

A UN that Lives Up to Its Founding Principles: The U.S. Agenda at the UN General Assembly

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Introduction: The U.S. View of Multilateralism

The United States is committed to the founding ideals of the United Nations. As President Bush said last year when he addressed the UN General Assembly, the founding documents of the U.S. and the UN “recognize a moral law that stands *above men and nations*, which must be defended and enforced *by men and nations*. And both point the way to peace, the peace that comes when all are free.” The United Nations should be a forum where diverse countries and cultures of the world work together for freedom, democracy, peace, human rights, and prosperity for all people.

As we approach the convening of the 59th UN General Assembly, the UN faces many challenges in living up to these founding principles. Many nations do not support democratic governance or free market economy. Developing nations complain that their views are frequently ignored. Some nations note that their status in the UN is not commensurate with their substantial financial contributions

Unilateralism Is Not Our Intent

I would like to speak to the comment we have often heard: that the United States acts alone, myopically concerned only with its own interests. On careful consideration of our actions, however, the charge of unilateralism is simply untrue. International peace, long-term stability, democracy building, humanitarian relief, and human rights are in the interest of all nations. The United States cannot reach those goals alone.

Multilateral diplomacy is an important tool of U.S. foreign policy. In many areas, this tool is already very effective. Multilateral cooperation in certain technical and specialized agencies of the UN, for example, works successfully to integrate the agendas of various nations and to help those who need it most.

On the other hand, the United States has disagreed with some multilateral proposals, as have other sovereign states. We have no desire to impose our way, but like any sovereign state, we act on the basis of national interests. We are open to compromise when possible. Above all, we seek ways to advance common goals. We seek *effective* multilateralism. The desired end is not consensus for its own sake, but relief for those who need it — food for the hungry, medicine for the sick, peace and reconciliation for the embattled, political freedom for the oppressed.

Examples of Multilateral Engagement

The United States *is* engaged in finding multilateral solutions to pressing problems and it takes the lead on some of the world's most important relief projects. Our contributions are intended to help those in greatest need, but I am not here to seek praise for them. I will only talk briefly about the magnitude of those contributions in the hopes that other nations will consider our contributions as “challenge grants” to be matched by money from their own coffers.

Food Aid

We have a strong partnership with the UN on food aid, through the World Food Program. We are proud of our role as the leading provider of aid to the WFP. The United States contributed \$1.4 billion to the WFP in 2003, nearly 57 percent of total contributions. U.S. leadership has also been instrumental in combating hunger through the G8 Famine Initiative and the Initiative to End Hunger in Africa.

Working with other governments, non-governmental organizations, and the WFP, the United States leverages food aid to do more than reduce hunger. 120 million children, most of them girls, do not attend school, in part because of hunger or malnourishment. The 2003 McGovern-Dole International Food for Education and Child Nutrition Program provides children

with nutritious meals as part of their education. In 38 countries around the world, this program feeds seven million children at school. When schools can provide nutritious meals, children and their parents have more incentive to participate in the education that will be their hope for the future. In countries where education for girls is not inherently valued, international food for education programs feed the minds *and* bodies of girls who might not otherwise attend school.

HIV/AIDS and Refugees

The United States is also proud to be a leading participant in other initiatives to address global health and development problems. On HIV/AIDS we have increased our budget by 143 percent since 2001. Under the President's Emergency Plan for AIDS Relief, the U.S. is providing \$15 billion, of which \$9 billion is focused on the 15 most afflicted countries. The United States is the world's biggest investor in the Global Fund to Fight AIDS.

We similarly lead the world in donations to the UN High Commissioner for Refugees. Last year the United States contributed nearly \$390 million to UNHCR, which -- combined with \$91 million from the Japanese, \$71 million from the European Commission, \$47 million from the British, and \$12 million from the French -- will be used by the UNHCR to alleviate conditions of hardship for the world's refugees.

Disagreements and Multilateral Efforts

While we are proud of those and other multilateral efforts, there are times when the United States has disagreed with the prevalent opinion.

ICC

One such example is the United States' stance on the International Criminal Court. As we have made clear many times, we strongly object to the view that the ICC has jurisdiction over the nationals of states not party to the Rome Statute that created the ICC. Let me be clear: the United States is committed to the goal of bringing to justice those who commit genocide, crimes against humanity, and war crimes. We do not seek "impunity" for our officials and citizens. We have a proven record of investigating and prosecuting abuses by our own personnel.

