In essence, the NAM binds many democracies with highly repressive tyrannies and, as a result, is an outdated obstacle to effective cooperation within the UN. To a significant degree, the NAM contributes to the inertia of the UN on many issues related to violations of human rights.

In elections to various UN bodies, the UN's regional group structure tends disproportionately to benefit regimes that are less than open and democratic and are therefore less likely to support core values of democracy and human rights. Democratic governments at the UN tend to be concentrated in several groups,⁶ rather than spread out among them, which means that opportunities to work with other regional groups on issues of democracy and human rights are limited. Nor is there any effective effort by the democracies in the regional groups to work cohesively on these issues. In addition, many groups do not adequately factor democracy and respect for human rights in their selection criteria for electing group members to UN bodies, including those charged with human rights monitoring.

Better cooperation with the European Union (EU) is another important matter. Since 1999, the EU has formally adopted a "Common Foreign and Security Policy" (CFSP) in a handful of key areas.⁷ The EU also reaches common positions on other issues on an ad hoc basis. Better coordination within the EU is a welcome development.

⁶ In particular, the Western Europe and Other Group, the Eastern Europe Group, and the Latin America Group.

⁷ See Overview of Common Foreign and Security Policy, accessed at www.europa.eu.int/comm/external_relations/cfsp/intro.

When the EU and the U.S. cooperate, they are extremely effective partners. Too often, however, the United States and the EU find themselves on opposite sides of issues. From the U.S. perspective this is especially the case in the Human Rights Commission, where EU members have muted their criticism of China and other nations. The EU has complained about U.S. decisions to withdraw from or opt out of UN-related multilateral agreements in favor of unilateral U.S. action. Differences between the EU and the United States on a range of issues, including human rights, the environment, international justice, and land mines, may be unavoidable. But the failure of both sides to work more closely together from the conceptualization of an agreement to its conclusion multiplies misunderstandings and compounds ill will.

Another factor emerges from the dynamics of life at UN headquarters. Diplomats serving at the missions to the UN and the staff of the Secretariat interact closely with one another. Such a close relationship at times results in a concentration on the formalities of UN procedures rather than concrete actions. Additionally, some of the missions operate without instructions from their government, and others are subjected to only minimal oversight.

While the end of the Cold War offered the Security Council an opportunity to fulfill its mandate, it has only on some occasions lived up to expectations. The overall performance of UN bodies, such as the General Assembly and the Human Rights Commission, and of such highly publicized meetings as the UN World Conference against Racism, has been even more disappointing. Although these are mainly declarative bodies, in an international environment in which declarations and ideas matter, the positions set forth by the United Nations help influence public attitudes and justify the internal policies of many countries. It is therefore troubling that illiberal and antidemocratic interests often prevail in the UN system.

Indeed, despite the global expansion of democracy over the last twenty years, many UN bodies remain reluctant to engage crucial human rights issues⁸ or to challenge the influence of the world's

⁸ This includes the importance of Security Council Resolution 1325, which calls for attention to the rights of women in the UN's response to conflicts.

most repressive regimes. The ongoing politicization of the General Assembly, for example, is reflected in the disproportionate and unbalanced condemnation of Israel in the context of the Israeli-Palestinian conflict, while many other vital matters involving mass human rights violations are ignored or given short shrift.⁹

For example, from 1995 to 2000, some countries were regularly cited for rights violations, including, in addition to Israel, Afghanistan, Burma, Burundi, Cambodia, Congo, Cuba, Equatorial Guinea, Haiti, Iran, Iraq, Rwanda, Somalia, Sudan, Uganda, Yugoslavia, and Western Sahara. But the list of states not criticized in resolutions of the UN Human Rights Commission is instructive. According to a report commissioned for the Task Force, among states with some of the worst rights records, the following escaped without the Human Rights Commission passing critical resolutions during the same six years: Belarus, China, Egypt, North Korea, Laos, Libya, Pakistan, Syria, Tajikistan, Turkmenistan, Uzbekistan, and Vietnam.¹⁰

Several countries have succeeded in defeating censure. For example, each year in the period studied, China proposed a preemptive vote to block a resolution about it from even reaching the floor for discussion.¹¹ Meanwhile, four to six resolutions criticizing Israel were adopted each year between 1995 and 2000.

These outcomes should not be surprising given the composition of the UN Human Rights Commission, in which nondemocratic regimes have significantly increased their representation and influence in recent years. Indeed, some of the world's most politically repressive regimes—China, Cuba, Libya, Saudi

⁹ The last UN General Assembly session, including the two special sessions on the Israeli-Palestinian conflict, adopted 287 resolutions. Most of these were adopted without a roll-call vote. Of the 59 resolutions on which there was a roll-call vote, 26 resolutions (44 percent) dealt with Israel.

¹⁰ See Joshua Muravchik, "Voting Patterns in the UN," available at www.freedomhouse.org/research/specereport.htm.

¹¹ Each year China succeeded, except in 1995, when its blocking motion failed on a tie vote, but the resolution itself was defeated by a one-vote margin. In 1998, no resolution critical of China was proposed.

Arabia, and Syria—have recently been represented on the fifty-three-nation body.¹²

In most cases, however, repressive governments did not have to maneuver against censure because no motion critical of them was presented by member states. The United States is not immune from criticism in this respect. The United States has been the world's strongest voice against human rights abuses, but it has often muted its criticism of friends and traditional supporters at the UN, many of whom are sharply criticized in the State Department's annual human rights reports.

In May 2001, for the first time since the commission's establishment, the United States lost its own seat on the UN Human Rights Commission. The failure to maintain a seat on the commission dealt a major setback to U.S. diplomacy at the UN. It reflected inattention in Washington, both at the State Department and in the White House, which was exacerbated by the absence of a permanent representative in New York.¹³ The vote also reflected coordination by repressive regimes that stood to benefit from the absence of the United States on the commission. The lack of U.S.-EU coordination also contributed to the outcome.

Challenges to U.S. Leadership and Reputation

Several factors affect the U.S. ability to work effectively at the United Nations. Some of these are the result of the inevitable resentment toward the world's dominant military and economic power. Other obstacles, however, are more straightforward, including the absence of a U.S. permanent representative to the UN in New York over long periods and understaffing at the U.S. Mission to the UN.

Reservations about U.S. rejection of international agreements and threats of unilateral action are an inescapable reality of U.S.-UN relations. Criticism of U.S. unilateralism did not begin

¹² Using Freedom House's *Freedom in the World* ratings, the number of "not free" regimes represented on the commission grew from 10 out of 53 in 1998 to 15 out of 53 in 2001.

¹³ In the wake of the Human Rights Commission election, a U.S. expert was also denied a place on the International Anti-Narcotics Board. The United States regained its seat in April 2002.

during this administration and will not end with it. The United States must retain the right to act on its own when its national values and interests demand action, and when the international system lacks the capacity or conviction to enforce its rules and fundamental principles. Task Force members hold very different views about the pros and cons of U.S. decisions to opt out of a number of international agreements and programs. We agree, however, that the United States must do much better in explaining its objections and proposing alternatives when possible. Critics often have the field to themselves, compounding the misunderstanding and resentment that fuel anti-Americanism.

As a major dues-payer and contributor to the UN system, America naturally seeks to influence the effective use of these considerable resources. This means the United States frequently takes the lead in pressing for internal UN reform—yet another stance that awakens resentment about U.S. “bullying.”¹⁴ U.S. efforts to promote UN reform and other goals by withholding treaty-obligated dues have had an impact over the years. Today, however, continued U.S. indebtedness diminishes rather than strengthens U.S. leverage in the United Nations. Of course, if the UN returns to some of its worst administrative excesses, Congress would almost certainly reassert the option of withholding support. In the meantime, however, we should try to encourage reform trends by participating fully and refraining from threats we have no intention of carrying through in the current circumstances.

Other challenges to more effective U.S. leadership can be more easily addressed. One such factor is the long period of vacancies in the post of permanent representative to the UN. For example, during a crucial period between September 1998 and September 2001, a period of thirty-six months, this post was unfilled for twenty-one months. The drawn-out, and at times contentious, process of confirming a U.S. ambassador may be an integral part of the advice and consent process in the U.S. political system, but

¹⁴ Such a U.S. role is convenient for the other major donors, particularly the advanced industrial democracies, which quietly support U.S. reservations about UN bureaucratic and administrative deficiencies but refrain from playing a similarly constructive, reformist role.

frequent and long-term vacancies suggest that Congress and the administration do not attach sufficient importance to the UN post.

