

H461-14.

**THE UNITED NATIONS: MANAGEMENT, FINANCE,
AND REFORM**

HEARING
BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
FIRST SESSION

—————
OCTOBER 26, 1995
—————

Printed for the use of the Committee on International Relations



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1996

21-525

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-052189-0

COMMITTEE ON INTERNATIONAL RELATIONS

BENJAMIN A. GILMAN, New York, *Chairman*

WILLIAM F. GOODLING, Pennsylvania
JAMES A. LEACH, Iowa
TOBY ROTH, Wisconsin
HENRY J. HYDE, Illinois
DOUG BEREUTER, Nebraska
CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
JAN MEYERS, Kansas
ELTON GALLEGLEY, California
ILEANA ROS-LEHTINEN, Florida
CASS BALLENGER, North Carolina
DANA ROHRBACHER, California
DONALD A. MANZULLO, Illinois
EDWARD R. ROYCE, California
PETER T. KING, New York
JAY KIM, California
SAM BROWNBACK, Kansas
DAVID FUNDERBURK, North Carolina
STEVEN J. CHABOT, Ohio
MARSHALL "MARK" SANFORD, South
Carolina
MATT SALMON, Arizona
AMO HOUGHTON, New York

LEE H. HAMILTON, Indiana
SAM GEJDENSON, Connecticut
TOM LANTOS, California
ROBERT G. TORRICELLI, New Jersey
HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
HARRY JOHNSTON, Florida
ELIOT L. ENGEL, New York
ENI F.H. FALEOMAVAEGA, American
Samoa
MATTHEW G. MARTINEZ, California
DONALD M. PAYNE, New Jersey
ROBERT E. ANDREWS, New Jersey
ROBERT MENENDEZ, New Jersey
SHERROD BROWN, Ohio
CYNTHIA A. MCKINNEY, Georgia
ALCEE L. HASTINGS, Florida
ALBERT RUSSELL WYNN, Maryland
MICHAEL R. McNULTY, New York
JAMES P. MORAN, Virginia
VICTOR O. FRAZER, Virgin Islands (Ind.)

RICHARD J. GARON, *Chief of Staff*

MICHAEL H. VAN DUSEN, *Democratic Chief of Staff*

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

BENJAMIN A. GILMAN, New York
WILLIAM F. GOODLING, Pennsylvania
HENRY J. HYDE, Illinois
PETER T. KING, New York
DAVID FUNDERBURK, North Carolina
MATT SALMON, Arizona
EDWARD R. ROYCE, California

TOM LANTOS, California
CYNTHIA A. MCKINNEY, Georgia
JAMES P. MORAN, Virginia
HOWARD L. BERMAN, California
ENI F.H. FALEOMAVAEGA, American
Samoa
DONALD M. PAYNE, New Jersey

GROVER JOSEPH REES, *Subcommittee Staff Director and Chief Counsel*

ROBERT R. KING, *Democratic Professional Staff Member*

DAVID WAGNER, *Professional Staff Member*

STEPHANIE E. SCHMIDT, *Staff Associate*

CONTENTS

WITNESSES

	Page
Hon. Joe Scarborough, a Representative in Congress from the State of Florida	3
Mr. John R. Bolton, president, National Policy Forum	16
Hon. Frank Ruddy, former Ambassador to Equatorial Guinea	24
Mr. Thomas S. Warrick, special counsel, Coalition for International Justice	27

APPENDIX

Prepared statements:	
Hon. Joe Scarborough	43
Mr. John R. Bolton	47
Hon. Frank Ruddy	107
Mr. Thomas S. Warrick	117
Article from the Sunday, June 25, 1995, edition of the Washington Post entitled, "Fix the U.N." by Nancy Landon Kassebaum and Lee Hamilton	128
Statement submitted for the record by Hon. Donald M. Payne	130
Statement submitted for the record by Hon. Tom Lantos	134

(III)

THE UNITED NATIONS: MANAGEMENT, FINANCE, AND REFORM

THURSDAY, OCTOBER 26, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND
HUMAN RIGHTS,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order.

I am pleased to convene this hearing of the Subcommittee on International Operations and Human Rights. This is the second in a series of hearings on the United Nations. The first hearing was held by the full International Relations Committee on Tuesday. Witnesses at that hearing called our attention to the fact that the United States is simultaneously the biggest debtor and the biggest contributor to the United Nations. That is, even with the arrearages that accumulated during the 1980's, the United States still contributes more than any country. This is in part because of the contribution levels that reflect the relative wealth of member states.

As we observe the 50th anniversary of the United Nations, it is important to recognize that the United Nations and its affiliate organizations inspire strong feelings among Americans. To put it bluntly, some see the organization as doing more harm than good. In this view, the United States tolerates waste and even corruption on a scale that would not be permitted by governments and would not be permitted by modern private enterprises.

Many Americans also regard the General Assembly and some of the organizations affiliated with the United Nations as hostile to democracy and freedom. It has been very hard to forget the "Zionism is Racism" resolution, or the domination of the great General Assembly for so many years by nations that called themselves nonaligned, but they always voted with the Soviet bloc and against the free world.

Even today some of the social and economic pronouncements of the international organizations and conferences seem to ignore the most important lesson of the 20th century: That all-powerful governments are bad for people and that free societies are good for them.

Defenders of international organizations often hold exactly the opposite view. They see the United Nations as the best hope not

only for world peace, but also for economic justice and social progress.

Many of us in Congress see some truth in both of these perspectives. There are many important functions in which international cooperation is essential, such as traditional peacekeeping operations, reducing infant mortality and world hunger, protecting refugees from persecution, and bringing war criminals to justice. In all of these—in all these cases, an international organization appears to be the most efficient and effective solution, and in some cases it may be the only solution.

Even in these areas, however, there is evidence that the current system may not be working. We will hear today about problems not only in the general management of the United Nations, but also in the peacekeeping operation in the Western Sahara and War Crimes Tribunal for the former Yugoslavia and Rwanda.

Our job as friends of the United Nations and other international organizations is to do what we can to help them fulfill their original goals. Sound management, even when imposed at the insistence of donor nations, is not just compatible with these goals, but affirmatively helpful.

Finally, we must remember the people who are not enjoying the 50th anniversary celebration. These include the enslaved people of all the totalitarian states of the world, the people of Cuba, the people of the People's Republic of China, of North Korea and Burma, Iraq and Libya, whose unelected rulers have come to New York to enhance their own international prestige and thereby consolidate their power over their own people.

As President Clinton met with Jiang Zemin yesterday, a small group of Tibetans were outside in the cold, bearing witness for freedom by fasting and prayer. The United Nations' hierarchy has responded to the plight of the Tibetan people not only by toasting the Chinese representative and the other official representatives that occupy Tibet, but also by not allowing the Dalai Lama the opportunity to speak on the premises of the United Nations.

These are the same premises that have served as a forum for Fidel Castro, Josef Stalin, and Yasir Arafat and for every other kind of extremist and even for known terrorists, but they were too good for the Dalai Lama. After 50 years, the United Nations still has a long way to go.

I look forward to hearing from our witnesses. I should state for the record that we made a concerted effort to bring witnesses to this hearing who could offer an informed defense of the United Nations. In particular, we invited Ambassador Albright, U.N. Permanent Representative, and Joseph Connor, the Under Secretary General for Management, or their designees.

Unfortunately, neither the administration nor the United Nations chose to send a witness today. In the case of the United Nations, we have been informed that the organization does not permit its officials to appear at public hearings before committees of national legislatures. We offered to call this a briefing instead of a hearing in order to address that problem, but we have been informed that a briefing by a U.N. official must be closed to the public. The International Relations Committee has held such briefings

before and we have no objection to holding them again and we will do so.

I would like to ask Mr. Faleomavaega if he has a statement?

Mr. FALEOMAVAEGA. Mr. Chairman, thank you for calling this hearing. I don't have an opening statement, but I do want to submit for the record a very comprehensive article on this subject that appeared in the Sunday Washington Post that was written by Senator Kassebaum and our own member of the House International Relations Committee, Congressman Lee Hamilton. The article pretty much outlines a very broad and comprehensive need for our country to address some of the critical issues affecting the organization of the United Nations and our national policies toward this international organization.

[Article submitted for the record appears in the appendix.]

I know that over the years, the United Nations has become somewhat of an employment agency more so than an organization known for providing effective means to resolve the ills and problems we face in the world. With that in mind, I look forward to hearing from our witnesses this morning, and especially welcome Congressman Scarborough.

Mr. SMITH. Thank you, Mr. Faleomavaega.

I would like to welcome to the subcommittee our distinguished colleague, Joe Scarborough, who was first elected to Congress from the First Congressional District of Florida last year. Prior to his election, Mr. Scarborough worked as a lawyer and a community activist in Pensacola, FL, and in the 104th Congress he has emerged clearly as a leader, and has worked as a leader of the New Federalist group within the freshman class, and has had a real impact on the proceedings of this Congress.

Joe, welcome to the subcommittee.

STATEMENT OF HON. JOE SCARBOROUGH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. SCARBOROUGH. Thank you, Mr. Chairman. I certainly appreciate your inviting me to speak this morning. I apologize that I'm a substitute for Ambassador Albright, but I do believe that we may have some different views of the future of the United Nations, but I think it is important to start out by saying that even Ambassador Albright, this past week, has come out and said the United Nations must reform or die.

Therefore, I think it is extremely important that this hearing is being held, that we are having a thoughtful discussion on the future of the United Nations and the role of the United States going into the 21st century.

Before I begin my testimony, I think it is important to echo what was stated this past week in a cover story for the New Republic which stated that the United States should remove itself from the U.N. General Assembly and the author, Mr. Lind, started out by talking about the fallacy of false choices that Americans have been given in the past. And as the New Republic wrote: "Many believe we will have a false choice between Wilsonian utopian globalists or knuckle-dragging isolationists."

Right now let me just say I don't care to be called either. I agree with you that international operations are essential and that we

have humanitarian interests across the globe. It is just my belief that the United Nations is not the analytical construct we need to continue with in the 21st century to take care of these concerns.

Of course, this past week we did observe the 50th anniversary of the United Nations and discussed the role we will have in that organization in the next century. As many of you know here, I have introduced legislation that will remove the United States from the U.N. General Assembly in the next century or at the very least, reduce that role to a minimal role that is consistent with our strategic and foreign policy objectives.

We have heard much during the 50th anniversary celebrations about the United Nations and how it needs reform and how the United Nations really does serve a vital role. But before addressing those viewpoints, I would like to first discuss a few points about where we are today in 1995 with the United Nations.

First of all, I believe all agree that the United Nations is an organization that is a bureaucratic nightmare. It is inefficient, bloated and corrupt. This past week, we had everybody from Pat Buchanan on the right, to Pat Moynihan on the left, all printing each other's quotes and saying that the United Nations is inefficient, ineffective and corrupt. No one is disputing that. Not the U.N.'s fiercest detractors nor its strongest supporters. All agree that it is a failed agency.

I heard someone speak before the hearing that they used to work at the United Nations and that it was a nightmare for them. In fact, there was an old joke that goes: How many people work at the United Nations? The answer is about 25 percent of them.

Boutros Boutros-Ghali himself, in 1992, was absolutely stunned at the inefficiency of the United Nations, particularly in Geneva. And the joke, I thought it would be humorous if it didn't ring so true today in 1995. Yet the United Nations, we are told, is going bankrupt and as you mentioned earlier this morning, its decrepid financial state has been caused in large measure, many believe, because the United States has refused to pay what it owes, approximately \$1.4 billion.

Obviously, I believe this is a blatantly misleading statement. The United States does pay out approximately \$4 billion a year in voluntary contributions that are not even counted against our total. Where is the money going? No one here seems to be able to say, but we are assured in all confidence by the U.N.'s accountant that we still owe them more money.

The fact is that the United States actually is paying out approximately \$1.5 billion each year in in-kind contributions to our peacekeeping missions across the globe. That is something that is not credited to our account and yet as a member of the National Security Committee I know full well that that is something that we as American taxpayers do pay for, whether the United Nations recognized that fact or not. We still have the Secretary of Defense coming before our committee begging us for emergency appropriations to continue U.S. missions, because our readiness has been robbed because of these U.N. peacekeeping missions. And yet for the billions of dollars that we pay out for the U.N. expanded role for peacekeeping operations, we get absolutely no credit.

If you take what we owe the United Nations each year in our yearly assessment, and the \$1.4 or \$1.5 billion on top of that that we contribute in in-kind contributions to peacekeeping missions across the globe, we pay well beyond what our yearly assessment is. And, of course, that's something that has been brushed over this week and something that I find quite honestly intellectually dishonest.

Beyond this simple financial contribution, there is more pressing and fundamental questions of whether or not in 1995 the United Nations still makes sense for the United States, let alone the rest of the world. Today the United States is the world's unchallenged superpower. In such an environment, we have a responsibility to husband our resources and use them wisely.

Yet our membership in the United Nations effectively puts us into the role of global policeman, a sort of "globocop" using our assets wherever a majority of the United Nations' members see it necessary to go. This is dangerous, as we saw in Somalia and it may be dangerous again in Bosnia. Perhaps we have interests in both places, but my point is that a majority vote of the United Nations will not tell us and should not tell us what our own national security interests are.

The idealism of the United Nations is a wonderful thing. It was a wonderful thing back in 1945 when it began, but my belief is that it is dangerously naive and ignores global political realities. There is a quote that I found while doing some research that I find absolutely astonishing that was made by Cordell Hull who, of course, was the Secretary of State who actually helped frame the ideological basis of the United Nations.

Fifty years ago, as he was returning from a conference in Moscow to begin setting up the United Nations, Secretary Hull said, after the United Nations is formed, "there will no longer be the need for spheres of influence for alliances, for balance of power or for any other arrangements by which in the unhappy past the nations strove to safeguard their security or promote their interests."

One ambassador to the United States said that was one of the most regrettable statements ever made in the history of American diplomacy, and I agree. Unfortunately, that was the ideological framework that established the United Nations.

It is my belief that such an approach fosters the nonsensical notion that there is some nebulous thing called a world community and it ignores the unhappy reality of the world in which we live.

Whether we calculate the value of the United Nations based on the cost-benefit analysis or on the basis of our role as a foreign policy apparatus, it is clear to me and many others that the United Nations is not good for America. But let's just say for a moment that the United Nations does serve a vital role without which the world will somehow stop spinning on its axis. The question remains, can the United Nations be reformed and be made to work? That is a question that lies at the center of this hearing.

The United Nations advocates say, yes, but I say such optimism is naive and ignores 50 years of history.

To begin with, we have already been down that road. The so-called Kassebaum-Solomon reforms of the mid 1980's were a serious effort to improve the United Nations, but unfortunately they

have disappeared without making a ripple. That was the call back in 1985 when the Kassebaum-Solomon reforms took effect.

Unfortunately, very few will come before you today in 1995 and say with a straight face that the United Nations is anymore efficient or effective in 1995 than it was in 1985 when those series of reforms were started. The fact is that an organization that has over 180 members will be hard to reform simply because consensus on reform will be, to put it mildly, problematic.

There are too many fingers in too many pots to make real reform and real accountability of the United Nations even remotely achievable. However, there are those who will argue that, whatever its flaws, the U.N. organization is vital and that we cannot abandon it. That strikes me as singularly wrong.

Think about the momentous event of the last 50 years. The Marshall plan, NATO, the end of the cold war, the collapse of the Soviet Union, the reunification of Germany, the Israeli-PLO peace agreements, the GATT Agreement, the Camp David accords, the opening of China, detente. Ask yourself this: In which of these great historical achievements did the United Nations play a critical role?

The answer is, quite simply, not one. And those were the great achievements of the past 50 years and the United Nations has been a passive bystander, an expansive public relations tool, but a non-entity in the historical record spanning the second half of this extremely tumultuous century.

The fact is that right now we have at our disposal the means to conduct our foreign policy well into the 21st century. The alliances and bilateral agreements that were created in the cold war, NATO, the alliances with Japan and South Korea, the Rio Pact and others, define the areas of our historic national interests. They are not the constructs of an idealistic Wilsonian globalist, rather they are the practical products of our needs in the hair-trigger world that we lived in, and that to some degree we still live in.

If these institutions are not allowed to wither, if they are fostered and supported and modified to meet the challenges facing us in the 21st century, then they will provide us with the tools with which we conduct our foreign policy into the 21st century.

There is another point that is particularly relevant to us who serve in Congress because it touches on our role and our responsibilities.

I believe it is bad enough that the United Nations is a wasteful bureaucratic nightmare. It is bad enough that it distorts our foreign policy by taking us down the path of globalism without asking hard questions regarding our own national interests. But worse than that is the fact that the United Nations has done horrible things to our own political environment.

The United Nations has been used by the executive branch to weaken the role of the legislative branch in the realm of foreign and military affairs. We saw it in Haiti where the President sought permission to invade from the United Nations, but bypassed the U.S. Congress. We saw it in the Persian Gulf war where the President used the U.N.'s approval to maneuver Congress into supporting the war. Now, I make no judgments on the merits or demerits

of those actions. Nor do I claim that it is the United Nations' fault that it has been used cynically by our own domestic politics.

However, clearly, especially with the end of the cold war, we in this Congress have an obligation to restore the historic balance between the legislative and the executive branches of this Government. If we are given a choice between preserving the U.N. Charter and constitutional balance, I humbly suggest we choose constitutional balance.

Mr. Chairman, I would like to thank you once again for permitting me to have the opportunity to come before you. I realize that I have strayed a little bit from the strict focus on the United Nations, but my premise is that it is idle to talk about reforming the United Nations and that we must instead turn our attention to the next century. Not to a failed institution of this one. Needless to say, I have covered much ground without much elaboration, so I will be pleased to answer any questions that any members of the subcommittee might have for me.

[The prepared statement of Mr. Scarborough appears in the appendix.]

Mr. SMITH. Mr. Scarborough, I want to thank you for your very incitive remarks. I think the comments you make are, I think, probably the harbinger of what this subcommittee and others are going to begin to really start looking at. And that is that, you know, either fix it or make fundamental changes. And as you said, some people are even suggesting that we get out rather than perpetuate a system and a process that is fraught with corruption and mismanagement. As you pointed out, 10 years after the reforms were encouraged, only a minimal amount of things have been done, a minimal number of reforms have been tried, and that is tragic.

I served as delegate to the United Nations in 1989 and, frankly, was bitterly disappointed in much of what I saw; encouraged by some things, but very disappointed by many of the other things I saw, from the ineffectiveness of some of the rapporteurs when it came to human rights, the so-called dialogs they would have with governments that were just—this is what some people are saying. How do you respond; no capability of verifying, of really making a difference. And, you know, it is improved somewhat, but not anywhere near where it makes a difference.

You pointed out, and I think rightfully so, if you count the in-kind contributions to peacekeeping, our contribution far exceeds our assessment. And in this committee, we heard last winter from the administration that if the original language that was contained in H.R. 7 were to be enacted, which called for a very strict accounting of our in-kind contributions, the United Nations would probably owe us money and that our contributions would be zero for sure in terms of actual cash being donated to peacekeeping, all underscoring the point that you made so well, that we are indeed not getting credit and are actually enduring tirades against us, when we are contributing so much more than what is actually being shown on the ledger, and I think that was an excellent point to remind the subcommittee about.

I would also agree, too, that the United Nations very often has been a problem in the area of peacekeeping. There are some positive peacekeeping operations and a number of very negative ones.

UNPROFOR, as I have said very clearly and frequently in this committee, as well as on the floor, very often has been part of the problem, treating both the perpetrators of these crimes against Bosnia and ethnic cleansing and the victims alike as though both were coequals.

One is the aggressor and one is not. We have all, I think, come to the conclusion, based on volumes of testimony and information that the Serbs are the aggressors in this war trying to create a greater Serbia. Yet the United Nations, time and time again, has stepped in to frustrate efforts to make a difference.

And I fault our own Government, previous administration and this one as well, for hiding behind the arms embargo to preclude the provision of necessary armaments to a sovereign nation, the sovereign nation of Bosnia, which would have made the diplomacy work. I will argue that and I believe it to be very true.

Instead, now we are faced with a bleak prospect, which I have profound trouble with, of deploying 20,000 of our troops to enforce an unjust peace, an ethnically cleansed map. Again, the United Nations has been part of this trend toward treating the perpetrators and the victims in an equal manner and treat them—these are war criminals, and I think we should have been behind the Izetbegovic and Sacirbey governments as a country that was under siege. And the United Nations, again, provided the buffer for the perpetrators.

I'm not blaming them completely, but they were part of the problems and not part of the solutions. I think your points are very well taken.

And then let me just say finally, having spent 7 days in Cairo and a number of days in Beijing, the social engineering that the United Nations so often and shamelessly engages in tries to impose a certain value system on many nations of the world that have a more traditional value system, revering children and the importance of the family. Bella Abzug literally claims that she writes and then seeks to implement an extremely left-of-center agenda for these countries and the United Nations goes along, its Secretaries and others go along hook, line and sinker and promote that, with a nondemocratic process.

I have seen and talked to the delegates. I was there at two of these conferences, where the chairman, of one of the subcommittees or of the full committee, of the main committee, says we will send people out into a room and they must come to a consensus and we want this by such and such a date. So the delegates are, almost like certain juries of recent date, are sequestered and told, you come up with a decision.

Even if they believe one way, they end up going along with something that they don't believe in. That is not the way it should be either, I would suggest to you.

So you bring up a number of great points and finally the point about the administration, as they did in Haiti, going to the United Nations and not to Congress, as the administration probably will do with the Bosnia deployment, bypassing the duly elected representatives of the people and of the kids who will go there, the young men and young women who will go there. It is shameless. And without the United Nations playing that role, the President would have to come here, and my hope is that he will, but my ex-

pectation is that he won't and will seek an after-the-fact affirmation once the troops are deployed in the way he did with Haiti.

So you make a number of very, very good points and it is excellent testimony and food for thought, and I think we have—you know, you make some bold statements and your legislation certainly is bold. You are to be commended, I think, for standing up and saying, now, wait a minute. There are problems here and we need to bring a focus upon it.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Before proceeding, I would like to submit for the record a statement of Congressman Don Payne from New Jersey, my fellow colleague. I cannot help but note some of the comments that Congressman Payne makes concerning his observations about the United Nations which are worth mentioning.

[Materials submitted for the record appear in the appendix.]

I could not agree more with Congressman Scarborough's observations about the United Nations' lack of organization, its problems with finance, the problems with the bureaucracy, as I have stated earlier. It is becoming more of an employment agency, and I have personally encountered a lot of unqualified personnel in my experience in dealing with officials of the United Nations.

But taking all of this into account, Congressman, and Mr. Chairman, I have a different perspective that I want to share with you and I certainly would welcome Congressman Scarborough's response.

I think when it comes to bearing on the history of our own country that our Founding Fathers, when they drafted the Constitution, everybody thought this is one of the greatest documents ever created by man. The essence of the greatness of this document was that it spelled out the ideals, the democratic principles outlining all that is dear to our hearts as far as conduct from one human being to another.

The point I am making is that our Founding Fathers purposely drafted this document allowing flexibility, knowing that human nature embodied so many imperfections. In the process, after over 200 years now, we have evolved in focusing on some of these principles that have always been there, but have never been in reality enforced. Supposedly the Constitution is color blind, but we all know the history of that; the advent of the Civil War to stop slavery, the great principles outlined by President Lincoln, with the result being the birth of civil rights.

So we see that this is the miracle and the greatness of our Nation and the Constitution. Given these principles, we are evolving in perfecting those standards and those principles that make us such a great country where diversity is protected and promoted.

Mr. Chairman, I feel that these basic principles also govern the United Nations.

Quoting from Congressman Payne's statement, it says:

We the peoples of the United Nations, determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith and fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations, large and small, and to establish conditions under justice and respect for the obligations arising from treaties and other sources of international law can be maintained,

So on and so on.

But here is the point that I want to share with Congressman Scarborough and Mr. Chairman. Congressman Payne makes this observation: African-American leaders have always been actively engaged in the development of the United Nations. Another prominent African-American in attendance was Ralph Bunche, then representing our Department of State. The following year, Bunche became involved with the United Nations' Trusteeship Council, formed to safeguard the welfare and interests of nonself-governing peoples. At that time, I think there were 79 nonself-governing peoples.

Later, Mr. Bunche distinguished himself, the United Nations, and all African-Americans by being the recipient of the Nobel Peace Prize for his negotiation of the Israeli and Palestine conflict.

Bunche devoted the remainder of his working life to the United Nations until his death in 1967. In citing two United Nations' accomplishments, Mr. Chairman, smallpox was eradicated from the planet after a 13-year effort by the World Health Organization in 1980. Child mortality rates in the developing countries have been halved since 1960, increasing life expectancy from 37 to 67 years. The World Meteorological Organization has spared millions of people from the calamitous effects of both natural and man-made disasters through its early warning systems.

There are several other examples that Mr. Payne cites and shares with the members of the committee. I think we, again, can draw a scale to reflect what are the failures and what are the successes that the United Nations can be noted for for the past 50 years. And I would say, and I think Congressman Scarborough, you hit it right on the nailhead with the question: Can we reform the United Nations for improvement?

I honestly believe that we can make improvements, we can seek reformation to better the organization. But for one to say to totally eliminate the organization of the United Nations, I would respectfully disagree with my good friend, Mr. Scarborough.

As far as the financial obligations, I think we should hold the U.N.'s feet to the fire. Why should we contribute more when we know of the inefficiencies of how the organization currently functions? Hopefully, they are making every sincere effort to correct these deficiencies. UNESCO is a good example. Finally, they are coming to recognize we mean business because we are not going to contribute if they don't correct these problems.

Another problem, as I observed over the years, we can reform and make improvements concerning Japan. They are probably the largest per capita contributor to the World Health Organization, making it seem as if they are the ones who are really running the organization and I don't agree with that. But I think with all that has been said, on the balance, I honestly believe that improvements and reforms can be made with the United Nations, despite its failures and problems that we have encountered over the years.

There's tremendous value with this international organization, and I say this in reaction to Congressman Scarborough's very comprehensive and thoughtful statement. I would welcome any suggestions or offerings to my comments.

Problems that we have with regional organizations that we are involved in are dealt with on a bilateral basis in treaties, but I think our Constitution is quite clear on how we should deal with regional and international organizations. I think that is a positive note and I don't think we should just shut ourselves off from this very important organization, despite all the problems that we have encountered with the United Nations.

I just wanted to make those observations, Mr. Chairman. I gladly welcome our good friend's response to those observations.

Mr. SCARBOROUGH. Thank you. I certainly appreciate your observations.

Let me just say, and perhaps I should have been a bit more clear in my introduction, I think the United States does have a responsibility, not only for our own interests, but also we have a responsibility as the lone superpower on this planet to be a force for good and to be a force for idealism and idealistic things that we have promoted for years.

What my bill discusses is getting out of the United Nations proper. Even once we are out of the United Nations and start removing ourselves from some of these peacekeeping operations we will still be able to participate in humanitarian efforts and efforts that much like the effort you mentioned in smallpox or child mortality rates going down, we can still contribute. We can still participate voluntarily, and I think if there are certain functions for the United Nations that are productive in the nonmilitary role, then I think that is something we should look toward.

As you quoted from Congressman Payne, he talked about the belief and the ideals of fighting against the scourge of wars, of fighting against human rights violations, fighting for the dignity of human life and the respect of treaties. These are all things that I obviously agree with.

I would just suggest that there are other frameworks through which we could promote these things. And I must take a bit exception, though, with the comment or the—the mistaken belief that the United Nations has for 50 years been effective in promoting human rights across the globe. It certainly was not a deterrent to Stalinism or the mass slaughters in the Soviet Union following World War II.

Now, we hear this year estimates that Chairman Mao, once taking control of Communist China in 1949, may have actually killed even more Chinese than anybody else, maybe killed well over 30 million Chinese. Certainly the United Nations was ineffective in stopping that slaughter. Or we could bring it closer to home and see what happened in Rwanda where the United Nations, again, failed miserably in those efforts.

So I certainly believe the United States should do whatever it can in the 21st century to prevent the scourge of war and protect the dignity of human life. I just believe the United Nations has been a failure over the past 50 years, despite the framework and the idealism that was the underpinning of the analytical construct that set up the United Nations, which was positive.

Mr. FALEOMAVEGA. I think, Congressman, there is one area that I would agree with you, and that has been a consistent pattern of ineffectiveness with the United Nations, even within the realm of

the Security Council, when it comes to military, strategic or security interests. Whether it be on a bilateral or regional basis, we have always known that the United Nations has been very ineffective, just as is being proven right now, with the handling of a very delicate situation in Bosnia.

I think it has been proven that on anything dealing with military issues, the United Nations just could not get its act together. I don't think it is the fault of the institution, per se, but it is just simply the fact that when the big boys play the games, the super-powers will have to deal with the problem.

We still can't resolve this issue of security interests and whether our own soldiers or sailors should be under foreign command. As a Vietnam veteran, I would be very uneasy and hesitant to have a foreign commander tell me to shoot someone and I don't even know what he is saying. That is quite an obvious problem we face even with our own involvement with NATO, that over the years we have become very effective at simply because we had a common enemy, the Soviet Union, with the containment policy and domino theory. We all know about this.

When it comes down to nonmilitary security interests, as you have stated earlier, I think the United Nations has made fantastic strides in helping resolve some of the social and economic ills. But on military involvement, I couldn't agree with you more. Perhaps as part of the reform efforts, we should advocate that military action and security interests be left solely within the hands of the Security Council or the permanent members, and not get the rest of the other countries involved simply because of their lack of resources or political will. I agree with you on that aspect.

Mr. SCARBOROUGH. Let me just say that is the main thrust of my argument. We can remain involved in humanitarian interests if that is what the United States decides to do. But my main concern has been the expanded peacekeeping role of not only the United States, but the United Nations. And it is—it is a dreadful mistake.

The prospect of reforming that are exceedingly grim. You mentioned the U.S. Constitution and then talked about the U.N. Charter. The fact of the matter is, if you read the U.N. Charter, it was set up to stop sovereign states from invading other sovereign states. We have gone well beyond that in the 1990's and now we are getting involved in civil wars. We have gotten involved in a civil war in Somalia. We are getting involved in a civil war in Bosnia.

We had testimony before the National Security Committee where we had people testifying that the United Nations needs to remain involved in Bosnia to, quote, "reknit the fabric of Bosnia."

Let me tell you something: That is not our responsibility. Even if it were our responsibility to reknit the fabric of Bosnia, we would be ill-equipped to do that because Bosnia cannot even reknit the fabric of Bosnia. That is country building and that is something that we cannot do. And it is dangerous to say we are going to send one division, 25,000 Americans, to Bosnia for 1 year, to try to make peace out of a situation that has been going on for a thousand years.

We have a general from the United Nations condemning the U.N.'s role in Bosnia, talking about the failure of the Bosnian mili-

tary operations and to cite how we couldn't go in and idealistically reknit the fabric of Bosnia. He talked about going and seeing the slaughters of Serbs—not of Serbs but of Muslims. And there was a Serb there and the Serb said to him, "It serves them right." And he said, why. He said, for what they did to us in 1398, something along those lines.

So my point is, I agree with you on the peacekeeping role.

Mr. FALEOMAVAEGA. Congressman, I just want to say one more thing, that I think also it is the force of the personality of the leaders involved and I point to the Persian Gulf war, a classic example of the U.N.'s success, if you will. The fact that we were able to garner international support under the United Nations, even though it may not have been military contributions from all, was very significant. The moral support given by other countries to the Gulf war operations affirmed the blessing of the Security Council and the General Assembly, resulting in the successful expulsion of Saddam Hussein's forces from Kuwait. Again, it is a matter of interest. You can pick and choose.

Mr. SCARBOROUGH. Right.

Mr. FALEOMAVAEGA. The Persian Gulf war was a good example where the U.N.'s involvement was a success simply because of the kind of leadership we had from President Bush and certainly a very strong Secretary of State. They were able to resolve this very complicated problem focusing not only on military resources, and the world is at peace because of what the United Nations did, with our leadership.

Mr. SCARBOROUGH. Well, it certainly did give us international support. The only question is whether the public relations gesture is worth the cost and my belief is that it is not.