Our objection is to the structure and scope of the ICC and the Rome Statute. Specifically, the ICC is an organization that runs contrary to fundamental American precepts and our Constitutional principles of popular sovereignty, checks and balances, and national independence. As a result, the United States is engaged in a global campaign to conclude bilateral agreements that will ensure Americans are not subject to the ICC's jurisdiction. We have signed 92 such Article 98 agreements.

We have received particular criticism from the European Union that Article 98 agreements undermine the Rome Statute. It is difficult to see how our attempt to protect U.S. persons would do unacceptable damage to the spirit of the treaty, when the treaty itself provides for such agreements. We respect the right of other nations to become party to the Rome statute. We ask that others accord us the same respect for our decision not to be bound by its provisions.

Current Multilateral Agenda

There are areas in which we are urgently trying to work together with other UN members right now. We must act cooperatively to ensure that a consensus designed to appeal to the lowest common denominator, a consensus that gives voice to oppressive regimes, is not an acceptable outcome of negotiation. When process becomes more important than results, principle is sacrificed for compromise.

Sudan

Compromise on the Commission on Human Rights has sometimes produced unacceptable results for what President Bush has called the “non-negotiable demands of human dignity”—most recently with regard to Sudan this past Spring. The United States sought to strengthen, and ultimately voted against, a weak resolution put forward by the European Union at the Commission. Although we disagreed with the majority, the human rights community did not call us “unilateralist” in this instance. When Sudan was re-elected to the Commission, the U.S. delegation reproached the body by walking out of the meeting and issuing a public, very critical, statement. With serious human rights violations continuing in Darfur, Sudan's membership on the Commission threatens to undermine not only its work, but its very credibility.

We are engaged in a day-to-day campaign to end the humanitarian crisis in Darfur. Government-backed Arab Jingaweit militias have committed atrocious violations of human rights on civilian populations in Darfur and fomented a humanitarian crisis by destroying villages, driving people from their homes, burning crops, and killing livestock. The Secretary has concluded that genocide has been committed in Darfur, and that the Government of Sudan and the Jingaweit bear responsibility. The situation is dire – an estimated 1.1 million people are displaced, a million more are at risk, and nearly 200,000 have taken refuge in neighboring Chad. Food shortages and disease outbreaks threaten to increase the death toll.

On July 30 the Security Council passed a resolution outlining specific measures the Government of Sudan must take to end the crisis. The resolution required that first and foremost, the Sudanese government must act to disarm the Jingaweit, arrest and prosecute those responsible for crimes, protect civilians, and cooperate with humanitarian relief efforts. One month later the Sudanese government has improved humanitarian relief access to displaced people in Darfur, but has done very little to reign in the Jingaweit. Security remains a grave concern. The Government of Sudan's helicopter attacks on two villages on August 26 demonstrate that it just isn't part of the solution to atrocities but remains part of the problem – a sponsor of massive human rights abuses. Genocide has been committed in Darfur.

The United States is pursuing a new Security Council resolution this week. The resolution supports help for the people of Darfur through an expanded African Union mission, and keeps pressure on the Government of Sudan to stop the violence through threat of sanctions.

Iran and the IAEA

We must also work together to prevent Iran from producing nuclear weapons. The U.S. is convinced that Iran is using its civilian atomic energy program to hide its ability to produce nuclear weapons. At the International Atomic Energy Agency, we have been working with the Britain, France, and Germany to increase pressure on Iran to cease activities that contribute to development of its nuclear weapons capability. The United States urges others on the IAEA Board of Governors to agree to report Iran's violations of its nuclear safeguards commitments to the Security Council.

The United States, its European partners, and the vast majority of the international community agree on the objective of preventing the proliferation of nuclear weapons. We sometimes disagree on how to pursue that objective within the multilateral framework of the IAEA, but we do agree on the importance of using the multilateral tools available. Some prefer to ignore the proliferation threat. Those are the countries that are undermining the multilateral system. The United States, Europe, and like-minded partners need to work together to ensure that some do not succeed in paralyzing the IAEA and to ensure that Iran does not succeed in developing a nuclear weapons capability.

Commitment to UN Reform

Creating *successful* action by the UN is not simply a matter of consensus, but also of improving the structure of the UN. The United States has long sought reforms that make the UN more efficient and effective. Assistant Secretary Holmes has taken on the challenge of UN reform repeatedly and publicly at the Council on Foreign Relations, and most recently in the *National Interest Online*. As he notes, the U.S. recognizes that no other multilateral forum exists where nations as old and large as China and as new and small as Timor-Leste can work together as partners on such global threats as terrorism, and on such difficult problems as famine and trafficking in persons.