At the same time, American diplomats at the U.S. Mission are rarely engaged in the type of lobbying and outreach in New York that is typical of other delegations. This is due to a combination of factors, especially understaffing in the political section at the mission. Recent permanent representatives, including John D. Negroponte, the current ambassador, have reached out to their counterparts with success. This is a practice that should become routine and extend to all levels of the U.S. Mission. Staff should be trained to utilize not only the skills of traditional diplomacy, but those of democratic politics as well.

The upswing in the U.S.-UN relationship since September 11, 2001, is already being tested. First, there is a need to maintain the intensity of the international antiterror campaign and avoid “counterterrorism fatigue.” Second, the United States should forthrightly address, rather than avoid, the policy tensions that arise when the imperatives of the war against terrorism compete with human rights and democratic principles. Third, many member states, particularly EU members, expected that the international solidarity expressed after September 11 would significantly alter U.S. positions on multilateral issues of special importance to them. This turned out to be a false expectation, and the Bush administration’s continued opposition to multilateral agreements it believes can infringe on U.S. sovereignty has become a sharp disappointment to some UN member states and a point of great friction. Matters came to a head in June and July 2002, when Washington’s efforts to inoculate U.S. and other forces serving in UN peacekeeping missions from the jurisdiction of the International Criminal Court (ICC) led to a U.S. veto of the UN mandate in Bosnia. While the Security Council forged a compromise formula exempting all peacekeeping forces from the scrutiny of the ICC for one year, the issue promises to be an ongoing point of contention in the coming years.

STRATEGY AND TACTICS FOR EFFECTIVENESS AND LEADERSHIP
AT THE UNITED NATIONS

The time is ripe for the United States to deepen its engagement and strengthen its leadership at the United Nations around the issues of democracy, human rights, and counterterrorism.

Specifically, the United States should clearly enunciate its strong commitment to the United Nations, practice a more engaged style of outreach at UN headquarters, and outline key objectives in the spheres of human rights, democratic development, and security cooperation focused on counterterrorism. These aims should be undertaken as part of a comprehensive, cooperative effort by the UN's democratic member states with the aim of strengthening the United Nations and enhancing its reputation as a voice for democratic values and the rule of law.

1. *Clearly enunciate U.S. views of the UN and multilateral cooperation.* The effort to reinvigorate the U.S. role at the UN must begin at the top. Through the president and the secretary of state, the United States should comprehensively enunciate to the American public, at major international forums, and at the UN General Assembly its view of the United Nations and of the parameters of effective multilateral cooperation. This kind of engagement should be sustained, and the policy elaboration should emphasize a program of realistic and attainable U.S. cooperation with other nations, through the UN and other regional and international structures, that is compatible with American values and interests.

In this policy elaboration, the president and the secretary of state should clearly endorse the U.S. view of the UN as an essential global institution that can be strengthened around an agenda of democracy promotion, the protection of human rights, and effective counterterrorism. A centerpiece of this policy approach should be U.S. support for strong action by democratic states on behalf of a world that is more politically free, more economically open and dynamic, and more secure.

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These public addresses should also emphasize the significant contributions the United States makes to the functioning of the UN system apart from its payment of general dues. Such an effort should also make clear that the United Nations can help advance key U.S. goals.

2. *Lobby and reach out early and often.* The United States rarely practices the kind of outreach and lobbying at UN headquarters for which its democracy is famous. The lack of outreach is partly a function of understaffing, particularly in the political section of the mission. Due to staff shortages, this section must focus its efforts on Security Council activities and crises at the expense of wider outreach. Recent U.S. permanent representatives, including the current ambassador, have made a concerted effort to improve outreach with the member states of the UN. This has been critical to improving the overall atmosphere in New York, including on such key issues as the scale of assessments for UN dues. Still, many permanent representatives of other states arrive in the United States with a limited understanding of how the U.S. government works or with little knowledge about issues of special importance to the United States at the UN. In addition, many permanent representatives, particularly from smaller nations, frequently vote or take positions on a wide array of issues without instructions from their foreign ministries. These factors underline the importance for U.S. diplomats at all levels to engage their counterparts in New York actively and often. Washington should also conduct demarches in foreign capitals when necessary to indicate that the United States is paying attention to statements and voting patterns in New York.

Experience and training in democratic politics for U.S. Mission staff is also important. Selection criteria for diplomatic officers in New York should take into account any work and experience on Capitol Hill. The National Foreign Affairs Training Center should intensify its training in multilateral diplomacy for officers headed to New York and should consider including members and former members of Congress and congressional staff as lecturers.

Congress also should consider deeper engagement. The hearings held at the UN with the Senate Foreign Relations Committee in 2000 improved understanding and goodwill. The U.S. Mission should work with Congress to arrange for legislators more frequent travel to New York for meetings with UN officials, other delegations, and leaders of the major regional and functional blocs.

3. *Avoid long gaps between appointments of permanent representatives.* The United States can improve the atmosphere in New York by avoiding long gaps between appointments of its permanent representatives. In the status-conscious setting of the United Nations, it is difficult for an acting permanent representative to be effective. Moreover, since uncertainty lowers morale for the staff in New York, this invariably affects performance. In light of the unique importance of the U.S. permanent representative and the fact that many administrations have conferred cabinet rank on the position, the Senate should treat confirmation of this position with the same dispatch that it accords cabinet-level appointments.

4. *Ensure that the United States is a paid-up member in good standing.* The United States must also take steps to ensure that it becomes a paid-up member in good standing of the United Nations. The substantial portion of U.S. arrears addressed by the Helms-Biden provisions has been paid, with the third tranche expected to follow. But new arrears continued to accrue prior to recent congressional removal of the 25 percent funding cap on payment of the U.S. share of UN peacekeeping costs.¹⁵ As part of the U.S. effort to restore its financial good standing, Congress and the administration should consider synchronizing annual U.S. appropriations so that they correspond to the UN calendar.¹⁶ As discussed ear-

¹⁵ The cap remained despite a renegotiation of the U.S. peacekeeping assessment rate between the United States and the UN in 2000. The Foreign Relations Authorization Act of fiscal year 2003 lifts the cap until 2005. See Victoria K. Holt, "A Fall Preview for Congress: Full Agenda of FY03 Funding and Policies Involving Peace Operations & Related Programs," accessed at www.stimson.org/fopo/pdf/FY03PKOBudget_FallPreview_FINAL_logo.pdf.

¹⁶ See Brett D. Schaefer, "The U.S. Should Return to Paying Its UN Assessment in Advance," Executive Memorandum No. 782, October 4, 2001, the Heritage Foundation.

lier, while reserving the option of withholding payments, the United States should also avoid the practice of withholding treaty-obligated payments to the UN, a tactic that may have had a positive impact in the past but that now serves only to diminish U.S. leverage.

5. *Enunciate U.S. positions on multilateral agreements.* Washington's recent decisions to unsign or withdraw from international agreements, including the ICC, that it views as violating U.S. sovereignty or as inimical to U.S. interests have been criticized by its closest democratic allies. Given the views of the U.S. government and the European Union, these frictions will not disappear. However, the United States must do better at explaining why it takes the actions that it does and present counterproposals to the international arrangements it rejects. U.S. foreign policy suffers when the United States is judged hostile to international rules and regimes. In this light, it is important that the United States look for opportunities to support international covenants that contribute to democracy, human rights, and counterterrorism. The United States should also participate more actively in UN-related international institutions, including rejoining the United Nations Educational, Scientific and Cultural Organization (UNESCO), which it left in the 1980s.¹⁷

6. *Enhance the prestige and rewards within the Foreign Service for a UN posting.* Service at the U.S. Mission to the UN is not always regarded as career-enhancing by mid-level diplomats. The prestige of diplomatic tours of duty at the UN should be improved within the Foreign Service by instructing the Foreign Service selection boards to give added weight to service at the U.S. Mission and other UN postings, as has been done for service in some of the other functional bureaus of the Department of State. Determined efforts should be made to assign the most capable and

¹⁷ Since this report, President Bush has announced his intention to bring the United States back into UNESCO. This decision will require the cooperation of the Office of Management and Budget and Congress, in order to meet the additional financial obligations of rejoining.

highly regarded diplomats to the crucial task of representing the United States before the international community. As part of this effort, the administration should work with Congress on addressing the difficult issue of high household costs associated with duty in the New York metropolitan area.