Mr. FALEOMAVAEGA. Mr. Chairman, the ranking minority member, Congressman Lantos, is not able to be here today so I would like to ask unanimous consent that his statement be made a part of the record.

[Material submitted for the record appears in the appendix.]

Mr. SMITH. With unanimous consent, it will be made a part of the record.

We do have a vote underway, I believe, and I would like to ask one question. I would like to raise a couple of points before going to our next panel. And, Joe, again, I thank you for your provocative remarks, and I think your points have been very well-taken in your testimony.

One of the things that I think you call for, and I think it is a very fine point, when you say you demand a recount what you were talking about in your testimony is that we are just not getting credit for the kind of contributions that we make.

One of the more troubling aspects of U.N.'s management is the lack of transparency.

You know, our own GAO can't go and look at these figures. If a government body or a world government body is not transparent, many very bad things can happen to those finances: misuse, absconding of funds and the like and those things, as we note, do happen.

So hopefully, you know, as we move into the next 50 years, there will be an effort to really bring the U.N.'s finances to light. That

moves me to my second point, the problems that I have had and many members of this panel, as a human rights policy panel as well, have had with the hypocrisy that abounds vis-a-vis the human rights questions at the United Nations, where certain countries are singled out and focused upon with a laser beam type of focus, while other countries' misdeeds against their own population or neighbors are just, you know, we just look askance or they look askance with regard to that. And there are dozens of examples.

It wasn't until Ambassador Valladares became our Ambassador to the Human Rights Convention in Geneva that Cuba finally got looked at by the United Nations. It had evaded that scrutiny for so many years while other nations like South Africa, which was rightfully focused on, would get all kinds of criticism, which I would agree with, but other nations escape that kind of scrutiny.

Each agency has its own pluses and minuses. We on this subcommittee are trying to look at all of the various agencies of the United Nations and time and again, this member, and I am joined by a majority of the House for sure, want to reinstate what under the Bush and the Reagan administrations was policy—and that was to boycott and to preclude any funding to the U.N. Population Fund because of its shameless complicity in the one-child-per-couple policy in China, where women are victimized by "Big Brother" in Beijing through forced abortion and coerced sterilization, and where the children of these mothers are killed through forced abortion.

It was a crime against humanity in Nuremberg. It was so stated. Forced abortion was a crime against humanity and yet the U.N. Population Fund, going right back to 1979 when the heinous policy was instituted by the Chinese Government, has been there on the ground providing tangible assistance, support, personnel and a whitewashing of these crimes throughout the 1980's and 1990's that continues to this day.

And as you might recall under Reagan and Bush, we didn't give them money because of that. Mr. Clinton has reversed that and hopefully we can reverse that again. As a matter of fact, I would just point out, because most people here were not there, even David Obey, who supports the population control agenda, made a very strong statement about the UNFPA and China at the Foreign Ops Conference 2 nights ago at which time he said he would be now willing to stop funding for them as well, just showing that—I mean, when an agency so misbehaves, it brings shame and dishonor to the rest of the organization and when even UNICEF and others look to further collaborate with the UNFPA, it taints them as well.

I think this subcommittee is even going to pursue this more aggressively as we go into next year. Transparency and the hypocrisy when it comes to human rights are two issues, and transparency and finances are the two key things.

Mr. SCARBOROUGH. Mr. Chairman, if I can follow-up something that I alluded to briefly before, in our bill we stress that the United States will access which agencies we feel we can participate in. Nonmember states can continue to participate in these agencies and that certainly is an option that remains open to us. Again, I

want to put it out there that we will continue to have the option to do that.

Mr. SMITH. You know, let me just say, and I think this kind of mirrors a general trend in the United States, many of the regional bodies like the Organization of American States have become much more effective and much more robust in the work that they do in democracy building and providing, better quality basic health care and certainly because they are made up of member states from that particular region, like the OAS, they seem to have much more impact than a more centralized system. It is almost like the Washington bureaucrat versus somebody back home administering and trying to mitigate problems.

So, you know, it is not like there are not other operations out there that fill voids, and deemphasized U.N. functions are already being picked up by these regional bodies, and I think that will be the case in the near future.

So I just say that. I think that is something we ought to be thinking about. Again, we do have a vote. We will take a very brief recess and come back and hear our second panel. I apologize to our witnesses for the vote.

[Recess.]

Mr. SMITH. The subcommittee will reconvene. I would like to welcome our second panel of witnesses. I welcome a good friend and long-time associate, John Bolton, who has been President of the National Policy Forum since January 1995. During the Bush administration, Mr. Bolton was Assistant Secretary of State for International Organization Affairs, managing the formulation, articulation and implementation of United States policy and diplomacy within the U.N. system.

In the Reagan administration he served as the Assistant Attorney General of the Civil Division. He graduated Phi Beta Kappa from Yale College and received his J.D. from Yale Law School. Mr. Bolton, welcome to the subcommittee.

Frank Ruddy served as U.N. Ambassador to Equatorial Guinea from 1984 to 1988. At the Assistant Secretary level, Mr. Ruddy served as Assistant Administrator for Africa, USAID. Mr. Ruddy is currently engaged in the private practice of law. He is also an associate in the international consulting firm, Global Business Access, Inc., and a consultant for the International Freedom Foundation, both of Washington, DC.

Finally, Mr. Tom Warrick is special counsel to the Coalition for International Justice and a partner in Pierson Semmes and Bemis, in Washington, DC. The coalition is a nongovernmental organization that works in support of the Yugoslavia and Rwanda war crimes tribunals. In his work for the coalition, Mr. Warrick has been instrumental in helping the war crimes tribunal start their operations.

I understand, Mr. Bolton, you have a pressing engagement. If our two witnesses wouldn't mind, I would like to ask Mr. Bolton to proceed and then ask maybe a couple of questions and then go on to our remaining witnesses.

**STATEMENT OF JOHN A. BOLTON, PRESIDENT, NATIONAL
POLICY FORUM**

Mr. BOLTON. Thank you very much, Mr. Chairman. I appreciate the opportunity to appear this morning before the subcommittee, one that I have appeared before many times on other occasions and welcome this opportunity today.

Mr. Chairman, I have submitted a fairly lengthy prepared statement that deals both with the managerial and political aspects of peacekeeping and U.N. management that I request be submitted for the record and to avoid rambling on, I will just summarize that.

Mr. SMITH. Without objection.

Mr. BOLTON. And also summarize very briefly the shorter statement that I had.

I thought it would be useful to the subcommittee to focus on two real—two questions this morning. First is what should be the guiding principle that governs American diplomacy in the U.N. system on questions of management and budget, and, second, to focus specifically on the issue of finance, which is one of the topics that has received the most attention in the 50th anniversary celebration this past week.

On the general subject of management, during the Bush administration, we developed a theory which we called the “Unitary United Nations,” and it was a theory that was intended to give us a framework within which to analyze all of the disparate pieces of the U.N. system: The United Nations itself, specialized and technical agencies, and all of the subsidiary bodies that go up to make up the work of the United Nations.

The reason for creating the “Unitary U.N.” concept was to give us a theoretical framework against which we could measure the actual performance of U.N. agencies, to determine where there was duplication and overlap, where there was waste and inefficiency, to help us frame more specifically the missions we wanted, the different pieces of the United Nations to undertake, and to give us a basis on which we could judge which were being effective and which were not being effective.

I regret to say that that framework, which was by no means perfect and which was by no means the answer to all of the U.N.’s problems, nonetheless has been abandoned by this administration. I think the difficulty with that is that it leaves it without anything other than the same kind of rhetoric that every serious person in America would agree with; that is to say, we favor reform of the U.N. system.

We favor greater efficiency. We favor greater cost-effectiveness. There is nobody in the United States who is going to disagree with that. But the real question is how you measure performance against that standard, and that is what we thought the Unitary U.N. concept could help provide. Look at the system as a whole rather than a system of separate parts, one dealing with agriculture, one dealing with health, one dealing with refugees; really look at it overall and try and assign responsibility and measure performance.

The basis underlying the concept was the notion of accountability: To be able to judge what was effective and what wasn’t, recognizing that the member governments ultimately are responsible

for the efficient operation of the U.N. system, and it is to the member governments that the Secretariat, and the different pieces of the U.N. system have to be accountable. It is that accountability transparency that you mentioned earlier that I think we are lacking time and time again.

Now, I'm very pleased, Mr. Chairman, that you were able to invite Ambassador Ruddy to testify. He has some extremely important information about events in the U.N.'s peacekeeping operation, MINURSO, in the Western Sahara. I don't want to tread on his territory, but I do think one of the reasons that the U.N.'s problems in the Western Sahara are so important is the pattern that has been shown by the Secretariat in dealing with criticisms such as Ambassador Ruddy's about its performance.

Ambassador Ruddy raised a number of issues that were referred to the United Nations' new Office of Inspection and Oversight Services, the rather pale shadow of the Inspector General's office that you and others in Congress and that we in the Bush administration pressed the United Nations to adopt. And the response of that office and the report by the Under Secretary General for Oversight and Investigative Services was effectively a whitewash, was not looking seriously into the allegations; was saying, basically, we are not going to treat this seriously.

Ambassador Ruddy persisted in his efforts and recently sought to testify about his experience before the Fourth Committee of the General Assembly, which had oversight over that operation, and the Secretariat (represented by the Under Secretary General for Legal Affairs) came down and argued that he should not be permitted to testify; that the Secretary General, under the staff regulations, was not going to permit it.

Now, if I can wear my Justice Department hat, former Justice Department hat instead of my former State Department hat, I have looked at the staff regulation in question. I have examined the transcript of the Under Secretary General's testimony, and I should tell you that he is flatly wrong as a matter of law as to what the staff regulations provide, and that Ambassador Ruddy should have been allowed to testify.

It clearly was a matter of policy, a matter of discretion for the Secretary General, and I think he made a mistake in not permitting the testimony to go forward.

But even then, 38 governments in the Fourth Committee voted against hearing the testimony at the request of the Secretariat. Again, it is a pattern of saying, "we don't want to hear what's wrong with our peacekeeping operation in the Western Sahara. We are not interested." And I think we should note the Clinton administration voted, I think correctly, in the Fourth Committee to allow Ambassador Ruddy to testify.

This is the sort of thing, I think, that this basic lack of accountability of the U.N. system and the lack of responsiveness when problems in a peacekeeping operation, that we all think is very important, are brought to their attention.

When supporters of the United Nations in this country and supporters of the United Nations around the world say, "why is there so much opposition in the United States to the United Nations?" I would point to the United Nations' performance in the Western

Sahara as an excellent example. The way we deal with questions in the United States is to say, "here is one point of view, here is another point of view. Let's have it out in public and let the people." Let the member governments in this case make their decisions.

The Secretariat has been unwilling to do that in the case of the Western Sahara, and it is one reason that in the United States people say, we don't understand that. We don't understand it. It is not the way we deal in government. It is not the way any of the Members of Congress have to treat these issues. It is not even the way the executive branch of the government has to treat the issues.

You can imagine the reaction of Congress if they ask for testimony about an executive branch program and absent some very compelling reason, based on executive privilege or some major constitutional issue, they couldn't get that information. And that is really what we are talking about here.

I was very glad, Mr. Chairman, that you took the step of inviting Under Secretary General—the Under Secretary General for Administration and Management to come and meet, and I understand their reluctance to appear before a formal hearing. That was the policy that we shared in the Bush administration.

But we also knew at the time there were many informal meetings with Congress, many of them in public. I recall that—I remember that well. It is another example of not being willing to come into the arena, state the position of the Secretariat, listen to questions by our elected representatives and answer them.

Again, when people say "Why is there such opposition to the United Nations in the United States?" I regret to say that is another example why. The Secretariat is apparently not willing to answer these arguments.

And I think that, again, is why a concept like the Unitary U.N. helps give a framework and a basis for judgment of performance like the operation in the Western Sahara, like the overall efficiency of the Secretariat.

Second, Mr. Chairman, the question of financing. The airwaves have been filled this week with criticism of the United States for failing to pay its assessed contributions in a timely fashion, for having the largest arrearages of any of the member nations. A lot of criticism of Congress, in particular, for the way it goes about appropriating the money and a lot of suggestions by supporters of the United Nations of a way around that problem, at least a way around that problem from their point of view.

They have proposed a number of things like taxes on international financial transactions, the proceeds of which would go directly to the United Nations; taxes on international airline travel, etc. And there are a whole variety of these and a multiplicity of different ideas, the principal purpose of which is to free the United Nations from dependence on the contributions of member governments. There isn't any question that that is the real agenda. It is not even a hidden agenda.

What they want is to avoid a situation where member governments, and you can understand that to mean very specifically the United States, don't have the kind of oversight and control that annual contributions under an assessed formula give.

In a recent article in *Foreign Affairs*, a very well respected, one of the most respected international relations journals we have, by two professors from Yale, Professor Kennedy and Professor Russett, they talk about these proposals for, as they call it, "balancing the U.N. checkbook" and they say very explicitly, "many ambitious reformers suggest, considering the vagaries of the present system and the prospect of increased demands on the organization, that the United Nations be assured an income flow that is larger, but also independent of member governments' willingness or capacity to pay on time."

I mean, this is not something that people are making up. Here are two academics who support these proposals, who are saying right up front, that's what they have in mind.

They go on to say further—and I am sure, Mr. Chairman, you are going to appreciate this—they say, "moreover governments might well like not having to cajole reluctant legislatures each year to vote their national assessment."

I bet that is exactly what they have in mind, that they don't have to worry about what Congress—what position Congress takes on their authorization and appropriation.

I believe these proposals are essentially frivolous, because I don't think there's any possibility they are going to be adopted in the near future. But I would say frivolous at best and dangerous, if, in fact, they were going to be adopted because they would represent a derogation of sovereignty and specifically our sovereignty that I would find unacceptable. But I am aware of the argument that the—that for a variety of reasons, the United States is not paying its 25 percent assessment on a timely basis. And I might say the question of how this assessment formula is based is very complicated.

It results from a long-standing practice and one that has grown up over the years. But the fundamental point is that the assessed contributions flow from treaty obligations, and the percentage that the United Nations pays is decided by the membership as a whole, each of the various U.N. organizations, as is the annual budget of each of the organizations. And the practical result is that every year, the United States gets a bill from the United Nations, from each of the specialized agencies, generally at the rate of 25 percent of their expenditures, 30-plus percent in the case of peacekeeping under the present calculation.

I think the way to handle that is to consider moving away from the entire system of assessed contributions and to fund virtually all U.N. activities through entirely voluntarily contributions. That is to say, the United States and all other member governments—because obviously what we would apply to ourselves we would make available to the other 184 members—would decide on an annual basis, a voluntary basis, how much of the cost of the United Nations they wanted to pay.

This is a kind of consumer sovereignty in international organizations. If we wanted to consume more U.N. activities, we should be willing to pay for them. If we wanted to consume less, we would pay for less.

Many of the best run U.N. agencies now are funded under voluntary contributions. The U.N. High Commissioner for Refugees is

funded by voluntary contributions. There are other examples as well. The International Fund for Agricultural Development is funded by replenishment negotiations. I believe that a system of voluntary contributions, at least for a politically prudent administration, would result in advance consultation with Congress. You could express opinions about what the contribution would look like, and there would be more of an opportunity for Congress to have a say.

I know, Mr. Chairman, both on the authorizing side and the appropriating side, many Members of Congress say every year "the administration gives us a bill. We don't have any say. We have to pay the 25 percent. We have a lot of conflicting budget priorities and yet there is no real chance for us to weigh them." I think moving toward voluntary contributions certainly would end the criticism that we are not meeting our assessed payments in a timely fashion, and I think would also give the United States greater bargaining leverage in its efforts to reform the United Nations, whether under a Unitary U.N. theory or not.

So those are just a couple of points that I think highlight some of the issues that have been discussed during this 50th anniversary week. I would be happy to answer any questions you or other members of the subcommittee might have.

[The prepared statement of Mr. Bolton appears in the appendix.]

Mr. SMITH. Thank you very much, Mr. Bolton. I think your point about that tax being dangerous because it would lead, I think, inexorably to more isolation and more of a sense of "we can do whatever we want to do without any kind of accountability on the part of the United Nations," which I think would be a disaster. So I appreciate you highlighting that for us. You know, frivolous ideas do have a way of becoming ideas in practice.

Mr. BOLTON. Unfortunately, true.

Mr. SMITH. It sometimes comes to fruition. So I think it needs to be nipped at the bud. I certainly don't support it, and I think there will be few Members in Congress who support it. We are going to make sure that our own administration sings out loud and clear against such a tax, or other method of financing, because, again, purse strings give accountability.

As we all know, our system was founded on a series of checks and balances. Any government or world body in this case without a check could act in ways that none of us can imagine now. So I think it is a wise admonition that you are giving us.

Mr. BOLTON. Thank you.

Mr. SMITH. I just want to ask you, you know, in terms of questions of hiring and firing, since obviously as head of the IO Bureau, you certainly were aware of these policies during your watch; few people are ever fired at the United Nations. There seems to be an artificial security to one's job.

Even when extreme cases of sexual harassment are brought like the Catherine Claxton case, that particular high U.N. diplomat was given a golden parachute. Now, I was wondering if you could speak to reforms that have been made or should have been made with regard to people who have real problems of nonperformance or poor performance and more importantly those who commit crimes of harassment against their fellow workers.

Mr. BOLTON. The practices in the U.N. civil service system really reflect the unfortunate lack of management attention that has been typical of the entire 50-year existence of the U.N. Senior management, for perhaps good or sufficient reasons, was always more interested in some of the political issues that the organization faced and Secretaries General over and over again failed to meet their obligations under the Charter of the United Nations, which says expressly that they are to be the chief administrative officer of the Secretariat.

The international civil service system is based actually on the U.S. civil service system, which in terms of its rating system and disciplinary system is not—is actually one of the best in the world compared to the others, but is nonetheless one that itself is in need of very, very substantial reform.

There have been repeated efforts to make the U.N. civil service more responsive to management, to make it more efficient, to have better systems of ratings, that have all unfortunately failed.

When he became Under Secretary General for Management, former Attorney General Thornburgh, based both on his experience as Attorney General and as Governor of Pennsylvania, undertook a very extensive study, specifically of personnel practices, and he made recommendations to the Secretary General at the end of his tenure as part of his concluding report.

That report, although it is out and many people have copies, was actually recalled within the Secretariat, and I understand copies of it were destroyed. And certainly one can say that none of the personnel recommendations that he made had been adopted.

I welcome any administration's efforts to tighten that up. I think the question of discipline that you mentioned in the case of a very well-known case of sexual harassment, there are many others as well, have not gone effectively. I do think that it is a case where there's a—at the very senior levels, a kind of an old boy network, not just in instances of sexual harassment, but in terms of strict discipline generally, that does nothing to promote the international reputation of the United Nations.

It is hard because of the political consequences of some of these personnel decisions, but unless serious reforms are made, I think it is going to be one of those issues that continually undercuts support for the United Nations in this country.

Mr. SMITH. I remember well when Dick Thornburgh appeared before, I believe it was our full committee, and gave some very incisive testimony about what needed to be done. It is your testimony that none of that has been implemented?

Mr. BOLTON. Certainly, on the personnel front essentially none of it has been; that is correct.

Mr. SMITH. That is very disturbing. Boutros Boutros-Ghali will be meeting with some of us later on today and that is something I will bring up to him as well as the comment you made about the Western Sahara.

With regards to United Nations salaries, are they generally higher or lower than salaries for comparable jobs in government, especially taking into account the benefits for housing and other things that are provided? Are they overpaid?

Mr. BOLTON. Well, again, the comparator civil service is the United States and when you get into questions of benefits and things like that, I know one of the issues we always had was that we thought for the Foreign Service personnel in the United States, that their benefits and living in New York, a high-cost city, were not comparable to what some of the U.N. people were living on.

I think the main issue, though, is the overgrading in the U.N. system, where there are so many high level, highly paid at the top of the U.N. scale, international civil servants, whose productivity is hard to measure, at best, I guess would be a polite way to put it. And that is the kind of thing that we had hoped in the Bush administration that a new Secretary General would turn his attention to very quickly. But you can see, just looking from the organizational chart, that that overgrading problem remains very substantial and that eats up a lot of money very quickly.

Mr. SMITH. I am sure you remember quite well that Boutros Boutros-Ghali was running for Secretary General. He claimed that he would be a reformer, that he would be a one-term Secretary General and now I understand that he is looking for another shot at it.

What is your assessment of his tenure in office?

Mr. BOLTON. Well, let me, if I could, Mr. Chairman, just go back on that one step. When we were considering possibilities for a new Secretary General in 1990 and 1991, Secretary Baker asked me personally to meet with each of the people who had named. Some, of course, we knew. Some we were not familiar with. But he wanted one person basically to have spoken with everybody to get their views especially on management and budget questions.

And I met with—I had known Boutros-Ghali before that but met alone with him in Paris, the very day the Security Council voted his—to recommend to the General Assembly that he be selected as Secretary General. He repeated to me then what he had said to a number of others in the course of his informal campaign for the office, which was that he did only want one term. And he used that as argument to say, "I'm not going to seek reelection. I won't incur any political obligations. I can make the hard decisions, and I don't really care about the consequences because if nationals of a particular country have to be dismissed, I'm not going to worry about getting that country's vote later. I will be able to take some tough steps."

I think that is important, Mr. Chairman, not only because it represented a commitment, if you will, but because at that time the policy of the United States was that we wanted a Secretary General who was available to serve two terms, precisely because we thought that the reform was not going to be accomplished overnight, and we wanted somebody who would be willing to spend perhaps up to 10 years wrestling with the problem.

What Boutros-Ghali was saying at the time was actually—"I am disagreeing with your policy because I think a one-term Secretary General can do a better job of what you want done," and made the point very strongly. So I must say I was quite surprised to hear some of the same things I believe you are hearing about his interest in a second term, and I would say also that despite some initial early changes at the Under Secretary General and Assistant Sec-

retary General level, where a number of positions were reduced in the very opening months of his tenure, that that practice has not continued. And, indeed, the proliferation of high level positions has continued.

Mr. SMITH. Let me ask you one final question. In your view, does the United Nations now have a true budget crisis or is it a matter of spending too much and not having, again, the kind of accountability and the kind of efficiency that would lead to reform?

Mr. BOLTON. I think certainly there's a lack of efficiency. I do not think there is a budgetary crisis in the sense that I do not think you can point to a specific critical operation that the financing of the United Nations is affecting adversely. I am thinking specifically of the peacekeeping operation—peacekeeping operations with troops in the field.

I think one thing that is important to understand is that the arrearages figure that you hear over and over again is calculated on the basis of nonpayment of bills, 30 days after they are received by a government. I mean, just like any of us have credit card bills, the U.N. bills the United States, for example, on the 1st of January every year.

By the 30th of January, if the United States hasn't paid, we are in arrears at that moment for the full amount of our assessment. And because of a fiscal year switch that was done at the beginning of the Reagan administration, we now pay in the fourth calendar quarter of most years rather than the first calendar quarter. So for virtually an entire year the United States is said to be in arrears, when for 15 years every U.N. agency has known by and large the bulk of that money will be coming a few months later.

The initial shock of that has been overcome, and they know how to account for it on an ongoing basis. So while the number is large, it is not that much of a problem. And I think I would not let go by the point that there are many other nations that are in arrears as well, especially on peacekeeping matters, so that this is hardly a problem unique to the United States.

Mr. SMITH. Hopefully, they don't have the ability to collect interest and penalties.

Mr. BOLTON. Well, they don't, but if I might, Mr. Chairman, that is one of the proposals that is out there, that countries that don't pay in a timely fashion would be subject to some kind of penalty. The charter provides for a loss of vote after a period of 2 years of nonpayment, but exactly, there are proposals out there to go further than, again, aimed directly at us.

Mr. SMITH. Mr. Bolton, I want to thank you for your fine testimony. I am personally indebted to you. When I was a delegate to the United Nations, you were most helpful.

Mr. BOLTON. I remember it well.

Mr. SMITH. We had many meetings particularly in anticipation of each one of those sessions that I participated in and it was your office and you personally who gave me the privilege of giving the Bush administration's speech on the Convention of the Rights of the Child in New York and then the—as well as in Geneva the speech and the comments on intolerance. I am most appreciative for that.

Mr. BOLTON. Well, it was our pleasure. Mr. Chairman, I am available to you and members of your staff whenever I may be of help both in hearings and informally as well in aid of the work that you and the subcommittee are doing.

Mr. SMITH. Thank you.

Mr. BOLTON. I appreciate your patience with me today. I hope my students do, too.

Mr. SMITH. OK. Thank you.

Ambassador Ruddy.

STATEMENT OF HON. FRANK RUDDY, FORMER AMBASSADOR TO EQUATORIAL GUINEA

Mr. RUDDY. Thank you very much, Mr. Chairman. Like John Bolton, I have submitted a formal statement, and with your permission will just summarize.

Mr. SMITH. Without objection.

Mr. RUDDY. I thank John Bolton for his introduction for me. And there was a lawyer who objected to a judge asking questions of his witness, and he said, "Judge, as long as you are going to try my case for me, don't lose it." I am happy to have John represent me in what he said because I think he did a fine job.

I just wanted to give a couple of particulars of a kind of day-to-day experience with the United Nations. I went up to the United Nations on October 12 to testify before the Fourth Committee, the Decolonization Committee, to give a 5- or 6-minute statement.

I had spoken to the chief of staff of that committee. He said that these things were always voted on by the committee, but it was pro forma. I should just choose a time when I wanted to speak and he would notify me and that would be the end of it.

As you know, from what John just said, and the materials that I provided and possibly the newspapers, I was not allowed to speak before the Fourth Committee. The legal counsel to the United Nations intervened, citing the Secretary General's concern about my speaking, and I was effectively barred.

The interesting thing is that in the debate, I had the tapes of the debate, which went on about 3 hours, which struck me as sort of unusual for something—for the statement that I had to give.

The legal advisor was asked to submit to the Fourth Committee whatever precedents existed. He wasn't able to cite any at that time. As of last night, he has never cited a precedent. This is, I am told, the first time this has ever happened in the history of the Fourth Committee. And by being barred, by receiving the wrath of Mr. Boutros-Ghali, I find myself alongside the Chinese dissidents whom he also kept from entering the United Nation. just several years ago. So that's not bad company to be in.

The objection to my speaking was a personnel rule that I have looked at, and although John was at the Justice Department, I was the general counsel of the Energy Department. I am a lawyer, too. It's sheer nonsense.

The rule, if applied, would stop people from giving away proprietary or confidential information. Everything that I had said was reported in the New York Times and the AP wires. There was nothing secret, there was nothing confidential about it.

What it amounted to was a code of silence imposed by—at the suggestion of Boutros-Ghali to keep some news about Western Sahara from being said again, and I repeat again, because there was nothing original in what I was saying.

The United Nations in Western Sahara had a basic job, which was to run a referendum for the indigenous people called Sahrawis. If ever there were a job the United Nations was cut out for this was it. Four years and a quarter billion dollars later, the referendum is nowhere in sight, and I think that's one of the great embarrassments.

It is not simply that the United Nations has failed in Western Sahara, which would not be news, but what is significant is it has abandoned its neutrality and it has sided with Morocco in disenfranchising Sahrawi voters.

This abdication of responsibility, by the way, is a real violation of the very same staff rules that Boutros-Ghali cited, but selectively he never mentioned that.

I testified before Chairman Harold Rogers' subcommittee in January of this year and I went through a list of things, the kind of gangsterism that Morocco was committing in Western Sahara, disenfranchising Sahrawi voters, stealing voting documents, wire-tapping MINURSO headquarters and basically conducting a campaign of terror, the likes of which I had not seen since I had seen the special branch in action against blacks in South Africa in the seventies.

That Morocco should act this way is possibly not surprising because this is a terribly important issue for them. What is shocking is that the United Nations stood by and let it happen, and they did.

As a result of my testimony in January, there was a lot of press interest. The New York Times sent over a reporter, Chris Hedges, who documented on March 5 of this year essentially what I had said. The Human Rights Watch report, which will be out tomorrow, goes into specific detail. They also had someone over there. Thirty-seven pages, I think it is, corroborating in great detail what had been said.

The United Nations, as John Bolton mentioned to you, faced with the press uproar, decided to have an investigation of MINURSO and it wasn't—it was not only a whitewash, and it certainly was a whitewash, of MINURSO and the United Nations, but it was rejected almost on publication by the Security Council which sent out its own team, hardly a vote of confidence in the inspector general.

Two things that are very important to realize in judging how the inspector general works. He cannot give—he is not allowed to give any sort of protection to people who come forth to talk to him. If you talk to the inspector general and say anything unfavorable about the United Nations, you have no place to hide. You can expect that there will be some sort of retaliation against you. And this, by the way, Mr. Paschke, the inspector general, admits.

And if this seems to be an overstatement, there was a young American woman who was told by one of Mr. Paschke's investigators, keep your mouth shut if you ever want to work for the United Nations. She didn't keep her mouth shut. She spoke up and she is currently blackballed by the United Nations. This is mentioned in the Human Rights Watch Report tomorrow.

The inspector general is also not allowed to investigate any complaint which could involve embarrassment for any member state of the United Nations. So although the pretext of his investigating Western Sahara was allegations of serious human rights violations by Morocco, it was later acknowledged by him that he had no jurisdiction, even to look into those violations because it could involve embarrassing a member state of the United Nations.

A couple of other quick specifics. One of the things he did look into was a charge by the American colonel in charge of the U.S. forces in MINURSO that a high-ranking MINURSO official had publicly and collectively referred to the U.S. service personnel, men and women, in the Armed Forces serving in MINURSO as thieves, and he cited this as an example of anti-Americanism.

The inspector general looked into this charge, found that the incident did, in fact, happen but concluded that since the offending individual was in the habit of insulting lots of nationalities there was no big deal for the Americans in the fact that he called them all thieves. And as Casey Stengel used to say, you can look it up. It is in his report.

The United Nations carries on in these ways because it can and does get away with them, regularly. Joseph Connor, the new Under Secretary for Management, is an able and conscientious man. There is no question about that. But without support from the top, he is going to go the same route as Dick Thornburgh, his predecessor, whose report to Boutros-Ghali in 1993 was suppressed and the remaining copies shredded.

I called Mr. Thornburgh, before I used that statement, to make sure it was accurate and that he supported, and he told me, go ahead and use it.

The Secretary General has one job that is set out in the United Nations Charter and that is to manage the United Nations, and it is the one job that Mr. Boutros-Ghali has no time for. While he concerns himself with outlandishly expensive road shows traveling from conference to conference, quixotic efforts at nation-building and peace enforcement and more recently the worldwide tax proposals that John described, we don't even know, as Senator Kassebaum and Congressman Hamilton wrote recently, how many employees the United Nations has, how its funds are spent or what problems—or what programs work.

And I will simply conclude by saying that, as you listen to all of the lofty phrases and all the platitudes and all the ideals that are spouted, especially this past week on the 50th anniversary of the United Nations, it is important to take a look at the specifics and see how it works, where the rubber meets the road, and what they are really up to.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Ruddy appears in the appendix.]

Mr. SMITH. Mr. Ambassador, thank you for your testimony. And having read through your materials, and having followed it when the New York Times broke it and some of the other things that have gone on, this is another unfortunately horrible episode in the U.N.'s history.

I will raise these issues specifically with Mr. Ghali later, Boutros-Ghali later, at 2:00 when we meet with him and we will

continue to press on these. And I will get to some questions, but we do have another vote out. If you will excuse me briefly, please. I will be right back.

[Recess.]

Mr. SMITH. The subcommittee will reconvene. Mr. Warrick, you can proceed.

**STATEMENT OF THOMAS S. WARRICK, SPECIAL COUNSEL,
COALITION FOR INTERNATIONAL JUSTICE**

Mr. WARRICK. Thank you very much, Mr. Chairman. I want to thank you very much for inviting me to testify here today and to talk about the United Nations' support for the Yugoslavia-Rwanda War Crimes Tribunals. If I may, I would like to go to the projector and show you some slides.

Mr. Chairman, what I am going to talk about today very briefly is a subject that is perhaps one of the most important to the success or failure of the Yugoslavia War Crimes Tribunal and that is whether it will have adequate resources to do the job.