New thinking and reform are necessary to address shortcomings in the United Nations. Assistant Secretary Holmes has been careful to note that when we talk of the need for UN reform, we are careful not to lump all UN bodies into one basket. Some UN technical and specialized agencies, like the World Food Program and the World Health, operate relatively well. Reform in those cases generally means finding ways to improve their operations and make better use of resources.

Other parts of the UN system, like the Commission on Human Rights and the General Assembly, require more serious consideration. Such bodies often adopt resolutions that have little or no impact on the problems at hand. Reforming them will be more difficult, addressing questions that range from membership to scope of work.

To make the UN more effective, the United States has been working with other states and with the UN Secretariat on administrative and programmatic reforms. For example, we supported giving the Secretary-General more flexibility to shift positions of UN staff as needs dictate. We welcomed the establishment of Inspectors General positions, as well as the initiation of program evaluations and results-based budgeting.

Whatever is done to change the makeup of the Council, we believe it must reflect the principles of responsibility and accountability. Real accountability means those who bear the burden of implementing and funding the decisions should have more of a say in those decisions. Countries that contribute significantly to international peace and stability have a strong case for serving on the Security Council; terrorist-sponsoring states do not.

Principles for UN Reform

The place to begin for reform is with principles. With sound guiding principles in mind, reform will truly revitalize the United Nations. The principles guiding our commitment to UN reform are simple:

First, all of the UN's subsidiary bodies, offices, and programs should live up to the vision of the founders. When the decisions of an international body are out of step with its original purpose, then the desire for consensus can become the tyranny of consensus. The body will become mired in meaningless activity or expand to areas unrelated to its original purpose.

The UN General Assembly, for example, would be far more authoritative if more of its members upheld the values of human rights and democracy enshrined in the UN Charter and the Universal Declaration on Human Rights. Similarly, when the Commission on Human Rights includes Cuba, China, Libya, Syria, and Zimbabwe, it is predictable that perverse priorities and polemics in the CHR follow.

The second principle for reform is an expectation of effectiveness. Quite frankly, we want multilateralism that is *more* than just words on paper. We want results that genuinely help those in desperate need.

The third and final principle is good stewardship of UN resources. If UN agencies and commissions do not remain tightly focused on their missions, the organization's budget will continue to expand uncontrollably. The Secretary-General should continue to strengthen results-based budgeting, best practices, and other management reforms.

Democratizing the UN and Promoting Democracy: The Democracy Caucus

From these principles flow goals for reform. One of the most important is enhancing democracy in the UN, in a *real* sense, and promoting democracy globally. The UN General Assembly has universal membership in the hope that inclusiveness will enhance the legitimacy of its decisions and make the United Nations more democratic. It is a misconception, however, that representation is the key element of democracy at the UN. "Democracy" does not come simply from including more Member States; it comes when those involved truly represent will of *their people*.

The UN charter gives all nations equal vote in the General Assembly, regardless of whether a nation rules with the consent of the governed; regardless of a nation's size in population or territory; regardless of resources; regardless of their human rights record. While the "one-nation, one-vote" principle is democratic in terms of representation, it is not democratic in terms of legitimacy. Since not all countries are committed to good governance and the rule of law, a "one-nation, one-vote" system fails to yield a meaningfully democratic structure. That is, it does not always legitimately reflect the will of the *people* of UN Member States.

What can make the UN more democratic is including *more democracies*, and increasing cooperation among the existing democracies. The UN will continue to be more effective as the number of democracies in the world grows. As Secretary General Annan said in June of 2000, "When the founders of the United Nations met in San Francisco more than half a century ago, they knew that no foundation of peace would be sturdier than democratic government." We and the UN need to act upon his apt observation.

The democratic ideals and human rights standards shared by democracies can produce real and lasting results for peace and development. The Bush administration has worked closely

with Poland, South Korea, Chile, Italy, Romania, and many other participants in the Community of Democracies to caucus on broad issues, such as a resolution for the promotion of democracy. This nascent Democracy Caucus in the UN can advance fruitful cooperation among like-minded nations.

Building and reinforcing democratic institutions should be a goal of all UN efforts. For example, the United Nations Development Program, the Secretariat's Electoral Assistance Unit, and UNESCO all contribute to the rule of law and basic freedoms. The United States sponsored a resolution in the Commission on Human Rights that will reinforce the work of these and other programs and foster democratic values. To ensure that the promise of this resolution, which won unanimous support, is realized, the United States will provide voluntary funding of \$200,000 for its implementation.

U.S Priorities at the 59th UN General Assembly

Now I would like to turn to the upcoming UN General Assembly, where the United States will address five priority themes.