7. *Establish a program of international public diplomacy that clearly communicates U.S. support for the fundamental principles of the United Nations.* According to a variety of indices, the United States continues to have trouble effectively communicating its policies. To address this concern, a comprehensive and coherent public diplomacy effort should highlight the unique role of the UN, the importance of U.S. engagement at the UN, and, more generally, American support for human rights, democracy, and international peace and security.¹⁸

Such a campaign should increase international awareness of the diverse and extensive contributions the United States makes to multilateral institutions, including the UN. For example, while the U.S. debtor status to the UN is widely known and derided, less well known is the fact that the United States is the largest donor to the Office of the High Commissioner for Human Rights, the world's largest donor to international demining efforts, and the largest national contributor to anti-HIV/AIDS efforts. The U.S. government should better target and expand its international assistance. But it should also use public diplomacy to explain better the contributions of individual Americans, private foundations, and corporate contributions, all of which are promoted and subsidized by the U.S. tax structure. Tax incentives are an integral part of the U.S. belief in the role of the private and nongovernmental sectors in international economic development. Another factor is the relative openness of the United States to immigration, which creates opportunities for immigrants to partake in the bounties of the U.S. economy and to assist their countries of origin through vast remittances that often constitute significant proportions of a developing country's gross

¹⁸ For polling data and more detail on a U.S. public diplomacy strategy, see the Report of the Independent Task Force on Public Diplomacy, sponsored by the Council on Foreign Relations: www.cfr.org/PublicDiplomacy_TF.html.

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national product (GNP). Public diplomacy should also better explain how the United States is a major contributor to the economic and political development of societies emerging from tyranny and state domination of economic life.

PROGRAMMATIC OBJECTIVES

The United States should work to strengthen UN activism on issues related to human rights, democracy, security, and the fight against terrorism.

Democracy

In the area of democracy, the United States should:

1. *Work with democracies to institutionalize a “democracy caucus” at the UN as a means of cooperation on issues of human rights and democracy.* Building on the goals of the Warsaw Declaration of the Community of Democracies, the United States should help institutionalize a democracy caucus and ensure its membership is made up of states that make a public commitment to democracy and human rights principles. Membership in the caucus should be considered a matter of honor and privilege. A reference point for standards is the Warsaw Declaration itself, which 110 nations have endorsed since June 2000 (see Appendix A). Membership in the caucus should become an instrument to motivate partially democratic and nondemocratic states to improve their compliance with the fundamental principles of human rights and democratic practice.

The United States should work vigorously to improve cooperation with the European democracies and the member states of the EU, particularly on key issues related to democracy, human rights, and counterterrorism. The United States should also deepen its outreach to the newer and more fragile democracies that have emerged as a consequence of the wave of democratization that has been advancing since the mid-1970s. This means enhancing cooperation and coordination at the United Nations with the democracies of Africa, Latin America, central and eastern Europe, and

South and East Asia. Many of these economically poorer democracies confront the serious problems of terrorism and insurgency. While on occasion the United States may disagree with fellow democracies on key issues and cannot be bound by the majority preferences of such a caucus, we believe that there is a broad basis for cooperation and coordination among the democratic nations represented in the UN system.

- *Work to ensure that democracies operating in regional blocs do not vote for the candidacies of countries that routinely violate democratic principles in bodies that focus on democratic development.*
 - *Pursue active diplomacy with America's democratic allies in the nonaligned movement to deepen their cooperation with other democracies and their opposition to countries that practice or condone repression.*
2. *Work to establish the international norm of the "right to democracy."* The United States should take the following steps to this end:
- *Vigorously press for a UN General Assembly resolution on the right to multiparty democracy.* Every individual has the right to live in a democracy that guarantees the rights contained in the Universal Declaration of Human Rights and other international instruments, including the Warsaw Declaration of the Community of Democracies. A resolution on the right to democracy was passed by the UN Human Rights Commission in Geneva in 1999, and the UN General Assembly passed a resolution on promoting and consolidating democracy in 2001.¹⁹ The 1999 resolution praised the proliferation of democratic governance and underscored the need to respect freedom of expression and other basic rights, but it did not set as a basic standard the principle of competitive politics based on party pluralism. The General Assembly resolution goes a long way

¹⁹ Commission on Human Rights Resolution 1999/57 and General Assembly Resolution 55/96 (see Appendix B and C).

toward establishing the centrality of multiparty democracy. The United States should therefore build on these resolutions and work to make the right to multiparty democracy—understood as the international norm of free and fair elections in the context of a multiparty system—an explicit part of the international Covenant on Civil and Political Rights or other appropriate treaty instruments.

- *Work cooperatively to strengthen an emerging consensus within the UN system on the importance of the rule of law and democracy as key components of effective and sustainable development.* The United States should work to instill the idea that the most successful route to sustainable and successful development lies with unwavering dedication to democracy, the rule of law, and free and open economic markets. Building upon President Bush’s Millennium Challenge Account foreign aid initiative, which seeks to provide enhanced development aid to countries that “rule justly,” the United States should work through the UN system to promote the idea that increased economic and social assistance be made available to those states that promote democratization, respect human rights, implement the rule of law, and enhance governmental transparency.
3. *Work to strengthen the efforts of UN implementing agencies focused on democracy.* UN implementing agencies are increasingly recognizing the importance of democracy to their work. The Task Force recommends that the United States:
- *Support the United Nations Development Programme’s work on democracy.* The UNDP works “to support national processes of democratic transitions” in the areas of legislatures, electoral systems and processes, human rights and access to justice, access to information, decentralization and local governance, and public administration and civil service reform. These efforts should be strongly supported and strengthened by enhancing UNDP resources to promote democratic governance and democratic transitions through the development of civil society and free and independent media. At the same time, strong

diplomatic support should be given to UNDP's research efforts on the links between democratic governance and successful human development.

- *Strengthen the work of the UN's Electoral Assistance Division.* As an arm of the UN's Department of Political Affairs, the Electoral Assistance Division coordinates the work of the UN system in the area of electoral assistance efforts. It also advises the UN secretary-general and the undersecretary-general for political affairs on election-related matters, ensuring that these matters receive greater profile and attention within the UN system. The division works with the UNDP to provide technical support and assistance in the establishment of the preconditions of free, fair, and transparent electoral processes.

Human Rights

In the area of human rights, the United States should:

1. *Ensure coordinated lobbying by democracies on key resolutions that reflect genuine support for fundamental human rights, including moral and ethical norms on issues of religious freedom, women's equality, freedom of association, freedom of speech and of the media, nondiscrimination, and other basic human rights.* As part of this effort, the United States should work to establish a working caucus of countries that seek to target key agenda items and countries for investigation and sanction, coordinate lobbying efforts, and engage in public diplomacy and information campaigns to focus attention on the states with the worst human rights records.
2. *Champion the cause of human rights vocally within the UN system and speak out consistently when there are atrocities and egregious violations of basic human rights.* While the competing interests of U.S. foreign policy objectives must be balanced, there remains room for the United States to further highlight human rights violations, including in or by those states it has been reluctant to criticize. The goal should be to bring the light of attention on governments that consistently interfere with the rights of their citizens, including the rights to life, liberty, and property. The

United States should not shy away from bringing crucial human rights concerns to the international community's attention via the UN. While a nation's diplomatic relations with other countries are complex and cannot be defined solely by the pursuit of human rights aims, major human rights violations should not be neglected if the United States and other democracies seek to play a major role as voices for international decency.

3. *Move away from declarative efforts and toward specific actions.* The UN approach to human rights is dominated by statements and declarations. While these have their place, they should be complemented by programs for the practical implementation of existing standards or the setting of new standards that can promptly be given practical application.