As you know from the hearings you have chaired, both before this subcommittee and also before the Helsinki Commission, the war crimes in the former Yugoslavia are going to have to be prosecuted on the basis of witness testimony. We don't have the paper trail that was available to the Nuremberg prosecutors 50 years ago. To go after and get witnesses to testify requires resources. To bring them to the Hague and protect them, if need be, requires resources as well.

Let me, if I may, start first with an interesting snapshot of the history of the funding of the War Crimes Tribunal for Yugoslavia. This is all set out in detail in the outlines that were submitted to you, but I want to highlight just a few key items, if I may.

The first of these is that throughout the history of the development of the budgets for the War Crimes Tribunal, there has actually been no real requirements analysis ever done, the first thing that one would think would be undertaken during the launching of a major initiative by the United Nations.

Instead, the first time somebody committed a figure to a piece of paper, they chose a figure of \$30 million. The next time, again, it was about \$30 million. When they revised it, again, it was about \$30 million. Then finally, most recently, it was again about \$30 million. Someone has very clearly decided that \$30 million is about right. In fact, there is no basis backing this up for whether this is adequate for what the tribunal needs to accomplish.

In contrast, Mr. Chairman, there is actually a very extensive background in the history of prosecution of large cases, not just in the United States, but internationally. For example, the prosecution of the Iran-Contra investigation, which, as we know, went after a small number of easily identifiable public figures, cost the United States about \$40 million.

Now, arguably, American lawyers get paid more than lawyers from other countries, but when you look at the figures from other cases, they are actually rather comparable. In France, for instance, a war crimes case was prosecuted where just the trial, not the investigation, but just the trial itself cost the equivalent of about \$1 million.

We hear similar figures from France, where they finished prosecuting the assassins of a former Iranian political official; in Germany, where Germany prosecuted some terrorists who killed Americans and others; also, from Italians, where they have had extensive experience prosecuting large cases of Mafia figures, where witness security is of vital importance.

Interestingly, when the United Nations came time to budget for the War Crimes Tribunal none of this expertise was sought. What happened was, the idea of taking just a ballpark figure and seeing if it would work, was chosen by the people in New York as the order of the day.

There was a recognition that the Yugoslavia tribunal and later the Rwanda tribunal were going to have to build everything from scratch: Courtrooms, detention facilities, a prosecution team, a court registry and defense counsel.

I would like to suggest, if I may, Mr. Chairman, that instead of the figure of around \$30 million for the Yugoslavia tribunal, based on some other work that we have done, if we combine the Yugoslavia and Rwanda tribunals together, a figure of around \$100 million seems about right for a major new U.N. initiative.

And I would like to put that in some context. UNPROFOR, which you so rightly alluded to earlier, is budgeted at somewhere around \$1.67 billion for calendar year 1995. If we wanted to fund the Yugoslavia and Rwanda tribunals as fully as they need to be, the amount that we are talking about is 22 days of accomplishments by UNPROFOR.

One of the more curious things about the budget itself is the way in which the money was allocated. When the U.N. Secretariat first prepared the budget, they allocated, out of \$32.6 million, almost two-thirds for judges, administration and overhead.

Now, obviously, a war crimes tribunal has to have judges. Obviously, someone has to pay to keep the buildings clean and the lights running and so forth. Nevertheless, this was far and away the bulk of what the U.N. Secretariat was prepared to spend.

Instead, the real expenses of investigations, which includes travel for the investigators, translators so that the investigators can talk to the witnesses, travel so that the witnesses could come to the Hague to testify, so that they could be protected and cared for, if need be, exhumation of mass graves, bringing the accused to trial and all of the other ancillary expenses of a war crimes prosecution—\$562,300 over 2 years.

Contrast the pie chart we just saw to what happened when Justice Goldstone first got his hands on the budget some time last year. The budget that he prepared is far more balanced in weighing the needs of real investigations. While judges, administration, and overhead still represent a very substantial part of the costs, there is nevertheless a great deal more balance between costs of investigations and the costs of administration.

Even so, there were still a number of key items that were left out of the budget that was submitted to the United Nations last year. In particular, there was no money at all for mass grave exhumations. We have now uncovered evidence of a number of mass graves in the former Yugoslavia. These provide, in many respects, the most compelling evidence because physical evidence is persua-

sive, that witness accounts can be relied upon. There was no money in the budget for that. There was insufficient money for witness travel. There was insufficient money to protect witnesses.

It may be a surprise to those in the United States who deal with witness protection on a day-to-day basis, or to the Congress that has to appropriate money for them, that for the War Crimes Tribunal in the Hague, the entire witness protection staff consists of one professional and two secretaries. And that is not only the staff for it, that's also the budget for it.

As you know, Mr. Chairman, in September 1995, Secretary General Boutros-Ghali issued a freeze over large parts of the U.N.'s budget. It could hardly have been calculated more to have a very serious effect on the War Crimes Tribunals. It had an effect because witness protection was not included in any of the exemptions that have been granted. In order for the tribunal now to get any money for witness protection, they have to go directly to Mr. Connor for his personal signature before they can spend any money for that.

Mr. SMITH. If you don't mind, is there any evidence that any witnesses have been put at risk because of that?

Mr. WARRICK. Because of this particular instance, no. At the same time, they have not actually been able to go out and offer protection to witnesses. They are not going to make the offer unless they are sure that they can protect someone's safety. It is, nevertheless, a concern, you are absolutely correct.

The Tadic trial is something that actually deserves a good deal of attention. It was announced on Tuesday that the tribunal was going to have to postpone the trial of the one defendant who is now in custody. The trial was due to begin next month.

Instead, the trial had to be postponed until May 6, 1996, the only defendant the tribunal has in custody. When we inquired into the reasons for this, there were several reasons that can be taken care of with a postponement of perhaps 2 months or so, but the crucial reason turned out to be because the defense counsel team wasn't getting paid. They could not hire investigators to go out and take witness statements.

We would all agree that one criticism justly leveled against the Nuremberg trials was the inadequacy of a proper defense. Everyone insists that there must be a defense worthy of the name for this tribunal to uphold the rule of law. Nevertheless, for want of what I have estimated on the basis of figures I now consider to be firm, on the—for the want of \$78,000 through the end of the year to pay for the defense team of two lawyers, two investigators, one researcher and expert witnesses, for the want of that amount of money, the trial is having to be put off.

Mr. Chairman, it may be of great interest to you, knowing your commitment to this issue, to know that you actually can do more to solve this problem this afternoon than the Secretary General has done in the last 6 months.

Last night, the Tribunal registrar, Judge Dorothy deSampayo, wrote a letter to Mr. Connor asking for his approval to spend this money in order to have the defense team able to conduct a proper defense for Mr. Tadic. The letter is awaiting Mr. Connor's signature in New York right now.

In the ordinary course of human events, it may take several weeks for him to act on it, but once he does, I am assured by the people I have spoken to that Mr. Wladimiroff is ready to put his investigators into the field immediately. If we can resolve this matter in the next week, we may be able to have a trial as early as late February or March. The only thing holding it up at this point is Mr. Connor's signature. The only thing holding that up is Mr. Connor's decision.

If you are going to have the opportunity to meet with him, you would be able to accomplish more this afternoon than a great many others in the United Nations have done for the tribunal.

I list here some of the other problems that the United Nations is facing, but in the spirit of some of the things we have heard about the problems in the Western Sahara, let me tell you some of the problems that the war crimes investigations have faced and ask the question of whether the U.N. headquarters really supports the War Crimes Tribunal.

You recall, I know, that the War Crimes Tribunal for the former Yugoslavia was established by a vote of 15 to nothing in the Security Council. It has the stated support of the Secretary General of the United Nations and yet you are now going to hear a litany of things that just mysteriously seem to happen to war crimes investigations.

First, with the Commission of Experts for whose chairman I worked in 1993 and 1994, even at the outset there were serious allegations by Pulitzer-Prize-winning journalist, Roy Gutman, that the U.N. Office of Legal Affairs was obstructing the investigations by making sure that while the chairman could have an office in Geneva, there was no money for investigations in the field.

The first chairman of the Commission, Professor Frits Kalshoven from the Netherlands, at the end of his tenure spoke out rather bitterly that all he was getting was pencils from New York. There was no money for computers; there was no money for investigators. But the U.N. headquarters was telling him he could have pencils.

At one point during the mass grave exhumation in Croatia, Professor Bassiouni and the Canadian member of the Commission were literally up to their knees in bodies trying to exhume a mass grave, evidence of victims who had been killed during ethnic cleansing operations conducted in late 1991.

It was obviously very important to the family of those victims that their bodies be cared for properly, that body bags be set aside so that an appropriate post-mortem burial could be conducted. Professor Bassiouni got on the telephone and by satellite called up U.N. headquarters in New York to say he very urgently needed body bags for this mass grave that had been discovered. He was told they couldn't have them because it would require three competitive bids to try to find the body bags that would be then shipped eventually and then in several weeks he might be able to get the body bags that were needed to protect the remains that had to be taken care of that very day.

That was just one instance. In Rwanda, the same story has occurred. Karen Kenny, the human rights monitor, wanted to buy 200 cassettes in order to tape record Hutu incitements to genocide. They were effectively telling people, go out and kill Tutsis. This is

exactly the sort of evidence every prosecutor wants to have, the perpetrators' own words, their own plans being laid out publicly.

She was told by U.N. headquarters that she couldn't have the money to buy 200 cassettes. Interestingly, when this fact was presented at a symposium here in Washington in September of last year, the Deputy Legal Advisor, Ralph Zacklin, was confronted with this fact by the Human Rights Watch Monitor who was aware of this story, and the U.N. official proceeded to deny that it ever happened, not knowing that there were 40 people in the room who knew that it had.

In other cases, as we have seen with the allocation of budgets toward overhead rather than investigations, we also have other stories as well, many of which are not public. For example, in May and June 1994, U.N. headquarters, in trying to fill the prosecutor and investigator slots at the War Crimes Tribunal, tried to put in on the basis of geographical diversity unqualified people with limited experience in very senior positions at the same time they were putting highly qualified people from more industrialized nations into very junior positions. This was the nature of the process of trying to fill those jobs.

It was only after the Deputy Prosecutor, Graham Blewitt, rebelled at this in what he described, in a recently released work by the Refugee Policy Group, as the worst month of his life, that he was able to rectify this problem.

There was a shell game being played on the Rwanda War Crimes Tribunal budget. In March of this year, the prosecutor's office and the registrar were told there would be money available for the second quarter. When the second quarter started, they were told there is no money available.

Instead, Justice Goldstone had to call a donor's conference, what I call a pass-the-hat conference, in Kigali in May 1995 in order to raise voluntary funds and the United States, the Netherlands, Belgium, and other countries came forward quite generously to keep the Rwanda War Tribunal going. Had it not been for that, it would simply not exist today.

There has been continuous foot-dragging in the last year on the Rwanda tribunal. Only last month did they hire a registrar, the key administrative official in the tribunal, after knowing for at least 9 months that they needed one. In August, there was an effort by the tribunal to try to get an advocate in the Secretary General's office who would remind appropriate people of the needs of the tribunal. That so far has led to nothing.

All of this is having a very serious effect, Mr. Chairman. The prosecutor and the deputy prosecutors and the tribunal registrars, the top administrative officials, are having to spend far too much of their time dealing with problems generated by New York. Instead of solving problems, the problems are being generated in the U.N. headquarters.

Nevertheless, Mr. Chairman, I must tell you I still remain optimistic about the fate of the tribunals and their ability to contribute to the rule of international law. The problems we have talked about are serious, but they are solvable.

We know that even if the tribunal is not going to be able to get its hands on everyone right away, that publicity has already had

effects in deterring some human rights violations in the former Yugoslavia. If we have to pursue some of these defendants to the ends of the Earth, let them live the life of Joseph Mengele, and let that be the judgment of history.

Finally, as we certainly learned in 1989 in Eastern Europe, governments change, sometimes dramatically, and it would be very easy to see future governments having a very different view.

It may take a strong prosecutor, which we have right now. It will take patience. It will take resources. Most importantly, Mr. Chairman, it will take political support for the tribunals to succeed.

Thank you.

[The prepared statement of Mr. Warrick appears in the appendix.]

Mr. SMITH. Thank you very, very much, Mr. Warrick.

You know, the information you provided is, as you pointed out, very timely.

Let me just ask my first question: Are you satisfied that the U.S. Government is doing all that it can to: A—fund and, B—to exercise political will to encourage the United Nations to aggressively pursue these war criminals?

Mr. WARRICK. As to the second part of your question, Mr. Chairman, Ambassador Albright and Assistant Secretary Shattuck have been very, very strong supporters of this.

Quite frankly, there are inquiries that I think might be worth making in other quarters. But certainly with President Clinton's speech last Sunday in support of the War Crimes Tribunal, perhaps there may be others who need to be reminded of what the President has said.

As to the financial question, I think that there is very clearly a need for the United States to take a major leadership role. I mean, we heard Mr. Bolton speak very eloquently about the need to fund some things on a voluntary basis. It may well be that these tribunals would be an ideal candidate to try such an effort, because it is very plain, at least to me, that the United Nations has done an inadequate job of funding its own war crimes tribunals.

Mr. SMITH. You know, you may recall, then, when this committee was considering H.R. 1561, I had put in my subcommittee's bill H.R. 1564, which was folded in and became part B of that legislation, additional dollars for the War Crimes Tribunal, which was then successfully lessened when we got to full committee. As a matter of fact, the administration argued very hard to bring that number down, and the argument went something along the line of we should only be paying 25 percent of the costs and everyone should pay their fair share.

My argument or counterargument was that—and much of this came from the Schell-Blaustein study, which parallels some of the things that I know you have been very much involved in, that as well—that we are losing witnesses; we are losing opportunities. You know, people—sites for exhuming graves become less doable as time goes on, and on, and on. Evidence is lost and fewer perpetrators will be apprehended and successfully prosecuted if you allow the time to elapse. And that argument was not persuasive.

Unfortunately, the administration took the view of less not more. So I am encouraged to hear that you think that at least on the

money side, and if the President's words ring true and not hollow, there's the hope that more can be applied to this.

I will bring up these issues later on today and your testimony, and demand answers. And not only with this subcommittee but the Commission on Security and Cooperation, which I also chair, will be looking into further hearings and meetings just to keep the full court press going because it is a shame if we were to lose this opportunity.

And as you pointed out in one of your slides, this might chill some of the more barbaric behavior if the people who do these crimes see that, hey, they mean business rather than a shell game being played. So I do thank you for that.

With regard to the spending freeze, there are many who acted very strongly when that was imposed as to the impact it would have on it. Was this just a reaction by the Secretary General to the budget crisis? Was he just, you know, using that as cover and then just—you know, if, indeed, the supposition that you suggest is that somehow they are not really committed, are they just going through the motions on this?

Mr. WARRICK. Mr. Chairman, I think that the—the budgetary crisis of the United Nations in a cash-flow sense is real. I mean, there aren't hidden dollars. But nevertheless, it is a question of what priorities you establish for the dollars that you have.

And among all of the things that we have seen, for instance, most recently, I was reading the menu for the banquet that was served to the U.N. guests and others in New York. I suspect that the defense of the Tadic trial was probably equal to the cost of the canapes at the latest reception that they were holding for the 50th anniversary.

You and Senator D'Amato released a statement some weeks ago that to my mind stands as absolutely the best single description of the problem that the United Nations faces in this country today. How can it have credibility when it spends money on things like that when the important political needs and security needs of the War Crimes Tribunal is here to enforce go unmet?

Mr. SMITH. I appreciate that.

Mr. Ruddy, does your experience in the Western Sahara suggest that the United Nations cannot be trusted, even with traditional peacekeeping operations?

Mr. RUDDY. Well, Mr. Chairman, the United Nations needs, I think, as I saw written in the paper the other day, some tough love. The Western Sahara mission was cut out for the United Nations. That is exactly what they were created to do.

The unfortunate thing is that if the mission is canceled, the Moroccans are going to stay in control of the Western Sahara and if the mission continues as it is, the referendum is going to be a sham. It seems to me that using the prestige that the United States has, that the solution is, to borrow that Nike advertising phrase, to tell the United Nations to "just do it", get this referendum done. It is not that difficult. It is approximately 100,000 people. Find out who they are and let them vote.

It was originally scheduled for January 1992. We are getting into close to January 1996. There is no excuse for it. They should be able to do it. They should be made to do it.

Mr. SMITH. I would like to yield to our distinguished chairman of the full committee before asking any additional questions, Mr. Ben Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I want to commend you for continuing in this series of hearings on the functions of the United Nations and the need for reform. It is especially timely today since we are going to have Secretary General Boutros Boutros-Ghali appear before a joint committee meeting a little later on today.

I welcome our distinguished witnesses in this second of a series of U.N. hearings and briefings held under your committee auspices while we celebrate the 50th anniversary of the United Nations. While we celebrate, we also recognize that there is a need to strengthen the United Nations.

This past weekend, I had the privilege of taking part, along with some of our colleagues on this committee, in the anniversary celebration in New York, being there at the time the President spoke to the General Assembly on Sunday at which time he reaffirmed his determination that our funds should go to improving the quality of life and saving lives and not to an unneeded overhead. Subcommittee Chairman Smith has been focusing today's hearing on that very same theme of U.N. reform and the need for restructuring and renewal inside the United Nations and specialized agencies.

All of the witnesses in the full committee hearing earlier this week advocated that the United States conduct a careful review of our membership in all U.N. agencies and to consider withdrawing from several of those agencies, including the U.N. Industrial Development Organization, which has sort of outlived its usefulness.

There was also general agreement about the need to improve management practices, to freeze the overall U.N. budget and to encourage the appointment of a high level official in charge of reform efforts. To the extent that the Congress and the administration can agree on a joint framework for action on the agenda for U.N. reform, I feel certain that we can then try to close the financial gap in our arrearages and put our overall support for U.N. peacekeeping on a more sustainable basis. I would urge the administration to strengthen the Office of the Inspector General, to institute an immediate hiring freeze, institute a series of U.N. procurement reforms and advance a concept of a code of conduct for all U.N. employees without exception. I look forward to further testimony.

If I might, Mr. Chairman, ask just a question or two.

Can I ask our panelists, do the spending fees for the war crimes tribunal suggest that the United Nations is pursuing a Washington Monument strategy for funding the very programs that most need support in order to get the attention of donor nations or have there also been freezes and spending cuts for less essential services?

Mr. WARRICK. Mr. Chairman, there have been spending cuts that have affected all other U.N. agencies. Nevertheless, there is certainly a Washington Monument aspect of it in the issue, for instance, of voluntary trust funds. The United States has contributed money to a voluntary trust fund that was dedicated to the war crimes tribunals. Yet, now the war crimes tribunals can't get their

hands on our money because it is tied up under the restrictions set down by the Secretary General.

After a considerable amount of begging and pleading by the Hague to New York, we were allowed access to it, but not on items that were covered in the regular budget. It is the proverbial Catch 22. We will let you spend your money, but not on the things that need it the most.

Mr. GILMAN. There is a document entitled, "Worldwide Peacekeeping Operations, 1994," which was published by the CIA Director of Intelligence, of which I am informed is widely regarded as an authoritative source on peacekeeping and contains the following conclusion:

United Nations operations have fallen short. The U.N. interim force in Lebanon, UNIFIL, and the U.N. Angola verification mission, UNAVEM II, have been judged ineffective by many observers. Others such as the U.N. Peacekeeping Force in Cyprus and the U.N. Military Observer Group in India and Pakistan, have been in place for decades, still awaiting a settlement.

Would you care to comment on these conclusions?

Mr. RUDDY. Mr. Chairman, I can comment on some of them because I actually was in UNAVEM and Angola for approximately a month during the elections over there, and that certainly was not a well-run operation.

As you know, on the last day, when the results from the polls were being closed, the Chairman of UNAVEM announced first in a press release that the election was seriously flawed nationwide and within hours issued a completely contradictory statement saying that the election was completely valid.

There was also a provision for a run-off election, if President dos Santos did not reach a certain percent of the vote. He didn't. There was no run-off. That was not the greatest hour for the United Nations, and for peacekeeping in general.

I know the publication that you are referring to and there have been some limited success stories, such as Cyprus, but in general the overall view of peacekeeping has been one that has not lived up to expectations.

Mr. GILMAN. Would you care to comment, Mr. Warrick?

Mr. WARRICK. Sometimes the best answer, Mr. Chairman, is I don't know, and that's what I would like to say.

Mr. GILMAN. Well, I thank Ambassador Ruddy.

Is it true that the inspector general's office was denied the title, "inspector general," because some member states have been unwilling to give it the independence and authority that the title implies?

Mr. RUDDY. I don't know the reason for denying the title, Mr. Chairman, but there is no question that there are two very serious limitations on the Under Secretary of Oversight Services as it is called. It is kind of a shadow inspector general. He is not able to give protection to the people with whom he speaks.

In other words, anybody that gives him information is then subject to retaliation and has no place to hide. And under the U.N. system, every employee each year is rated formally as a category on your attitude toward the United Nations. If you don't get a good mark in that category, your career at the United Nations is, for all

intents and purposes, over. So given this limitation, the inspector general is stuck pretty much in what he can do.

And second, he is lumbered with poor staff. He is not able to pick his own staff. So you may have read what Under Secretary Thornburgh had commented when this office was being proposed and the limitations that he saw there in terms of a staff: That he couldn't pick and actually a staff that was possibly the least distinguished within the U.N. organization. That situation hasn't changed.

Before you arrived, Mr. Chairman, I gave an incident of the inspector—the inspection in MINURSO and one of the—an American was interviewed by the inspector's team and the American was simply told to keep your mouth shut if you want to work for the United Nations again. The American did speak up and she has since been blackballed. And this is a matter of record and, as a matter of fact, it occurs—it appears in the Human Rights Watch Report, which is being published tomorrow.

Mr. GILMAN. More recently, Joe Connor has been appointed Under Secretary General for Management. How do you appraise his success or effectiveness?

Mr. RUDDY. I think Mr. Connor is a very competent man and is a very conscientious man. I think the problem that Mr. Connor faces is the same problem that Dick Thornburgh faced, that he has to get complete support at the top.

As you know, Dick Thornburgh, in 1993, presented Mr. Boutros-Ghali with a report citing great waste and abuse at the United Nations and Mr. Boutros-Ghali suppressed the report and had the remaining copies shredded, as Dick Thornburgh told me himself. I checked before I used that statement.

What has started off so far by Mr. Connor has been good. Whether Boutros-Ghali will let him continue and let him make the reforms that he himself I think would make—I have full faith in Mr. Connor. It is just a question of whether he will be allowed to be Mr. Connor.

Mr. GILMAN. Thank you.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Chairman. I appreciate your leadership on U.N. issues for many years here in the Congress. It has been outstanding.

Ambassador Ruddy, you were treated outrageously when you attempted to blow the whistle on some of the problems with the Western Sahara peacekeeping. As a matter of fact, even the Fourth Committee—and as you point out, the administration came down on your side in wanting to hear that testimony—yet with the vote 32 to 38, with 114 members abstaining or absent, they wouldn't even consider the allegations and at the behest of France, the European Union likewise went against it.

Would a real authentic bona fide, not bogus, but real U.N. Inspector General, with powers similar to those in our own Federal agencies have avoided these problems, exposed those problems? And what would you recommend that I tell Boutros-Ghali and Mr. Connor later on today?

Mr. RUDDY. Well, the question—the question you asked to take up first, yes, there is no question about it.

The real issue, and this thing has gone on for 4 years, the real issue is to say to Morocco and the Polisario, are you serious about this? Do you really want this thing to go forward?

In the beginning, of course, they both agreed to the basic implementation plan. And as it progressed, what the—what the function of the inspector general would be would be to say, look, these very significant abuses are going on. They are verified by—well, they would be verified by the people in MINURSO if you asked them, but they are verified by the Human Rights Watch, the New York Times reporter, blah blah blah. And the point then was simply to say to Morocco, look, you either have to stop this or we are going to just cut and run, and we are going to say why we are cutting and running because you are not cooperating.

The alternative would be to say to Morocco, if the United Nations has that prestige, you have to do the right thing here. If one of those options had been taken a long time ago we wouldn't have spent \$250 million and still counting for absolutely nothing.

The referendum is, I am told, virtually stalled, dead in the water again, and there is no fixed date. So the answer is it is a long way of saying, yes. I think the inspector general could have done quite a bit, an effective inspector general.

Mr. GILMAN. Would the gentlemen yield?

Mr. SMITH. I yield.

Mr. GILMAN. With regard to the Western Sahara, we have had reports that there are a number of Moroccan troops that are wandering around the desert trying to return to Morocco, but Morocco will not accept them back. Do you have any comments about that?

Mr. RUDDY. Yes, Mr. Chairman. It's bizarre, but it is true. I think the number is about 200. And, again, in the Human Rights Watch Report, there was a Human Rights Watch person who was just over there who can give you up-to-the-minute details, but it is bizarre. I mean, these are Moroccan soldiers who were captured by the Polisario and the Polisario wants to give them back and Morocco won't take them. It is a bizarre situation.

Mr. GILMAN. Thank you. Thank you for yielding, Mr. Chairman.

Mr. SMITH. Could you tell us what has happened to Mr. Paschke? Is he still on the job?

Mr. RUDDY. Oh, I think so. Yes. I mean, he was in—I saw his picture in Time or something with Mr. Connor just within the last week.

Mr. SMITH. Even though he, as you put it, whitewashed this entire episode and his investigators were the ones who said, "Keep your mouth shut if you ever want to work for the United Nations"?

Mr. RUDDY. Oh, yes, yes. The interesting thing is when his report came out, which was some time in early March, almost immediately the Security Council blew it off and said that they were sending out their own people to take a look. I mean, they didn't accept it.

Ambassador Cardenas of Argentina, who was Chairman of the Security Council at that time, said that the Security Council had heard enough of these tall tales coming out of MINURSO, words to that effect, and they were quoted in the *Washington Post*.

Mr. SMITH. As you point out in your testimony, the U.N. Inspector General, as now has been acknowledged, may not investigate

anything that might cause embarrassment to a member state of the United Nations Who acknowledged that and is that policy? Is that written anywhere or is that just a modus operandi?

Mr. RUDDY. I don't know if it is written, but it was actually—there was a congressional staffer who went up to interview Mr. Paschke after this report, and he was surprised that there was this absence of any reference to any of these Moroccan abuses in a report that was supposed to investigate Moroccan abuses and that is how that came out.

Mr. SMITH. That is something we ought to look into as well.

Mr. RUDDY. I would think so.

Mr. SMITH. Really, just one final question. Again, your testimony has been outstanding, very helpful for this subcommittee to follow up.

The expert consultation that resulted in the Schell-Blaustein study, of which you were a part, has anything like that occurred since the publication on February 11, 1995? And what kind of contact do you have for interface with the U.N. leaders to deal with that, so that they hear from true experts, so they can have more well-rounded and hopefully insightful views on what they should be doing?

Mr. WARRICK. Mr. Chairman, the budget cycle of the United Nations is such that there should be a need for this, I think, in late November or early December.

Certainly everyone who participated in that—it was a wide ranging body of experts, from people with private sector experience, government experience—all of those individuals have expressed to me their enormous interest to build on that work.

There is a lot that has been learned from the experience in tribunals in the last year. As you saw, there are still some things that can be improved on, and we are certainly ready to do that. It is up to the United Nations to decide whether it wants to listen to outside experts, and it is entirely up to them.

Mr. SMITH. There is no doubt that Prosecutor Goldstone has a very good reputation. Does he reach out to individuals such as yourself?

Mr. WARRICK. Oh, yes, very much so. Justice Goldstone, in fact, has two people on his staff—whom I know he can hardly spare—their role is to reach out to experts, to NGO's, and to make sure that he gets the benefit of their experience and advice. He is exceptional in doing that.

The other key tribunal official, the registrar, Judge de Sampayo, is starting to do that, and we are certainly hoping to work very closely with her in the next few weeks.

Mr. SMITH. As you pointed out in your testimony, that part of the pie that is dedicated to the prosecutors was enhanced because of his objections and input.

Mr. WARRICK. Yes.

Mr. SMITH. How does the chain of command actually work? If this is what we need, absolutely, to get this job done, I mean does—I have never seen that made public, and it would be nice to know what we can do to provide some pressure and perhaps even appropriate additional resources ourselves.

Mr. WARRICK. Mr. Chairman, it is one of the strangest things I have ever seen. Justice Goldstone holds the rank of Under Secretary General, reports to Secretary General Boutros-Ghali. Nevertheless, he doesn't have control over his own budget. All he can do is make requests to the registrar, who actually ranks below him in the U.N. pecking order, Assistant Secretary General.

The previous registrar to Judge de Sampayo, the current registrar—the previous registrar had academic experience but no practical court management experience, and I am afraid that showed. It is almost mind boggling how Justice Goldstone had to make his requests in December a year ago. Things were cut for the most irrational of reasons.

For example, computer legal research, which is—every law firm, every prosecutor's office, in this country uses it because it is cost effective; you can do things so much faster by computers than you can with humans. The registrar doesn't understand that, said we are the United Nations, we don't have that sort of thing. People were stupefied. I mean that is not the way the world works.

And in other areas as well, there were cuts made in the prosecutor's requests that the prosecutor didn't know about until the budget had gone off to New York. Things simply couldn't be fixed at that point. Whether that will happen again this year actually is a mystery.

And I have talked to officials in our Government, and even they have no clue at this point where things stand on this. So we are very concerned.

We spoke earlier about the lack of openness certainly as far as developing the budget for one of the most important organs of the United Nations. A lot of it is curious, to say the least.

Mr. SMITH. I would like to pursue that further, and we will.

Mr. WARRICK. I will be more than happy to be available to you and your staff.

Mr. SMITH. It would be nice to know, you know, whether or not the United Nations acts the way the OMB does, and that is when a suggestion is made by each bureaucracy, they scrub it and make final decisions. But very often—and this has gone on for the 15 years that I have been here—we often hear from some of those officials who say, we just can't live with that; you know, if we do this or X, Y or Z, you know, this particular function will be lost.

I will never forget that happening over and over again on the Veterans' Affairs Committee, just as an example. When they are talking about putting the loan origination fee to 5 percent, that was what they were talking about, as something that was doable, and the person who ran the program, when we finally got him to say what his personal opinion was, said that is the end of the program.

So I just mention that, and Justice Goldstone is living under that same kind of restraint. We would like to know, as would anyone who is concerned anywhere about these war crimes tribunals, what is it that you need and how do we go about doing our part to make sure that it happens?

Mr. WARRICK. Mr. Chairman, you are absolutely right in everything that you said, because I have heard what I consider to be very disturbing reports, which I haven't completely been able to

confirm yet, but very disturbing reports that suggest that the requests both the prosecutor and the registrar are making for next year—in fact, for the next 2 years—when, assuming there is a peace settlement, there will be very active trials and investigations going on, that U.N. headquarters is telling them, oh, no, no, no, you can't even think about putting in a budget request like that, you just can't do it. And these are from people within the U.N. system who we know have absolutely no experience in court management, administration, or law enforcement, and they literally don't have a clue, and yet they are purporting to say no, no, you can't do it.

It is one thing when we speak of the need for a zero growth U.N. budget, but when you start—as it happens rarely, you start a new program, you obviously can't have a zero growth budget, and the question is how war crimes tribunals fit in with the other U.N. priorities.

And, again, as Ambassador Ruddy has testified, it is truly something that starts at the top and then has, aside from Mr. Connor, who is excellent by all accounts—has some individual fiefdoms below, where people act without any accountability or transparency whatsoever and produce some of the results we are seeing.

We know who many of those people are, and all of the problems that we have heard about today, almost, with one exception, could be solved simply by saying, instead of reporting to X, you report to Official Y. It is that individualistic, and that is how easy it can be solved.

Mr. SMITH. Let me ask one final question on the War Crimes Tribunal. How many prosecutions can we realistically expect to occur? Not convictions—prosecutions.

And do we have any realistic hope of people at the very top who now are negotiating for peace in some cases or for treaties, that they, too, when they set foot on soil other than their own, will be apprehended?

And what happens with regard to the peace process when perhaps one of them is in Ohio, or something of that kind?

Mr. WARRICK. That is actually a very sensitive subject. I have tried to find out information about it in the past few days.