Promoting Democracy in the UN

The first of these is promoting democracy at the UN. As I mentioned earlier, we seek to fully draw on the Democracy Caucus to advance cooperation among democratic nations. The Democracy Caucus will allow countries to cooperate on resolutions and initiatives to ensure that they reflect international human rights standards and democratic principles. By advancing democracy, the Caucus will in turn advance the UN's basic aims of preserving peace, expanding economic development, and securing human rights. We are working with Chile, as the host of a Community of Democracies Ministerial next year, to have regular meetings of the Democracy Caucus on all social and human rights resolutions at the UN. And we are working with Chile to get a resolution passed in New York this fall to put the General Assembly on record that all UN programs promoting democracy need to work together with the Office of the High Commissioner for Human Rights as coordinator.

Advancing Economic Freedom

Second, we seek to advance economic freedom. Overcoming poverty is a central objective of U.S. foreign policy. President Bush has said that a world in which half of humanity lives on \$2 per day is neither just nor stable. In 2002, world leaders came to a new and balanced consensus on the requirements for development at the Financing for Development conference in Monterrey, Mexico. They agreed that the formula for economic growth and development includes *national responsibility*, good governance, trade liberalization, and mobilizing resources from within countries and abroad.

The United States is fulfilling its commitments to implement the Monterrey consensus. We have taken a leading role in liberalizing trade in the World Trade Organization. We have increased development assistance by 50 percent in the past four years. The Millennium Challenge Account is President Bush's initiative to support those countries that rule justly, invest in their people, and encourage economic freedom. If fully funded, it would represent the largest increase in U.S. assistance since the Marshall Plan.

In addition to assistance provided by the U.S. government, the interest and generosity of the American people is manifest in the significant levels of U.S. private foreign aid donations. Contributions by U.S. foundations such as the Bill and Melinda Gates Foundation, the David and Lucille Packard Foundation, and the UN Foundation now total some \$3 billion. American organizations such as the Red Cross, Catholic Relief Services, and the YMCA give almost \$7 billion a year in foreign assistance, including volunteer time. These private aid flows alone surpass the levels of foreign assistance provided by generous government donors such as Denmark, Norway, and Sweden.

Since Monterrey, the UN has given disproportionate attention to the *amount* of aid offered to developing countries. To be effective in supporting sustainable growth, aid needs an enabling environment of good governance, including rule of law, property rights, the elimination corruption. The UN and its members need to spend less time exhorting donors to provide more aid and more time promoting pro-growth policies. One positive development occurred earlier

this year, when the UN Commission on the Private Sector and Development identified the essential role of small entrepreneurs in promoting sustained growth and eradicating poverty.

Furthering the Roadmap to Middle East Peace

Our third General Assembly priority is to further the Roadmap to peace in the Middle East. The United States continues to actively pursue President Bush's goal of Israel and a future Palestine living together in peace and security. To this end, the U.S. is working to achieve the goals of the Roadmap, which has broad support within the international community and has been endorsed by the Security Council. The United States seeks to bring balance to the number and content of Middle East resolutions.

The 58th UN General Assembly adopted 21 resolutions concerning the Israeli-Palestinian conflict. Many of those resolutions implied that only Israel has obligations and responsibilities to make peace. They failed to address both sides of the larger security context of the Middle East, including devastating suicide attacks against Israel. They pressed the case of the Palestinians, but failed to present a complete picture of the situation on the ground, condemn all acts of terrorism, and recognize the legitimate security concerns of the Israeli people. One-sided resolutions only serve to undermine the ability of the United Nations to play a constructive role in promoting peace.

As in previous years, the U.S. will encourage the General Assembly to reduce the overall number of Middle East resolutions introduced. The U.S. also hopes the General Assembly will adopt a resolution condemning anti-Semitism and include reference to anti-Semitism in other relevant resolutions. We will continue to advocate for the abolition of the Special Committee to Investigate Israeli practices, as well as the abolition of other bodies that are biased against Israel.

The international community has long recognized that resolution of this conflict must come through negotiated settlement. The United States seeks to bring balance to Middle East resolutions to better support the peace process and the implementation of the Roadmap.

Ending Trafficking in Persons, Particularly Child Sex Tourism

Fourth, the United States seeks to strengthen collaboration with governments and civil society to combat trafficking in persons, particularly to end child sex tourism. Trafficking in persons is modern-day slavery. Annually, an estimated 600,000 to 800,000 people - mostly children and women – are trafficked across national borders.