4. *Work to restore the integrity of the UN Human Rights Commission.* Washington should also work to ensure the prompt designation of the new U.S. representative to the UN Human Rights Commission and the early initiation of consultations with fellow democracies represented on the commission to create a comprehensive reform program for the commission.

The United States should also support adequate funding to enable the UN's human rights rapporteurs to focus on the thorough investigation of the world's most egregious and massive violations of human rights.

5. *Work to ensure that democracies operating in regional blocs do not vote for the candidacies to the Human Rights Commission of countries that routinely violate human rights principles.*²⁰ To this end, the United States should submit a resolution to the General Assembly requiring all members of the Human Rights Commission to publicly certify their commitment to democracy, human rights, and the rule of law before they are considered eligible to serve on the commission. A state's qualifications would be subject to challenge and debate.

²⁰ One example was the August 2002 nomination by the African regional bloc of a Libyan official to chair the Human Rights Commission.

6. *Strengthen the effectiveness and focus of the Office of the UN High Commissioner for Human Rights.* The United States should work with states that share a fundamental respect for human rights to ensure that the commissioner is committed to focusing the work of the office on the most serious violations of basic human rights.

7. *Defend the rights of UN-accredited NGOs.* UN-accredited nongovernmental organizations are under constant review and attack by an array of repressive regimes at the Economic and Social Council's standing committee on NGOs. As part of an effort to ensure the proper place for legitimate nongovernmental organizations, the UN's democracies should coordinate voting to ensure that this committee does not include states that suppress their own nongovernmental organizations.

8. *Enhance public diplomacy on U.S. human rights concerns.* Washington must do a much better job of informing the citizens of the world about the inconsistent voting records of nations on key human rights issues. Those who engage in or apologize for repressive practices often succeed in portraying U.S. human rights criticisms as affronts to national sovereignty, assaults on national dignity, or attacks on other cultures. Only when the United States explains itself—and the democratic values that are the basis of its policies—to the peoples of these societies can it counter such propaganda and win broader public understanding.

Counterterrorism

There is no UN agency or international institution dedicated to coordinating national efforts to pass laws or build capacity to prevent or combat terrorism—as there is, for example, to address the control of nuclear materials (such as the International Atomic Energy Agency, or IAEA) or crime (Interpol). Moreover, there is, as of yet, no internationally accepted definition of terrorism. That said, twelve international agreements addressing different aspects of terrorism were concluded prior to September 11, 2001, and

these agreements provided the basis for the UN's swift action in the days following last year's attacks.²¹

The day after the attacks on the World Trade Center and the Pentagon, the UN Security Council unanimously passed Resolution 1368, a groundbreaking measure in several respects. The resolution classified terrorist attacks as "threats to international peace and security" and further stipulated that "those responsible for aiding, supporting, or harboring the perpetrators, organizers, and sponsors of these acts will be held accountable," a conclusion that lends support for the position that those states actively harboring terrorists bear significant responsibility for the acts of those terrorists (see Appendix D).

On September 28, 2001, the Security Council also passed Resolution 1373, which created the Counter-Terrorism Committee (CTC) within the Security Council to monitor states' national efforts to adopt laws and build capacity to prevent and combat terrorism (see Appendix E). The CTC's mandate is unusual in that it is open-ended and its scope is not limited to a response to any particular terrorist threat.

The CTC is composed of the fifteen Security Council members, with Britain's permanent representative, Jeremy Greenstock, elected as chairman, and three other Security Council members as vice chairmen.²² Although operating with a small staff and no special funding, the CTC has been successful in accomplishing what it was set up to do: fill in the gaps that national efforts alone, including those by the United States, cannot fill. Rather than focusing on defining terrorism or taking on other issues of contention in the UN terrorism debate, the purpose of the CTC is to "help the world system to upgrade its capability, to deny space, money, support, haven to terrorism, and to establish a network of information-sharing and cooperative executive action."²³

²¹ The United States had ratified ten of the conventions prior to September 2001 and has now ratified all twelve.

²² The chairmanship will be up for review in October 2002. Colombia and Mauritius will leave the Security Council at the end of 2002.

²³ Transcript of Press Conference, October 19, 2001, Sir Jeremy Greenstock, accessed at www.un.org/Docs/sc/committees/1373/19octsum.htm.

The CTC's principal work to date has involved the collection and review of countries' reports of their plans and progress on meeting Resolution 1373's obligations. More than 160 UN member states have submitted reports to the CTC.

The accomplishment of the CTC in coordinating the country report process is attributed largely to the way in which the committee has employed appropriate transparency, openness, and effective communication with member states. The United States has lent strong support to the CTC and is the only nation to have appointed a special liaison to the committee.

The work of the CTC and the UN's post-September 11 counterterrorism efforts have highlighted areas of the UN's comparative advantage. The UN has the international legitimacy to bring countries onto the counterterrorism bandwagon, as well as to promote counterterrorism standards and norms. It has helped to build global norms against terrorism and establish accepted standards and practices for states to adopt. The UN can also play an important role through postconflict peace-building and humanitarian assistance efforts, and through poverty reduction, conflict mediation, and human rights promotion, all of which are integral to strengthening weak states and thus denying havens to terrorists. The United States has recognized this special role of the UN and should work to maximize this advantage.

In the area of counterterrorism, the United States should:

1. *Publicly support a vigorous role for the Counter-Terrorism Committee.* The administration should better inform Congress and the American public about the work of the CTC and speak realistically about what the committee is and is not mandated to do. As part of this effort, the U.S. Congress should be briefed about the work of the CTC to increase its understanding of the committee's functions. The United States should also begin to consider the long-term operation and work of the CTC. Maintaining the CTC within the Security Council is desirable, but the United States should begin to evaluate the need for an independent body to carry out its functioning over the long term.

2. *Broaden international consensus on counterterrorism measures.* The United States should seek to broaden consensus on coun-

terterrorism measures by enlisting the support of international and regional bodies and organizations such as the OAS, the African Union, the ASEAN Regional Forum, the international financial institutions, and the G-8. Some of these bodies, for example, the G-8, are developing counterterrorism principles and benchmarks in particular areas of expertise. The United States should seek endorsement by these bodies and organizations of counterterrorism principles and benchmarks, which the CTC might then seek to promote through its monitoring role.

3. *Support capacity-building for the implementation of Resolution 1373 through public-private partnerships.* The CTC is coordinating bilateral assistance between potential donor and recipient countries, and the U.S. government has been a leader in bilateral assistance. A number of the UN's poorer member states lack the capacity to implement the internal measures mandated by Resolution 1373. At this time, experts who can help countries develop and implement legislation and programs are in shorter supply than money. To broaden the availability of assistance, the United States should enlist the support of the private sector, including legal and financial organizations and NGOs with special expertise.

4. *Focus on practical results.* Given the politicization of the debate at the UN on a definition of terrorism, the United States should advocate building consensus around acts that are generally accepted as terrorist activities rather than awaiting the elaboration of a precise, internationally accepted definition of terrorism. The twelve UN international agreements on terrorism can serve as the basis from which to work. By designating certain activities as terrorism, these conventions have already moved toward a working definition and have offered a practical basis for combating terrorist acts. While these practical steps are being taken, the United States should continue to support the efforts in the General Assembly to elaborate a Comprehensive Convention on International Terrorism. The United States should not, however, tolerate a definition of terrorism that excludes or exculpates such obvious terrorist acts as suicide bombings that target civilians.

5. *Articulate the view that the promotion of human rights, democracy, development, and poverty eradication, among other goals, are crucial elements of a long-term strategy in the international war against terrorism.* The UN, with its broad array of economic, social, and cultural programs, remains a prime forum in which to address poverty, security, democracy, and human rights. The United States should work to improve UN cooperation and support in such areas as poverty alleviation and support for democracy and stability as part of a comprehensive counterterrorism strategy.