One thing we do know is that Karadzic and Mladic, who have been indicted by the War Crimes Tribunal, have not left Serbian territory since April when it was announced that their indictment was going to be sought. That will continue as Justice Goldstone works his way up the chain of command.

The key information that is needed against some of the senior political official who have not yet been indicted is not yet available. But this is like a shark tank; as soon as blood is in the water, the feeding frenzy is going to begin.

Although I have no absolute knowledge, I have no doubt that there are documents out there that will implicate the people who truly give the orders for the ethnic cleansing in Bosnia. It will take time and a lot of prying open of some very dark places before that happens. The United States is obviously in a position to facilitate a lot of that, and it is a political decision that involves more than just the supporters of the tribunal within the administration, it is

a political decision in particular at the Defense Department right now that could have a very great effect on that.

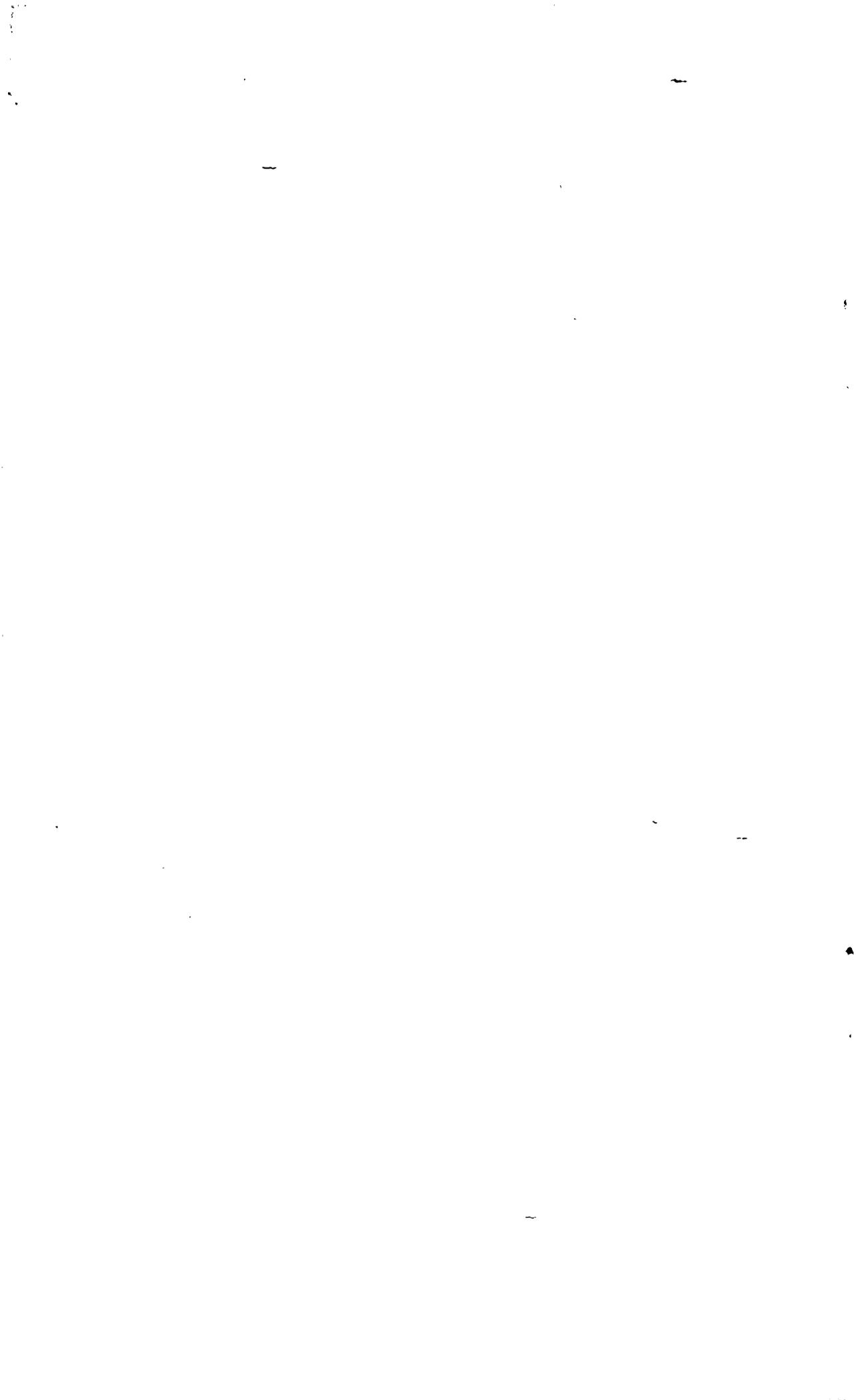
Mr. SMITH. I think it is especially important, since part of your fear—and I share it—is that there are some who would like to see this whole process fail, and if indeed a peace accord is reached, there could be, in the euphoria of that, even though it may or may not hold, to just say that is it, let's let bygones be bygones. There is certainly precedent for that—El Salvador.

So I just say that we need to keep our vigilance, I think, and actually turn up the heat.

I want to thank both of our witnesses for your testimony. It was very, very good, and it is going to be very helpful to us on the committee, and in about an hour I will begin implementing some of it, with Mr. Connor and with Mr. Boutros Boutros-Ghali.

So thank you very much for your testimony.

[Whereupon, at 1:05 p.m., the subcommittee was adjourned, to reconvene subject to the call of the chair.]



APPENDIX

TESTIMONY OF
HONORABLE JOE SCARBOROUGH
OF THE FIRST DISTRICT OF FLORIDA

THURSDAY, OCTOBER 26, 1995

HOUSE COMMITTEE ON INTERNATIONAL RELATIONS
SUBCOMMITTEE ON INTERNATIONAL RELATIONS AND HUMAN RIGHTS

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, I AM PLEASED AND HONORED THAT YOU HAVE ASKED ME HERE TODAY TO TESTIFY ON REFORM OF THE UNITED NATIONS ORGANIZATION AND ON THE ROLE THAT WE WILL PLAY IN THAT ORGANIZATION IN THE NEXT CENTURY. AS MANY OF YOU HERE KNOW, I HAVE INTRODUCED LEGISLATION THAT WILL SEE TO IT THAT WE HAVE NO ROLE IN THE U.N. IN THE NEXT CENTURY, OR AT LEAST THAT THE ROLE WE DO HAVE IS MINIMAL AND CONSISTENT WITH OUR STRATEGIC AND FOREIGN POLICY OBJECTIVES. SO IT GOES WITHOUT SAYING THAT I HAVE A FEW THOUGHTS ON THIS SUBJECT.

WE HAVE HEARD MUCH DURING THE 50TH ANNIVERSARY CELEBRATIONS FOR THE U.N. ABOUT HOW IT NEEDS REFORM, AND HOW THE U.N. REALLY DOES SERVE A VITAL ROLE. MR. CHAIRMAN, I DISPUTE THESE NOTIONS AND I WILL DISCUSS WHY IN A MOMENT, BUT FIRST, I WOULD LIKE TO BRIEFLY TOUCH ON A FEW POINTS ABOUT WHERE WE ARE IN THE U.N.

FIRST OF ALL, THE UNITED NATIONS ORGANIZATION IS A BUREAUCRATIC NIGHTMARE. NO ONE DISPUTES THIS. NOT THE U.N.'S FIERCEST DETRACTORS NOR ITS FIERCEST SUPPORTERS. ALL ARE AGREED THAT IT IS A MESS. THERE IS JOKE THAT GOES: HOW MANY PEOPLE WORK AT THE U.N.? THE ANSWER: ABOUT 25% OF THEM. THE JOKE WOULD BE REALLY FUNNY IF IT DID NOT RING SO TRUE. YET THE UNITED NATIONS, WE ARE TOLD, IS GOING BANKRUPT. WE WERE TOLD RECENTLY THAT THE U.N.'S DECREPIT FINANCIAL STATE HAS BEEN CAUSED IN LARGE MEASURE BECAUSE THE UNITED STATES HAS REFUSED TO PAY WHAT IT OWES - ABOUT \$1.4 BILLION.

MR. CHAIRMAN, THIS IS NONSENSE. THE UNITED STATES PAYS OUT ABOUT \$4 BILLION A YEAR IN VOLUNTARY CONTRIBUTIONS THAT ARE NOT EVEN COUNTED AGAINST OUR TOTAL. WHERE IS THAT MONEY GOING? NO ONE SEEMS ABLE TO SAY - BUT WE ARE ASSURED IN ALL CONFIDENCE BY THE U.N.'S CRACKERJACK ACCOUNTANTS THAT WE OWE THEM. I DEMAND A RECOUNT.

BEYOND THIS SIMPLE FINANCIAL CONSIDERATION, HOWEVER, IS THE MORE PRESSING AND FUNDAMENTAL QUESTION OF WHETHER OR NOT, IN 1995, THE

UNITED NATIONS STILL MAKES SENSE FOR US. LET ALONE FOR THE WORLD. TODAY, THE UNITED STATES IS THE WORLD'S UNCHALLENGED SUPERPOWER. IN SUCH AN ENVIRONMENT WE NEED TO HUSBAND OUR RESOURCES AND USE THEM WISELY. YET, OUR MEMBERSHIP IN THE UNITED NATIONS EFFECTIVELY PUTS US INTO THE ROLE OF GLOBAL POLICEMAN - USING OUR ASSETS WHEREVER A MAJORITY OF THE UNITED NATION'S MEMBERS DEEM IT NECESSARY THAT WE GO. THIS IS DANGEROUS, AS WE SAW IN SOMALIA - WHERE IT MUST BE ADMITTED WE CARRY PART OF THE BLAME - AND IT MAY BE DANGEROUS AGAIN IN BOSNIA. PERHAPS WE HAVE INTERESTS IN BOTH PLACES, BUT A MAJORITY VOTE OF THE U.N. WILL NOT TELL US THAT AND SHOULD NOT.

THE IDEALISM OF THE UNITED NATIONS WAS A WONDERFUL THING, AND IT MAY HAVE, IN ITS DAY, BEEN THE INSPIRATION FOR SOME OF THE GREAT SPEECHES THAT WE READ IN THE HISTORY BOOKS, BUT IT IS NOW, MORE THAN EVER, WRONGHEADED. IT WARPS OUR FOREIGN POLICY AT ITS BEST; COSTS US BLOOD AND TREASURE AT ITS WORST. IT FOSTERS THE NONSENSICAL NOTION THAT THERE IS SOMETHING CALLED THE WORLD COMMUNITY AND IGNORES THE UNHAPPY REALITY OF THE WORLD WE LIVE IN.

WHETHER WE CALCULATE THE VALUE OF THE U.N. ON THE BASIS OF A COST/BENEFIT ANALYSIS, OR ON THE BASIS OF ITS ROLE IN OUR FOREIGN POLICY APPARATUS, IT IS CLEAR THAT THE U.N. IS NOT GOOD FOR AMERICA.

HOWEVER, LET US STEP BACK FOR A MOMENT. LET US ASSUME THAT THE UNITED NATIONS DOES SERVE THIS VITAL ROLE WITHOUT WHICH THE WORLD WILL SOMEHOW STOP SPINNING ON ITS AXIS. TO ME THE EVIDENCE FOR SUCH AN ASSUMPTION IS NOT TO BE FOUND, BUT NO MATTER. THE QUESTION REMAINS, CAN THE UNITED NATIONS BE REFORMED AND MADE TO WORK. THE U.N.'S ADVOCATES SAY "YES," I SAY THAT SUCH OPTIMISM IS NAIVE.

TO BEGIN WITH, WE HAVE BEEN DOWN THAT ROAD. THE SO-CALLED KASSEBAUM-SOLOMON REFORMS OF THE MID-1980'S WERE A SERIOUS EFFORT TO IMPROVE THE U.N., AND THEY HAVE DISAPPEARED MAKING BARELY A RIPPLE. FOR THE FACT IS THAT IN AN ORGANIZATION WITH OVER 180 MEMBERS, CONSENSUS ON REFORM WILL BE, TO PUT IT MILDLY, PROBLEMATIC. THERE ARE TOO MANY FINGERS IN TOO MANY POTS TO MAKE REAL REFORM AND REAL ACCOUNTABILITY AT THE U.N. EVEN REMOTELY ACHIEVABLE.

HOWEVER, THERE ARE THOSE WHO WILL ARGUE THAT, WHATEVER ITS FLAWS, THE UNITED NATIONS ORGANIZATION IS VITAL AND THAT WE CANNOT ABANDON IT. THAT STRIKES ME AS SINGULARLY WRONG. ASK YOURSELF THIS: THE END OF THE COLD WAR, THE COLLAPSE OF THE

SOVIET UNION, THE REUNIFICATION OF GERMANY, THE ISRAELI-PLO PEACE AGREEMENTS, GATT, THE MARSHALL PLAN, NATO. IN WHICH OF THESE GREAT HISTORIC ACHIEVEMENTS DID THE UNITED NATIONS PLAY A CRITICAL ROLE? THE ANSWER IS - NOT ONE. THE UN HAS BEEN A PASSIVE BYSTANDER, AN EXPENSIVE TOY, BUT HARDLY A CRITICAL TOOL.

↓

THE FACT IS THAT WE HAVE AT OUR DISPOSAL RIGHT NOW THE MEANS TO CONDUCT OUR FOREIGN POLICY IN THE 21ST CENTURY. THE ALLIANCES AND BI-LATERAL AGREEMENTS THAT WERE CREATED IN THE COLD WAR - NATO, THE ALLIANCES WITH JAPAN AND SOUTH KOREA, THE RIO PACT, AND OTHERS - DEFINE THE AREAS OF OUR HISTORIC NATIONAL INTERESTS. THEY ARE NOT THE CONSTRUCTS OF IDEALISTIC WILSONIAN GLOBALISM, RATHER THEY ARE THE PRACTICAL PRODUCTS OF OUR NEEDS IN THE HAIR TRIGGER WORLD THAT WE LIVED IN, AND TO SOME DEGREE STILL LIVE IN. IF THESE INSTITUTIONS ARE NOT ALLOWED TO WHITHER, IF THEY ARE FOSTERED AND SUPPORTED AND MODIFIED TO MEET THE CHALLENGES OF THE NEXT CENTURY, THEN THEY WILL PROVIDE US WITH THE TOOLS THROUGH WHICH WE WILL CONDUCT OUR FOREIGN POLICY IN THE NEXT CENTURY.

FINALLY, MR. CHAIRMAN, I WOULD MAKE ONE LAST POINT. IT IS A POINT THAT IS PARTICULARLY RELEVANT TO WE WHO SERVE IN CONGRESS BECAUSE IT TOUCHES ON OUR ROLE AND ON OUR RESPONSIBILITIES. IT IS BAD ENOUGH THAT THE U.N. IS A WASTEFUL BUREAUCRATIC NIGHTMARE. IT IS BAD ENOUGH THAT IT DISTORTS OUR FOREIGN POLICY BY TAKING IT DOWN THE PATH OF GLOBALISM WITHOUT REGARD TO A HARD HEADED ASSESSMENT OF OUR NATIONAL INTERESTS. WHAT IS WORSE THOUGH, IS WHAT THE U.N. HAS DONE TO OUR OWN POLITICAL ENVIRONMENT.

THE UNITED NATIONS HAS BEEN USED BY THE EXECUTIVE BRANCH TO WEAKEN THE ROLE OF THE LEGISLATIVE BRANCH IN THE REALM OF FOREIGN AND MILITARY AFFAIRS. WE SAW IT IN HAITI, WHERE THE PRESIDENT SOUGHT PERMISSION TO INVADE FROM THE U.N. BUT BY-PASSED THE CONGRESS. WE SAW IT EVEN IN THE PERSIAN GULF WAR, WHERE THE PRESIDENT USED U.N. APPROVAL TO MANEUVER CONGRESS INTO SUPPORTING THE WAR. NOW I MAKE NO JUDGEMENTS ON THE MERITS OR DEMERITS OF THOSE ACTIONS, NOR DO I CLAIM THAT IT IS THE U.N.'S FAULT THAT IT HAS BEEN SO USED IN OUR DOMESTIC POLITICS. HOWEVER, CLEARLY, ESPECIALLY WITH THE END OF THE COLD WAR, WE IN THIS CONGRESS HAVE AN OBLIGATION TO RESTORE THE HISTORIC BALANCE BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES OF THIS GOVERNMENT. IF WE ARE GIVEN A CHOICE BETWEEN THE UN CHARTER AND THE CONSTITUTION, I HUMBLY SUGGEST THAT WE CHOOSE THE CONSTITUTION.

MR. CHAIRMAN, I'D LIKE TO THANK YOU AGAIN FOR PERMITTING ME THE OPPORTUNITY TO COME BEFORE YOU. I REALIZE THAT I HAVE STRAYED A

LITTLE BIT FROM A STRICT FOCUS ON THE U.N., BUT MY PREMISE IS THAT IT IS IDLE TO TALK OF REFORMING THE U.N., AND THAT WE MUST INSTEAD TURN OUR ATTENTION TO THE NEXT CENTURY, NOT TO A FAILED INSTITUTION OF THIS ONE. NEEDLESS TO SAY I HAVE COVERED MUCH GROUND WITHOUT MUCH ELABORATION, SO I WILL BE PLEASED TO ANSWER ANY QUESTIONS THAT THE MEMBERS OF THE SUBCOMMITTEE MAY HAVE.

Testimony of

JOHN R. BOLTON

President,

National Policy Forum

October 26, 1995	Subcommittee on International Operations and Human Rights	p.	1
February 13-14, 1995	The United States and the United Nations: What Have We Learned for the Next Fifty Years?	p.	12
February 13-14, 1995	Toward a Unitary U.N.: Creating Political Order Out of Agency Chaos	p.	43

TESTIMONY OF

JOHN R. BOLTON

President, National Policy Forum

before the

Subcommittee on International Operations and Human Rights

of the

House Committee on International Relations

**October 26, 1995
2172 Rayburn HOB
Washington, D. C. 2051**

Good morning, Mr. Chairman, and members of the Subcommittee, it is a pleasure to appear before you today. My name is John Bolton, and I am President of the National Policy Forum. During the Bush Administration, I was privileged to serve as Assistant Secretary of State for International Organization Affairs, and I have continued to participate in policy research and debate on that subject since then. Attached to this summary, I have submitted for the record two analyses of U.N. political and management issues prepared for a symposium conducted by the Institute of United States Studies on the Fiftieth Anniversary of the United Nations at the University of London earlier this year.

During the commemorations of the U.N.'s founding, considerable discussion has surrounded the organization's managerial and financial problems. Much of that discussion has been naive at best, and potentially harmful if many of the reforms suggested are actually adopted. Moreover, much of the debate appears to have been based on the assumption that the U.N.'s problems can actually be blamed on the United States: we are not paying our bills, we are not supporting the work of the U.N. system, we have been unfairly critical of the various Secretariats, and so on. Although I personally agree with those criticisms which lament the overall lack of foreign policy leadership by the present Administration, I find most of the rest of the criticisms unfair and unwarranted. Moreover, in many cases, these attacks on the United States reflect a hidden agenda which, if more widely understood in this country, would likely produce even more opposition to the United Nations than we already see.

Today, therefore, I would like to focus on two questions: First, what are the principles which should guide American policy in the conduct of its affairs in shaping the management and budget of the U.N. system? Second, how should the finances of the U.N. system be structured? These questions are central to any meaningful debate on making the U.N. an effective international instrumentality.

The "Unitary United Nations"

In the Bush Administration, we developed an approach to diplomacy and management for the United Nations system which we called the "Unitary U.N." approach. The basic idea was to look comprehensively at the U.N. and all of its subsidiary bodies and specialized and technical agencies as a single system, rather than as a disparate collection of independent bodies, each operating in its own sphere. We believed that such an approach would permit the United States -- and other interested governments -- to analyze the strengths and weaknesses of the U.N. system more comprehensively, rather than on an ad hoc, piecemeal basis. By so doing, we could more readily establish strategies and priorities, identify areas of overlap and duplication, and target agencies and activities most in need of management attention and strengthening.

Unfortunately, this approach seems to have been abandoned during the present Administration. While continuing to call for management reforms, the Administration has lost a powerful, coherent principle through the prism of which various reform mechanisms can be evaluated and adopted. Lacking an overall framework such as the "Unitary U.N.," the United States now also has no point of advocacy that distinguishes its goals from countless earlier calls for greater U.N. efficiency. Thus, in many respects, the lack of enthusiasm which greeted President Clinton's address to the General Assembly reflects a broadly held view that American policy is just "same old, same old..."

The "Unitary U.N." theory -- which was designed to apply both to regular activities of the U.N. system and to peacekeeping -- is spelled out in greater detail in the attached monographs delivered earlier this year at the University of London. One of its fundamental precepts was the idea of accountability, that a unit of the U.N. could be given a specific mission, and its performance could be judged against the extent to which it was able to accomplish that mission. Organizations which performed well could be considered for additional or enlarged assignments, and those which performed poorly could be targeted for special management attention, realignment or abolition.

One recent example in the field of peacekeeping has shown how the lack of accountability can harm U.N. operations. I understand that Ambassador Frank Ruddy has been invited to testify about his recent experiences as a senior official of MINURSO (the U.N. Mission for the Referendum in Western Sahara), the U.N. peacekeeping operation in the Western Sahara. I will leave to Ambassador Ruddy the recapitulation of his own involvement with MINURSO, and confine myself to my personal experiences during my service at the Department of State and subsequently, including a visit to the region in the spring of 1994. In our view during the Bush Administration, MINURSO was a good test case of the "Unitary U.N." concept because it involved operations well beyond the traditional military activities of peacekeeping, including the care and protection of refugees, the return of the refugees to their homes, the complete conduct of a referendum, and various follow-on activities to implement whatever conclusion the voters in the referendum reached.

We intended that the referendum in the Western Sahara be conducted in a completely free and fair fashion, and I testified to that effect before a predecessor of this Subcommittee. We were especially concerned that the referendum specifically, and MINURSO generally, meet the highest standards, in large measure because U.S. military observers were deployed as a part of MINURSO, a troop contribution by the United States that was rare for the time.

Both during the Bush Administration and subsequently, I was concerned with mounting allegations that MINURSO's operations were flawed, and this became increasingly apparent as voter registration and identification slowed to the point of paralysis. When Ambassador Ruddy took up his civilian assignment with MINURSO in 1993, at the suggestion of the Department of State, I hoped that the situation would improve. Instead, Ambassador Ruddy's findings confirmed many of our fears.

Nonetheless, he tried to work within the Secretariat to correct MINURSO's problems. Instead of cooperation, however, he faced repeated obstruction and opposition, both political and managerial. I would respectfully suggest that the entire U.N. operation in the Western Sahara merits additional Congressional attention.

When Ambassador Ruddy's allegations were referred to the U.N.'s Office of Internal Oversight Services, the Secretariat division created in lieu of the American proposal to create an office of "Inspector General" analogous to those in major Federal departments and agencies, that office faced its first major test. While one incident alone is not sufficient to form a final judgment on the office's performance, this early test has been far from satisfactory. Indeed, the Under Secretary General in charge of the office, Karl Paschke, issued a report (A/49/884, 5 April 1995) which would have been greeted with bipartisan scorn in Congress had a U.S. Executive Branch Inspector General issued anything comparable.

Even more disturbing was the reaction of the U.N. General Assembly. Recently, the Assembly's Fourth Committee rejected Ambassador Ruddy's offer to testify about his experiences. By a vote of 32-38, with the remaining 114 members abstaining or absent, the Fourth Committee concluded that it did not even want to consider the allegations. Even our friends in the European Union, largely at the behest of France, voted against public testimony, arguing that an opinion by the Under Secretary General for Legal Affairs, requested by the Secretary General himself, precluded the testimony. One can easily imagine the reaction of Congress if an Executive Branch agency tried to prevent a Congressional investigation of alleged mismanagement.

The performance of member States in voting against receiving testimony was especially troubling, because the member governments are the real protection against mismanagement in the U.N. system. Moreover, the incident is a compelling example for Congressional review because the Clinton Administration supported Ambassador Ruddy's request to testify, and voted in favor of his doing so in the Fourth Committee. Thus, I believe that there is bipartisan support for Congress looking further into this matter, and taking appropriate action.

This entire episode reveals serious management problems, and quite likely political problems as well, that require urgent attention before MINURSO utterly fails. A "Unitary U.N." approach would by no means guarantee success, but it would at least provide a philosophical framework within which to construct American policy.

Financing the U.N. System

Much has been made during the Fiftieth Anniversary celebrations about the large financial arrearages which have accumulated, and the alleged harm that these arrearages are causing the U.N. on an on-going basis. Although rarely singled out by name, the United States bears the brunt of this criticism, because we currently owe the largest amount of the arrearages. Many other large nations, of course, also are behind in their

payments of assessed contributions, especially in peacekeeping. Almost never mentioned is the fact that a major portion of the amount "owed" by the U.S. has been the continuing accounting consequence of a change in the timing of U.S. payments adopted during the first year of the Reagan Administration, almost fifteen years ago.

As a result of the U.N. financial crisis perceived by some, there have been a number of suggestions made that would free the organization from dependence on the assessed contributions of member governments. These suggestions have involved a variety of proposed "taxes," such as one on international financial transactions, one on international airline travel, and one on the sale of energy products (such as coal, oil or gas). All of these proposals have as their intended goal the freeing of the United Nations from its reliance on the conscious political decisions of member governments to fund the organization's activities. As such, these taxes would, by the very fact of their operation, provide the U.N. with resources not expressly conferred by member governments.

These ideas are frivolous at best, since there is no prospect whatever that any of them will be adopted in the foreseeable future. What is more troubling, however, is the precedent which their adoption would represent in terms of the loss of sovereignty of member governments when such critical decisions as fundraising are removed from the members' hands. While I do not believe that there is any immediate cause for concern, I can well remember numerous occasions when ideas that were not initially taken with sufficient seriousness in the U.N. context returned later to cause considerable problems for the United States and other member governments. Accordingly, I believe that Congress may well want to ascertain the views of Administration and U.N. officials on these and other revenue-raising suggestions.

Instead, I would propose considering changes in a different direction. Member State contributions to U.N. organizations now follow one of three patterns: (a) assessed contributions, whereby members agree to be bound on an ongoing basis to such a system, and where the annual percentages of agency budgets due are determined by the collective membership; (b) voluntary contributions, whereby each member decides annually what amount to contribute; and (c) replenishments, where voluntary contributions are negotiated for a fixed period of years.

Under the system of assessments, the United States is currently obligated to pay twenty-five percent of the cost of most U.N. agencies, and some thirty-plus percent of the amount for peacekeeping. The assessment formula is based on a complicated calculation purportedly describing each member government's "capacity to pay," although a number of other factors are also taken into account. The "arrearages" about which we hear so much are the differences between the levels of assessed contributions and the amounts actually contributed.

The net result of this system is that the United States is annually presented with a bill for approximately twenty-five percent of the cost of the U.N. system. While the U.S. certainly participates in the collective decision making about each organization's budget,

it is hard, to say the least, to make significant headway in reducing expenditures and increasing efficiency. Based on my experience, one reason for this difficulty is the certainty that, whatever the final budget figure agreed upon, the United States will be required to pay one-quarter of the total. Although the sheer size of the U.S. contribution gives us considerable bargaining leverage, the "inevitability" of the ultimate American payments substantially undercuts that leverage.

I would propose instead that essentially all U.N. activities be funded by member governments on a purely voluntary basis, as is the case now with agencies such as the U.N. High Commissioner for Refugees, the World Food Program and UNICEF. Under a completely voluntary system, member governments could decide which U.N. activities to support, and to what extent. In the case of the United States, it would be possible to provide more than twenty-five percent of the budget for those agencies which we thought were performing well, and to contribute less than that percentage to those which were poor performers. The same option would obviously be available to all other U.N. members as well.

Specifically in the case of peacekeeping, we could expect those member governments most affected by peacekeeping operations -- such as regional neighbors or important trading/investment partners -- to take up a proportionally larger share of the financial burden than the scale of assessments would otherwise provide. This is presently the case, for example, in connection with Kuwaiti support for UNIKOM (the U.N. Iraq/Kuwait Observation Mission.) It would also help focus the Security Council on the financial implications of adopting resolutions at the time the resolutions are actually considered, since funding would have to be arranged before operations could go forward. In the case of emergency situations, interim funding agreements for specifically limited periods could be adopted in order not to hinder the Council's flexibility.

Some would argue that a totally voluntary system of contributions would prevent effective forward planning by U.N. agencies. I doubt that this would be a serious problem, but, if so, replenishment-type funding could be adopted for those agencies adversely affected, similar to the way in which the International Fund for Agricultural Development and the international financial institutions are now funded.

A system of voluntary contributions would also contribute to a greater feeling of partnership between our Legislative and Executive Branches. Under the system of assessed contributions Congressional authorizers and appropriators are simply presented with an annual bill -- twenty-five percent for regular operations and thirty-one percent for peacekeeping -- and asked to "pay up." These requests for appropriations, stemming as they do from treaty obligations, are effectively non-negotiable no matter what other budget priorities or difficulties are under consideration. Under a system of voluntary contributions, by contrast, a politically astute Executive Branch will consult with

Congress on a regular basis even before announcing or pledging voluntary contributions to the U.N. system, thus increasing the likelihood that Congress will, in fact, make those amounts available. This "in on the takeoff, in on the landing" approach would, I believe, garner widespread congressional support.

* * * * *

Mr. Chairman. I hope these brief remarks and the attached papers are useful to the Subcommittee during its deliberations on these critically important issues. I would be happy to respond to any questions you or other Members of the Subcommittee may have.

**LEARNING THE LIMITS:
THE POLITICS AND PRIORITIES OF THE UNITED NATIONS
IN THE NEW WORLD ORDER**

**The United States and the United Nations:
What Have We Learned for the Next Fifty Years?**

by

**John R. Bolton
President,
The National Policy Forum**

February 13-14, 1995

The University Of London

It is a pleasure to return to the University Of London, and to this program sponsored by the Institute of United States Studies and its cohorts at the Ethics and Public Policy Center, the Institute for European Defence and Strategic Studies, and The Social Affairs Unit. I was last here almost exactly two years ago, when things looked quite a bit different politically in the United States, and I expect that our perspectives will all have changed substantially since then.

Much has also changed with respect to the United Nations within the past two years, and foreshadows a good deal of what the next fifty years -- the UN's second half century -- will bring.

I. THE RECENT PAST (1985-1992)

A. The Security Council Awakens

After President Gorbachev's accession to power in the former Soviet Union in 1985, the contours of the Cold War began to change in ways that were then only dimly perceived. Mrs. Thatcher was one of the first Western leaders to notice that Gorbachev might be up to something different from his predecessors, and she surprised a number of American observers when she described the Soviet President as a man she "could do business with." President Reagan soon joined Mrs. Thatcher's assessment that the "new thinking" which Gorbachev and his supporters were trying to create in Soviet foreign policy did indeed represent a major shift in the Kremlin's world view. The Soviets, led intellectually in large measure, if not then visibly, by young theorists in the Foreign Ministry such as Andrei Kozyrev, were seeking to define their foreign policy as a "normal" nation would do so. They sought to break the prism of communist ideology which had twisted their relations with other states for decades, and to define these relations instead in terms of Soviet "national" interests, conducted typically through diplomacy rather than through force of

arms and subversion. Although the intellectual movements which Gorbachev uncorked ultimately drove him from power -- as well as destroying the Warsaw Pact and the Soviet Union itself -- the first changes in Soviet policy unquestionably began in the early years of his rule

One major consequence of "new thinking" in Soviet policy was the awakening of interest in the UN Security Council. As one of the five Permanent Members of the Council (or, the "Perm Five," as they are known to UN hands), the Soviet Union was part of the world's most elite club, albeit a club known during most of its existence as a down-at-the-heels anachronism, created at a time of higher hopes than realism. Nonetheless, the Moscow proponents of "new thinking" quickly focused on the Security Council and its principle responsibility under the United Nations Charter -- the maintenance of international peace and security -- as avenues on which to demonstrate in a highly public fashion how the Soviet Union would comport itself as a "normal" nation. The legitimating force of acting within a collective international framework under accepted international legal principles only made the prospects more attractive to Moscow's reform-minded theorists

Two international hot spots in the late 1980's, coinciding during the closing days of the Reagan Administration and the inauguration of the Bush Administration, allowed the Soviet Union's new thinkers to try out their theories. In August, 1988, following almost eight years of war between Iran and Iraq, the two countries agreed to a cease fire and direct negotiations between their foreign ministers under the auspices of the UN Secretary General, then Javier Perez de Cuellar. As part of the cease-fire arrangements, the sides agreed to the deployment of a UN peacekeeping force to verify and supervise the cease-fire and the immediate withdrawal of forces to international boundaries. This observer force (the UN Iran-Iraq Military Observer Group, or "UNIIMOG") served until February, 1991, and helped to create a sufficient feeling of comfort between the two sides that, despite numerous cease-fire violations, protracted warfare did not

again break out between them.