Child sex tourism involves adult tourists who sexually exploit minors abroad, preying upon the most defenseless among us. The United States is asking governments to immediately expand and invigorate their anti-trafficking efforts. Increased rescues of trafficking victims and prosecutions of traffickers are critically needed. People freed from slavery must be treated as victims of crime, and not as criminals themselves.

Because human trafficking is transnational in nature, international partnerships are critical to win the fight against this modern-day slavery. Cooperation with other countries has contributed to the prosecution worldwide of nearly 8,000 perpetrators of trafficking crimes, resulting in more than 2,800 convictions in 2003. Trafficking is not a victimless or harmless crime, and governments should engage the public in a campaign to help expose and end this tragic exploitation of human beings turned into commodities.

Banning Human Cloning

Our fifth priority theme at the General Assembly is our effort to ban human cloning. Human cloning, for any purpose whatsoever, is unethical and morally reprehensible, and flouts respect for human dignity. At the General Assembly, the United States will join a large group of states that are co-sponsoring a resolution, proposed by Costa Rica, to draft an international convention against human cloning.

The United States supports efforts to ban *all* forms of human cloning. The process commonly referred to as cloning - Somatic Cell Nuclear Transfer - results in the creation of a human embryo. In “reproductive” cloning, this embryo is implanted into a woman’s womb and allowed to grow. In what has been called “therapeutic,” “research,” and “experimental” cloning, the stem cells are removed from the embryo, destroying this nascent human life.

A ban that differentiates between human reproductive and “experimental” cloning would essentially authorize the creation of a human embryo for the purpose of destroying it, thus elevating the value of research and experimentation above that of a human life. Such a partial ban, which would prohibit reproductive cloning but permit “experimental” cloning is therefore unacceptable.

Conclusion: Summing Up on UN Reform

While the topics I mentioned comprise the five priority themes for this year’s General Assembly, they by no means constitute the entirety of our efforts there. We continue to engage daily to prevent the proliferation of weapons of mass destruction, to rally support for the fight against terrorism, to promote human rights, and to assist and protect the needy. Everything we do is couched within the context of our guiding principles to live up to the vision of the UN’s founders, to support *effective* multilateralism, and to provide good stewardship of the UN’s resources.

Reform cannot be undertaken overnight. We cannot remake the UN from whole cloth. In fact, we would not desire to do so. The United Nations does not require a new doctrine or machinery. Many of the existing legal norms and ostensible principles are sound. We have offered our ideas for improvement and are interested in hearing what other countries have to say about reform.

We seek a UN that lives up to its premises and is revitalized. Dialogue and a respectful give-and-take are the bedrock of multilateral negotiations. We believe that the depth of our commitment to the UN should be judged not merely by our willingness to compromise with others, but by our success in challenging the UN to stand by its principles. We should be measured not only by our willingness to follow, but also by our ability to lead by persuasion and example. We are recommitting ourselves to both of those pillars of leadership. We know we need to do so.

BIOGRAPHY

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Dr. Mark P. Lagon is Deputy Assistant Secretary of State for International Organization Affairs (since January 2004). In this capacity, he has broad responsibility for multilateral policy development, negotiations, and administration, particularly within the United Nations system. He has lead responsibility for UN-related human rights and humanitarian policy, UN administration, and reform, as well as the IO Bureau's public diplomacy and outreach programs.

Dr. Lagon previously served as a Member of the Secretary of State's Policy Planning Staff, where he focused on UN and international organizations, democracy and human rights, and public diplomacy (2002-2004). From 1999 to 2002, he was a senior staff member of the Republican (Helms) staff at the Senate Foreign Relations Committee, with particular responsibility for the State Department authorization bill, international organizations, economic sanctions, broadcasting and public diplomacy and human rights. His foreign affairs positions also include: International Affairs Fellow at the Project for the New American Century, specializing in China (1998-1999); Deputy Staff Director of the House Republican Policy Committee (1997-1998); and Committee Senior Analyst (1995-1998).

Before working in the Congress, Dr. Lagon was the principal aide to the Director of Foreign Policy Studies at the American Enterprise Institute, Ambassador Jeane Kirkpatrick. He has been an adjunct professor at the Institute of World Politics and Georgetown University. Dr. Lagon is the author of the book The Reagan Doctrine: Sources of American Conduct in the Cold War's Last Chapter (Praeger 1994). He has a Ph.D. from Georgetown University and an A.B. *magna cum laude* from Harvard University.

He has been an associate editor of the journal Perspectives on Political Science. Dr. Lagon is married to the former Susan Sullivan. He and his wife have one daughter.