CONCLUSION

The recommendations proposed by the Council on Foreign Relations–Freedom House Task Force represent the consensus of a diverse group of U.S. experts whose views span the American political spectrum. They reflect a workable agenda focused on the effective promotion of democracy, human rights, and counterterrorism that can strengthen America’s leadership and reputation within the United Nations, help improve America’s international standing, and, most important, help to make the United Nations a more effective institution. The agenda set forth here also has the potential to serve as the basis of an effective multilateral engagement that reflects American values and strengthens U.S. interests. Amid strains with many of its traditional democratic allies over many such issues, the United States can clearly benefit from initiatives that underscore its willingness to cooperate with natural allies on a broad range of actions that reflect shared values. We believe that the recommendations of the Task Force reinforce this objective.

ADDITIONAL AND DISSENTING VIEWS

I welcome the report of the Task Force, which, as far as it goes, builds a sober consensus. But it is oversold as directed to “enhancing U.S. leadership” at the UN. Its narrow-issue focus excludes from its purview the UN’s unique roles in maintaining international peace and security—its founding purpose, and Washington’s core political interest in the organization since its inception—and the UN system’s efforts to promote rising standards of living through economic and social development, its most urgent task in the eyes of the four-fifths of humanity who are poor.

Despite its focus on human rights, the report gives short shrift to the international human rights law that has been built since Eleanor Roosevelt’s seminal leadership of the UN Human Rights Commission. This includes the two conventions on the rights of women and children that opponents with eccentric objections have obstructed in the U.S. Senate. It assumes the UN’s job in human rights is simply to adopt condemnatory resolutions, and it does not appreciate the UN’s roles in nurturing civil-society and human rights institutions to build respect for human rights from the ground up. The report fails to acknowledge that America’s human rights community has championed the new International Criminal Court as the century’s most significant institutional advance to protect fundamental human rights, and erroneously dismisses the court as something that “Washington . . . views as violating U.S. sovereignty.” Did not a duly elected president sign the ICC statute? So who is “Washington”?

I welcome the report’s call for a “democracy caucus” at the United Nations, an idea proposed by the UNA-USA in 1996. The caucus needs to be much more tightly linked to the Community of Democracies process than the report’s vague recommendation suggests. Given the pressures in United Nations bodies for “universality” (UN-speak for including everybody), it will be impossible to organize inside the UN a caucus with its own exclusive rules-

for admission. The Community of Democracies needs to fix its own rules for membership and then convene its members at the UN, as the European Union and other regional organizations do. Like these, the Community of Democracies should claim observer status at the UN and maintain a mission there to help its members coordinate positions on human rights and democracy issues at the UN. One such issue should clearly be the leadership of bodies such as the Human Rights Commission, currently threatened by the African regional group's bone-headed endorsement of Libya's candidate for commission chairman in 2003. Here, Americans need to galvanize passive European allies and other democracies to stand up for the UN's human rights credibility.

It is gratuitous for powerful Americans to dismiss the nonaligned movement as "an outdated obstacle to effective cooperation within the UN." Certainly, developing-country solidarity has been abused in the human rights arena, and the report is right to target it there. But on economic and even political issues, that solidarity remains crucial for the weak to gain the attention of the strong to issues the latter might otherwise ignore. Our report rightly praises President Bush for new development aid through the Millennium Challenge Account. But does anyone believe a long-indifferent Washington would have moved on this issue were it not for developing-country solidarity at the Monterrey summit?

That said, the report makes an important contribution, and I am pleased to support it.

Jeffrey Laurenti

View also endorsed by Sarah Sewall

The claim that "in the years since the Cold War, when the five permanent members have been able to work together, the Security Council has effectively addressed key threats to peace and security" is true because it is a tautology. The same thing could have been said during the Cold War, for example, in the adoption of UN Security Council Resolutions 242 and 338, which remain the

framework for an Arab-Israeli peace settlement. The problem is that it is often difficult to get the five to work together, a hurdle that becomes an obstacle to action or an excuse for inaction. For four years, while Yugoslavia disintegrated in cruel conflicts that claimed hundreds of thousands of lives, the Security Council did nothing effective. Indeed, it contributed to the agony by imposing an arms embargo that had the perverse effect of leaving the victims naked before the aggressors. Then in Rwanda, in the face of full-scale genocide, the Security Council once again refused to act, a shameful decision insisted upon by the United States. And in the later 1990s, the Security Council failed to act to enforce its own resolutions regarding Iraq, thereby leaving in place a great menace to world peace.

The phrase “the very areas in which the United States can play a positive role” is oddly (perhaps unintentionally) restrictive. The United States can “play a positive role” in all of the realms of constructive activity by the UN, although it has not always done so. It is true but gratuitous to say that “the United States is not immune from criticism” for failing to introduce criticisms of some repressive regimes in the UN Human Rights Commission. The United States has fought a lonely battle to induce the commission to take human rights seriously at all. In the context of the egregiously cynical records of virtually all other commission members, including other democracies, it seems out of place to stress U.S. lapses. Moreover, it is simply not true that “nondemocratic regimes have significantly increased their representation” on the Human Rights Commission, although it would be true to say that they have maintained their representation on the committee even while the world as a whole has grown more democratic.

The eradication of poverty is a worthy goal in itself, but there is no reason to believe it has any bearing on the war against terrorism. Indeed, references to poverty in this context have been forwarded most often as an excuse for terrorism. While the Counter-Terrorism Committee may have “been successful in accomplishing what it was set up to do,” that is faint praise; we ought not to waste our breath on it. Likewise, it is unseemly to

suggest that the first task of the U.S. government in the area of counterterrorism is to persuade Congress and the American public that the United Nations is doing a good job in this respect. It is hard to understand why the United States should conduct a public diplomacy campaign to “highlight the unique role of the UN [and] the importance of U.S. engagement at the UN.” Since it is other countries that usually criticize the United States for not attaching high enough priority to the UN, it would be odd for us to work to persuade those countries of the UN’s importance and odder still to persuade them of the importance of U.S. engagement, something they are powerless to control. Apparently, what is meant here is that the United States should persuade the American public of these things, which, of course, is a legitimate function not of “public diplomacy,” but rather of domestic political debate.

If it is true that “many member states, particularly EU members, expected that international solidarity expressed after September 11 would significantly alter U.S. positions,” that is to their enduring shame. The solidarity they expressed ought not to have been a quid pro quo for anything. It should only have been an expression of principle on their part and perhaps of gratitude for all that America has done to protect them. “Better coordination within the EU” may or may not be a “welcome development,” depending on whether or not EU policy is constructive. While it is nothing that America need fear, neither is it something we need applaud—until we see the policy consensus.

Finally, the statement “the United States should forthrightly address, rather than avoid, the policy tensions that arise when the imperatives of the war against terrorism compete with human rights and democracy principles” itself seems to avoid, rather than forthrightly address, whatever it is trying to say.

Joshua Muravchik

I agree that so long as there is reasonable hope for significant improvement in the UN’s performance, the United States ought to make larger and more systematic efforts to encourage such improvement.

Additional and Dissenting Views

I am therefore in general sympathy with most of the specific recommendations in the report. But I do not accept all of the report's arguments.

I do not agree with the report's characterization of various UN programs as "effective and essential." Most UN programs are not even "effective." None is "essential." To the contrary, I believe the threat of American withdrawal from the United Nations remains an important source of diplomatic leverage on the organization. At any rate, the UN remains a treaty system and the United States always retains the ultimate right to withdraw from a treaty.

Meanwhile, under our Constitution, the United States cannot ever commit to a treaty that gives international bodies the final say on the legality of American domestic practices. Therefore, we cannot accept overriding legal authority for UN human rights forums. What we do not accept for ourselves, we cannot reasonably demand of others. We may, however, still hope that forums for discussions of human rights practices, by focusing criticism on the worst offenders, will achieve some positive results.

Finally, I do not agree with the continuing suggestion in the report that with more vigorous diplomatic engagement, American efforts at the UN can achieve regular support from the European Union. The EU aspires to be a great power. As Europeans well know, great powers do not always agree with each other. It is quite naïve to assume that, because there are some elements of democracy in the EU, the EU will regularly align itself with the United States—any more than India, which is a more fully developed parliamentary democracy than the EU, is always prepared to conform to American preferences in international affairs. The EU, for example, has been a consistent financial and diplomatic supporter of Palestinian terrorism. We cannot expect to build any special partnership with countries that have such different views about terrorism, to say nothing of different priorities regarding democracy and human rights.