In southwestern Africa, another long-simmering series of disputes was also approaching resolution. After years of arduous negotiations, all of the sides in the politically and militarily complex struggles in Angola and what was to become Namibia had reached agreement on what promised to be a resolution to these conflicts in 1988. The United Nations was asked by the Security Council to monitor a cease fire in Namibia, and to supervise a series of steps leading to the withdrawal and demilitarization of both South African troops and their armed supporters in Namibia, as well as the demilitarized return of the South West African Peoples Organization ("SWAPO") and large numbers of refugees outside of Namibia's borders, principally from Angola. The UN was also to conduct an election in November, 1989, to establish a popularly-elected assembly. This assembly would, in turn, write a constitution, and then lead the country to independence from South Africa's de facto rule in early 1990. All of these varied activities were carried out under the direction or monitoring of the UN Transitional Assistance Group in Namibia ("UNTAG")

At the same time, in Angola, the Soviet Union and Cuba agreed to the withdrawal of all foreign military units, a sticking point for the United States and South Africa, which had held up progress in bordering Namibia for almost ten years. This first UN Angola Verification Mission ("UNAVEM I") was deployed in January, 1989, to monitor compliance with the withdrawal agreement, which required the complete return of all Cuban forces to Cuba, scheduled to be completed no later than July 1, 1991. Despite a number of operational problems during the withdrawal of forces, UNAVEM was able to fulfill its mandate successfully. (Subsequent -- and highly unfortunate -- developments in UN attempts to resolve the Angolan civil war can properly be considered as part of later phases of UN peacekeeping efforts.)

The Iran-Iraq cease fire and the operations of UNTIMOG represented a classic use of UN peacekeeping. Both sides had consented to the UN's involvement and deployment of observer forces, during which diplomatic efforts for a comprehensive political solution were pursued. The UN's role vis-a-vis Iran and Iraq was impartial, and UNTIMOG troops were authorized to use force essentially only in self-defense. The combined efforts of UNTAG and UNAVEM I, although extending beyond traditional peacekeeping to such work as election supervision and civilian police monitoring, nonetheless were international in character (centrally involving both the United States and the Soviet Union as key actors), and were conducted with the consent of all of the various parties and surrogates.

During roughly this same period, American efforts in Afghanistan and Central America to secure the withdrawal of Soviet forces and advisors were also utilizing UN channels, and there seemed to be at least some indications that these scenes of the Cold War struggle might also be resolvable through involvement of United Nations peacekeepers or observers. Although the later course of events in these settings did not always meet the initial expectations, the atmosphere in the UN's forty-fifth year was generally optimistic.

B. Crisis in the Gulf

Thus, by the summer of 1990, many ardent UN supporters were beginning to express the opinion that perhaps the organization (or at least the Security Council) was finally coming of age, and that its long-moribund potential might at last be realized. Iraq's unpredicted invasion of Kuwait in August, 1990, therefore occurred at precisely the right moment to propel the Security Council into the international spotlight. More by instinct initially than by grand design (and perhaps with a wobble or two), the United States and its major Security Council allies -- the United Kingdom and France -- utilized the Council as a major element in forming an international

coalition to deal with the Iraqi aggression.

From Security Council Resolution 660, which condemned the Iraqi invasion and called for immediate withdrawal from Kuwait, to the adoption and enforcement of the strictest economic sanctions ever imposed in history (Resolutions 661 and 665), to the authorization of the use of force by an international coalition to repel the Iraqi invaders (Resolution 678), to the imposition of a harsh cease fire and long-term efforts to deny Iraq the use of weapons of mass destruction (Resolution 687), to the launching of a massive and unprecedented humanitarian-relief effort because of Saddam Hussein's brutalization of the Kurds after the Gulf War (Resolution 688) -- and through a host of other Resolutions in between -- everything seemed to be going "right" in Security Council matters

Without indulging in what would otherwise be an extensive effort to describe American and Western diplomatic efforts during the Gulf Crisis, I can say with certainty that the seeming "inevitability" with which this series of resolutions unfolded is visible to the actual participants now only in hindsight. In early August, 1990, for example, it was far from clear to us in Washington whether the requisite nine votes (and no vetoes) would be available from the Security Council's members to authorize force against Iraq. As it turned out, this result was only achieved after a massive, unprecedented world-wide diplomatic effort. Nonetheless, the UN's most ardent admirers seized upon the diplomacy of the Gulf Crisis as yet another example of the flowering of the organization, flowing from the earlier successes in the Iran-Iraq truce, Namibian independence, and the winding down of hostilities in Afghanistan and Central America. These admirers believed that the Security Council now possessed an expanding ability to play a central role in maintaining international peace and security, the original goal of the framers of the UN Charter

Indeed, many in the Bush Administration also shared this profoundly incorrect view of the robustness of the Security Council as an international institution, which was exemplified in operations such as Cambodia and the work of the UN Transitional Authority ("UNTAC") there. Thus, even after the expenditure of approximately \$ 2.5 billion to restore monarchy to Cambodia after two decades in exile, the feared Khmer Rouge guerrillas are still in the field, "capable of wreaking havoc on the [new] Government," according to a recent story in The New York Times. Moreover, the efforts to nurture democracy among the followers of King Norodom Sihanouk and those of Hun Sen, the leader of the former regime installed by the Vietnamese, seem increasingly problematic.

In former Yugoslavia, UN forces (the UN Protection Force, or "UNPROFOR") had been deployed in early 1992, largely at the instance of the European Community (as it was then known), first in Croatia and then in Bosnia and Herzegovina. American agreement to these developments, following the professed lead of the Western Europeans, can only be described as reactive. The best excuse for the lack of a more forward American position is that, during 1992, the Administration was rocked by domestic political disasters, and its once-keen focus on international affairs was diverted by partisan warnings that it was "the economy, stupid!" that most Americans really cared about. For whatever reason, drift in American foreign policy and a profoundly misplaced deference to the Europeans led to the creation of UNPROFOR. Had the Bush Administration been returned to office, one can effortlessly predict that the inertial momentum of many career diplomats would have produced many proposals for new and different assignments for the UN to undertake, in Bosnia and elsewhere. Certainly, their ongoing work found considerable favor after the inauguration of the Clinton Administration. Whether a second Bush Administration would have resisted these pressures is open to question.

II. THE BIRTH, SHORT LIFE AND DEATH OF "ASSERTIVE MULTILATERALISM" (1993-1994)

The Clinton Administration came to office eagerly determined to live in, and indeed much more excited about, the "new world order" that President Bush had earlier proclaimed than many of the Cold Warriors who found themselves turned out to pasture in January, 1993. The Clinton foreign-policy team, in virtually every important position staffed by retirees from the Carter Administration or by anti-Vietnam-War-era baby boomers, was extraordinarily keen to leave the Cold War behind. The doctrine of "containment" of aggressive, anti-Western forces, based on usually cold-blooded assessments and definitions of vital American national interests, and levels of threats to those interests, was the first theoretical principle to be replaced. The doctrine of "enlargement" emerged instead, founded on the idea that what was really important to the United States was the philosophical spread around the world of democracy, human rights and related concepts, rather than the protection of concrete, identifiable U S positions. (Some still doubt that the Clinton Administration's foreign policy is motivated by any doctrine at all, but this fascinating topic will have to be considered elsewhere)

Central to the Clinton doctrine of enlargement was the notion of "assertive multilateralism," the idea that the United States should shroud its efforts under the cloak of international organizations, and indeed follow their lead in many cases. Above all, the American role was to be limited, and protected by the visible involvement and leadership of other states. For example:

-- President Clinton moved very swiftly to endorse the idea of a UN rapid deployment force, as suggested by Secretary General Boutros Boutros-Ghali in his Agenda for

Peace. This decision was touted as evidence of multilateralism, and a clear break from U.S. unilateralism in Grenada, Panama and the Philippines. The Bush Administration had resisted the Secretary General's suggestion, although, as noted above, many career foreign service officers actually supported the idea; many went even further, urging direct involvement by U.S. troops in any such UN force.

-- Warren Christopher's very first trip outside of Washington as Secretary of State was to UN headquarters in New York. One reporter, doubtless at the prodding of the Administration's media spin doctors, described the visit as "a measure of just how drastically the world has changed in four years. . . ." (Secretary Baker's first trip in 1989, by contrast, had been a hectic one-week trip to visit the capitals of the other fifteen NATO allies.) The same 1993 reporter noted accurately that "[b]oth President Clinton and Christopher have said they look to the United Nations to play an ever-larger role in peacekeeping and peacemaking. They have yet to explain exactly how that should be done."

-- When Secretary Christopher did visit the key NATO capitals in early May, 1993, it was to consult on Bosnia. President Clinton had then recently adopted the "lift and strike" policy (lift the arms embargo against the Bosnian Muslims and conduct air strikes against Bosnian Serb positions when necessary), and Christopher was dispatched to confer with the NATO allies. The allies were all taken aback, as one American source put it "[p]eople were genuinely disarmed by the fact that he was there to consult. . . . He did not have a blueprint in his pocket. . . . He had some things we favored." Needless to say, the evident contrast with prior American actions caused consternation in most NATO capitals. Winston Churchill, grandson of the former Prime Minister, said "[t]here was a moment there when we were gearing up to knuckle under [to "lift and strike"]," but "[t]hen there didn't seem to be the follow through, there was a certain hesitancy and the moment passed." The result of the Christopher mission turned out to be

only further drift, confusion and indecision about Bosnia.

-- An anonymous State Department source (later identified by media reporters as Under Secretary for Political Affairs Peter Tarnoff, one of the returned Carter Administration officials) was widely reported in May, 1993, as commenting, not unhappily, on the limitations on U.S. resources imposed on our commitments around the world. Tarnoff said that the United States must "define the extent of its commitment and make a commitment commensurate with those realities. This may on occasion fall short of what some Americans would like and others would hope for." He went on to assert enthusiastically that the Administration's new policy of self-imposed limits was "not different by accident, it's different by design." So quick was the press's amazed reaction to these candid, if injudicious remarks (known instantly as "the Tarnoff Doctrine"), that both Secretary Christopher and the White House jumped in immediately that afternoon, before the day's news cycle had elapsed, to attempt to dispel the remarks Tarnoff had made.

Beyond the symbolic and rhetorical failures of the Clinton Administration, however, lay the larger evidence of its attempts to implement "assertive multilateralism" in practice. Somalia was the critical test case for the Clinton policy. In the closing days of the Bush Administration, the President had decided to deploy a substantial American military force for the very limited purpose of ensuring the safe distribution of food and other humanitarian assistance to mitigate an ongoing international tragedy. Bush intended for quick and decisive action to stabilize the military situation in Somalia, permit the distribution of needed relief supplies, and allow for a speedy handover from the United States to a more traditional UN peacekeeping force. The new Clinton Administration initially seemed to agree with this strategy, and thousands of Americans were withdrawn shortly after the 1993 Inauguration.

Madeleine K. Albright, the Administration's Cabinet-level Permanent Representative to the UN in New York, however, was not so inclined. She soon testified that "[t]here will be many occasions when we need to bring pressure to bear on the belligerents of the post-Cold War period and use our influence to prevent ethnic and other regional conflicts from erupting. But usually we will not want to act alone -- our stake will be limited and direct U S intervention unwise." Under the cover of United Nations authority, but in fact supplying the major military muscle, the United States then became engaged in unprecedented efforts in Somalia not only to reconstruct the civil, economic and political infrastructure of that devastated country, but to create democratic institutions where none had ever existed before.

The Clinton Administration proudly described this program as "nation building," a dramatic shift from the far-different and more-limited goals of peacekeeping as conventionally understood. These American and United Nations efforts were not simply extensions of the original mission in Somalia which U.S. troops have been deployed to accomplish. To the contrary, "nation building" there was quite explicitly a part of a larger doctrinal experiment in "enhancement," with every expectation that success in Somalia could and would be replicated in numerous other "failed states" around the world. What the UN and the United States were bringing to the effort that the Somalis did not already have or had tried was never fully (or even partially) explained.

The deaths of eighteen Americans in Mogadishu in October, 1993, brought U.S. policy in Somalia and "assertive multilateralism," whatever it meant, to a crashing halt. The Administration was unable to withstand the fire storm of opposition which took place on Capitol Hill, and, as it had so many times before because of domestic political considerations, hastily abandoned assertive multilateralism, at least in its public pronouncements.

Unfortunately, however, the intellectual underpinnings of the Clinton policy remained firmly in place. In former Yugoslavia, events went from bad to worse and back again, several times. In Rwanda, confused, episodic and contradictory Security Council involvement did not avert widespread ethnic bloodshed, nor did it later restore political stability or save neighboring Burundi from the risk of repeating the Rwandan experience. In Haiti, one can only hope that the UN forces deployed there (this time, officially under an American commander to help avoid the chaos of command-and-control relationships which was so destructive in Mogadishu) are as fortunate and relatively casualty-free as the U.S. troops which initially seized control of the country. In countless other circumstances around the world, such as many newly independent republics of the former Soviet Union, the prospects for near interminable UN involvement remain troublingly high.

Thus, misreadings of the lessons of some initial UN successes in the late 1980's, massive misunderstandings of the UN aspects of the Gulf Crisis of 1990-91, and willful decisions to use the UN organization in inappropriate circumstances have brought us to a gloomy place in just two short years. The real question now, however, for the United States, and for the West as a whole, is what to do next. Many Americans do not believe that much of substance will change in the next two years, given the political challenges faced by the Clinton Administration and its continued obduracy in refusing to focus on foreign policy except when confronted by a domestic political problem. Indeed, many are simply holding their breaths that very little of importance happens in the international arena until a new President is sworn in, for fear of new mistakes and unforeseen but almost certainly negative consequences. As one bumper sticker put it: "Wake me in '96 and tell me it was all a bad dream."

C. THE NEXT FIFTY YEARS

A. The Lessons of the First Fifty

Perhaps the most important lesson of the entire history of UN peacekeeping during the Cold War, and in its immediate aftermath, is that long-range and enduring interests should not be swept aside by the temporary fits of optimism that seem to affect American and Western political systems. For example, UN peacekeeping has been largely successful in the context of interstate disputes, such as the Iran-Iraq example discussed above, or in observer missions such as the UN Disengagement Observer Force ("UNDOF") between Israel, and Syria on the Golan Heights. Even in cases that were not so clearly interstate in character, such as Namibia-Angola, Afghanistan and Central America, the actual combatants were often proxies for the super-power adversaries. Thus, while elements of ethnic or religious hatreds were not absent in those situations, neither were they central to the underlying conflicts, or to the United Nations' successes in bringing them to largely peaceful conclusions.

These seemingly diverse and wide-ranging results are perhaps not surprising, since the central reason for the creation of the United Nations was the prevention of interstate wars, and their threat to international peace and security. The motivating force which resulted in the UN Charter was "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind," not to correct every domestic ethnic or religious dispute, however disturbing, which erupts into conflict somewhere on the globe. States have experience in dealing with other states on international issues, and they have their own domestic systems for resolving internal political disputes. Neither the UN, however, nor any of its 184 members, have any real experience in "nation building," or even the League of Nations concept of trusteeship

(later borrowed, but only on a very limited scale, in the UN Charter), other than the long, slow process that each nation must undertake on its own

The contrast between interstate conflicts and such human and political disasters as Somalia and Bosnia could not be more apparent! It is difficult to argue convincingly, under present circumstances, that either of these tragic situations really threatens international peace and security in any meaningful way. Accordingly, one can reasonably ask why the jurisdiction of the Security Council should have been invoked in the first instance, and why UN involvement, other than for strictly humanitarian purposes, was ever necessary. One often-repeated argument in response is that the "international community" must "do something" when the media portray daily scenes that would be unacceptable if played out in the countries watching the pictures. The urge to "do something," however, may well actually worsen an interstate conflict by introducing external factors which none of the parties can accurately assess, by raising (or lowering) the expectations of one or more of the parties to the conflict in a thoroughly unreasonable fashion that actually reduces the ultimate chances of settlement, or by creating uncertainty as to whether and what extent the initial international involvement is durable and resolute or temporary and uncertain.

If there are no regional states or organizations which are interested in finding solutions to intrastate problems before they become their own, in whole or in part, there is even less justification for inserting the UN into the picture. Admittedly, the success of even long-established regional organizations in conflict resolution has been weak or nonexistent, and the results of more informal cooperation, such as in Liberia, have been equally problematic. Nonetheless, these failures should not lead to the reflex deployment of UN forces, but to enhanced efforts at regional cooperation, as the UN Charter itself actually contemplates in Chapter VIII

Closely related, at least recently, to the interstate versus intrastate nature of the armed conflicts is the issue whether the parties to a particular dispute fully understand and consent to the involvement of UN peacekeepers, and for what purpose. In the case of interstate conflicts, the identity of the state parties and their relative military strengths is usually well known to the UN or to key members of the Security Council. Thus, agreement among the parties, if they are truly willing, can be readily established, and their respective compliance monitored and verified. By contrast, in both Somalia and former Yugoslavia, it has been far from clear who all of the parties to a particular dispute actually were, whether these parties have in fact given unconditional, informed consent to the deployment of UN forces, and whether there is agreement on the definition and scope of the UN mission to which consent is being sought.

In Somalia, various of the feuding warlords believed that a UN mission might work to their military or political advantage or disadvantage on the ground. When they came to believe that the UN's presence was not actually working in their favor, or when they believed that the intercession of another military force (such as the United States) might be more to their advantage, their views of the utility of the UN peacekeepers typically changed. Even more dramatically, when foreign forces, whether under U.S. or UN command, sought to capture or punish warlords, such as the celebrated Mohammed Farah Aideed, local views of the "peacekeeping" forces could alter radically. "Consent" by the parties under such conditions is thus highly ambivalent, and subject to change at almost any minute. Needless to say, political and military stability are hard to preserve when consent is so much at issue.

In former Yugoslavia, the parties had substantially different views as to what UNPROFOR troops were actually intending to do. The Croats hoped that UNPROFOR would prevent further ethnic cleansing by the Serbs, and, indeed, help restore the Croats to homes and villages from which they had been ousted. When the Croats came to understand that UNPROFOR had neither

the Security Council mandate nor the military resources to undertake such tasks, they adopted a very different view toward the peacekeepers. Croatian Serbs, on the other hand, saw the presence of UNPROFOR as an unwelcome impediment to their further consolidation of political control over territory in and around the UN Protected Areas ("UNPAs") which they had already seized.

Similarly, in Bosnia, Moslems hoped that UNPROFOR would prevent the military strangulation and capture of Sarajevo and other major urban centers by the Bosnian Serbs. Since UNPROFOR once again lacked either the mandate or resources for such objectives, and was barely able, even by its physical presence, to keep open lines of humanitarian assistance, the Moslems were obviously disappointed. The Bosnian Serbs saw the UNPROFOR deployments around the Sarajevo airport as undermining their ability to consolidate their military gains, and the UNPROFOR-escorted convoys as occasional shams to deliver something more than food and medicine to the Moslems. In both cases, many foreign parties probably expected that the Croatian and Bosnian Serbs would take orders from Belgrade, thus helping to reduce the uncertainty over who was actually required to give consent. Whether by intention or by artful practice, however, the various Serb factions have given no indication they accept orders from any but their own leaders, and perhaps not even then.

Where the breakup of former Yugoslavia might once have been a crucible for Cold War conflict, and thereby more typical of interstate disputes, and thus potentially more amenable to a traditional UN peacekeeping role, present circumstances render the warfare among the new Balkan states fundamentally an internecine struggle. Even pan-Slavic feelings by the Russians toward the Serbs, ties of religion and ethnicity among Croats and some Western Europeans, and religious bonds between Bosnian Moslems and the rest of the Islamic world (the least visible bond of all, at least to date) have not been sufficient to make the several Yugoslav factions surrogates

in a larger "war." In an ironic sense, lodging the collapse of Yugoslavia in a broader conflict might have provided greater certainty of identifying parties that could authoritatively give consent to a UN presence, but that was not to be.

Haiti is another example of intrastate conflict beyond the scope of the Security Council's jurisdiction to preserve and maintain international peace and security, and where one can barely find "parties" at all to give consent. The military and police forces of the ancien regime have been largely dissipated (on the surface), and are as yet not fully replaced. President Jean Bertrand Aristide's followers can be called a "political party" only by a stretch of the Western imagination, and the "wealthy elite" come in many different forms. Which entities or individuals had provided consent at the outset of the Haiti operation, and which may remain viable today or tomorrow changes rapidly, providing considerable concern about impending developments. Although the negotiated insertion of American forces and the immediate aftermath have been largely peaceful -- and certainly less dangerous than I had feared before the invasion -- the crucial handover to the UN and subsequent critical developments in Haiti yet remain.

Of these three examples, Haiti also demonstrates the massive failure of regional organizations to shoulder the burdens originally contemplated for them in Chapter VIII of the UN Charter. The Organization of American States ("OAS") is the most stable and mature of all of these organizations, not to mention the one with the highest level of democratization of its member governments. Yet the OAS, despite extensive efforts by the United States, Canada, Venezuela and others was utterly unable to resolve the unraveling of Haiti, just as a few years earlier it had been unable to deal with the narco-dictatorship of Manuel Noriega in Panama. The OAS's failures are troubling not only for their own sake, but because of what they imply about the likelihood for broader failures by other regional organizations, which do not even now have the potential of the OAS

Finally, and most important, supporters of a broader role for the UN have blurred the crucial distinctions between "peacekeeping" and the range of more ambitious activities they wished the UN to undertake. Although our vocabularies have been expanded greatly by the variations of phrases that have emerged recently, the two central terms -- and the distinctions between them -- are these.

-- peacekeeping is the deployment of UN forces in the field, with the consent of the parties to a dispute, to help prevent conflict and lead to the resolution of a dispute, with the UN acting impartially, and using force essentially only in self-defense; and

-- peace enforcement is the deployment of forces under UN command to help prevent conflict, or distribute humanitarian assistance, which may seek to be impartial and use limited force, but which is fully prepared, commanded and equipped to use whatever force is necessary to accomplish its mission.

Advocates of more extensive UN involvement in such conflicts as Somalia and Yugoslavia jumped too quickly to the conclusion that UN successes in peacekeeping could be translated automatically into UN successes in peace enforcement. Their failure to see and understand the enormous distinctions between the two types of operations directly contributed to the American deaths in Mogadishu, and thereby to the backlash in American public opinion against placing U.S. troops under UN command. Similarly, confusion over the respective mandates and missions of UNPROFOR and NATO in Bosnia have led to some of the greatest tensions between historic allies such as the United Kingdom and France on one hand and the United States on the other since NATO's inception.

The lessons derived from failing to understand this third critical point most directly contribute to the sense of international malaise about the future of the United Nations as it approaches its fiftieth birthday. They also demonstrate why the UN's best friends are often its worst enemies. Member governments assigned the UN more complex tasks than there was political will, resulting in human tragedies and political disasters such as Somalia and former Yugoslavia.

B. The Prospects for the Next Fifty

Although it is often difficult for some Americans to say, and even more difficult for non-Americans to swallow, the blunt fact is that the future of UN peacekeeping largely depends on what role the United States chooses to find for it. There are two major caveats to that assertion, which I will discuss later, but the truth is that the UN works, in peacekeeping as in almost everything else, when the United States (hopefully joined by as many as possible like-minded nations) wants it to work. Accordingly, I hope you will indulge my assessment of the current debate within the United States about the future of UN peacekeeping, and then conclude with my two important caveats.

1. The United States

When the Bush Administration first developed the concept of the Unitary UN (discussed in an accompanying paper), it was much influenced by developments in Namibia. There, many components of the system -- UN military forces, civilian police monitors, election observers, UNHCR, UNDP, WHO and UNICEF -- all participated in what turned out to be one of the UN's most successful peacekeeping operations. The very different tasks that had to be performed, the range of expertise required, and the differing needs of the various components of UNTAG all

required skillful coordination. It was not difficult to apply this insight to other, even more complicated peacekeeping operations in the future. Even so, in 1989 and early 1990, peacekeeping still remained a relatively small part of the UN's overall budget. In just a few years, however, that changed dramatically, and has continued to do so in the last two years.

In his recent supplement to An Agenda for Peace (1992), published in January, the Secretary General himself noted that the additional demands on the organization had resulted in the following worrisome statistics:

	<u>As of 1/31/88</u>	<u>As of 1/31/92</u>	<u>As of 12/16/94</u>
Disputes involving the UN	11	13	28
Total deployed peacekeeping operations	5	11	17
Military personnel deployed	9,570	11,495	73,393
Civilian police deployed	35	155	2,260
Annual UN peacekeeping budget (millions of US\$)	230.4	1,689.6	3,610.0 (projected)

These figures testify dramatically to the recent greatly expanded role of peacekeeping, especially during the current Administration, at least when it purports to follow its policy of "assertive multilateralism." I do not propose, for present purposes, to dwell on the wisdom or necessity for this expansion, because to do so would necessarily involve a detailed analysis of each

UN operation. In truth, I am never very certain what the Administration's position is on any given day, which provides another reason not to burden you further. Nonetheless, the proliferation of peacekeeping operations, and the sometimes tragic lessons we have learned from them, warrant careful attention in the contemplation of any future or ongoing UN peacekeeping activities

The most important budgetary implication of greatly expanded peacekeeping activities is caused by the difference in the level of assessments that the United States faces. For some time, the U S share of the UN regular budget has been limited to twenty-five percent (25 %). Indeed, from the inception of peacekeeping in 1940, until 1973, the U.S. assessment had been equal to its regular budget assessment, which gradually declined from the UN's founding to the present twenty-five percent level. In 1973, however, the United States felt it important to move quickly to create the Second UN Expeditionary Force in the Sinai ("UNEF II") to implement the provisions of Security Council Resolution 338. As a consequence, and because of the general weakness of the United States internationally, we were compelled to accept a scale of assessments for peacekeeping in which we and the other Permanent Members of the Security Council paid more than their regular budget assessments. See, General Assembly Resolution 3101 (XXVIII), adopted on December 11, 1973.

Under Resolution 3101, the membership of the United Nations was divided into four groups (A) the five Permanent Members of the Security Council; (B) specifically-named, economically developed member states (other than the Perm Five); (C) economically less developed member states, and (D) specifically-named less developed states (typically those whose percentage shares of the regular assessed budget were .01 of the total). Resolution 3101 specified that members of Group D were to pay ten percent (10 %) of their assessment rates for the regular budget, members of Group C were to pay twenty percent (20 %); members of Group B were to pay one hundred percent (100 %), and members of Group A were to pay one hundred percent

(100 %) plus the amounts not otherwise apportioned. Finally, Resolution 3101 required that, within each group, the total amount apportioned was to be distributed among the group's members on the basis of the relative weight of each group members regular budget assessment, in relation to the total weight of the group.

Although UNEF II's scale was supposed to be a one-time exception to the practice of funding peacekeeping operations consistently with the regular budget scale, every subsequent peacekeeping mission has adhered to the formula adopted for UNEF II. (While the formula itself has not changed, the composition of the four groups specified in Resolution 3101 has changed because of the admission of new member governments to the UN, and several minor modifications to the groups contained in subsequent General Assembly resolutions.

Since, under the provisions of Resolution 3101 and its successors, the overwhelming majority of the members of the General Assembly pay much less for peacekeeping than they would if the regular budget scale of assessments were followed, reverting to the pre-UNEF II practice did not seem possible for many years. Because total peacekeeping budgets were relatively low until approximately 1988, however, the differential in the scale of assessments did not have a major budgetary impact for the United States.

By contrast, as peacekeeping began to expand rapidly, the financial impact of the higher peacekeeping scale of assessments began to be felt increasingly more strongly in U.S. budgets. Accordingly, the Bush Administration decided to seek to return to the regular budget scale of assessments as soon as possible. Many in the State Department, however, opposed -- and effectively blocked any efforts to implement -- the Administration's policy. They complained that the policy would be too hard to implement politically, too costly diplomatically, and generally not worth the effort. The consequence, of course, was that American taxpayers were left to pay the

difference between the regular and peacekeeping scale of assessments.

During the 1992 election campaign, Governor Clinton also endorsed the position that the United States should pay no more than twenty-five percent of the cost of UN peacekeeping operations. This position became even more important as the U S share for peacekeeping continued to rise, reaching 31.7 percent in early 1993. I am not aware, however, of any significant diplomatic efforts to date during this Administration to reduce the U S (and other Perm Five) assessment levels.

As explained above, the workings of the peacekeeping formula first adopted in Resolution 3101 are such that the U S. percentage increases as the shares of other Permanent Members decline. Thus as the United Kingdom and France -- and more recently, the Russian Federation, as the successor state of the Soviet Union -- have seen their regular budget assessments fall, that of the United States has risen. By 1994, according to Section 101(5) of H R. 7 (104th Cong., 1st Sess), the current American share of the costs of UN peacekeeping had increased to almost \$1,500,000,000.

H R. 7 is the principle legislative vehicle for one of the major elements of the Republican "Contract with America," the 1994 electoral stratagem devised by the current Speaker of the House of Representatives, Newt Gingrich. It is similar in most respects to S. 5, a companion bill introduced in the Senate, and the low numbers of both bills (assigned at the times they were introduced in this session of Congress) attest to the importance attached to them in both the House and the Senate. With Republican majorities in control of both Houses of Congress for the first time in forty years, its passage, even with some weakening amendments, seems basically ensured as of now.

H.R. 7 attempts to address the financial crisis faced by the United States by providing, in Section 509, an amendment to Section 10 of the United Nations Participation Act of 1945 that would preclude the United States from paying more than twenty-five percent of all assessed contributions in any fiscal years after fiscal 1995. In a very real sense, this approach is similar to what Congress did in the 1980's, by refusing to appropriate the full amount of the U.S. assessed contribution throughout the UN system because of outrage over the anti-Western and specifically anti-American bias of so much of the organization. That strategy had a very sobering effect on the UN, and withholding a portion of the U.S. peacekeeping assessment may have a similar impact today. In any event, it should be a high priority of the U.S.'s foreign policy (on a bipartisan basis) to convince the other member governments in the UN to agree to return the scale of assessments to equivalence with the UN's regular budget assessments at the earliest possible opportunity.

H.R. 7 proposes a number of other changes in the U.S. approach to funding UN peacekeeping, also by amending the United Nations Peacekeeping Act of 1945. Several provisions of H.R. 7 seek to provide credits against the U.S. peacekeeping assessment for "in kind" expenditures on such support functions as transportation, communications, intelligence and logistical support, which are consistent with Bush Administration policy in that regard. Section 506 provides that the Secretary of Defense may waive the reimbursement requirements if emergency circumstances so justify, which should provide the Executive Branch with sufficient flexibility to implement the offset requirements, which I would support.

The calculation of Department of Defense costs is subject to many variations, which can result in widely varying offsets for essentially the same services. These variations occur because of different costing assumptions which are often as much political in nature as they are accounting decisions. Our Congress must define these costs more precisely, so that there is a better idea

what the total amount of the credits would be in any given fiscal year

Section 508 of H.R. 7 prohibits the use of Department of Defense funds for paying assessed or voluntary contributions for UN peacekeeping operations. This is a sound provision, which maintains centralized Legislative and Executive Branch control over U.S. contributions to all parts of the UN system. Section 508 similarly restricts the use of Department of Defense funds for the incremental costs of U.S. participation in UN peacekeeping without express Congressional approval, and this, too, is a sensible policy, along with Section 510's requirement that potential U.S. suppliers for peacekeeping activities be allowed to compete equally with potential foreign suppliers. (Indeed, this requirement might well be made applicable to all UN procurement, not just for peacekeeping activities.)

The question of intelligence sharing with the UN also has important budget and management -- as well as critical national security -- implications. Section 512 of H.R. 7 attempts to restrict the President's authority to share such intelligence except pursuant to a written agreement between the President and the Secretary General, and a notice-and-wait provision prior to any such agreement entering into force. While I understand the profound interest in protecting sensitive intelligence information, along with sources and methods, I wonder whether an agreement between the U.S. and the UN is the best way to accomplish that objective. I can easily imagine, for example, that the Secretariat's opening gambit in negotiating such an agreement will be an effort to prohibit or limit the gathering of intelligence in connection with UN activities. While it is hard to believe that any Administration would agree to such a prohibition or limitation, even having to negotiate the issue could raise difficult issues. The draft of H.R. 7 recently reported out of committee in the House reflects substantial changes in the intelligence-sharing provisions from the bill as originally introduced.

As a former official of both the Departments of Justice and State, I am certainly sensitive to arguments made by the Executive Branch based both on Constitutional authorities and sound management principles against micromanagement. Indeed, during my service in the government, I testified in support of many such arguments, and I certainly do not estimate their constitutional or political importance.

Many Americans ask why the United States, almost alone among the 184 member governments of the U.N., must bear not only the largest assessed share for peacekeeping, but also must expend apparently quite extensive Defense resources at a time when all resources are constrained by tight budgets. If the Clinton Administration's own figures and calculations are correct, I can only conclude that the United States seems to be paying early and often for UN peacekeeping activities, once in assessed contributions appropriated by Congress, and once in in-kind amounts supplied by the Department of Defense. Surely, this imposes an unfair burden on our government and taxpayers, who may not even be aware of this "double billing" for UN peacekeeping. If other UN members, such as the United Kingdom, Japan and France are also paying "twice," it is up to their respective taxpayers to take appropriate action on their behalf.

While these budgetary proposals seem mundane, they could result in a profound impact on UN peacekeeping. Moreover, these costing provisions of H.R. 7 really implicate a larger policy question as well, and that is the direct involvement of U.S. forces in UN peacekeeping. Other provisions of H.R. 7 (notably Title IV) greatly restrict the President's ability to place American forces under UN command or operational control in peacekeeping activities. Similarly, Section 5 of S. 5 (104th Cong., 1st Sess.) provides for essentially the same restrictions. I do not underestimate the strength of feelings underlying these proposals, based as they are on the tragic lessons of Somalia and the fear of similar disasters in other UN peacekeeping operations. The legislative focus on command-and-control issues has only been enhanced by the repeated inability

to develop a coherent policy in Bosnia. Senator William S. Cohen (R., Me.) recently charged in Munich that UN forces in Bosnia were "trapped in layers of a disastrous command structure" that prevented any effective response to Serbian aggression against civilian populations. Such criticisms only reinforce the "lessons" of Mogadishu, namely that UN command-and-control procedures are woefully inadequate.

The underlying issue, however, is whether US forces should ever be placed under UN command, not just what the command structures might be. During the Cold War, a major element of the uneasy agreement among the Five Permanent Members of the Security Council known as the "Perm Five Convention" guaranteed that no armed forces of the Perm Five were ever to be deployed in peacekeeping operations. Although there were a few minor exceptions to the Perm Five Convention over the years, it was generally adhered to quite closely.

There were numerous reasons for this aspect of the Convention, stemming largely from mutual distrust as to what forces from one or another of the Perm Five might actually be doing in addition to their assigned "peacekeeping" responsibilities. There was, in addition, however, the continuing reason that not deploying their own troops gave the Perm Five a certain objectivity and detachment in leading Security Council governance of peacekeeping activities. This distance provided a perspective that inserting troops into a dangerous crisis situation would not afford. The wisdom of the Perm Five Convention is daily displayed in Bosnia, where British and French policy seems more determined by their (legitimate) concern for the safety of their troop contingents stationed with UNPROFOR than by larger geopolitical issues.

Therefore, the real policy question is whether we should not seek a revival of the Perm Five Convention that would preclude any major deployment of U.S. and other Permanent Member troops in UN peacekeeping, especially for those involving "peace enforcement." In

endorsing this approach, the New York Times recently editorialized that "[e]nforcement missions require the kind of firepower that only major powers can supply, but these powers do not easily subordinate their armies to U N command " Indeed, the Times argues for a general scaling back to traditional UN peacekeeping operations like monitoring cease fires, using troops from smaller and neutral states The command-and-control problem is thus solved for real enforcement missions by assigning them "to the armies of major military powers, under Security Council mandate but national combat command." I believe that this is a sound approach.

In reading H R. 7, I am struck by the number of provisions which are closely related to policy initiatives which were undertaken, many of them unsuccessfully, during the Bush Administration. In retrospect, had the UN, its supporters, and other member governments taken our admonitions more seriously, perhaps we would not be at the critical point of considering legislation which would impose those and other, even stricter policies, as a matter of law. I conclude regretfully, however, that the vicissitudes of Clinton Administration policy, the intransigence of the Secretariat, and the indifference of other member governments have led us almost inevitably to the present situation. Indeed, many UN advocates may come to look back on the Bush Administration as "the good old days" for the organization generally, and for peacekeeping specifically.

2. Caveat One China

As the recent rise of UN peacekeeping successes stemmed from changes taking place within the former Soviet Union, so too the future of UN peacekeeping will depend not only upon the policies of the United States, but also upon events in China There, the actuarial tables will inevitably produce changes in the top leadership of the country, with consequences that no one can presently foresee. Whether China continues the path toward a market economy, whether

democratic institutions begin to grow there as they have in Taiwan and Hong Kong, whether China will be outward-looking, and whether it will be peaceful in its relations with neighbors, are all unknowns.

In recent years, most dramatically in the Gulf Crisis, but also in virtually every other major Security Council action, the Chinese have been non-participants in the debate. They have not vetoed important resolutions, such as Resolution 678 authorizing the use of force against Iraq, but have frequently abstained. Although the rhetoric accompanying such abstentions has often been critical of the actions the Council was taking, the act of refraining from casting a veto was really the message being sent from Beijing. China has typically acquiesced in what the Security Council has recently decided, even when Beijing was not prepared publicly to support such actions.

This ambivalence stems from many factors. China, like the former Soviet Union before it, relishes its role as one of the Council's five Permanent Members, a leadership position which permits it to take a broad world view, and to speak as a "superpower" in the only internationally recognized sense. At the same time, China has not yet discarded its long-standing role as a champion of the "Third World" countries which were once thought to stand between the U.S. and the U.S.S.R. This diplomatic schizophrenia is only compounded by the "long wait" in Beijing for the generational change in leadership which is inevitably coming. During this period of uncertainty, China's diplomatic establishment (and much of the rest of its political leadership) is reluctant to take bold steps even in areas of its most direct involvement, let alone in the Security Council. This reluctance and hesitation will not change for some years to come, and until it does, predicting the future of UN peacekeeping is a risky business at best.

3. Caveat Two: Changing the Security Council's Membership

Obviously, there are many proposals under consideration for changing the membership of the Security Council, most all of them proposing to add Japan and Germany as Permanent Members. Some involve adding other Permanent Members from the Third World, perhaps on a regional or rotating basis, some contemplate the abolition of the veto even for existing Permanent Members, and some would change the Council's jurisdiction. One proposal that has not found much support in London or in Paris (although much loved in Tokyo and Brussels) is to drop the U.K. and France as Permanent Members, and replace them with Japan and the European Union ("EU").

This is not the place for a full-scale rehashing of the pros and cons of substantially changing the Security Council's membership. Were it such a place, we could speculate endlessly about the possible effects of such changes on UN peacekeeping, but it would be a singularly ill-informed and unenlightening discussion. Suffice it to say that the issue of the Council's membership is one that will be plaguing all of us for some time to come, as will its potential impact on peacekeeping.

CONCLUSION

The future of UN peacekeeping is thus undeniably murky, which may be disappointing, but which should not be surprising. Utopian claims for the UN, so common just two years ago, and from the Clinton Administration in particular, have, hopefully, been returned to the boxes in which they so rightly belong. The harder task for the United States of looking after our own interests, and the concentric responsibility of leading the protection of Western interests globally, is the correct focus for Washington and allied capitals through the next decade of confusion and uncertainty. There will be time enough to return to grand schemes for UN peacekeeping when our own interests are better defined and secured.

**LEARNING THE LIMITS:
THE POLITICS AND PRIORITIES OF THE UNITED NATIONS
IN THE NEW WORLD ORDER**

**Toward a Unitary U.N.:
Creating Political Order Out of Agency Chaos**

by

**John R. Bolton
President,
The National Policy Forum**

**February 13-14, 1995
The University of London**

Most of the media attention devoted to activities of the United Nations concentrates on peacekeeping activities authorized by the Security Council, and much less frequently on humanitarian assistance programs carried out by a limited number of UN specialized agencies. This limited media focus thus frequently ignores the work carried out by the many other UN organs, the growing cost of that work, and its long-term problems and ramifications. I propose in this paper to examine briefly some of the implications of the "unseen UN," and what the policies of member governments, especially those of the major contributors to the UN system, should be. Space limitations preclude an agency-by-agency assessment of the work of particular organizations, although other participants will touch on several agencies in some detail. Here, the focus is on the systemic operations of the UN system, with illustrative examples from specific agencies that highlight particular themes and problems.

I. BACKGROUND AND HISTORY

A. EARLY DAYS

When the United Nations was founded in 1945, there already existed a number of international organizations which had been established to meet certain limited transnational functions. For example, the International Telecommunications Union ("ITU") was created in 1865, the Universal Postal Union ("UPU") came into being as a result of the Bern Convention of 1874, which created the first collective mechanism governing international postal service, and the International Labor Organization ("ILO") was founded in 1919 as a part of the Treaty of Versailles. In the years after 1945, these and other organizations negotiated agreements whereby they became parts of the UN system for most of their significant substantive and managerial functions. Each, however, preserved its own governing body, composed of all or a part of the

state members of each organization.

During this same period, a number of new organizations were also created, usually as subsidiary bodies of the UN Economic and Social Council ("ECOSOC"). Although it is difficult to recall today, ECOSOC was originally (and highly naively) conceived under Article Seven of the UN Charter as one of "principal organs" of the new organization. ECOSOC was thought to be the economic and social counterpart of the Security Council in the political-military world, the International Court of Justice ("ICJ") in international legal affairs, and the Trusteeship Council for matters within its jurisdiction. ECOSOC never lived up to its founders' expectations, and even today shows little prospect of rising from its own ashes. Its numerous offspring, however, grow and grow.

The newly created bodies, usually known as "specialized agencies," spanned a wide array of disciplines and functions. The World Health Organization ("WHO") was founded in 1946 by sixty-one states (and incorporated the previously existing Pan American Health Organization, or "PAHO") and headquartered in Geneva; the Food and Agricultural Organization was established in 1945 by forty-four governments (incorporating the former International Institute of Agriculture in Rome); the UN Educational Scientific and Cultural Organization ("UNESCO") was created in 1945, and located in Paris; and so on.

Over the years, other new organizations were created, not all of them technically "specialized agencies," but nonetheless performing functions deemed to be important by the General Assembly. Thus, the first UN High Commissioner for Refugees ("UNHCR") was appointed in 1949, shortly followed by the creation of an Office to facilitate his work. Similarly, in 1957, the International Atomic Energy Agency ("IAEA") came into being as an independent intergovernmental organization under the aegis of the United Nations. (For many purposes, the

International Monetary Fund ("IMF"), the World Bank family (the International Bank for Reconstruction and Development, "IBRD", the International Development Association, "IDA", and the International Finance Corporation, "IFC"), and the former General Agreement on Trade and Tariffs ("GATT") are part of the UN system. Since their functions, financing and governance are so different from other organs of the UN, they are typically not considered in most analyses of the system, and they will similarly not be included here.) For purposes of simplicity and brevity, however, all of the various functional or programmatic bodies of the UN system will be referred to in this paper as "specialized agencies."

Although generally under the nominal supervision of either ECOSOC or the General Assembly, most all of these bodies have their own governing bodies, and function largely on their own, with only limited or sporadic direction by the central UN member-state councils or the Secretariat in New York. In the early days and through most of the UN's history, their work went largely unnoticed, concentrating as it did on basically technical matters, such as standards setting, providing international uniformity in practices crossing national boundaries, basic scientific research and the like. It is not hard to understand, therefore, why the workings of the UPU, for example, did not routinely appear on the front pages of major Western newspapers.

B. THE COLD WAR AND THE AFTERMATH OF DECOLONIZATION

The wave of decolonization brought, as an essentially inevitable consequence, a dramatic enlargement of the membership of the United Nations, and of almost all of the specialized and other agencies which formed part of the larger system. Although the initial impact of the increase in membership was slight, over time the work of the specialized agencies and the entire UN system was changed in several major ways.

First, the new UN members, largely developing (or "Third World") countries began to see the specialized agencies as vehicles through which foreign assistance could be channeled. The less developed countries ("LDC's") were learning to seek assistance from bilateral donors such as the United States and their former colonial powers, from international financial institutions such as the World Bank and others, and increasingly through the euphemistically labeled form of "technical assistance" from the UN system. The donors originally did not discourage this approach to the UN specialized agencies (and most still do not) because they saw the agencies as possessing a wide variety of technical expertise that they could not readily incorporate into their bilateral foreign aid programs. Use of the specialized agencies was also originally believed to be an efficient way of avoiding the creation of duplicating bureaucracies within the World Bank, although this expectation was largely unfounded. Interestingly, the former Soviet Union was often not a member of many of the UN specialized agencies in the early days (or, in the case of the FAO, even today).

Second, the Third World nations, by and large, had become appealing targets of Communist propaganda in the Cold War struggle against the West. The Soviet Union and its allies saw the UN General Assembly, and increasingly the specialized agencies, as venues in which they could pursue their anti-Western agendas, typically with greater and greater success. Blocked as they were by the potential of Western vetoes in the Security Council, the Soviets needed only to assemble a majority of members present and voting in the General Assembly or the governing bodies of the specialized agencies in order to put the United States and the West in general on the political defensive. Although many of the major contributors to the specialized agencies argued that the work of the agencies should remain technical and nonpolitical, their arguments were typically and easily brushed aside.

Third, these Soviet strategies were soon emulated, for their own purposes, by Third

World governments eager to make their own political and economic points. In addition to seeing the UN agencies as spigots through which enlarged amounts of foreign assistance could be directed, the LDCs, in the late 1960's and 1970's, adopted an increasingly strident economic and political agenda. Parading under such banners as the "New International Economic Order," and the "New World Information and Communications Order," the Third Worlders were known for political purposes as the self-described "Non-Aligned Movement" ("NAM"), and for economic purposes as the "Group of 77" ("G-77," although as the number of members grew, the name remained "G-77"). They saw the General Assembly and the specialized agencies as inviting targets. From the Law of the Sea Treaty to a series of efforts at regulating multinational corporate behavior, to efforts to bring the IMF, the World Bank, and the GATT under General Assembly control, the NAM/G-77 stalked the halls of the UN and the streets of New York, Geneva, Rome and the other UN cities, looking for opportunities to advance their ever-broadening agendas.

The Third Worlders, often with Soviet encouragement and assistance, also sought to advance their political agendas as well. Many African states used the General Assembly and the specialized agencies to vent their displeasure against the apartheid system in South Africa, and succeeded in driving South Africa into nonparticipation in or withdrawal from the entire UN structure. Similarly, Muslim and other states sought to delegitimize Israel by challenging its credentials, criticizing its conduct in the Middle East, and by attacking the very core of the Jewish state by equating "Zionism" with "racism" in the 1975 General Assembly Resolution 3379(XXV). When not busy with these and other causes, many NAM governments took every opportunity, again with overt or tacit encouragement by the Soviets, to criticize the policies of the United States and other Western states, most notably in UNESCO, and in the General Assembly itself.

Although many governments joined the United States in opposing the politicization of the

specialized agencies, and the general tendency to use the international system for causes far removed from the minds of the agencies' founders, most found ways to acquiesce in the Third World assault on their values. The General Assembly, many of these Europeans explained patiently, was a forum for the Third World to "let off a little steam," and to at least have their voices heard. Similarly, efforts to politicize the specialized agencies were downplayed as minor impositions on the otherwise important scientific and technical work of these bodies. Although, in retrospect, these attitudes now seem paternalistic and patronizing, many in the United States agreed with them, notably in important circles of the Carter Administration.

The 1980 election of Ronald Reagan, however, brought a dramatic change in American attitudes toward the UN generally and the specialized agencies in particular. The United States adopted the then-heretical view that it actually cared how nations behaved in the UN system, the U.S. would watch and listen carefully to the votes cast by other member nations, and what they said in their speeches in the many UN governing bodies. Moreover, Washington made it clear that U.S. policy would be affected by those votes and speeches. Initially, the new American approach, which grew and evolved as the Reagan Administration came more and more to grips with the UN reality it faced, caused little or no change in the behavior or voting patterns of most member governments.

Heads turned, however, when the United States announced its withdrawal from UNESCO, which became effective on December 31, 1984, following a thorough internal U.S. policy review of the utility of U.S. membership in all of the specialized agencies. (The U.K. and Singapore also subsequently withdrew from UNESCO, effective on December 31, 1985.) Shortly thereafter, Congress expressed its outrage over what it perceived to be the inadequacies of the UN system by appropriating less than the full assessments levied upon the United States by the various governing bodies of the UN system. The result was that the Executive Branch had to

apportion the lesser amounts actually appropriated among the major UN organs, thus creating growing arrearages in the amounts the United States had been billed

The withdrawals from UNESCO (and consequent loss of nearly one-third of UNESCO's monetary contributions), together with the withholdings of large amounts of the American contributions to several agencies financed by assessments created a major trauma in UN circles. No longer assured of full budgets without regard to what member governments said or did in governing councils, secretariats around the system were forced to undertake major economies, later grudgingly ratified by their memberships. Many governments began to realize that American patience was not limited, and that many of the criticisms voiced by U.S. representatives were indeed serious and merited urgent attention (if for no other reason than to induce Congress to turn the U.S. spigot back on).

Even then, however, some governments, including many Western ones, strongly criticized the United States for the blunt nature of the decision to withdraw from UNESCO and utilize the financial weapon of withholding assessed contributions. These governments argued that the United States was behaving illegally, and that withdrawal and withholding were illegitimate ways of attempting to impose the views of one member (the U.S.) against the opinions of all of the other members. In the United States, by contrast, the view was widely held that withdrawing from UNESCO and cutting payments to key agencies of the UN system was the only way in which to engage the attention of other members, and force them to address the manifest political, programmatic and managerial problems running throughout the UN system. Those differences persist to the present day, in some cases, and caused a not inconsiderable amount of diplomatic difficulty for the United States over the intervening years.

Nonetheless, the Reagan Administration came to believe that the combined actions of

Congress and the Executive Branch had made their points internationally. This, combined with "new thinking" in Soviet foreign policy, which also opened new possibilities for the UN, the various management changes in many agencies, and the seeming growth in responsible behavior among member governments, led the Reagan Administration to relent in its pressures for reform, at least partially. In its last full budget request submitted to Congress, President Reagan proposed a six-year program for the repayment of the American arrearages, together with a commitment to full funding of the annual U.S. assessments for those agencies so financed. The Bush Administration adopted the Reagan program, and persuaded Congress to begin repaying the arrearages in the budget adopted for the 1991 fiscal year, and in both years thereafter until the Administration left office. Neither Administration was persuaded, however, that much had changed at UNESCO, and the United States remained a non-member.

II. MANAGING THE MENAGERIE: THE "UNITARY UN"

A. WHO CARES ABOUT MANAGEMENT?

As noted above, I do not intend in this paper to address the programmatic or substantive work of particular UN agencies, but rather the more general question of their overall direction and supervision by member governments of the respective bodies. At the outset of this discussion, I think it is vital for interested observers to understand that the importance of tight and effective management and stringent budgetary scrutiny still does not pervade the UN culture. Many member governments, especially those with very small assessed contributions, either do not place a high national priority on management and budget issues, or lack the capacity to engage in effective analysis of proposed budgets within the UN system.

Even members of the Geneva Group (the membership of which includes the industrial democracies whose rates of assessed contributions generally exceed one percent (1 %) of the annual budgets of most UN bodies, and whose aggregate share of UN budgets exceeds 70 percent (70 %) of each agency's total) are not uniformly diligent in insisting on enforcement of such policies as "Zero Real Growth" in agency budgets. ("Zero Real Growth" is the policy which insists that an agency's budget growth stay in line only with increased costs caused by external factors, such as inflation, not under the agency's control.) In fact, one representative of a G-7 nation said at a Geneva Group meeting I attended that the Group's annual reaffirmation of the principle of Zero Real Growth was so painful that it was like his annual trip to the dentist. In addition, some Geneva Group members were actually concerned that Third World countries would react adversely to any visible efforts by the large contributors to enforce budget discipline. Finally, the secretariats of the UN components (which draft proposed programs of work and calculate the associated expenses), needless to say, often reflect only the generic bureaucratic imperative to expand their respective turfs, personnel and budget levels.

The United States' repeated efforts to enhance the efficiency of UN agencies often provoke angry reactions from some member governments, as if cost reductions and savings were somehow targeted directly against their national interests. Indeed, some supporters of the UN, even in this country and the United States, believe that stressing financial controls and practices is simply a covert way of subverting the work of the UN, or making it less effective. Needless to say, these criticisms are far off the mark. Nonetheless, much work remains to be done in explaining why the seemingly dry and obscure issues of management and budget are in fact central to an effective United Nations.

B. THE CONCEPT OF THE "UNITARY UN"

Although the general subject of UN reform had been in the air for some time, the Bush Administration made a special effort to raise the reform issue to new importance. The Administration recognized that it was incumbent on the United States, as the largest contributor to the UN (generally paying twenty-five percent (25 %) of most agency budgets), to fulfill its responsibilities to our taxpayers by providing the leadership required for adapting the entire UN structure to its growing responsibilities. Accordingly, we developed the concept of the "Unitary UN" as a way of guiding our diplomacy and policy in an analytically comprehensive way across all of the various UN components. Instead of a series of unrelated policies toward each UN organ, we decided to address the UN system in much the same way the Department of State's regional bureaus interacted with the governments in their respective regions. Just as an action taken toward one specific country affects overall regional relationships, by analogy, so, too, do the actions of individual UN agencies affect the operation of the entire system.

The Unitary UN concept provided us with a basis to deal coherently with the UN system on both policy and budgetary grounds. It was intended to provide rationality to a system which, over the years, had grown into a Byzantine patchwork of activities bearing scant relation to what was called for under their respective organizational charters. By definition, we intended that the "Unitary UN" would be a coherent system, a grouping of organizations each having assigned roles in carrying out programs consistent with their own charters. Finally, we intended that our principle financial objective in our continuing review of the UN system was the determination that limited member government resources be used in the most effective and efficient manner possible to achieve specific, agreed-upon programmatic goals.

We had noted the proliferation of committees, councils, conferences, and meetings, all of

which covered essentially the same issues. Numerous governing bodies all spent precious time and resources discussing precisely the same issues, often in several different UN cities. Almost all components of the UN system had expanded their programs beyond their originally intended missions, and were duplicating each other's work. Thus, we were unable to say, in the aggregate, what was actually being spent on related or overlapping activities by several different agencies. There was no system of common financial reporting and accounting practices. Moreover, experience had shown that UN organizations often had considerable difficulties in providing basic information concerning their own activities to member governments.

Even the distinction between agencies financed by assessed contributions and those financed by voluntary contributions had been blurred by the proliferation of "trust funds" and related devices whereby "assessed" agencies began to acquire supplementary voluntary contributions. Thus, the UN had grown like a coral reef over the years, unhindered by effective management review, untroubled by budgetary stringencies of the member governments, and seemingly immune from radical reform. As described above, the reaction in the United States was to defund where its earlier efforts to reform had been unsuccessful.

Following the Unitary UN concept provided us with a principled rule of decision-making to maneuver through the thicket of UN governing bodies. It permitted us to redefine the proper limits of each UN component's responsibilities, and helped avoid both empire building and turf fighting. By adhering to the original intent underlying the creation of each UN component, we attempted to achieve not only budgetary savings, but also to create a greater sense of political responsibility among member governments and secretariats. Finally, it could have enabled us to define more precisely what each UN agency should do in a broad subject area -- such as the control of illegal drugs -- thus eliminating or at least curtailing needless duplication and expenditure of scarce resources.

Had the Unitary UN concept been implemented system-wide, it could have been the next step beyond the policy of "Zero Real Growth," which was (and still is) applied only component by component. One could contemplate instances in which some agencies would grow to respond to new and emerging developments. Any such growth (in budgetary terms), however, would have been offset by reductions in the budgets of other organizations, so as to maintain Zero Real Growth throughout the UN system. Difficult choices had to be made by the member governments, not by the secretariats, because ultimately the burden of identifying and enforcing policy priorities rested with them.

Two major obstacles stood in the way of implementing the "Unitary UN" concept, and ultimately defeated our efforts before they ended on January 20, 1993. First, essentially all of the components of the UN system have their own governing bodies (however denominated agency by agency). The result, visible over time, was "mission creep" in virtually every agency's mandate, resulting in significant overlap and duplication, as noted above. Moreover, the lack of coordination among governing bodies and secretariats made coordination difficult if not impossible. Moreover, the most obvious solution -- placing all policy and budgetary authority over all of the components of the UN in one central governing body (such as the UN General Assembly) -- also had significant problems. The General Assembly was for many years (and is still substantially, even today) a highly politicized organ, and one where extraneous issues could well have precluded sound management and budgetary decision-making. Thus, centralizing authority in New York seemed unpalatable, to say the least.

The alternative -- greater coordination among the key contributors -- was also frustrated by two factors. First, delegations to the governing bodies of most of the specialized agencies and other key UN organs were generally headed by Ministers at the Cabinet level. Thus, for example, in the case of the United States, the annual delegation to the governing body of the World Health

Organization is headed by the Secretary of Health and Human Services; the delegation to the governing body of the Food and Agricultural Organization is headed by the Secretary of Agriculture; the government delegation to the governing body of the International Labor Organization is headed by the Secretary of Labor, and so on. Other governments follow essentially similar patterns of staffing and leadership. These ministerial-level representatives are, to put it diplomatically, often unswayed by management and budgetary arguments against expanding the mandates of "their" particular international agencies, even in the case of the United States.

Second, the United States stands virtually alone in the way its contributions to international organizations are legislated and handled executively. One subcommittee (dealing with the Departments of Commerce, Justice and State) in each of the House and Senate Appropriations Committees recommends appropriations for essentially all such organizations, paid out of the annual budget of the Department of State. This system substantially increases the strength of the Secretary of State, as the hand of the President in foreign affairs, in his dealings with his Cabinet colleagues. Almost all other governments, by contrast, have their respective UN assessments paid through the Cabinet department most directly involved. Thus, foreign ministries have little or no institutional leverage over other Cabinet-level ministries, and the prospects for confusion and contradictory policies are expanded. The resulting duplication, overlap and waste in international organizations is thus, in large measure, due as much or more to the weaknesses in member governments as to inefficient managements in the secretariats.

In the short term, therefore, the Bush Administration endeavored to strengthen a number of existing UN institutions, such as the Advisory Committee on Administrative and Budgetary Questions ("ACABQ"), a group of "independent" experts established in 1946 to advise the General Assembly on both regular and peacekeeping budgets. We also sought to strengthen the

Secretary General's Advisory Committee on Coordination ("ACC"), established in 1946, and consisting of the executive heads of the main UN components. We hoped that the Secretary General could make use of this mechanism to secure a greater commitment to uniformity and system-wide financial and management consistency. Likewise, we sought to strengthen the Committee for Program and Coordination ("CPC"), created in 1962, a committee of member states with a mandate to coordinate the program activities of agencies within the purview of the Economic and Social Council ("ECOSOC"). Although the ACABQ had an important role in budgetary questions involving the UN itself, both the ACC and the CPC had fallen into disrepair, if, indeed, they had ever worked very well to start with.

By the end of the Bush Administration, our efforts had met with limited success, in large part because only a small number of the other major contributors shared our desire to truly impose a Unitary UN concept upon the system. The weak coordinating structures of the UN system, moreover, were inadequate to undertake the increased responsibility we sought to impose on them. Similarly, our efforts to expand the mandate of the Geneva Group to cover the activities of the entire UN system in all of the UN cities where agencies were headquartered were only partially successful. Nonetheless, we did create the "Turtle Bay Group" in New York to scrutinize the activities of the UN organization itself, a critical first step in gaining adequate coordination among the major contributors in New York. We also expanded the Group's jurisdiction to cover not only agencies financed by assessed contributions, but those funded voluntarily as well, and made halting efforts to apply strict budgetary scrutiny to the growth area of peacekeeping operations.

Several Geneva Group members, however, particularly one, consistently opposed broadening the Group's mandate, to cover, for example, peacekeeping costs. The influence of this member of the Group also extended to some other members of what was then still known as the

"European Community" ("EC") on the ground that greater coordination among Geneva Group members might impede the growth of "European Political Cooperation." Whether, and to what extent, the United States is still "pushing the envelope" for the Geneva Group's role is an important question observers may wish to consider

C. RECENT DEVELOPMENTS

In 1991, if not before, it became apparent that incumbent Secretary General Javier Perez de Cuellar, planned to step down at the end of 1991 following the conclusion of his second term in office. Accordingly, the Bush Administration immediately began looking for a successor, coordinating with the other Permanent Members of the Security Council, members of the Geneva Group, and other interested member governments. We assigned a high priority, in evaluating the various candidates (declared or undeclared), to the importance they placed on management reform within the UN system, and the extent to which their expressed views squared with our concept of the "Unitary UN."

The Bush Administration believed that Boutros Boutros-Ghali, then a high official of the Government of Egypt, was strongly committed to sweeping reform, not only within the Secretariat in New York, but as far within the broader UN system as the role of Secretary General might take him. The Administration understood that Boutros-Ghali was campaigning, in part, by pledging to serve only one five-year term as Secretary General, thus freeing himself from any political constraints that might impede sweeping management and budgetary reforms. After his election, Secretary General-designate Boutros-Ghali reiterated these points to Bush Administration officials

The Administration therefore welcomed the Secretary General's February 7, 1992,

announcement (less than forty days after he took office) of the first phase of his plan for restructuring and streamlining the UN Secretariat. He eliminated thirteen high-level posts (Under and Assistant Secretaries General), a reduction of more than twenty-five percent (25 %). This was a significant accomplishment, and belied the repeated claims of previous UN administrations that additional cuts beyond those instituted in the late 1970's were impossible. Obviously, the major gain from these reductions could not be measured simply in monetary terms, but as symbolic of a larger effort to institute a more rational and streamlined Secretariat structure. By regrouping major functions (replacing five separate departments with only three new ones, for example), the Secretary General had reduced the number of officials reporting directly to him, thus permitting him to spend more time on larger policy and management issues.

Although a good first step, these changes were not followed by more sweeping restructuring at lower levels in the Secretariat. Moreover, later in 1992, the number of high-level Secretariat officials was actually expanded again. Although Dick Thornburgh (former Governor of Pennsylvania and Attorney General of the United States) was designated as UN Under Secretary General for Administration and Management, his and the Bush Administration's early hopes for continued reform were frustrated within the Secretariat, as he has publicly testified in great detail. Today, there are even numerous reports in UN circles that the Secretary General would not be adverse to a second term in office.

The difficulties which attended the creation of the position of UN Inspector General ("IG"), originally suggested by Governor Thornburgh and the United States, unfortunately also attested to changing attitudes at the highest level of the Secretariat. Although an IG has now been created, it is far from clear that the office has the independence and clout it needs to function effectively. I note that H.R. 7 (104th Cong., 1st Sess.) contains several provisions which would withhold a portion of the U.S. assessment for the regular UN budget each fiscal year until the

President makes a number of certifications regarding the independence and authority of the UN Inspector General. While the Executive Branch, as a matter of normal separation of powers principles, has opposed such provisions, I do not think there can be any dispute as a matter of policy that a fully independent Inspector General is critical to the long-term efficiency and effectiveness of the United Nations. Only a strong IG can truly give members of Congress and the American public real confidence that their tax dollars are in fact being spent consistently with the practices and standards that we should expect from the UN in all of its aspects.