Jeremy Rabkin

We fully agree, as the Task Force report states, that “enhancing U.S. leadership at the United Nations is important for U.S. interests and for strengthening the UN and the international system.” We further agree with the observation that “while the end of the Cold War offered the Security Council an opportunity to fulfill its mandate, it has only on some occasions lived up to expectations. The overall performance of UN bodies, such as the General Assembly and the Human Rights Commission, and of such highly publicized meetings as the UN World Conference against Racism, has been even more disappointing.” Finally, we agree that to overcome the UN deficiencies, it is important that the United States work with other democracies in creating a “democracy caucus” at the UN.

Our reason for submitting additional views is that a strategy under which the United States “clearly enunciate[s] its strong commitment to the United Nations [and] practice[s] a more engaged style of outreach at UN headquarters” but does not undertake a major effort to engage other UN members on their UN performance will prove to be insufficient to attain the objective of such improved performance. Significant benefits will undoubtedly be attained from steps to strengthen the U.S. Mission to the United Nations, as spelled out in the report, but more needs to be done. The inadequacies of the UN are too deeply ingrained in the UN system, too many of the individuals working in the Secretariat and in uninstructed and unsupervised member missions to the UN have a vested interest in maintaining these inadequacies, and too many member states use the UN system to advance their narrow, self-serving agendas to make it possible for the UN to reform itself from within.

The Task Force recommends that “Washington should also conduct demarches in foreign capitals when necessary to indicate that the United States is paying attention to statements and voting patterns in New York.” That is far too mild a recommendation. If the United States is to take seriously the task of enhancing its leadership at the UN, the State Department’s regional bureaus, the U.S. embassies, and appropriate officials of the National Security Council staff must become fully engaged in the UN reform effort.

Additional and Dissenting Views

To build a democracy caucus worthy of its name, the case for drastic UN reform has to be made to foreign ministers of the democratic countries by high-ranking officials of the State Department, and to the presidents and prime ministers of these countries by appropriate staff speaking in the name of the president or the vice president. It is essential that the U.S. government commit itself to such a full-fledged effort.

Richard Schifter, Max Kampelman, and Penn Kemble

The report states that the U.S. government lost its seat on the UN Human Rights Commission because of inattention on Washington's part, combined with coordination among repressive regimes that stood to gain from the United States's absence, and a lack of EU-U.S. coordination. In fact, the loss was due to a combination of several factors, including the growing annoyance on the part of America's closest allies with U.S. voting patterns and the U.S. approach to several human rights issues. These allies were irked by U.S. objection to the commission's resolutions on the right to food or the right to access to AIDS medication. They were also troubled by U.S. opposition to the efforts at drafting conventions to criminalize forced disappearances and to monitor compliance with the prohibition of torture.

It is well past time for the U.S. government to review its policies on these issues. If nothing else, from a purely tactical point of view, they alienate nearly every important U.S. ally and position Washington as a fellow traveler with countries such as Iran, China, Cuba, Libya, and Sudan.

Joanna Weschler

APPENDIXES

APPENDIX A

TOWARD A COMMUNITY OF DEMOCRACIES
MINISTERIAL CONFERENCE
Final Warsaw Declaration: Toward a Community
of Democracies
Warsaw, Poland, June 27, 2000

We the participants from

Republic of Albania, People's Democratic Republic of Algeria, Argentine Republic, Republic of Armenia, Australia, Republic of Austria, Azerbaijani Republic, People's Republic of Bangladesh, Kingdom of Belgium, Belize, Republic of Benin, Republic of Bolivia, Bosnia and Herzegovina, Republic of Botswana, Federative Republic of Brazil, Republic of Bulgaria, Burkina Faso, Canada, Republic of Cape Verde, Republic of Chile, Republic of Colombia, Republic of Costa Rica, Republic of Croatia, Republic of Cyprus, Czech Republic, Kingdom of Denmark, Commonwealth of Dominica, Dominican Republic, Republic of Ecuador, Arab Republic of Egypt, Republic of El Salvador, Republic of Estonia, Republic of Finland, Georgia, Federal Republic of Germany, Republic of Guatemala, Republic of Haiti, Hellenic Republic, Republic of Hungary, Republic of Iceland, Republic of India, Republic of Indonesia, Ireland, State of Israel, Italian Republic, Japan, Hashemite Kingdom of Jordan, Republic of Kenya, Republic of Korea, State of Kuwait, Republic of Latvia, Kingdom of Lesotho, Principality of Liechtenstein, Republic of Lithuania, Grand Duchy of Luxembourg, Former Yugoslav Republic of Macedonia, Republic of Madagascar, Republic of Malawi, Republic of Mali, Republic of Malta, Republic of Mauritius, Mexico, Republic of Moldova, Principality of Monaco, Mongolia, Kingdom of Morocco, Republic of Mozambique, Republic of Namibia, Kingdom of Nepal, Kingdom of the Netherlands, New

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Zealand, Republic of Nicaragua, Republic of the Niger, Federal Republic of Nigeria, Kingdom of Norway, Republic of Panama, Papua New Guinea, Republic of Paraguay, Republic of Peru, Republic of the Philippines, Republic of Poland, Portuguese Republic, State of Qatar, Romania, Russian Federation, Saint Lucia, Democratic Republic of Sao Tome and Principe, Republic of Senegal, Republic of Seychelles, Slovak Republic, Republic of Slovenia, Republic of South Africa, Kingdom of Spain, Democratic Socialist Republic of Sri Lanka, Kingdom of Sweden, Swiss Confederation, United Republic of Tanzania, Kingdom of Thailand, Republic of Tunisia, Republic of Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Eastern Republic of Uruguay, Bolivarian Republic of Venezuela, Republic of Yemen, in the Community of Democracies Ministerial Meeting convened in Warsaw, 26–27 June 2000:

Expressing our common adherence to the purposes and principles set forth in the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming our commitment to respect relevant instruments of international law,

Emphasizing the interdependence between peace, development, human rights and democracy,

Recognizing the universality of democratic values,

Hereby agree to respect and uphold the following core democratic principles and practices:

- The will of the people shall be the basis of the authority of government, as expressed by exercise of the right and civic duties of citizens to choose their representatives through regular, free and fair elections with universal and equal suffrage, open to multiple parties, conducted by secret ballot, monitored by independent electoral authorities, and free of fraud and intimidation.

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- The right of every person to equal access to public service and to take part in the conduct of public affairs, directly or through freely chosen representatives.
- The right of every person to equal protection of the law, without any discrimination as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- The right of every person to freedom of opinion and of expression, including to exchange and receive ideas and information through any media, regardless of frontiers.
- The right of every person to freedom of thought, conscience and religion.
- The right of every person to equal access to education.
- The right of the press to collect, report and disseminate information, news and opinions, subject only to restrictions necessary in a democratic society and prescribed by law, while bearing in mind evolving international practices in this field.
- The right of every person to respect for private family life, home, and correspondence, including electronic communications, free of arbitrary or unlawful interference.
- The right of every person to freedom of peaceful assembly and association, including to establish or join their own political parties, civic groups, trade unions or other organizations with the necessary legal guarantees to allow them to operate freely on a basis of equal treatment before the law.
- The right of persons belonging to minorities or disadvantaged groups to equal protection of the law, and the freedom to enjoy their own culture, to profess and practice their own religion, and use their own language.
- The right of every person to be free from arbitrary arrest or detention; to be free from torture and other cruel, inhumane or degrading treatment or punishment; and to receive due process of law, including to be presumed innocent until proven guilty in a court of law.

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- That the aforementioned rights, which are essential to full and effective participation in a democratic society, be enforced by a competent, independent and impartial judiciary open to the public, established and protected by law.
- That elected leaders uphold the law and function strictly in accordance with the constitution of the country concerned and procedures established by law.
- The right of those duly elected to form a government, assume office and fulfill the term of office as legally established.
- The obligation of an elected government to refrain from extra-constitutional actions, to allow the holding of periodic elections and to respect their results, and to relinquish power when its legal mandate ends.
- That government institutions be transparent, participatory and fully accountable to the citizenry of the country and take steps to combat corruption, which corrodes democracy.
- That the legislature be duly elected and transparent and accountable to the people.
- That civilian, democratic control over the military be established and preserved.
- That all human rights—civil, cultural, economic, political and social—be promoted and protected as set forth in the Universal Declaration of Human Rights and other relevant human rights instruments.