D. THE SPECIALIZED AGENCIES: A FEW EXAMPLES

Despite what I said earlier, let me close with just a few examples of the problems of the specialized agencies. These are merely highlights, and the actual "horror stories" which were encountered just during the Bush Administration could fill many pages.

Since I spent considerable time during my service in the Bush Administration on the issue of whether or not the United States should rejoin UNESCO, permit me to start with a word about that agency. The Clinton Administration (or at least the Department of State) had apparently intended to rejoin UNESCO, and had prepared budget requests for a notional American contribution beginning with our fiscal year 1996 (commencing on October 1, 1995). Budget deficit problems seem to have precluded this initiative, but I do not believe it has been rejected by the Administration as a matter of principle. Thus the question of the United States's position remains very much up in the air, although many in the new Republican majorities in the House and the Senate would have welcomed the opportunity to debate UNESCO on the merits.

I believe that the time has come to put aside the increasingly sterile debate about whether or not the United States (and the United Kingdom and Singapore) should rejoin UNESCO. I

believe that the real question we need to address is whether UNESCO should remain in existence at all. Many of the worthwhile aspects of UNESCO's activities -- specifically in the sciences -- could be transferred to other UN specialized agencies where their contributions would be welcome. The rest of the organization, in my opinion, would hold little or no attraction for most other member governments, and it might well then collapse of its own weight.

Just as the complete elimination of a government agency in the United States sends an unmistakable signal to other potentially vulnerable agencies that they might also suffer the same fate, so, too, would the elimination of UNESCO send such a signal within the UN system and to the member governments. A similar kind of signal worked once before, and, unfortunately it is sorely needed again today.

Moreover, even those specialized agencies which enjoy the most sympathetic press reviews often leave much to be desired. Although we all mourn the recent passing of Jim Grant, the Executive Director for many years of UNICEF (originally, when founded in 1946, the UN Children's Emergency Fund, and still known by its first acronym), the work of UNICEF in practice has often been less than praiseworthy. Frequently, the very search for publicity -- and its attendant benefits in securing both Congressional appropriations and private contributions in the United States and elsewhere -- has led UNICEF into counterproductive and unnecessary initiatives. "Chattering International," a recent report by The Social Affairs Unit, should be required reading for those familiar with UNICEF only from the organization's own press releases.

The FAO is a classic example of bureaucratic gigantism on the international scale, and almost impervious to effective reform. Long-time leadership by the same individuals and an old-boy network second to none in the community of international organizations has repeatedly frustrated reform efforts in the FAO. Indeed, the FAO's problems have led member governments

to try to isolate the other Rome-based food agencies, thus unwittingly creating inefficiencies and duplication which could otherwise be avoided

Similarly, WHO, especially in recent years, has been plagued by poor management, serious allegations of favoritism and corruption, and general lack of purpose and direction. The United States in the waning days of the Bush Administration led an effort to elect a new Director General to replace the current incumbent. By a narrow vote in Geneva, on January 20, 1993, that effort failed, adding the final injury to what was already an unpleasant day for many of us in the United States. Once again, The Social Affairs Unit has published an excellent recent study on WHO, and I have no doubt that my colleague Paul Dietrich will have much of importance to say on the subject as well

Finally, steps should be taken to strengthen the UN's Joint Inspection Unit ("JIU"), created in 1966 and headquartered in Geneva, which is charged to oversee the entire UN system to ensure that activities of the various agencies are carried out in the most economical manner. The JIU reports to the General Assembly of the UN and to the other UN agencies, although its recommendations have not been as strong as they might have been, and even those have frequently gone unheeded

III. CONCLUSION

A considerable amount of work remains to be done before the United Nations -- either in its regular work or in peacekeeping activities -- meets the management and financial standards which the United States and many other governments expect. The core work of the most important agencies can be preserved and strengthened, and the peripheral activities discarded in ways fully consistent with the intentions of the founders of almost all of the specialized agencies. That the hurdles to be overcome to accomplish this task are numerous, however, should not deter us from seeking to undertake what needs to be done. Too much is at stake, and not just financially, to let the matter drift in continued irresolution.

STATEMENT OF FRANK RUDDY
before
THE SUBCOMMITTEE ON INTERNATIONAL OPERATIONS
AND HUMAN RIGHTS

COMMITTEE ON INTERNATIONAL RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES

OCTOBER 26, 1995

William Blake wrote that he who would do good to another must do it in minute particulars. General good is the plea of the scoundrel, hypocrite and flatterer. We have heard this week, during the celebrations of the first 50 years of the United Nations, testimony of its lofty ideals and of the United Nations' promise for the general good of mankind. Let me dwell for a few moments on some of those minute particulars Blake thought so important.

I traveled to New York City October 12 to present to the Fourth Committee of the United Nations General Assembly a five minute statement on the United Nations Mission in Western Sahara, MINURSO as it is known. The Fourth Committee is concerned with decolonization, and the staff director of that committee, Mr. Ozdinch Mustafa, had advised me that the procure was for the committee to approve my appearing before it, but that approval was merely pro forma and always given. In returning to New York I returned to the city where I was born, where I attended grammar and high school, graduate school and law school, where I taught in the city's school system and at one of the city's universities, but when I got there I found out that I would not be permitted to speak to the Fourth Committee. Secretary General Boutros-Ghali had personally intervened to censor me, to keep me from speaking in my own home town.

You will respond that, of course, the United Nations is not New York City or America and can do what it wants within its own walls. That is exactly my point. The United Nations in its day-to-day workings is not only not America, it is inimical to many of the rights and traditions we as Americans hold to be fundamental.

I attach as an annex the statement the Secretary General did not want the members of the Fourth Committee, who are all member states of the United Nations, to hear. It is hardly an inflammatory or irrelevant document, but it does draw attention to the U.N.'s extraordinary waste and bungling in the Western Saharan mission and cites other sources by which they could satisfy themselves on the matter. In censoring me, the first time I am told that anyone has ever been barred from speaking before the Fourth Committee in the U.N.'s history, the Secretary General has put me alongside the Chinese dissidents whom Mr. Boutros-Ghali also barred from the United Nations. Not bad company to be in.

The United Nations primary role in Western Sahara was to run a referendum to let the indigenous people called Sahrawis decide whether to become part of Morocco or an independent state. It was the kind of job that was made for the U.N. , but four years and more than a quarter Billion dollars into the referendum, the referendum is as illusive as ever. The U.N. not only failed in Western Sahara; it abandoned its neutrality and blatantly sided with Morocco.

I testified to this before Chairman Hal Rogers' Appropriations Subcommittee last January and cited examples of Morocco's disenfranchising voters, robbery of voting documents, wire-tapping U.N. facilities and its campaign of intimidation against the

Sahrawi people, sheer gangsterism committed right under the nose of Mr. Boutros-Ghali's representative who took no action to halt it. Since that testimony, Chris Hedges of The New York Times visited MINURSO and in a March 5, 1995 article corroborated much of what I said. (Article is attached.) Human Rights Watch which also visited MINURSO is publishing this week its own report on MINURSO, documenting and updating what I reported in January.

The United Nations, as a result of my testimony and press interest, performed an investigation of MINURSO by the newly appointed U.N. Inspector General, Mr. Karl Th. Paschke. Mr. Paschke's inspection was not simply a whitewash of MINURSO and the U.N., although it certainly was that, it was so bizarre that even the Security Council rejected it almost as soon as it was published and sent out its own team rather than relying on Mr. Paschke's report. A former Assistant Attorney General of the United States said that if an inspector general of a U.S. Government agency had produced such a shoddy job, his resignation would have been sought before the ink on his signature was dry.

Under U.N. procedures, the inspector general is not allowed to protect anyone who comes forward with information for him. Any U.N. employee who discloses information critical of the United Nations can face retaliation and has no place to hide. This keeps employees from spilling the beans since their future is tied to their "attitude towards the United Nations," a formal criterion on which each employee must be rated and on which promotion and new assignments depend. If this seems overly dramatic, I cite the example of an American woman working for MINURSO when the U.N. inspection team arrived there. In her interview, Mr. Paschke's investigator told her: "Keep you mouth shut if you ever want to work for the U.N. again." She did speak out, and she has been blackballed by the U.N. as she acknowledged at a Capitol Hill luncheon earlier this year.

The U.N. Inspector General, as has now been acknowledged, may not investigate anything that might cause embarrassment to a member state of the U.N. Things of this nature have a nice Orwellian spin: they are "political questions" and beyond Mr. Paschke's jurisdiction. Thus there is the Alice-in-Wonderland scenario where the U.N. initiates an investigation of MINURSO because of allegations of gangsterism by Morocco and puts in charge of the investigation an inspector general who is forbidden to investigate even the possibility of such violations by Morocco, since such an investigation could result in embarrassment to Morocco, a member of the U.N.

One other incident speaks volumes on how the U.N. does business. The American colonel who commanded U.S. troops in MINURSO formally complained about anti-Americanism in the mission: specifically, that a senior MINURSO official publicly referred to the U.S. service personnel, men and women, serving in MINURSO as "thieves." In investigating the incident, Mr. Paschke found that it had in fact happened as described, but that since the offending official was in the habit of disparaging many nationalities, not just Americans, Mr. Paschke made light of it. As Casey Stengel used to say, you could look it up.

The United Nations acts as it does in these particulars because it can and does get away with them, regularly. Mr. Joseph Connor, the new U.N. Undersecretary for Management, is an able and conscientious man, but without support from the top, he will go the way of another able and conscientious man, Dick Thornburgh, who held the same position. Dick Thornburgh, you will recall, in 1993, presented to Mr. Boutros-Ghali an extensive report on waste, fraud and corruption at the U.N. Mr. Boutros-Ghali had the report suppressed and remaining copies shredded, as Mr. Thornburgh has himself testified.

The Secretary General has one clearly defined job as set out by the U.N. Charter: Manage the United Nations, and that is the one job Mr. Boutros-Ghali has no time for. While he concerns himself with outlandishly expensive road shows traveling from conference to conference, quixotic efforts at nation-building and peace-enforcement and more recently his proposed world-wide tax to support the U.N., we don't even know, as Senator Kassebaum and Congressman Hamilton wrote recently, how many employees the U.N. has, how its funds are spent or what programs work. It was after all an Englishman, Sir Brian Urquhart, a strong supporter of the U.N. and perhaps the best known authority on the U.N. who described it as "a rather ridiculous group of foreigners spending American tax dollars."

An article on Egypt in last Sunday's New York Times Magazine described the situation there as the old guard ruling by torture while the middle class retreats in guarded enclaves and the fundamentalists are reaping political support from the embittered lower classes. Is it just me or is it chutzpa for Mr. Boutros-Ghali, an Egyptian and former high official of that regime, to be guiding other nations within the U.N. while his own country is on the brink of chaos? Listen to all the lofty phrases and high sounding platitudes coming out of the U.N. these days, but as Blake suggested, see how the phrase-makers perform in those minute particulars.

Morocco Is Accused of Interfering in Affairs of a Smaller Desert Neighbor

By CHRIS HEDGES

Special to The New York Times

LAAYOUNE, Western Sahara — The Moroccan Government has been accused of interfering in United Nations planning for a referendum to determine sovereignty in the Western Sahara, a former Spanish colony the state of Colorado that Morocco claims. Former and current United Nations officials say that Morocco is trying to control the outcome of the vote and to maintain its hold on the area.

Morocco has tapped United Nations phones, confiscated voter documents from residents here in the largest city in the region and denied others the right to enter registration centers, U.N. officials and local residents said. It also is sending thousands of people from Morocco, Moroccan authorities say have roots in the area, to the region to register.

The interference violates an agreement by the Moroccan Government to allow open registration process for a referendum to resolve a 20-year effort for independence by residents of the area, which the United Nations does not recognize as part of Morocco.

The Western Sahara is a bleak, forbidding mass of sand in the western bulge of Africa. But the area is rich in phosphate mines and provides extensive fishing rights for Morocco along the Atlantic Coast. The Moroccan Government has invested hundreds of millions of dollars in local infrastructure.

Morocco's interference in the referendum raises serious questions about its willingness to abide by the results. But the United Nations is pressing forward, feeling that the vote is the only chance to resolve the region's status.

"The U.N. has lost control of the mission," Frank S. Ruddy, the former Deputy Chairman of the United Nations commission charged with setting up the referendum, said in a telephone interview from Washington. Mr. Ruddy left at the end of last year, shortly before his term was up, after bitter disputes with his superiors about the mission.

"The mission had become, by the time I left, an instrument of the Moroccan Government," he said. "The Moroccans in the Western Sahara intimidated the local inhabitants, who were afraid to contact us because of fear of retaliation. It doesn't matter what results come out of the referendum. The Moroccan Government will never leave the Western Sahara."

Moroccan Government officials deny the charges. They say their actions support the Polisario Front



Moroccan flags fly over a camp for Government supporters as they await registration for the referendum on Western Sahara sovereignty in Laayoune. The Moroccan Government is being accused of interfering in the registration process.

the guerrilla group that has been battling for 20 years for independence.

"These charges are absolutely false," said Chakib Laroussi, an official at the Ministry of Information. "The people who say these kinds of things are working on behalf of the Polisario to destroy the work and credibility of the United Nations."

A senior United Nations official here acknowledged the problem exists. "We don't know the extent of the problem, because we don't have direct access to the people on either side," the official said.

Erk Jansen, the chairman of the United Nations commission that is registering voters for the referendum, defended the process, saying it has required compromises by both sides and will eventually help solve the dispute.

"The process is gathering momentum," he said. "And our goal is to finish by the end of the year."

The residents of the area, called Sahrawi, were scheduled to vote in January 1992 to choose between remaining part of Morocco or forming a separate state, but the vote has been repeatedly postponed. Senior United Nations officials said the



United Nations aides say Morocco tapped their phones in Laayoune.

doubted they would be ready for the newest target date of October.

American officials also said they supported the process, noting that the cease-fire brokered by the United Nations in 1991, under the personal initiative of the Secretary General, has held with few violations. They also contended that both sides are guilty of abuses.

The conflict in the Western Sahara began in 1976 after Spain handed

over its former colony to Morocco and Mauritania. Morocco annexed the northern two-thirds, then took over the rest four years later, when Mauritania renounced its claim. But the Polisario guerrilla movement launched a war for independence, armed and largely funded by the Algerian Government.

The rebels never controlled more than a small sliver of land. In the last few years they have been abandoned by Algeria as it mended relations with Morocco. The group now has about 8,000 fighters under arms and a base in Tindouf, Algeria, down from 10,000 at the movement's peak, and 50,000 to 100,000 followers in refugee camps in Algeria.

The United Nations has agreed to register the people in the camps. The Polisario fears that if it lets them return now it will lose control over them.

The United Nations mission and peacekeeping force in the Western Sahara were established by the 1991 agreement to hold the referendum.

The United Nations Security Council recently voted to increase the 320-member peacekeeping force, including about 30 Americans in Western Sahara with another 105 police and

more than 150 civilians for voter registration.

The process of registering voters has been very slow, using family history and tribal leaders to identify those not listed in the last Spanish census, United Nations officials said. Many applicants are illiterate and must be fingerprinted and photographed.

The operation in Laayoune averages about 150 people a day, the officials said, but fewer than two dozen people showed up on a recent day when a reporter visited. The United Nations says it has identified 15,000 people to date, although all can be subject to appeal.

"If we are very lucky maybe the referendum will take place in the middle of 1995," said a senior United Nations official involved in the identification process, who spoke on condition of anonymity.

The United Nations has already spent over \$250 million on the referendum and the peacekeeping operation, and United Nations officials calculate that the delays are costing \$100,000 a day.

[Republican budget cutters in the

United States Congress said on Feb. 23 that they want to eliminate the funds for the American contribution to this effort.]

While the guerrillas have had a role in causing the delay, the main problem is that the Moroccan Government insists that about 100,000 people be allowed to vote who were not there when the Spanish Government relinquished control. The last Spanish census there, in 1974, counted about 72,000 inhabitants. The Spanish-speaking Sahrawi come from 10 local tribes, but Morocco contends that thousands of people were expelled by the Spanish and are now returning.

Moroccan authorities also control the registration process. The native Sahrawi are allowed to enter registration centers only in groups on Government buses, United Nations officials and local residents said.

Once registration is completed, the potential voters are taken to a Government center. There they are forced to hand over the receipts that can be turned in for voter's cards to Moroccan officials, United Nations officials and local residents said. United Nations officials in Laayoune said they were unable to determine how much the interference had disrupted the process.

But the harassment by the Moroccan Government goes beyond the attempt to control registration.

On September 16, United Nations technicians in Laayoune discovered a wiretapping system on four lines to United Nations headquarters in New York, said United Nations officials involved in dismantling the system. Moroccan security agents sit outside the United Nations center demanding that everyone, including United Nations staff members, present their credentials. The United Nations also yielded to a Moroccan demand to fly Moroccan flags over the United Nations buildings.

Few diplomats, or United Nations officials, expect the Moroccan Government to give up the Western Sahara, regardless of the outcome of any referendum. There is near universal support in Morocco for King Hassan's decision to seize the area, even among opposition leaders.

"Given the political reality of the Western Sahara, given the fact that Morocco will never leave, and given that the Polisario is a spent and beaten force, many of us wonder if all this is not just another colossal U.N. waste of time and money," said a European diplomat in Rabat.

**U.N.
CENSORED-
NOT GIVEN**

STATEMENT
OF

FRANK RUDDY
U.S. AMBASSADOR (ret.)
FORMER
DEPUTY CHAIRMAN
IDENTIFICATION COMMISSION
UNITED NATIONS MISSION FOR THE
REFERENDUM IN WESTERN SAHARA (MINURSO)
BEFORE
THE FOURTH COMMITTEE OF THE
UNITED NATIONS GENERAL ASSEMBLY
OCTOBER , 1995

(301) 654 0201 (Phone)
(301) 229 5791 (Fax)

YOUR EXCELLENCY, AMBASSADOR MUTHAURA, CHAIRMAN OF THE COMMITTEE,
DISTINGUISHED MEMBERS OF THE FOURTH COMMITTEE,

THANK YOU VERY MUCH FOR ALLOWING ME TO SPEAK TO YOU TODAY. I UNDERSTAND THAT FOR THE FIRST TIME IN THE COMMITTEE'S HISTORY, THERE WAS AN EFFORT BY A MEMBER OF THE COMMITTEE TO PREVENT SOMEONE (ME) FROM ADDRESSING YOU. I HADN'T REALIZED I WAS SUCH A DANGEROUS PERSON OR THAT I WAS SO MESMERIZING A SPEAKER THAT EVEN PERSONS OF YOUR EXPERIENCE AND DISCERNMENT COULD NOT BE TRUSTED TO HEAR ME. YOU DID NOT PERMIT ME TO BE CENSORED NOR DID YOU DENY YOURSELVES THE OPPORTUNITY TO HEAR WHAT I HAVE TO SAY. I APPLAUD YOU FOR THAT DECISION, BUT I MUST WARN YOU THAT IF YOU EXPECTED SOMETHING SPECTACULAR FROM ME TODAY, YOU WILL BE DISAPPOINTED. I AM NOT EVEN GOING TO ASK THAT YOU AGREE WITH WHAT I SAY TODAY. I ASK MERELY THAT YOU CONSIDER THE POSSIBILITY THAT WHAT I SAY TO YOU TODAY IS TRUE. MINURSO HAS BECOME A CAUSE CELEBRE, AND THERE ARE MANY DISINTERESTED ANALYSES OF HOW THAT MISSION IS MANAGING THE REFERENDUM FOR WESTERN SAHARA. I ASK ONLY THAT YOU WEIGH WHAT I SAY AGAINST WHAT THESE DISINTERESTED WITNESSES HAVE SEEN OF THAT MISSION, AND I INCLUDE IN THAT CATEGORY OF DISINTERESTED WITNESSES, YOUR COLLEAGUES ON THE SECURITY COUNCIL TEAM THAT VISITED MINURSO IN JUNE OF THIS YEAR AND WILL TELL YOU FACE-TO-FACE, AND NOT IN THE JARGON OF OFFICIAL REPORTS, WHAT THEY SAW. READ WHAT THE NEW YORK TIMES REPORTER, CHRIS HEDGES, SAID ABOUT MINURSO AND WHAT HUMAN RIGHTS WATCH IS PUBLISHING THIS WEEK ABOUT MINURSO AND THEIR INVESTIGATION OF IT. BE SKEPTICAL OF WHAT I SAY, I WOULD BE IF I WERE IN YOUR SHOES, AND LOOK ELSEWHERE, TO CORROBORATE OR REFUTE WHAT I SAY. YOU ARE LIKE A JURY, AND I AM ONLY ONE WITNESS. EXAMINE ALL THE EVIDENCE AND EVALUATE ALL THE WITNESSES BEFORE MAKING A JUDGMENT. I ASK FOR NOTHING MORE THAN THAT.

I SUPPORT THE REFERENDUM:

SELF-DETERMINATION IS ONE OF THE GUIDING PRINCIPLES OF THE UNITED NATIONS, AND I SUPPORT WHOLE-HEARTEDLY THE GOAL OF ALLOWING THE PEOPLE OF WESTERN SAHARA, THE SAHRAWIS, TO DECIDE BY SECRET BALLOT, WHETHER TO BECOME AN INDEPENDENT STATE OR PART OF MOROCCO. MY CONCERN IS NOT WITH MOROCCO OR THE POLISARIO; IT IS WITH THE SAHRAWI PEOPLE, AND IT IS THEIR RIGHT TO CHOOSE, FREELY AND FAIRLY, IN A U.N.-SUPERVISED REFERENDUM THAT BRINGS ME HERE TODAY. THEY ARE BEING DENIED THAT RIGHT BECAUSE THE U.N. MISSION IS ALLOWING MOROCCO TO CONTROL THE REFERENDUM AND ITS OUTCOME.

THERE ARE MANY REASONS WHY THE GOVERNMENTS THAT SOME OF YOU REPRESENT MIGHT NOT BE CONCERNED ABOUT MOROCCO'S TACTICS IN THE REFERENDUM, OR MIGHT ACTUALLY SUPPORT THOSE TACTICS TO BRING ABOUT AN OUTCOME THEY CONSIDER TO BE DESIRABLE. IF THAT IS THE CASE, IF THE REFERENDUM IN WESTERN SAHARA IS ABOUT REALPOLITIK IN THE ARAB WORLD, LET THE U.N. JUST SAY SO AND BE DONE WITH ALL THIS TALK ABOUT IDEALISM AND DEMOCRATIC SOLUTIONS. IF YOU, AS THE U.N., REALLY MEAN IT WHEN YOU TALK ABOUT SELF-DETERMINATION FOR THE PEOPLE OF WESTERN SAHARA, YOU HAVE MUCH TO DO TO MAKE THIS REFERENDUM FREE AND FAIR.

MINURSO:

MINURSO WAS CREATED IN 1991 WITH ONE PREDOMINANT GOAL: TO HOLD A REFERENDUM TO LET THE PEOPLE OF WESTERN SAHARA DECIDE THEIR FUTURE. IF EVER THERE WAS SOMETHING THE U.N. WAS CREATED FOR, THIS WAS IT. FOUR YEARS AND A QUARTER BILLION DOLLARS LATER, THE REFERENDUM IS AS ILLUSIVE AS EVER. "JUST SIX MONTHS MORE," THE MISSION SAYS, SOMETHING IT HAS BEEN SAYING SINCE JANUARY, 1992, THE ORIGINAL REFERENDUM DATE. WORSE STILL, IF THE REFERENDUM WERE HELD UNDER THE CONDITIONS THAT NOW PREVAIL, IT WOULD BE REJECTED AS A TRAVESTY BY THE INTERNATIONAL COMMUNITY; YOU, YOURSELVES, WOULD REJECT THE RESULTS AS NEITHER FREE NOR FAIR, BUT RATHER AS A SHAM.

MOROCCAN CONTROL OF THE REFERENDUM:

I WAS THE DEPUTY CHAIRMAN OF THE IDENTIFICATION COMMISSION AT MINURSO FOR MOST OF 1994. WHAT I OBSERVED DURING THAT TIME WAS A CAMPAIGN OF TERROR AND INTIMIDATION BY MOROCCO AGAINST THE SAHRAWI PEOPLE, THE LIKES OF WHICH I HAD NOT EXPERIENCED SINCE I WITNESSED THE SPECIAL BRANCH TERRORIZE BLACKS IN SOUTH AFRICA IN THE 1970's. MOROCCO PREVENTED SAHRAWIS FROM REGISTERING FOR THE REFERENDUM, PHYSICALLY PREVENTED OTHERS WHO WERE REGISTERED FROM ENTERING MINURSO REGISTRATION FACILITIES, AND ROBBED, LITERALLY TOOK BY FORCE, VALUABLE VOTING DOCUMENTS FROM SAHRAWIS WHO HAD REGISTERED, ALL OF WHICH ABUSES WERE REPORTED TO SECRETARY-GENERAL BOUTROS-GHALI'S REPRESENTATIVE IN MINURSO WHO LOOKED THE OTHER WAY. SAHRAWIS WHO CAME FORTH TO TELL US OF THESE ABUSES BEGGED US NOT TO RECOGNIZE THEM OR TALK TO THEM PUBLICLY FOR FEAR OF MOROCCAN REPRISALS. THIS WAS SHEER GANGSTERISM WHICH THE U.N. DID NOTHING TO STOP.

U.N. COVER-UP:

I TESTIFIED ABOUT THESE AND OTHER ABUSES BEFORE A U.S. CONGRESSIONAL SUBCOMMITTEE IN JANUARY OF THIS YEAR, AND THAT TESTIMONY WAS PICKED UP BY THE MEDIA, INCLUDING THE N.Y. TIMES WHOSE REPORTER VISITED MINURSO AND CONFIRMED MUCH OF WHAT I HAD TESTIFIED TO, FORCING THE U.N. TO INVESTIGATE. IF YOU READ THE INVESTIGATION BY THE UNDERSECRETARY FOR OVERSIGHT SERVICES, MR. PASCHKE, AND I RECOMMEND THAT YOU DO, YOU WILL NOTE TWO

THINGS: AN AD HOMINEM ATTACK ON ME WHICH IS DE RIGUEUR FOR ANYONE CHALLENGING U.N. OPERATIONS, AND MOST SIGNIFICANTLY, A COMPLETE ABSENCE OF ANY FINDINGS ON ALLEGATIONS OF MOROCCAN ABUSES OF THE SAHRAWIS. MR. PASCHKE DID NOT SAY THEY DID NOT HAPPEN. HE SAID NOTHING AT ALL BECAUSE UNDER U.N. PROCEDURES HE WAS NOT PERMITTED, AS HE LATER ACKNOWLEDGED, TO MAKE ANY UNFAVORABLE FINDINGS AGAINST A MEMBER STATE OF THE U.N. WHAT I HAD TESTIFIED TO IN WASHINGTON, WHAT THE N.Y. TIMES HAD CONFIRMED, WERE MATTERS OF PUBLIC RECORD AND OSTENSIBLY THE REASON FOR HIS INVESTIGATION, YET MR. PASCHKE WAS UNABLE TO INVESTIGATE THE TRUTH OF WHAT I SAID.

CONCLUSION:

IF WHAT I SAID TO YOU TODAY WERE WITHOUT FOUNDATION AND NOT VERIFIABLE, THERE WOULD HAVE BEEN NO EFFORT TO PREVENT MY SPEAKING TO YOU. WHAT I HAVE SAID HAS BEEN CONFIRMED BY PAST AND CURRENT MEMBERS OF MINURSO AND RECORDED, AS CONTEMPORANEOUSLY AS THIS WEEK, IN THE HUMAN RIGHTS WATCH REPORT ON MINURSO WHICH I HOPE YOU WILL OBTAIN FROM THEIR OFFICE HERE IN NEW YORK. I HOPE YOU WILL FAMILIARIZE YOURSELVES WITH WHAT IS REALLY HAPPENING IN MINURSO AND DO THE RIGHT THING WHICH I BELIEVE MEANS ENSURING THAT THE U.N. FULFILLS ITS COMMITMENT TO HOLD A FREE AND FAIR REFERENDUM IN WESTERN SAHARA. IT IS IMPORTANT, NOT ONLY FOR THE SAHRAWI PEOPLE, BUT FOR THE REPUTATION OF THE U.N. WHICH CANNOT AFFORD TO BECOME A LAUGHING STOCK BY BUNGLING SO STRAIGHTFORWARD AN OBLIGATION AS UPHOLDING THE RIGHT OF SELF-DETERMINATION.

November 3, 1995
Mahassen Mara HANNA
 P. O. Box 18926
 Washington, DC 20036
 Ph: 202-544-1766

STATEMENT ON MINURSO

(THE UNITED NATIONS MISSION FOR THE
 REFERENDUM IN WESTERN SAHARA)

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
 COMMITTEE ON INTERNATIONAL RELATIONS

The Honorable CHRISTOPHER SMITH, Chairman

My name is Mara Hanna. I am thirty five years old and an American Citizen. I have a Bachelor of Arts in both Philosophy and Economics, and a Master of Public and International Affairs from the University of Pittsburgh.

I worked from June 8, 1994 until March 31, 1995 at the United Nations Mission for the Referendum in Western Sahara (MINURSO). I was fired from that mission for acting as I was required to, per regulation 1.1 of the U.N. staff rules and for pointing out the Mission management's failure to maintain integrity and independence in carrying out the referendum as required by U.N. Staff rule 1.4. For example, I said the following: "When the identification process first started, there were Moroccans with film cameras in the halls of the identification center. They would stop the Sahrawis and ask them 'what do you think about the Sahara? What do you think about the King?' They would intimidate people and make them give 'interviews'".

I pointed out what was not right and I was criticized for objecting to these abuses of the U.N. procedures. In addition, during the identification I saw irregularities; I would raise questions, or try to document things during the identification, or even just discuss these things with my colleagues. This blacklisted me. The U.N. tried to make things really unpleasant for me so I would leave: "exiling" me to Tindouf, even denying me my home leave. In February [1995] Mr. Erik Jensen, Deputy Special Representative for the Secretary General (DSRSG), told me: "We are not going to extend your contract because you do not fit into this highly politicized environment." I had to leave the U.N. on March 31, 1995. I have been following this issue with the U.N. since I left because I don't want my record to be incorrect. Mr. Krishnamachari and Mr. Hy, members of the U.N. Inspector General's team investigating MINURSO, told me that if I want to work for the U.N. again, I shouldn't go around and talk.

I hope this give you a better picture of how MINURSO operated. I am available for questions at your request.

**House International Relations Committee
Subcommittee on International Operations and Human Rights**

**United Nations Support
for the Yugoslavia and Rwanda War Crimes Tribunals**

Testimony of

Thomas S. Warrick

**Special Counsel,
Coalition for International Justice**

October 26, 1995

10:00 a.m.

Rayburn House Office Building, Room 2172

Chronology of ICTY Budget Proposals

Date and U.N. Doc. Numbers	Amount	Shorthand Name	Remarks
May 19, 1993 S/25704/Add.1	\$31.2 million	—	One-page budget, with 4 line items, attached to Secretary-General's 3 May 1993 report proposing ICTY ^a Statutes. Prepared by Secretariat in New York.
December 8, 1993 A/C.5/48/44, 93-69276 (ER) 131293	\$33.2 million for 1994-95	"12/93 Budget for 1994-95"	Prepared by Secretariat in New York. Did not include major expense categories such as rent.
March 11, 1994 A/C.5/48/44/ Add.1, 94-12652 (E) 140394	\$32.6 million for 1994-95	"03/94 Budget for 1994-95"	Prepared by Secretariat in New York. Assumed effective OTP startup in 2Q94.
December 5, 1994 A/C.5/49/42 94-48554 (E) 091294	\$28.4 million for 1995	"12/94 Budget for 1995"	Prepared by Tribunal officials in The Hague on the basis of experience

Conclusions:

1. New York appeared to think that \$30 million seemed about right, yet . . .
2. No one in the United Nations ever made a requirements analysis of what a war crimes tribunal actually needed, or what it would cost.
3. The U.N.'s Office of Legal Affairs did not seek advice of outside experts, and ignored what advice was volunteered.