The Community of Democracies affirms our determination to work together to promote and strengthen democracy, recognizing that we are at differing stages in our democratic development. We will cooperate to consolidate and strengthen democratic institutions, with due respect for sovereignty and the principle of non-interference in internal affairs. Our goal is to support adherence to common democratic values and standards, as outlined above. To that end, our governments hereby agree to abide by these principles in

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practice, and to support one another in meeting these objectives which we set for ourselves today.

We will seek to strengthen institutions and processes of democracy. We appreciate the value of exchanging experiences in the consolidation of democracy and identifying best practices. We will promote discussions and, where appropriate, create forums on subjects relevant to democratic governance for the purpose of continuing and deepening our dialogue on democratization. We would focus our deliberations on our common principles and values rather than extraneous bilateral issues between members. We resolve jointly to cooperate to discourage and resist the threat to democracy posed by the overthrow of constitutionally elected governments. We resolve to strengthen cooperation to face the transnational challenges to democracy, such as state-sponsored, cross-border and other forms of terrorism; organized crime; corruption; drug trafficking; illegal arms trafficking; trafficking in human beings and money laundering, and to do so in accordance with respect for human rights of all persons and for the norms of international law.

We will encourage political leaders to uphold the values of tolerance and compromise that underpin effective democratic systems, and to promote respect for pluralism so as to enable societies to retain their multi-cultural character, and at the same time maintain stability and social cohesion. We reject ethnic and religious hatred, violence and other forms of extremism. We will also promote civil society, including women's organizations, non-governmental organizations, labor and business associations, and independent media in their exercise of their democratic rights. Informed participation by all elements of society, men and women, in a country's economic and political life, including by persons belonging to minority groups, is fundamental to a vibrant and durable democracy.

We will help to promote government-to-government and people-to-people linkages and promote civic education and literacy, including education for democracy. In these ways we will strengthen democratic institutions and practices and support the diffusion of democratic norms and values.

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We will work with relevant institutions and international organizations, civil society and governments to coordinate support for new and emerging democratic societies.

We recognize the importance our citizens place on the improvement of living conditions. We also recognize the mutually-reinforcing benefits the democratic process offers to achieving sustained economic growth. To that end, we will seek to assist each other in economic and social development, including eradication of poverty, as an essential contributing factor to the promotion and preservation of democratic development.

We will collaborate on democracy-related issues in existing international and regional institutions, forming coalitions and caucuses to support resolutions and other international activities aimed at the promotion of democratic governance. This will help to create an external environment conducive to democratic development.

Final, June 27, 2 P.M.

APPENDIX B

PROMOTION OF THE RIGHT TO DEMOCRACY COMMISSION ON HUMAN RIGHTS RESOLUTION 1999/57

The Commission on Human Rights,

Bearing in mind the indissoluble links between the principles enshrined in the Universal Declaration of Human Rights and the foundation of any democratic society,

Recalling that all peoples have the right of self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Recognizing that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing also the rich and diverse nature of the community of the world's democracies,

Recalling the large body of international law and instruments, including its resolutions and those of the General Assembly, which confirm the right to full participation and the other fundamental democratic rights and freedoms inherent in any democratic society,

Resolved, on the eve of a new century and millennium, to take all measures within its power to secure for all people the fundamental democratic rights and freedoms to which they are entitled,

1. Affirms that democracy fosters the full realization of all human rights, and vice versa;

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2. Also affirms that the rights of democratic governance include, inter alia, the following:
 - (a) The rights to freedom of opinion and expression, of thought, conscience and religion, and of peaceful association and assembly;
 - (b) The right to freedom to seek, receive and impart information and ideas through any media;
 - (c) The rule of law, including legal protection of citizens' rights, interests and personal security, and fairness in the administration of justice and independence of the judiciary;
 - (d) The right of universal and equal suffrage, as well as free voting procedures and periodic and free elections;
 - (e) The right of political participation, including equal opportunity for all citizens to become candidates;
 - (f) Transparent and accountable government institutions;
 - (g) The right of citizens to choose their governmental system through constitutional or other democratic means;
 - (h) The right to equal access to public service in one's own country;
3. Notes that the realization of all human rights—civil, cultural, economic, political and social, including the right to development—are indispensable to human dignity and the full development of human potential and are also integral to democratic society;
4. Urges the continuation and expansion of activities carried out by the United Nations system, other intergovernmental and non-governmental organizations and Member States to promote and consolidate democracy within the framework of international cooperation and to build a democratic political culture through the observance of human rights, mobilization of civil society and other appropriate measures in support of democratic governance;
5. Requests the Office of the United Nations High Commissioner for Human Rights, in continuing and expanding its programmes and projects of technical cooperation to promote democracy and the rule of law, and in the context of the High Commissioner's activities in the promotion of human rights, to give priority assistance

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to such programmes and to promote democracy-related activities throughout the United Nations system;

6. Requests human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and human rights mechanisms of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to pay due attention, within their mandates, to those elements of democratic governance outlined in paragraph 2 of the present resolution;

7. Requests the High Commissioner, in her report to the Commission at its fifty-sixth session, to reflect progress on the implementation of the present resolution;

8. Requests the Secretary-General to bring the present resolution to the attention of Member States, the competent United Nations organs and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

9. Decides to continue consideration of the matter at its fifty-sixth session under the same agenda item.

27 April 1999

[Adopted by a roll-call vote of 51 votes to none, with 2 abstentions. See. chap. XI.]

APPENDIX C

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee*

(*A/55/602/Add.2 and Corr.1*)] 55/96.

Promoting and consolidating democracy

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and reaffirming also that everyone is entitled to all rights and freedoms without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as set forth in the Universal Declaration of Human Rights,

Bearing in mind Commission on Human Rights resolutions 1999/57 of 27 April 1999 and 2000/47 of 25 April 2000,

Recognizing the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society, and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, which states that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing,

Recalling that all peoples have the right to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommended that priority should be given to national and international action to promote democracy, development and human rights and that the international community should support the strengthening

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and promotion of democracy, development and respect for human rights and fundamental freedoms in the entire world,

Recalling further its resolutions 53/243 A and B of 13 September 1999, containing, respectively, the Declaration and the Programme of Action for a Culture of Peace,

Recognizing and respecting the rich and diverse nature of the community of the world's democracies, which arise out of all of the world's social, cultural and religious beliefs and traditions,

Recognizing that, while all democracies share common features, there is no one universal model of democracy,

Reaffirming its commitment to the process of democratization of States, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming that good governance, as referred to in the United Nations Millennium Declaration, is among the indispensable factors for building and strengthening peaceful, prosperous and democratic societies,

Aware of the crucial importance of the active involvement and contribution of civil society in processes of governance that affect the lives of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures, such as decision AHG/Dec.141 (XXXV) adopted in 1999 by the Assembly of Heads of State and Government of the Organization of African Unity, resolution AG/RES.1080 (XXI-091) adopted in 1991 by the General Assembly of the Organization of American States and the Moscow Document on the Human Dimension adopted in 1991 by the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, which commit Member States to taking certain steps in the event

of an interruption of democratic government, as well as the Commonwealth Declaration adopted at the Commonwealth Heads of Government Meeting, held at Harare in 1991, which commits members to fundamental democratic principles,

Commending the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies in which individuals have the opportunity to shape their own destiny,

Noting the initiatives taken by the countries that participated in the first, second and third International Conference of New or Restored Democracies, held, respectively, at Manila in June 1988, Managua in July 1994 and Bucharest in September 1997,

Noting also the ministerial conference entitled “Toward a Community of Democracies”, hosted by the Government of Poland at Warsaw on 26 and 27 June 2000,

Noting further the Forum on Emerging Democracies, held at Sana’a from 27 to 30 June 1999,

Noting that the fourth International Conference of New or Restored Democracies is scheduled to be held at Cotonou, Benin, from 4 to 6 December 2000, and also noting the initiative of the Government of Mali to host, at Bamako from 1 to 3 November 2000, following the Moncton Declaration adopted in September 1999 at Moncton, Canada, by the Eighth Summit of la Francophonie, an international symposium at the ministerial level on the status of the practices of democracy, rights and freedoms in the French-speaking community,