Costs of Comparable Investigations

- **United States: Iran-*contra* Investigation: \$40 million**
 - This was against a small number of easily identified public figures, and so did not require the number of investigations as the ICTY will.
 - The \$40 million figure includes direct costs. It does not include costs the ICTY will have to fund, including the costs of courtrooms, security and other infrastructure.
- **France: *Tuvier* Case: 1990's prosecution of a single defendant from World War II: FFr 7,000,000**
 - This included only the cost of the trial itself, not the costs of the investigation.
- **Italy: Large-scale Mafia Prosecutions**
 - Security of investigating magistrates (roughly analogous to ICTY prosecutors) and witnesses is a major expense.
 - Costs of major prosecutions appears to be quite comparable to the costs to prosecute a single major ethnic cleansing case in the ICTY's 12/94 budget.
- **Germany: Prosecution of Bombers of the Berlin Disco.**
 - Case took years to investigate and involved investigators from many countries. The total cost is not known, but is in the millions of dollars, and perhaps tens of millions of dollars.
 - Prosecution involved shadowy terrorist figures, roughly analogous to the ICTY's conduct of investigations while a war is going on. Still, it was a prosecution of one incident. The ICTY will be investigating hundreds of such incidents.
- **France: 1994 Prosecution of Killers of Former Iranian Prime Minister Shahpour Bakhtiar**
 - An investigation against hard-to-prosecute terrorists. It was an investigation into only one incident.
 - Full cost is believed to be in the millions of French francs.
- **Canada: *Finta* Case, a World War II Camp Guard: Can\$2,000,000 for Prosecution and Defense Costs Alone**
 - Cost figures do not include court costs. The cost includes, for the prosecution, three prosecutors, one historian, one paralegal, one secretary, expert witnesses, interpreters, and witness counselling.
 - Trial lasted eight months.

Costs of Comparable Investigations

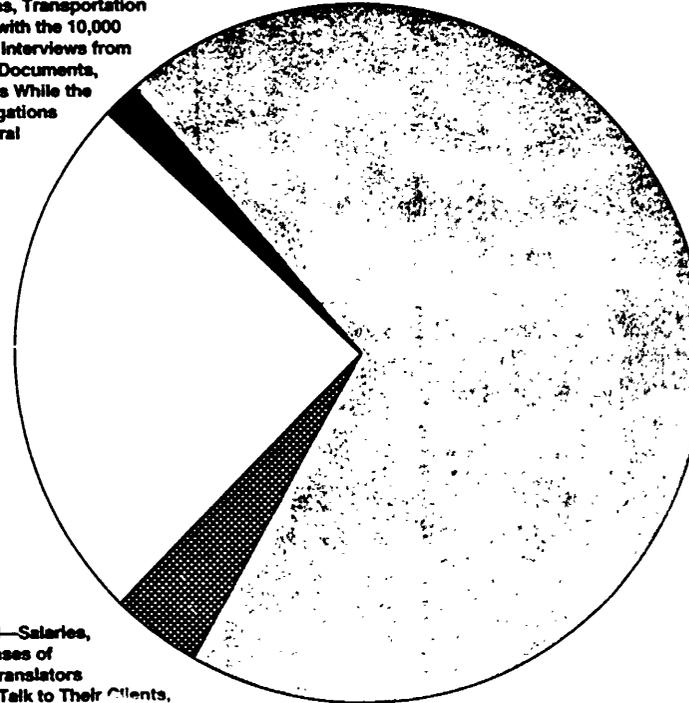
Conclusions:

- 1. There was ample experience around the world of what it would cost to conduct credible war crimes prosecutions.**
- 2. The tasks of the ICTY and later the ICTR were to construct a tribunal, to build an investigative and prosecution team capable of prosecuting more than two dozen major cases, and to pay for judges, court administration and the defense.**
- 3. For the two tribunals, this calls for an annual expense on the order of magnitude of \$100 million a year.**
- 4. The 1995 United Nations budget for UNPROFOR: \$1.67 billion.**
- 5. To fund both the Yugoslavia and Rwanda war crimes tribunals at the combined rate of \$100 million a year is the equivalent of what UNPROFOR spent in 22 days.**

International Criminal Tribunal for the Former Yugoslavia U.N. 03/94 Proposed Budget for 1994 and 1995 – Revised Estimates

Prosecutor—Travel for Investigators, Translators for Witness Interview Trips, Expenses of Investigations, Travel for Witnesses, Forensic and Medical Experts, Mass Grave Investigations, Transportation of Accused, Keeping up with the 10,000 Pages/Month of Refugee Interviews from Governments and Other Documents, Tracking New War Crimes While the War is Going On, Investigations into Destruction of Cultural Property (\$562,300)

(Total: US\$32.6 Million)



Judges, Administration and Overhead (\$22.6 million)

Prosecutor—Salaries (\$8.1 million)

Defense Counsel—Salaries, Overhead, Expenses of Investigations, Translators so Lawyers Can Talk to Their Clients, Forensic and Medical Experts, Processing (\$1.4 million)

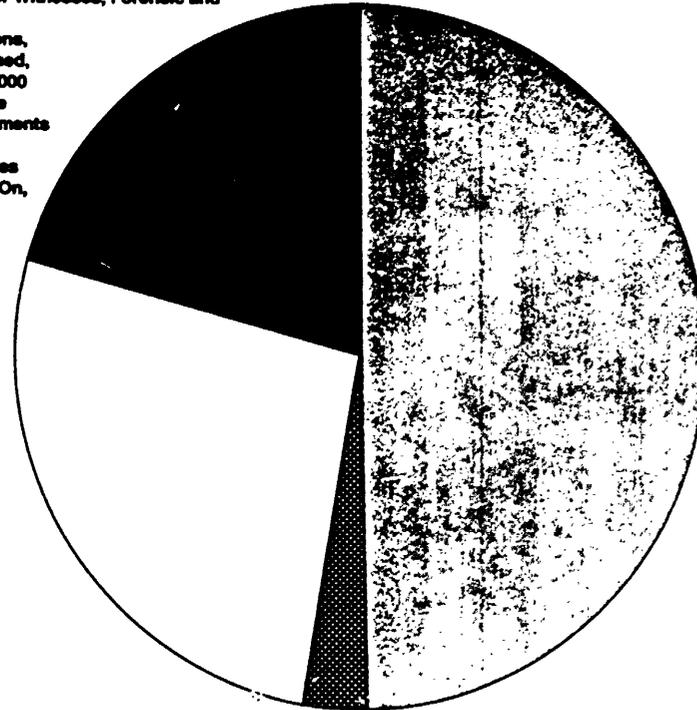
Reference: U.N. Doc. A/C.5/48/44/Add.1, 94-12652 (E) 140394

Tab 2a (b&w)-03/94 Budget.chart

International Criminal Tribunal for the Former Yugoslavia ICTY 12/94 Budget Proposed for 1995

Prosecutor—Travel for Investigators, Translators for Witness Interview Trips, Expenses of Investigations, Travel for Witnesses, Forensic and Medical Experts, Mass Grave Investigations, Transportation of Accused, Keeping up with the 10,000 Pages/Month of Refugee Interviews from Governments and Other Documents, Tracking New War Crimes While the War is Going On, Investigations into Destruction of Cultural Property (\$5.8 million)

Prosecutor—Salaries (\$7.6 million)



Judges, Administration and Overhead (\$14.1 million)

Defense Counsel—Salaries, Overhead, Expenses of Investigations, Translators so Lawyers Can Talk to Their Clients, Forensic and Medical Experts, Data Processing (\$0.9 million)

Reference: U.N. Doc. AC.5/48/42, 94-48554 (E) 091294

Budget Items for the ICTY That Were Not in the 12/94 Budget

- 2 to 4 mass grave exhumations\$5,000,000 to \$10,000,000
- Defense counsel and support servicesadditional* \$2,000,000
- Travel for witnesses additional \$1,000,000
- Witness counseling and security additional \$500,000
- Witness protection programs (for 5-10 witnesses)\$5,000,000 to \$10,000,000
- Travel of accused additional \$200,000
- Expert witnesses for the Prosecutor additional \$100,000
- Forensic laboratory expenses \$1,000,000
- Total additional budgetary needs\$14.8 million to \$24.8 million

* - "Additional" refers to instances where the proposed budget for the ICTY contained a line item for this category of expense, but the amount in the budget would have to have been increased to meet the need. Where "additional" does not appear, the proposed budget did not include a line item for this category of expense.

The September 1995 U.N. Budget Freeze Hit the Tribunals Especially Hard

■ Witness Protection

- No money available without New York approval.
- Takes a week or more, leaving witnesses at risk.
- Increases risk of security breach – lives in danger because of U.N. bureaucracy.

■ Tadic Trial – for Want of a Ha’penny Nail

- Trial, scheduled to start in November 1995, postponed Tuesday until May 6, 1996.
- 6-month delay for want of \$78,000 for expenses of defense counsel and investigators between now and end of year.
- In the meantime, 3 trial chamber judges sit idle. Cost to U.N. between now and end of year: \$72,500.

■ Emergency Travel

- Regular travel budget was approved through end of 1995 after major pressure from United States, Netherlands and many NGO's.
- However, no money is available to take advantage of urgent opportunities without New York approval. Takes at least a week to approve the most urgent travel.

■ Hiring

- Danger of not replacing key people whose two-year tours are up.

■ Voluntary Contributions, Including the United States'

- Can't use to pay for items in regular Tribunal budget.
- Can only be used for limited purposes—not necessarily according to urgent needs

Does United Nations Headquarters Really Support the War Crimes Tribunals?

- **Failure to support the Commission of Experts on the Former Yugoslavia, 1992-94**
 - Serious allegations in March 1993 by Pulitzer Prize-winning journalist Roy Gutman that U.N.'s Office of Legal Affairs had set up the Commission to fail (Newsday, March 4, 1993).
 - Chairman Frits Kalshoven, in July and October 1993: Cited New York's delays in providing meaningful funds—"pencils from New York"—and delays in releasing voluntary contributions, including the United States' (NRC Hanselblad (Netherlands), October 3, 1993).
 - During unexpected mass grave exhumation at Pakraca Poljana, Croatia, New York told Commissioners to stop and get three price quotes on body bags (Commissioners).

- **Failure to support human rights monitors in Rwanda**
 - New York would not give Karen Kenny money to buy 200 blank cassettes to tape radio broadcasts of Hutu incitements to genocide—evidence usable in court (Christian Science Monitor, October 7, 1994).

- **Allocation of funds in budgets prepared by United Nations headquarters**
 - Two-thirds to three-fourths of funds went to judges, administration and overhead.
 - Only \$562,300 out of \$32.6 million was budgeted for the expenses of investigations.

- **U.N. headquarters tried to hire unqualified people for senior prosecutor/investigator positions, and to put senior people in junior positions – May/June 1994**

- Documented in recently issued Refugee Policy Group study by Iain Guest.
- **“Shell game” on ICTR budget for 2nd quarter, 1995**
 - After being assured by New York in March 1995 that there would be funds for the ICTR for the second quarter of 1995, the ICTR was told in March that no additional funds would be made available until July.
 - Justice Goldstone had to call a donors’ conference in Kigali on May 19, 1995, in order to have any funds for the ICTR for the second quarter of 1995 (Reuters).
- **Foot-dragging on hiring Rwanda Tribunal personnel**
 - Should have been fully staffed by end of April 1995 (budget).
 - New York delayed in approving hiring prosecutors and investigators chosen by Office of the Prosecutor—still not staffed.
- **An effort in August to appoint an “advocate” for the Tribunals within the Secretary-General’s office has led to nothing**
- **Effect on Tribunal Operations**
 - The Prosecutor and Deputy Prosecutors are having to spend too much of their time on administrative matters—taking time away from directing investigations, planning prosecutorial priorities, and seeking cooperation from governments in Europe and Africa.
 - The ICTY Registrar spends too much of her time dealing with New York—taking time away from working on witness protection, fundraising, and streamlining administration. New York is pressuring the ICTY Registrar to keep the budget down, without any appreciation or understanding of the importance of resources to the Tribunals’ success.
 - It took nine months to hire a Registrar for the ICTR—now impossible to submit his budget on time.

Will It Work?

- **Even If the Tribunal Can't Get Its Hands on Everyone Right Away...**
 - **Publicity works to deter future violations.**
 - **Let some live the life of Joseph Mengele.**
 - **Governments change. Turning over war criminals to the United Nations for trial will be one way a new government can regain its standing in the international community.**

- **What Will It Take for Success?**
 - **Character of the Prosecutor.**
 - **Patience and perseverance.**
 - **Adequate resources.**
 - **Political support.**

THE WASHINGTON POST SUNDAY, JUNE 25, 1995 C7

Nancy Landon Kassebaum and Lee Hamilton

Fix the U.N.

At 50, it's sick but savable—and we need to keep it going.

As we celebrate the 50th anniversary of the United Nations Charter this month, it is time to ask what we want the United Nations to be and what we realistically can expect it to do. These hard questions are neither academic nor abstract. Our answers will determine whether the United Nations can be an effective international forum or is merely a debating society destined for irrelevance.

To mark this golden anniversary, we believe the United States must lead a bold and broad effort to reinvent the United Nations and give it new life. While it may be an indispensable institution, the United Nations today is a terrible mess. We need a decisive change of course that produces a smaller, more focused, more efficient United Nations with clearly defined missions.

For America, the U.N. is not a charity but an important tool for advancing our vital national interests abroad. Our foreign policy requires an effective United Nations, just as we need a powerful military, vigorous diplomacy, sound alliances, prudent foreign aid and healthy international financial institutions. Taking away these tools one by one, or sharply restricting their use, will inevitably diminish our ability to build coalitions and construct the sort of strong policy that Americans expect.

If the United States abdicates leadership at the United Nations, we will weaken our ability to pursue our vital national interests around the world. To allow the U.N. to continue drifting would be to squander, in large part, the opportunity that now exists for creating a more stable, peaceful and prosperous world in the 21st century.

Clearly, the U.N. has fallen short of its potential. During the Cold War, superpower rivalry paralyzed the Security Council and marginalized the General Assembly. With its central organs at deadlock, the U.N. shifted resources to secondary activities staffed by a bloated bureaucracy more intent on advancing its own goals than the cause of world peace. Today, lines of authority are confused, blurred and duplicated. Basic missions and activities have ballooned into plodding exercises that produce mountains of paper and little, if any, real results.

Despite this harsh assessment, we consider ourselves friends of the United Nations. The U.N. detractors are far less generous or forgiving, and they are prepared to draw the purse strings to a close. If we fail to meet this urgent need for bold reforms, we will witness the slow death of the one institution that can direct both the international community's attention and its resources toward the common problems before us and can provide the moral and legal authority to build coalitions that serve our common interests.

One way or another, change will come. Congress is prepared to compel changes in the U.S. role at the United Nations by continuing the piecemeal approach to U.N. reform that we have employed for many years. We believe, however, that the time has come for a comprehensive reorganization. Legislation now before Congress would call upon the president to develop a plan for the

"strategic reorganization" of the United Nations. We hope the president will join with us to seize this opportunity. Reforming the United Nations is too important and too complex a job for Congress to undertake alone with only the blunt instruments at its disposal.

We propose several areas on which to concentrate reform:

Focus on Core Agencies. Today the United Nations has more than 70 agencies under its umbrella. They range from the high-profile International Atomic Energy (IAEA) to the obscure U.N. Research Institute for Social Development (UNRISD). At a time when we are eliminating low-priority programs from our own foreign policy institutions, we need to take similarly bold steps at the United Nations.

We must focus resources and energy on a handful of core agencies that are most important and best reflect the range of purposes of the U.N. system. These core agencies would be an integral part of that system and would report directly to the secretary general. Three agencies that already serve core purposes of the U.N. system should be strengthened: the IAEA to combat the threat of weapons of mass destruction, the World Health Organization to deal with all important trans-national health issues and the High Commission for Refugees, which ought to be empowered to deal with all refugee and humanitarian relief issues.

The United States should finance only core agencies rather than the long list of U.N. organizations that now find their way into appropriations bills. Other agencies should be abolished, merged or financed at the discretion of one of the core agencies. This prescription is dramatic, but we believe that only triage can save the institution as a whole.

Peacekeeping. Expectations for U.N. peacekeeping have grown far beyond what is rational, and there has been a corresponding rise in ambiguity about peacekeeping's nature and capabilities. Peacekeeping is diplomacy with light arms. It is not designed to fight wars. We believe that recent failures show that "peace-enforcement" should be struck from the U.N.'s vocabulary and that future peacekeeping should be limited to classic operations

in which "Blue Helmets" stand between suspicious parties only after diplomacy has secured a peace to be kept.

Peacekeeping is successful when it respects these limitations, as it did in Namibia, Cambodia, Mozambique and El Salvador. Situations that require more robust military action are better handled directly by the member states, as we learned in the effective response to Iraq's invasion of Kuwait.

Conferences. We fear that the United Nations is in peril of becoming little more than a road show traveling from conference to conference. If an issue is serious, a conference will not solve it; if it is not serious, a conference is a waste of time.

The number and cost of U.N. conferences have exploded—the recent "social summit" in Copenhagen may have cost \$60 million—and they often focus on subjects usually reserved for domestic politics. Conferences are seen by

"The Cold War excuses for inaction are gone."

many as a cheap way to placate narrow but vocal constituencies. But the truth is they carry a steep price. The domestic backlash against conference-produced agreements has been strong, not because Americans oppose their noble purposes but because people doubt that international agreements are the best means for securing them. The price is paid in diminished public and congressional support for the U.N. system as a whole and in the diversion of scarce funds from more pressing needs.

We propose ending U.N.-sponsored conferences. To the extent countries deem a specific international conference essential, it should be organized and financed on an ad hoc basis, outside the U.N. system, with user fees paid by countries that choose to participate.

Accountability. Today, the United Nations is accountable to no one. Despite thousands of pages of budget documents produced each year, we don't know how many employees it has, how funds are spent or which programs work. After a decade of "no real budget growth," the budget has almost doubled. Sexual harassment, mismanagement, and cronyism are all too common at the U.N. Those engaged in such practices are not punished, but those who report them are.

Congress tried to address these problems by mandating the establishment of an inspector general at the United Nations. To date this office has been a disappointment. We are prepared to take strong measures, including withholding funds, until this office is strengthened and functions properly. The U.N. must be accountable to the nations that pay its bills.

We also believe the time has come to inject more accountability into the Secretariat by reforming the process by which the secretary general is selected. Unlike a head of state, the secretary general is a chief administrative officer—not a chief executive. Skills and administrative ability, not nationality or political connections, should be the decisive qualifications for the secretary general. It is important that the selection process become more open and transparent.

We offer these proposals to lock off a debate that must occur soon. The United Nations as it exists today is not sustainable. The Cold War excuses for inaction are gone. If the United Nations does not begin to fulfill its true potential, it will be left to suffocate in endless debates over meaningless issues or will become a side show in the realm of international politics. The danger of irrelevance is imminent.

The preamble to the charter sets forth bold objectives: To "save succeeding generations from the scourge of war . . . to reaffirm faith in fundamental human rights . . . to establish conditions under which justice . . . can be maintained, and . . . to promote social progress and better standards of life in larger freedom." These purposes remain as important today as they were half a century ago. The task for our generation is to ensure that the machinery of the United Nations works. Today it does not.

Nancy Landon Kassebaum is a Republican senator from Kansas and a member of the Foreign Relations Committee. Lee Hamilton is a Democratic representative from Indiana and ranking minority member of the House International Relations Committee.

OPENING STATEMENT

CONGRESSMAN DONALD M. PAYNE

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

UNITED NATIONS REFORM

OCTOBER 26, 1995

Thank you Mr. Chairman, few institutions have enabled the expression of the noblest ideals of humankind as has the United Nations. Listen to the words that begin the charter of the United Nations written 50 years ago at the end of World War II.

"We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations. large and small, and

to establish conditions under justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom, and

for these ends to practice tolerance and live together in peace with one another as good neighbors...."

Listening to those words and seated at the conference to establish the United Nations in San Francisco in April 1945 were Mary McLeod Bethune of the National Council of Negro Women, Mordecai W. Johnson of Howard University, W.E. B. DuBois and Walter White of the NAACP.

African-American leaders have always been actively engaged in the development of the United Nations.

Another prominent African-American in attendance was Ralph Bunche, then representing our Department of State. The following year Bunche became involved with the UN's Trusteeship Council, formed to safeguard the interests and welfare of non-self governing peoples.

Later, Bunche distinguished himself, the UN, and all African-Americans by being the recipient of the Nobel Peace Prize for his negotiation of the Israeli-Palestine conflict.

Bunche devoted the remainder of his working life to the UN until his death at the age of 67.

Andrew Jackson Young, who was a member of the U. S. Congress later carried on the African-American legacy in the UN. This was the first time an ordained minister, and product of the non-violent civil rights movement, led the American delegation to the United Nations. Again, Andy carried on the same sense of idealism and spiritualism as exemplified by Bunch.

Ambassador Young was later followed by Donald F. McHenry, and most recently Edward Joseph Perkins served in this same position.

There were other African Americans that served the United Nations in various capacities...James Madison Nabrit, Jr. while President of Howard U., Franklin H. Williams, Clarence Clyde Ferguson, Jr., Alan Leo Keyes, Jr., Robert Wilson Kitchen, Jr., Charles C. Diggs, Jr., Edith Sampson, Archibald J. Carey, Charles H. Mahoney, Robert L. Frokenburr, Zelma George, Carl T. Rowan, Patricia Roberts Harris, Pearl Bailey, the list goes on..

These leaders, and what the United Nations stood for, was an inspiration to me. In a small way I made my contribution as an advisor to young people in the YMCA's Model UN Program, and later as a member of the United Nations Association, and the board for the US Committee for UNICEF. I mention this only to point out how the spirit of the United Nations motivated adults and young people during these past years.

Our faith in the UN system was based upon good reasons. Reasons we sometimes forget during our current period of UN "bashing". Just consider these accomplishments by the UN.

Smallpox was eradicated from the planet after a 13 year effort by the World Health Organization in 1980. Child mortality rates in the developing countries have been halved since 1960, increasing life expectancy from 37 to 67 years.

The World Meteorological Organization has spared millions of people from the calamitous effects of both natural and man-made disasters through its early warning systems.

When we fly on air carriers, how many of us realize we are more secure because of the standards set, and a common language mandated for air controllers to use to make our landings safe. In 1947, when nine million travelled some 590 were killed in aircraft accidents. In 1993 with 1.2 billion traveling the number of deaths were held to 936, making air travel the safest mode of transportation.

I could go on and on with other contributions of the UN specialized agencies like UNICEF that has made possible the immunization of 100 million children.

When we talk about peace keeping we need to recall the UN successes. Consider Namibia, Afghanistan, and ending the terrible 8 year war between Iran and Iraq.

In South Africa, the UN imposed measures ranging from an arms embargo to a convention against segregated sporting events. The UN sponsored overseas education for exiled leaders of-ANC and SWAPO through the UN Program for Education and Training for South Africa (UNEPTSA). All to prepare leaders for the day the walls of apartheid would come crumbling down.

In fact, all of Africa has been of the highest priority for the budgets of all major UN Agencies. In 1986 the UN convened a special session devoted to increasing international support for African economic recovery and development.

Millions of refugees have been fed, clothed, protected, sheltered and educated by the UNHCR. Also to be included is the lesser known UN Relief and Works Agency (UNRWA) for Palestinian Refugees, plus the UN Border Relief Operations for Cambodians.

It was the UNHCR that stood up to President Bush and Clinton, and told them that the United States treatment of Haitian Refugees violated international conventions for asylum.

The UN now has their first African Secretary General, Boutros Boutros Ghali.

This Secretary General jarred western leaders to action by comparing the turmoil in the former Yugoslavia which included Bosnia and Croatia in 1992 as a "rich man's war" compared to the civil war and starvation in Somalia.

These are some of the reasons African-Americans have a passion for the UN and hopes for its potential for good.

The United Nations is a sum of the whole of all nations. Each nation has periodic representation on the Security Council, and our nation has permanent representation.

How can the UN be faulted for the genocide in Rwanda when it was our nation that engaged in stalling actions in the Security Council to prevent immediate action?

Today, we will hear much more about the UN, and about the critical and special issues it is called upon to address, now and in the future.

Yes, reforms are needed. How can any organization grow from 51 countries when founded, to 185 today and not have some problems? The 15 nation Security Council should be expanded to include Japan and Germany. Also, a better formula should be devised to allow greater participation of less developed countries in the Security Council.

I am especially pleased you will be considering the lack of progress in the referendum proposed for the Western Sahara. The United Nations and the countries that make it up need to assume their responsibility in a more timely fashion regarding this issue. Western Sahara is the last colony in Africa, and with the tide of democracy swelling all over the world, this country should have its independence.

Reforms are needed, however, they must directly resemble the moods of the this post-Cold War era.

Thank You.

**Statement of
CONGRESSMAN TOM LANTOS
at a Hearing of the
Subcommittee on International Operations and Human Rights
October 26, 1995**

Mr. Chairman, I first want to commend you for holding this particularly timely hearing today. In the past few days, the world has celebrated the 50th anniversary of the United Nations. Those of us who are from the San Francisco Bay Area are justly proud that the United Nations was born in our area at the San Francisco Conference in June 1945. As one of the two Congressional Representatives who are members of the United States delegation to the UN General Assembly, I was in New York City earlier this week and witnessed a part of the incredible parade of heads of state, heads of government, and foreign ministers who came to pay tribute to the United Nations on this occasion of its anniversary.

It is also appropriate for the Subcommittee to consider issues relating to the management, financing and reform of the United Nations. During the last Congress, as the chair of the Subcommittee on International Security, International Organizations, and Human Rights, I conducted a number of hearing on United Nations management and reform. It was clear then and it is clear now, as well, that the United Nations is in need of serious review and reform, and it is my hope and expectation that we in the Congress can provide impetus and support for United Nations reform.

- 2 -

At the same time, however, Mr. Chairman, it is vitally important that, in our zeal for reform and our concern with the problems of the United Nations, we not lose sight of the vitally important role which the United Nations has played during the past half century. There is no question that, as a result of the existence of the UN, the world is now a better place than it would be otherwise. It should be our goal in this hearing and in the actions that we as a Congress take in the future to improve the United Nations, to eliminate its defects, but not to undermine that important institution.

It is important to realize that U.S. participation in the United Nations has been an important positive factor in the constructive actions of the UN over the past half century. Furthermore, the UN has been an important element of American foreign policy. We have been able to accomplish through cooperative and joint actions with the UN actions that would have been much more difficult or even impossible for the United States to accomplish alone. A careful examination of US participation in the UN leads inescapably to the conclusion that we should continue to participate actively and fully in the UN. We should work actively to improve the workings of the organization, to increase its efficiency, and to eliminate shortcomings that are evident.

Mr. Chairman, later this afternoon, the Congressional Human Rights Caucus, which I Co-Chair along with my Republican colleague John Porter of Illinois, will host a reception honoring the 50th Anniversary of the United Nations. On that occasion, we will have the great pleasure of having with us Dr. Boutros Boutros-Ghali, the Secretary General of the United Nations, and also Ambassador Madeleine Albright, the Permanent U.S. Representative to the United Nations and

- 3 -

a Member of the President's Cabinet. I want to mention here my great admiration and respect for Ambassador Albright, who for the past three years has represented United States interests at the UN.

Mr. Chairman, I have an advance copy of Ambassador Albright's remarks prepared for the reception this afternoon, and I ask unanimous consent to include in the record at this point Ambassador Albright's excellent assessment of the United Nations on its 50th Anniversary.

**Remarks of Ambassador Madeleine K. Albright
at the Celebration of the 50th Anniversary of the United Nations**

Good evening fellow multilateralists.

Now, to some, multilateralism is a sin; sort of like watching PBS or liking art. And it is true that multilateralism is a terrible word; it has too many syllables; there's a little Latin in there; and it ends in i-s-m.

But supposedly, the big rivalry these days is between unilateralists and multilateralists. This is a phony debate. I have been studying, teaching and practicing foreign policy for more than 30 years, and I have yet to come across anyone who has accomplished anything without understanding that there will be times we have to act alone, and times when we can act with others at less cost and risk, and greater effectiveness.

That isn't unilateralism or multilateralism - it's realism.

On the things that matter most to our families, from drugs to terrorists to pollution to controlling our borders to creating new jobs, international cooperation isn't just an option, it is a necessity. And the UN is a unique mechanism for providing that cooperation.

This is the UN's 50th anniversary; but reading the newspapers, you would think, at times, we were observing not a birthday, but a wake.

We have such short memories. The UN at 50 is far stronger, effective and relevant than the UN of 40, 30, 30 or 10 years ago. Cold War divisions are gone; north-south differences have narrowed; the non-aligned movement is running out of factions to be non-aligned with.

Measured against impossible expectations, the UN will always fall short.

Measured in the difference it has made in people's lives, we can all take pride in what the UN has accomplished.

It matters that the ceasefire in Cyprus is holding; that confidence is being built in the Middle East; and that Namibia, Cambodia, Mozambique, El Salvador and Haiti have joined the great worldwide movement to democracy.

It matters that the economic pressure of sanctions has improved the climate for peace in the Balkans; penalized Libya for the terror of Pan Am 103; helped to consign apartheid to the dustbin of history; and forced Iraq to confess its program of deadly biological weapons.

It matters that millions of children each year live instead of die because they are immunized against childhood disease.

It matters that smallpox has been eradicated, that polio is on the way out, and that a global campaign to increase awareness about AIDS has been launched.

It matters that so many families in Somalia, Bosnia, Liberia, Sudan, the Caucasus, Afghanistan, Central America and Southeast Asia owe their survival to the World Food Program and the UN High Commissioner for Refugees.

It matters that the IAEA is working to prevent the spread of nuclear weapons across the face of the earth.

And it matters that the Wars Crimes Tribunals for Rwanda and former Yugoslavia will strive to hold the perpetrators of ethnic cleansing and mass rape accountable for their crimes.

Let us never forget that the United Nations emerged not from a dream, but a nightmare. In the 1920's and 30's, the world squandered an opportunity to organize the peace. The result was the invasion of Manchuria, the conquest of Ethiopia, the betrayal of Munich, the depravity of the Holocaust and the devastation of world war.

This month, we observe the 50th anniversary of the start of the Nuremburg trials. This same month, we observe the start of the first trial of the War Crimes Tribunal for former Yugoslavia. A cynic might say that we have learned nothing;

changed nothing; and forgotten the meaning of 'never again' - again. We cannot exclude the possibility that the cynic is right. We cannot deny the damnable duality of human nature.

But we can choose not to desert the struggle; to see our reflection not in Goebbels and Mladic, but in Anne Frank, Nelson Mandela, Vaclav Havel, Aung San Suu Kyi and the people who founded and built the United Nations.

We can understand there will be limits on what we accomplish; without placing unnecessary limits on what we attempt.

We can believe that humans do have the ability to rise above the hatreds of the past and to live together in mutual respect and peace.

We can believe that justice matters, that compassion is good, that freedom is never safe and that the capacity to work effectively with others is a sign not of weakness, but of wisdom and strength.

And we can recognize that the principles embodied in the UN Charter matter not because they are so easy to obtain, but because they are so terribly hard.

When Republican Senator Arthur Vandenberg returned to Washington from the Convention in San Francisco where the UN Charter was drafted, he was challenged by those who thought it too idealistic, even utopian. He replied that:

"You may tell me that I have but to scan the present world with realistic eyes in order to see the fine phrases (of the Charter) . . . reduced to a shambles . . . I reply that the nearer right you may be . . . the greater is the need for the new pattern which promises . . . to stem these evil tides."

The Truman-Vandenberg generation understood that although the noble aspects of human nature had made the UN possible, it was the ignoble aspects that had made it necessary.

It is up to us in our time to do what they did in their time. To accept the responsibilities of leadership. To defend freedom. And to explode outwards the potential of institutions like the UN to keep peace, extend law, promote progress and amplify respect for the dignity and value of every human being.

In that effort, I ask your help.



21-525 (144)

ISBN 0-16-052189-0



90000