1. *Calls upon* States to promote and consolidate democracy, inter alia, by:
 - (a) Promoting pluralism, the protection of all human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of effective public institutions, including an independent judiciary, accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

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- (b) Promoting, protecting and respecting all human rights, including the right to development, and fundamental freedoms, in particular:
 - (i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;
 - (ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right freely to express, preserve and develop their identity without any discrimination and in full equality before the law;
 - (iii) The rights of indigenous people;
 - (iv) The rights of children, the elderly and persons with physical or mental disabilities;
 - (v) Actively promoting gender equality with the aim of achieving full equality between men and women;
 - (vi) Taking appropriate measures to eradicate all forms of racism and racial discrimination, xenophobia and related intolerance;
 - (vii) Considering becoming parties to international human rights instruments;
 - (viii) Fulfilling their obligations under the international human rights instruments to which they are parties;
- (c) Strengthening the rule of law by:
 - (i) Ensuring equality before the law and equal protection under the law;
 - (ii) Ensuring the right to liberty and security of person, the right to equal access to justice, and the right to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention with a view to avoiding arbitrary arrest;
 - (iii) Guaranteeing the right to a fair trial;
 - (iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;

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- (v) Promoting the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;
 - (vi) Guaranteeing that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person;
 - (vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;
 - (viii) Including human rights education in the training for civil servants and law enforcement and military personnel;
 - (ix) Ensuring that the military remains accountable to the democratically elected civilian government;
- (d) Developing, nurturing and maintaining an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:
- (i) Guaranteeing that everyone can exercise his or her right to take part in the government of his or her country, directly or through freely chosen representatives;
 - (ii) Guaranteeing the right to vote freely and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, conducted by secret ballot and with full respect for the right to freedom of association;
 - (iii) Taking measures, as appropriate, to address the representation of underrepresented segments of society;
 - (iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties that can participate in elections, as well as the transparency and fairness of the electoral process,

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including through appropriate access under the law to funds and free, independent and pluralistic media;

- (e) Creating and improving the legal framework and necessary mechanisms for enabling the wide participation of all members of civil society in the promotion and consolidation of democracy, by:
 - (i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;
 - (ii) Fostering, through education and other means, awareness and respect for democratic values;
 - (iii) Respecting the right to freedom of peaceful assembly and the exercise of the right freely to form, join and participate in nongovernmental organizations or associations, including trade unions;
 - (iv) Guaranteeing mechanisms for consultations with and the contribution of civil society in processes of governance and encouraging cooperation between local authorities and nongovernmental organizations;
 - (v) Providing or improving the legal and administrative framework for nongovernmental community-based and other civil society organizations;
 - (vi) Promoting civic education and education on human rights, *inter alia*, in cooperation with organizations of civil society;
- (f) Strengthening democracy through good governance as referred to in the United Nations Millennium Declaration 5 by, *inter alia*:
 - (i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;
 - (ii) Taking legal, administrative and political measures against corruption, including by disclosing and investigating and punishing all those involved in acts of corruption

- and by criminalizing payment of commissions and bribes to public officials;
- (iii) Bringing government closer to the people by appropriate levels of devolution;
 - (iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;
 - (v) Fostering high levels of competence, ethics and professionalism within the civil service and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service;
- (g) Strengthening democracy by promoting sustainable development, in particular by:
- (i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing, medical care and necessary social services, individually and through international cooperation;
 - (ii) Taking effective measures aimed at overcoming social inequalities and creating an environment that is conducive to development and to the elimination of poverty;
 - (iii) Promoting economic freedom and social development and pursuing active policies to provide opportunities for productive employment and sustainable livelihoods;
 - (iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;
 - (v) Creating a legal and regulatory framework with a view to promoting sustained economic growth and sustainable development;
- (h) Enhancing social cohesion and solidarity by:
- (i) Developing and strengthening, at the local and national levels, institutional and educational capabilities to

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resolve conflicts and disputes peacefully, including through mediation, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;

- (ii) Improving social protection systems and ensuring access for all to basic social services;
 - (iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the core Conventions of the International Labour Organization;
2. *Requests* the Secretary-General to disseminate the present resolution as widely as possible.

81st plenary meeting
4 December 2000

APPENDIX D

UN SECURITY COUNCIL RESOLUTION 1368 (2001) September 12, 2001

The Security Council,

Reaffirming the principles and purposes of the Charter of the United Nations,

Determined to combat by all means threats to international peace and security caused by terrorist acts,

Recognizing the inherent right of individual or collective self-defence in accordance with the Charter,

1. *Unequivocally condemns* in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington (D.C.) and Pennsylvania and regards such acts, like any act of international terrorism, as a threat to international peace and security;
2. *Expresses* its deepest sympathy and condolences to the victims and their families and to the People and Government of the United States of America;
3. *Calls* on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and stresses that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable;
4. *Calls also* on the international community to redouble their efforts to prevent and suppress terrorist acts including by increased cooperation and full implementation of the relevant international antiterrorist conventions and Security Council resolutions, in particular resolution 1269 of 19 October 1999;

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5. *Expresses* its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations;
6. *Decides* to remain seized of the matter.

APPENDIX E

UN SECURITY COUNCIL RESOLUTION 1373 (2001)
September 28, 2001

The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C., and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

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Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall:
 - (a) Prevent and suppress the financing of terrorist acts;
 - (b) Criminalize the willful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
 - (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
 - (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;
2. *Decides also* that all States shall:
 - (a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, includ-

- ing by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;
- (b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;
 - (c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
 - (d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;
 - (e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;
 - (f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;
 - (g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;
3. *Calls upon* all States to:
- (a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

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- (b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;
 - (c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;
 - (d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;
 - (e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);
 - (f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts;
 - (g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;
4. *Notes* with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;
5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and

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that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.

APPENDIX F

SECURITY COUNCIL RESOLUTION 1377 (2001) Adopted 12 November 2001

The Security Council,

Meeting at the Ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

Further declares that acts of international terrorism constitute a challenge to all States and to all of humanity,

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

Underlines that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

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Affirms that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1–5 October 2001, calls on all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

Calls on all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and underlines the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and welcomes the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementation of that resolution,

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and invites States to inform the Counter-Terrorism Committee of areas in which they require such support,

In that context, invites the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to

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explore with international, regional and subregional organizations:

- the promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- the promotion of possible synergies between these assistance programmes,

Calls on all States to intensify their efforts to eliminate the scourge of international terrorism.

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ENHANCING U.S. LEADERSHIP AT THE UNITED NATIONS

REPORT OF AN INDEPENDENT TASK FORCE
COSPONSORED BY THE COUNCIL ON FOREIGN RELATIONS
AND FREEDOM HOUSE

The United States has not been nearly as effective at the United Nations as it can or should be. To address this concern, the Council on Foreign Relations and Freedom House cosponsored an Independent Task Force to assess the U.S.-UN relationship and to suggest a new strategy for improving the effectiveness and reputation of the United States at the UN.

The Task Force calls for a U.S. strategy of building a coalition of democracies at the United Nations to carry forward three aims: building further support for democratization around the world, promoting respect for human rights principles, and coming together more effectively in the war against terrorism.

In making its analysis, the Task Force identified several obstacles to U.S. effectiveness at the UN, including U.S. reluctance to support international agreements; the U.S. practice of withholding treaty-obligated dues; long gaps in the confirmation of a permanent U.S. representative to the UN; and a reluctance to engage in the outreach and lobbying at the UN for which American democracy is famous. The report also concludes that politicization in UN bodies, including the General Assembly and the Commission on Human Rights, has made the institution an inconsistent voice for democracy and human rights.

This report includes the Task Force's findings and recommendations, as well as key UN documents in the areas of democracy, human rights, and counterterrorism.

The Task Force, co-chaired by Republican congressman David Dreier, chairman of the House Rules Committee, and former Democratic congressman Lee Hamilton, director of the Woodrow Wilson Center and former chairman of the House Foreign Affairs Committee, included former senior officials from Democratic and Republican administrations, scholars, and nongovernmental leaders.



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